

*Incorporated March 12, 1738*

# TINICUM TOWNSHIP

*Bucks County*

## BOARD OF SUPERVISORS

163 Municipal Road  
Pipersville, Pennsylvania 18947

JOHN BLANCHARD, CHAIRPERSON  
RICHARD ROSAMILIA, VICE-CHAIRPERSON  
JIM HELMS, SUPERVISOR

### **Tinicum Township Board of Supervisors Meeting Minutes May 4, 2021**

Supervisors John Blanchard, Richard Rosamilia and Jim Helms were present with Manager Teri Lewis and Township Solicitor Steve Harris. The meeting was held in the Tinicum Township building meeting room. There were approximately 16 people in attendance. Masks and social distancing were required.

Chairperson John Blanchard called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 PM followed by the Pledge of Allegiance.

#### **A. Announcements**

Blanchard announced the following:

- 1) Supervisors Blanchard and Helms held a brief executive session at 7:00 pm to discuss personnel.
- 2) The public comment period would be held at the end of the meeting.
- 3) The Board and staff thanked Jason Wehrung and Wehrung's Home Center for their continued support and dedication to the community. Wehrungs has donated generously to the Tinicum Community Park in Ottsville and provided maintenance assistance for the mini golf course and clubhouse rehabilitation. Jason Wehrung also serves as a Tinicum Police Foundation Board member and hosted a medication take-back event at the Wehrung's Home Center in April.
- 4) Recycling Information:
  - 2021 Bucks County Recycling Event locations and information can be found on the Township and County websites. Registration is required to attend the event.
  - The 2021 Bucks County Recycling Guide is available on the Township and County websites.
  - Public Works Department accepts used motor oil.
  - Electronics can be recycled at 611 Metals in Pipersville.
- 5) The Board thanked Joan Tanner, Administrative Services, Bill Cahill, Emergency Operations Coordinator and Manager Lewis for their work on the 2021 Bucks County Hazard Mitigation Plan. The plan is updated every five years. Future actions include: working closely with PEMA/FEMA to reach out to property owners in flood-prone areas to ensure they have the information and resources to prepare for and avoid flood hazards; a review of the Township Floodplain Ordinances in accordance with current PEMA/FEMA standards; repetitive loss process development; and emergency evacuation route development.

#### **B. Police Report**

Chief Madden, Tinicum Township Police Dept., gave the following report for April:

- 152 Incident Reports: 63 service calls, 26 traffic calls, 53 crime-related calls, 7 training and 3 court.
- 2 Reportable Traffic Accidents:
  - A motorcyclist lost control on Headquarters Road.
  - A car rear-ended another car that was turning into Wehrung's Home Center on Route 611.

- DUI Arrest: following a traffic stop.
- Medication Take-Back Event at Wehrungs: 51 pounds of medication was collected on April 24<sup>th</sup>.

**C. New Business**

Resolution Supporting Pennsylvania Senate Bill 312 Open Records

Lewis explained that state agencies, municipalities and schools receive Right-To-Know requests for names, addresses and other information for the purposes of commercial solicitation, selling the records to a third party, or other ways which generate revenue for the requester. She said the amendment would allow the Township to charge the requester reasonable fees, rather than at taxpayer expense, for the search, retrieval, review, redaction and duplication of records.

**Motion:** to support Pennsylvania Senate Bill 312 Open Records.  
Motion by: Rosamilia. Second by: Helms. Voted upon and passed.

Resolution Supporting Pennsylvania Senate Bill 552 Open Records

Lewis explained that numerous state agencies, municipalities and school boards report that they are overwhelmed by burdensome, multiple and repeated Right-to-Know requests with the vexatious intent to overwhelm staff and harass the agency. Lewis said the legislation will allow the agency to petition the Office of Open Records in Harrisburg for relief from vexatious requestors abusing the process.

**Motion:** to support Pennsylvania Senate Bill 552 Open Records.  
Motion by Helms. Second by: Blanchard. Voted upon and passed.

**D. Regular Business**

1) Budget Recap and Treasurer’s Report

The Budget Recap and Treasurer’s Report for March was provided to the Board at the previous meeting and posted on the Bulletin Board.

2) Minutes

**Motion:** to approve the April 20, 2021 minutes as written.  
Motion by Blanchard. Second by: Rosamilia. Voted upon and passed.

3) Payroll Reports

**Motion:** to accept the Payroll Reports for the pay period ending April 23<sup>th</sup> in the amount of \$26,815.04.  
Motion by: Helms. Second by: Rosamilia. Voted upon and passed.

4) Disbursements:

**Motion:** to approve the following disbursements.  
Motion by: Helms. Second by: Rosamilia. Voted upon and passed.

General Fund	Amount	Memo
Postmaster	\$50.00	Postage - \$1 Stamps
Holicong Locksmiths	\$72.00	Battery Replacements - Garage
Petty Cash	\$43.10	Replenish Police Petty Cash
Suburban Propane	\$616.92	Suburban Propane
Hinrichs	\$737.84	Tax Collection post and print
Keystone Municipal Services Inc	\$4,219.00	Bldg. & Zoning Services
Verizon Wireless	\$215.21	Police Wireless
Matthew Bender & Co., Inc.	\$277.68	Matthew Bender & Co., Inc.
Central Bucks SRT	\$3,000.00	2021 Membership
Chapman of Horsham	\$137.88	9001256-21120
Compas	\$146.09	Reimbursement F150 Parts
VISA	\$22.80	Verio/ Domain Name
Service Electric Telephone	\$404.02	Telephone Service All
AAA Assoc	\$300.00	Administration Fee

Campbell Durrant, PC	\$2,527.50	Legal Counsel
Hartford Insurance	\$292.52	Life and Disability Insurances
PSATS UC	\$720.00	Unemployment Insurance
R. Doug Skelton	\$400.00	Clothing Allowance
R. Margot	\$400.00	Clothing Allowance
R. Kallenbach	\$400.00	Clothing Allowance
C. Trovinger	\$400.00	Clothing Allowance
Wehrung's	\$67.53	Building Maintenance
Merry Maids	\$198.00	April Cleaning Services
Porter and Curtis	\$17,454.00	Volunteer Fire Worker's Comp Insurance
<b>Payroll Fund</b>		
Account Edge Payroll	\$26,323.01	Pay period ending 4-23-21
<b>Open Space Fund</b>		
Del Val Regional Finance	\$11,916.03	Open Space Bond Payment

**H. Zoning**

Zoning Hearing Application 2021-01 Heacock, 4 Park Road, Ottsville (TMP# 44-001-018-003)

The Applicant seeks variance relief from the Zoning Ordinance in order to allow a 400 square foot expansion of an existing garage located within the front yard setback. The virtual Hearing is scheduled for May 13, 2021.

Res. 050421.03 Hamilton Sewage Planning Module, 6 Gruver Road, Pipersville (TMP 44-11-65-2)

**Motion:** to approve Resolution 050421.03 Hamilton Trust Sewage Planning Module for a two dwelling septic system (serving existing residence and proposed accessory in-law dwelling) located at 6 Gruver Road, Pipersville TMP 44-11-65-2 and authorization for Manager Lewis to sign for Tincum Township.

Motion by: Rosamilia. Second by: Helms. Voted upon and passed.

**I. Subdivision/ Land Development**

The Land Development Preliminary Plan of Spinio Industrial Holding, LLC, 3632 Bedminster Rd, Ottsville (TMP #44-011-008-003) has been continued indefinitely to allow for necessary Conditional Use review. The Township is awaiting the Conditional Use application.

**G. Public Works**

2021 Bituminous Seal Coat Project Award

Blanchard announced the following:

- As advertised, the Seal Coat Bids were publicly opened at 10 AM on May 4<sup>th</sup> and reviewed by the Public Works Director and the Manager.
- The 2021 Bituminous Seal Coat Project low bid was submitted by Asphalt Maintenance Solutions at \$1.29 per square yard.
- Roads scheduled for seal coating include: paved sections of Wormansville, Ervin, Municipal, Gruver, Iron Bridge, Tory and Smithtown Roads.

Lewis stated that the low bid was higher than had been estimated for the complete Sector and, if necessary, the Public Works Director would reduce/adjust the square yardage to stay on budget.

**Motion:** to award the bid for the 2021 Bituminous Seal Coat Project to Asphalt Maintenance Solutions at \$1.29 per square yard up to the budgetary limit of \$95,213.00.

Motion by: Blanchard. Second by: Helms. Voted upon and passed.

## H. Public Comment

### Headquarters Bridge Discussion

Jesse Salamun, Headquarters Road, said she wanted to respond to the Board of Supervisors meeting minutes of April 6<sup>th</sup>, regarding another resident's statements on accidents and safety in the Township. Salamun said it was her opinion that if the Headquarters Bridge becomes a two-lane bridge there would be a higher occurrence of traffic accidents, an increase in speeding, and more truck traffic. Salamun said that a one-lane bridge with stop signs would be safer.

David Phillips, Hollow Horn Road, said he was opposed to destroying a 200-year-old bridge and asked the Board if they supported PennDOT in that decision.

Blanchard said he was supportive of preserving historic structures, however, for the past ten years the bridge has been closed, a portion of the Township has experienced a delay in emergency services response time. He said he was not on the Board at the beginning of the issue and may have felt differently early on, but a decade later public safety has risen above other priorities. He said he was not devaluing the importance of historic preservation and he would support historic rehabilitation of the bridge if it could take place in the next six months [as had been proposed at previous meetings by the owner of the property next to the bridge]. Blanchard said that at this point he felt alternative solutions had run out.

Rosamilia said the Board of Supervisors Meeting Minutes of October 20, 2015, would provide Phillips with a history of the Headquarters Bridge discussions, the opinion of the Board at the time and what they tried do. He said the 2015 Board included Nick Forte, Vincent Dotti and himself. Rosamilia asked Lewis to provide copies of the minutes to Phillips and anyone else in the audience that requested them. Lewis noted that the minutes were also on the Township website.

Rosamilia said his position had remained unchanged from 2015. He stated that if PennDOT will only build a two-lane bridge, then he will support that for the health, safety and welfare of the public. Rosamilia said a two-lane bridge is the only option on the table according to PennDOT. He said the owner of the property adjacent to the bridge said that he might be able to get a rehabilitation of the bridge in six months, but he was not in attendance.

Rosamilia said that originally in 2011, PennDOT made a presentation to the Board in place at that time. He said PennDOT said they could build a one-lane bridge or a two-lane bridge. The Board voted to build a two-lane bridge because the Township would have to take ownership of a one-lane bridge in perpetuity.

Phillips said the Township should take ownership of the bridge and was surprised the Board would not support a historic bridge rehabilitation. Rosamilia said that PennDOT said that they would not rehabilitate the bridge and asked Phillips how he would suggest they build the bridge. Rosamilia said the Board had met many times with PennDOT to discuss rehabilitating the bridge, but PennDOT had steadfastly refused to rehabilitate the bridge. Phillips asked if Rosamilia was leaving it up to PennDOT. Rosamilia replied that he has no alternative because PennDOT owns the bridge.

John Cole, Ervin Road, said that he had gone to many of the meetings, including the PennDOT presentations. He said PennDOT said they would build a one-lane bridge, but Tincum would have to take ownership. Cole said the Board was trying to be fiscally responsible and look at it from the viewpoint of the residents as whole, not just those who want the bridge to be rehabilitated. He said that the residents as whole do not want to spend the money to maintain a one-lane bridge.

Cole said that he would like to see the bridge rehabbed, but unfortunately PennDOT is unwilling, He said the funding must come from a private source and all the engineering would still have to meet PennDOT's specifications because they would be liable for the safety of the bridge. Cole said that after ten years, no private funding for the bridge had materialized, no agreement had been reached and now the bridge just needed to be replaced. Cole said the bridge did not personally affect him, but

for other people it was a hardship. He said if no funding has come about in 10 years, then the support is simply not there.

Helms said that Cole had explained it well. Helms said he had been on the Board for four years. He said initially he thought there were other alternatives, but after doing the research realized they do not have the authority over PennDOT, despite what people might think. Helms said when PennDOT gave a previous Board the option of a one-lane bridge that the Township would have to pay to maintain or a two-lane bridge that PennDOT would pay to maintain, the previous Board chose the two-lane bridge. He said rehabbing the bridge was never an option for PennDOT because they said the piers were too deteriorated.

Helms said that the Delaware RiverKeeper Network (DRN), who has been suing PennDOT for ten years, says the bridge can be rehabilitated. He said the Board has tried to get the two groups together with regards to the engineering disagreement, but the DRN backed out of the meeting. He said PennDOT has never changed their position from the beginning. Helms said that given that PennDOT repaired the Golden Pheasant Bridge, in his opinion that indicated that if something was repairable PennDOT would repair it.

Helms said he would like to see the bridge rehabbed, but it had been ten years of fighting instead of trying to gather the money together to rehab it. He said if the funding came together, which would be substantial, the Board would support it and it would be the quickest. He noted that now the DRN said they intend to sue the Dept. of the Interior, which will likely delay the bridge another two years. Helms said the best option is the owner of the property next to the bridge who said that he would try to get the bridge rehabbed or a one-lane bridge. He noted that the property owner also said that he would sue to prevent the two-lane bridge. Helms said at the end of the day, even if the private funds came together, PennDOT would have to agree to the plan for it to happen.

Blanchard said it is a tough spot to be in and that an argument could be made that it was irresponsible to get behind another idea that might further delay the bridge. He said the health, safety and welfare of the residents for emergency services is the priority because an extra five or ten minutes for an ambulance to get to someone is a big deal.

Tim Cashman, Quail Lane, said the fight with PennDOT all revolves around the DRN, because when they lose a lawsuit, they file another. He said the money spent fighting the bridge could have easily paid to repair or replace it. Cashman said that if Maya van Rossum, CEO of the DRN, is not at the table, the lawsuits will continue.

Kathryn Auerbach, Center Road, said that it was easy for Cashman to identify one entity and one reason for opposition to the bridge. She said they should be thankful for the DRN, which stands up against PennDOT for our laws, our rights and to keep streams clean. Auerbach said that PennDOT is not doing that.

Helms said that the DRN brought a lawsuit against PennDOT stating all those things and the court ruled against the DRN. He said that they could all say the state is evil and out to do bad things, but that argument had been put to rest by the court.

Auerbach said that the judge based her ruling on studies that made false allegations. Cashman said Auerbach's position and resources on this subject were unreliable. Auerbach said that PennDOT's studies did not look to see if they could rehab the bridge as a one-lane bridge. She said that PennDOT tried to take the bridge off the historic register so they would not have to deal with it.

Helms said based on his research the Headquarters Bridge is not on the Historic Register. He said the National Register showed the Ridge Valley District was on the register, but the Headquarters Bridge was not. He said the covered bridges [two of which are in historic districts] were listed on the register.

Auerbach said that once it is in the district on the Register, it does not go on individually. She said the Keeper made an independent determination that it contributes to the district and was important for engineering purposes. She said that PennDOT tried to change it and it was wrong. Auerbach said that she studied the bridge and the piers could carry one lane. She said the main structure has not moved. Auerbach said that PennDOT had misrepresented many things in their studies.

Helms said he understood it was Auerbach's opinion that everything PennDOT did was wrong but asked her how do they take that information and get the bridge restored? Helms stated that it has been ten years to make that argument and make that happen but it has yet to happen. He said all the money was put into fighting PennDOT instead of working with them and he viewed that as the flaw to that approach.

Cole said they should stop arguing about one-lane, two-lane, trucks, safety, historic, not historic --- PennDOT was not going to pay for any bridge other than the two-lane bridge it wants to build. He said if you want this thing rehabbed, you have to come up with the money and you have to come up with it now. Cole said if after ten years you cannot come up with the money, the state is going to build a two-lane bridge and that was that. He said they are arguing the same points over and over and not getting anywhere. Cole said it all came down to cash.

Phillips asked if the two-lane bridge was going to be moving the land out fifteen feet. Helms said that he had researched the design of the bridge. He said based on the National Park Service (NPS) recommendations, the entire two-lane structure would be moved 15 feet west because that is where the current stream flow is. Helms said part of the NPS process is to have the structure be as unobtrusive as possible. He said the reason they are getting rid of the piers in the middle and making the abutments far apart is to design it like there was no bridge and minimize impact on the stream.

Helms said he understood part of the DRN's concern was with where the flow was now was different from where was before and how that might affect things down stream 100 years from now, but emphasized that the NPS recommendations were not arbitrary. Helms said that he would be sure that the PennDOT bridge plans were accessible on the Township website.

Helms said he was sick of hearing the argument that PennDOT was evil and all they do is evil. He said he was an engineer and went to engineering school. Helms said that no one goes to engineering school to then go to work at some state agency with the intention of making everyone's life horrible and destroying the environment. He said that was not what any of those engineers were doing and that PennDOT and the NPS were working within the parameters that are set.

Helms said that PennDOT has the power and the other power is the DRN bringing a lawsuit against them. He said unfortunately it affects the citizens on the other side of the bridge, so it is important to get the bridge built quickly.

Phillips said that they were not trying to preserve the historic bridge. Auerbach said that Federal funds are stronger for historic preservation but PennDOT has manipulated the studies to be only for a two-lane bridge. Helms said they were back to "evil PennDOT" again and after ten years of that argument nothing has changed.

Helms said in order to get federal funding, the bridge must be built to the current highway standards, as dictated by the Federal Highway Administration. He said for that specific roadway a two-lane bridge is required. Helms said prior to Covid, PennDOT said they would build a one-lane bridge through state funding, but the Township would have to take ownership. He said that the option of rehabilitation was never on the table for PennDOT.

Phillips asked if the Township did not want to take ownership. Rosamilia said originally PennDOT said they would build a one-lane bridge and then the Township would have to take ownership and maintain it into the future. He said over the past couple of years, PennDOT said they no longer have the state funds and now they would lose the Federal Highway funds if they built a one-lane bridge.

Rosamilia said if the Township and a privately-funded group made an effort to go to PennDOT it might be a possibility, but right now PennDOT will only build a two-lane bridge.

Helms said they cannot change it and ten years of lawsuits has not changed it. He asked what options did they have? Phillips asked if no privately funded citizens group had approached PennDOT? Blanchard said there had been talk about it but nothing had ever gone forward. Phillips thanked the Board for the information and apologized for being on the backside of the issue.

Vladimir Salamun, Headquarters Road, said he was misquoted in the April 6<sup>th</sup> Board of Supervisor Minutes. Salamun said he did not disagree with Nolan. In addition, Salamun said he did not say there had been other accidents on Headquarters, only a near miss near his home.

*Background: Salamun's comments followed Anita Nolan's presentation of statistics she based on the last two years of police reports from the Board of Supervisor meetings. The minutes read, "Nolan had stated that the two-lane bridges located on Headquarters and Dark Hollow Roads had reported no accidents during that same time period." At the conclusion of Nolan's comments, the April 6<sup>th</sup> minutes read: "Vladimir Salamun said he disagreed with Nolan and he was aware of other accidents at the stop sign at Tettermer and Headquarters."*

*In the April 6th recording, transcribed verbatim, Salamun said, "I was just going to dispute the fact that there had been no accidents on Headquarters Road as a result of those two bridges down there. I had a motorcyclist die in my arms in front my house that had come off at Tettermer Bridge speeding through." He then describes a near miss accident.*

#### Sheephole Road Regrading

Cashman said that Public Works did a nice job regrading Sheephole Road.

#### **J. Adjournment**

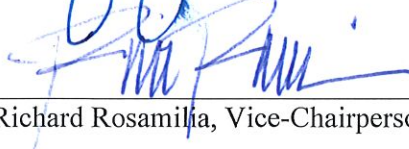
**Motion:** to adjourn the meeting at 8:02 PM.

Motion by: Blanchard. Second by: Helms. Voted upon and passed.

*The next meeting of the Board of Supervisors is scheduled for June 15<sup>th</sup>, 2021 at 7:30 PM.*

#### **TINICUM TOWNSHIP BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
John Blanchard, Chairperson

  
\_\_\_\_\_  
Richard Rosamilia, Vice-Chairperson

\_\_\_\_\_  
Jim Helms, Member