

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

Tinicum Township Board of Supervisors Organizational Meeting Agenda January 3, 2022

Oaths of Office

Eleanor Breslin, Supervisor

Supervisors Eleanor Breslin, Jim Helms and Richard Rosamilia were present with Manager Teri Lewis and Township Solicitor Steve Harris. The meeting was held in the Tinicum Township building meeting room. There were 18 people in attendance.

The Organizational Meeting of the Tinicum Township Board of Supervisors was brought to order at 7:30 pm, on Monday, January 3, 2022 by Jim Helms, acting as Temporary Chairperson, followed by the Pledge of Allegiance.

Organization

Board of Supervisors Chairperson

Jim Helms as temporary Chairperson nominated Richard Rosamilia as Chairperson for 2022.

Motion: to appoint Richard Rosamilia as Chairperson of the Board of Supervisors for 2022.

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

Board of Supervisors Vice-Chairperson

Rosamilia as Chairperson nominated Jim Helms as Vice-Chairperson for 2022.

Motion: to appoint Jim Helms as Vice-Chairperson of the Board of Supervisors.

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

Township Manager & Treasurer

Motion: to reappoint Teri Lewis as Township Manager and Treasurer.

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

Electronic Payments

Motion: to authorize Treasurer to pay employee benefit invoices electronically and report on disbursement list.

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

Township Solicitor

Motion: to reappoint Stephen Harris as Solicitor for the Township with the policy that he regularly attends the Township Board of Supervisor meetings and be on call to attend meetings at the request of the Supervisors.

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

Rate of Pay for Contracted Services/ Public Works Department

Motion: to pay the sum of \$24.78 per hour to a person providing contracted services (i.e., snow removal) during regular business hours and a rate of \$37.17 per hour for evenings, weekends, holidays, or after a work shift exceeding 8 hours.

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

Township Emergency Management

Motion: to confirm reappointment of Bill Cahill as the Emergency Management Coordinator.

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

Township Zoning Officer

Motion: to appoint Keystone Municipal Services, LLC as Township Zoning Officer and Wynn Associates as assistant Zoning Officer with the policy to be on call to attend meetings at the request of the Supervisors.

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

Motion: to confer powers and duties to administer and enforce the provisions of the Zoning Ordinance to the Zoning Officer.

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

Building Inspector

Motion: to appoint Keystone Municipal Services, LLC as the Building Inspector and to administer the PA Uniform Construction Code, Act 45 of 2015.

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

Township Engineer

Motion: to appoint Wynn Associates as Township Engineer with the policy to be on call to attend meetings at the request of the Supervisors.

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

Flood Plain Administrator

Motion: to appoint Wynn Associates as Flood Plain Administrator with the policy to be on call to attend meetings at the request of the Supervisors.

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

Consulting Township Planner

Motion: to reappoint Thomas Kelso, Castle Valley Consultants, Inc. to provide professional civil, environmental, and planning services on an as-requested basis by the Township.

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

Consulting Water Planner

Motion: to reappoint Matthew Mulhall of M2 Associates to provide professional environmental and planning services on an as-requested basis by the Township.

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

Township Fire Police

Motion: to reappoint members of Del Val and Ottsville Volunteer Fire Companies as the Township Fire Police in accordance with the recommendations of Police Chief Nicole Madden as follows: Jeff Lutz, Janet Snyder, Jeff Stevens, Cory Ingram, Vicki Black, Doug Burmeister, Dawn Cifelli, Bob Milligan, Frank Snyder, Merlin Nallo and David Wolfinger.

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

Commercial Driver's License (CDL) Administrator

Motion: to appoint Police Chief Nicole Madden, or her designee, as CDL Administrator.

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

Treasurer's Bond

Motion: to set the Treasurer's Bond at \$650,000.00 with Aetna Casualty Corporation and H.A. Thompson Company as broker.

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

Township Depository General Fund, State Fund, Capital & Equipment Fund, Escrow Fund and Park Fund

Motion: to designate Univest Bank and Trust and the PA Local Government Investment Trust as the depositories for the funds of the Township, except in those instances where the Treasurer may obtain a better rate of interest.

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

Township Depository Open Space

Motion: to engage TD Bank and the PA Local Government Investment Trust as the depositories for the Open Space surplus funds of the Township, except in those instances where the Treasurer may obtain a better rate of interest.

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

Real Estate Tax Millage Resolution 010322.01

Motion: to approve Resolution 010322.01 confirming the Real Estate Tax millage for 2022.

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

Earned Income Tax

Motion: to engage Keystone Collections Group to collect the Earned Income Taxes for Tincum Township, pursuant to Act 32 Bucks County Tax Collections.

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

Admissions Tax Officers

Motion: to authorize the Township Manager to collect the Admissions Tax for the Township.

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

Bucks County Tax Collection Committee

Motion: to appoint Jim Helms as the Delegate and Teri Lewis as the Alternate to the Bucks County Tax Collection Committee.

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

Vacancy Board - Act 1069

Motion: to appoint Steven Neubert to serve as Chairperson of the Vacancy Board, pursuant to Act 1069.

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

Mileage Reimbursement

Motion: to reimburse authorized personnel for mileage at 58.5¢ cents per mile, or at the rate as adjusted by the IRS for use of personal vehicles on Township business.

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

2022 Fee Schedule Resolution 010322.02.

Motion: to approve the 2022 Fee Schedule Resolution 010322.02.

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

Zoning Hearing Board Solicitor

Motion: to reappoint Grim, Biehn & Thatcher, with Mary Eberle having the primary responsibility for representing the Zoning Hearing Board.

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

Planning Commission [4-Year Term/ 7 Members]

Motion: to reappoint John Clement to the Planning Commission for a 4-year term expiring 12/31/25.

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

Current Planning Commission Members: David Upmalis (12/31/22), John Cole (12/31/23), Terry Johnston (12/31/2024), Carl Ruthardt (12/31/2024), Joy von Glueck (12/31/2024) and Neil Sullivan (12/31/23).

Building Code Board of Appeals [1-Year Term/3 Members]

Motion: to reappoint Joe Billingham, Chris Weaver, and John Quinby to the Building Code Board of Appeals for 1-year terms expiring 12/31/22.

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

Historical Commission: [3-Year Term/7 Members]

Current Historical Commission Members: Janine Black, Michael Kauffman, and Ethan Perry (12/31/22).

No motion necessary.

Park and Recreation Board [5-Year Term/ 7 Members]

Current Park and Recreation Board Members: Terry Johnston (12/31/22) Michelle Grundahl (12/31/23), and Phil Szymanowski (12/31/24).

No motion necessary.

Lower Delaware Wild & Scenic River Management Council [1-Year Term]

Motion: to reappoint Marion Kyde as the Township Representative to the Lower Delaware Wild & Scenic River Management Council for a 1-year term expiring 12/31/22.

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

Attendance Policy

Rosamilia announced that it shall be the policy of the Board of Supervisors that a member of any Township Committee or Board who fails to attend or participate via teleconference 50% of the meetings during the year will be removed from the Committee or Board.

Conclusion

Rosamilia stated that when a formal action is recorded in the Minutes, the vote in all cases shall be considered unanimous, unless a dissenting vote is cast. When a dissenting vote is cast, the entire vote shall be recorded in full.

Motion: to close the Organizational Meeting at 7:46 PM.

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

**Tinicum Township Board of Supervisors
Regular Meeting for Business Agenda**

Chairperson Richard Rosamilia called the public meeting of the Tinicum Township Board of Supervisors to order at 7:47 PM.

A. Emergency Services

The Emergency Management Notification and Resource Manual Promulgation for 2022 will be tabled until complete 2022 contact information and updates from various entities, such as fire chiefs, county EMAs, etc., have been received and incorporated.

B. Public Comment

John Cole, PC member, inquired about the Flood Plain Administrator appointment. Rosamilia explained that Steve Baluh of Wynn Associates would be assuming the Flood Plain Administrator responsibilities, previously handled by former Zoning Officer Tracy Tackett. He stated that Baluh was highly experienced and would be working with the Township on flood plain planning and zoning/building application submissions. Rosamilia noted that Wynn Assoc. had a number of people of staff to provide support. He said Baluh had also been appointed as Township Engineer.

C. New Business

Lower Delaware Wild and Scenic Management Council Mini Grant Proposal

Breslin stated that the Lower Delaware Wild & Scenic Management Council (LDWS) offers an annual mini-grant program, which provides up to \$5,000 in funding for community projects that align with LDWS goals. She proposed submitting a mini-grant application to provide funding for a Rain Barrel Workshop. Breslin said that rain barrels attached to rainspouts can provide residents with a low-cost way to conserve water and help to control runoff. She said the application deadline is January 7th.

Motion: to authorize the application of a Lower Delaware Wild and Scenic Management Council Mini-Grant Proposal for a Rain Barrel Workshop.

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

Virtual Board of Supervisor Meeting Proposal

Breslin asked the Board to consider livestreaming the Board of Supervisor business meetings, utilizing such platforms as Zoom or YouTube, to allow residents to attend remotely. She said that it would increase community awareness and communication. She said that over half of the municipalities in Bucks County offered remote meeting opportunities.

Helms said he would be interested in the remote viewing opportunity, but did not see remote engagement fitting the informal, conversational format of the public meetings. He said remote engagement would require the meeting to be held in a more formal format and limit the length of time a participant could speak. Helms said that he would not be ready to make a decision until the concept was further researched and investigate how other townships are using virtual meetings, what were their policies, pros/cons, what were the associated costs and what would be required to install and operate such platforms.

Rosamilia said that remote viewing was reasonable, but shared similar concerns about remote interactive participation. He recommended the Board table the topic and asked Lewis to research costs, investigate neighboring townships policies, experiences and platforms.

Board of Supervisor Work Session Proposal

Rosamilia said the Board currently holds two meetings a month for nine months and one meeting a month during the rest of the year. He said Breslin was proposing adding a third, additional monthly work session. Breslin stated the additional work sessions were needed to discuss/develop long-term goals, plans and vision for the Township.

Harris said that any meeting must be advertised at least 24 hours in advance in the local paper. To explain the criteria for advertising the work sessions, Harris used the example of investigating virtual meeting platforms and policies. He said the Supervisors can have a fact-finding session to discuss the costs and policies and then decide if more info might be needed, without having to advertise or meet in public. However, Harris stated if the Board is deliberating a decision, it must be held in public, such as deciding to implement virtual Board meetings. He said unadvertised work sessions could be a discussion or take a consensus, but they cannot vote to take action. He said Board action must take place at a scheduled, advertised, public meeting.

Harris stated the work sessions should have written minutes. Lewis recommended that a policy be established regarding agendas and meeting structure. Helms said the work sessions should have topic-driven, structured agendas that are set and published.

The Board stated they would discuss agenda structure and policies and consider setting the second Tuesday of each month at 4 PM starting in February as work sessions at the next meeting on January 18th. Rosamilia asked Lewis to investigate other township work session policies and agendas.

Environmental Advisory Committee (EAC) Reestablishment Proposal

Breslin said that she had spoken with hundreds of residents over the past year who said that reestablishment of an Environmental Advisory Committee (EAC) was a major priority. She said an EAC is typically composed of 3 to 7 members of the community appointed by the Board of Supervisors, who work on a wide array of environmental projects on behalf of the Township. Breslin said long-term, well-established EACs will work in an advisory capacity to the Board and Planning Commission, sharing information regarding developmental projects that have a direct impact on the community. Breslin said municipalities with young, fledgling EACs that do not have the in-depth capacity for planning will focus on community outreach in the township and neighboring municipalities regarding conservation and use of natural resources. Breslin said there is an annual EAC networking conference and a virtual seminar scheduled for February 26th. She said the morning session will share success stories from different EACs and the afternoon session includes breakout sessions for new EACs to help them get going. Breslin asked the Board to vote tonight to reestablish the EAC to enable members to be appointed, meet and attend the conference to identify entry level projects suitable for the Township.

Helms said he had reviewed past minutes regarding the previous EAC and it appeared to be a fledgling EAC. He said there had been short-term tasks assigned, but could not determine if any had been completed.

Rosamilia said that he and his wife had attended all the previous EAC meetings and none of the tasks had been completed. He said many of the members had PhDs and environmental science backgrounds but, rather than focus on the assigned projects, they spent the meetings fighting amongst themselves. Rosamilia said he found it very disheartening. He said based on his experience, he was leery of reestablishing an EAC and recommended establishing an ad hoc committee that would focus on a specific EAC project with measurable goals that could be tracked and evaluated. He noted that there was already a Ground Water Committee and Water Planner Consultant, Matt Mulholland. He asked what other types of projects would be considered.

Helms said the PC recently worked on the solar ordinance. He suggested a possible project involving renewable energy (i.e., solar farms, wind mills, streams) policy and impact to the Township. Carl Ruthardt, PC Commission, asked Lewis to forward the most recent version of the solar ordinance to the Board. Helms said he agreed with Rosamilia regarding a project-based ad hoc committee and suggested it could work with Park and Rec Committee on projects.

Rosamilia asked Breslin if she knew residents who would like to participate. Breslin said she would ask them to write letters of interest to the Board. Breslin asked Harris if the dissolution of the previous EAC was a revocation. Harris replied yes.

Rosamilia said it should be a topic specific ad hoc EAC and they could advertise for an ad hoc EAC. Helms asked if Breslin was looking for the Township to fund the EAC Conference? Breslin said yes, that with regards to the EAC Conference, the registration is \$25 per person register before Feb. 1st and \$35 after. She suggested that a starting point for the ad hoc volunteers would be to attend the EAC conference and then come to the Board with a proposed project(s).

D. Regular Business

1) Minutes:

Breslin noted on page 2 of the Dec. 21st minutes, when Harris asked a resident if he had attended the Dec. 7th meeting, the resident replied he had not. Breslin said that she remembered the resident being at the Dec. 7th meeting. Harris said the minutes correctly reflected what was said at the Dec. 21st meeting, noting that he had been surprised by Terry Johnston’s answer. Harris said Johnston could write a letter if he wanted to amend his answer. Harris requested that the forthcoming January 3rd minutes reflect Breslin’s recollection and the discussion.

Motion: to approve the Minutes of the December 21, 2021 meeting as written.
 Motion by: Helms. Second by: Rosamilia. Voted upon and passed.

2) Treasurer’s Report & Budget Recap:

The Treasurer’s Report and Budget Recap for December 2021 will be available at the January 18, 2022 meeting.

3) Disbursements:

Motion: to approve the below listed disbursements
 Motion by: Helms. Second by: Breslin. Voted upon and passed.

General Fund	Amount	Memo
United Healthcare Insurance Co.	\$13,388.25	Healthcare Insurance
Ottsville Volunteer Fire Co.	\$290.33	Ottsville Volunteer Fire Co.
Delaware Valley Volunteer Fire Co.	\$417.28	Delaware Valley Volunteer Fire Co.
Upper Black Eddy Fire Company	\$35.99	Upper Black Eddy Fire Company
Point Pleasant Fire Company	\$89.42	Point Pleasant Fire Company
Todd Ruback and Suzanne Schecter	\$500.00	Refund of ZHB Escrow
Prime Development Group	\$500.00	Refund of ZHB Continuance Fee 3-2020
VISA	\$485.71	Police Supplies /Employee Holiday Lunch
WhenToWork, Inc.	\$100.00	Police Software
Merry Maids	\$115.00	Janitorial
Help Now	\$95.00	Police IT Services
Service Electric Telephone	\$387.26	Telephone Service
Capital and Equipment		
Santander Bank, NA	\$12,285.97	Police F150
Escrow		
Tackett Planning, Inc.	\$510.00	Spinieo LD Review

E. Zoning Hearing Schedule:

January 13, 2022 Zoning Hearing Board Appeal: 2021-08 for Zimmerman/Hilltop Fence

- The property is located at 113 Durham Road, Ottsville, PA
- Tax Map Parcel 44-36-27 and zoned Village Residential
- Applicant seeks relief for fence location.

February 3, 2022: Zoning Hearing Board Appeal #2021-07 Continuance for Johnston Regarding Tretton

- The property is located at 31 Creamery Road, Ottsville.
- Tax Map Parcel #44-001-022-002 and zoned Commercial.
- Applicant appeals the decision of the Zoning Officer relating to the Tretton Farmstead wedding venue conforming use.

Stayed - Pending Zoning Hearing Board Appeal: Conditional Use Hearing Appeal #2021-02 for Watson

- The property is located at 25 Tammany Road, Upper Black Eddy.
- Tax Map Parcel #44-006-017 and zoned Country Residential.
- Applicant seeks relief from side yard setback to construct a single-family dwelling and deck and on-lot septic system.
- The Watsons have appealed the Zoning Hearing Board decision. If the Zoning Hearing Board decision is overturned it will be rescheduled. If the decision is upheld the Conditional Use will be cancelled because there will be no basis.

F. Public Session

Sorbello Settlement Agreement Request

There was discussion concerning the Sorbello Zoning Hearing Board (ZHB) decision to deny their variance requests and their subsequent request to the Board of Supervisors to consider a settlement agreement. Harris said he had spoken with the Sorbellos' attorney, Kelly McGowan, and she had requested, on behalf of the Sorbellos, that the settlement agreement review be postponed until the January 18th Board of Supervisors meeting because the appeal had not yet been filed [with the court of common pleas]. Sara Sorbello, Hollow Horn Rd, asked that the Board consider a settlement agreement and allow them the variance.

Eric Hinrichs, Zoning Hearing Board Chair, said that the ZHB followed the laws [pursuant to the PA Municipal Planning Code] regarding the Sorbello decision and that the appropriate next step for the applicant would be to file an appeal with the court. He said he was concerned that the Board was entertaining backdoor settlement agreements and questioned the purpose of the ZHB if the Board was not respectful of the ZHB decisions and the court process. Rosamilia asked Hinrichs how many times in the past had the Board entered into settlement times agreements. Hinrichs responded that it had not happened in the last 20 years, but the Board had just recently entered into a settlement agreement with the Tretton Wedding Venue and now was looking at Sorbello. Rosmailia said he understood Hinrichs concerns. He said the Board was trying to be fair and needed more time to review. Rosamilia asked Hinrichs to elaborate on the ZHB decision to deny. Hinrichs said that the Board had the ZHB decision, which states the finding of fact, conclusions of law and final decision as written by the ZHB attorney. John Cole, PC Member, said he agreed with Hinrichs that the applicant should go to court to fight the decision as was the process. He said ZHB decisions should not be overturned.

Traffic Safety

Rick Balukas, resident River Road, asked about the status of the speed reduction request on River Road. Lewis said that she had received a call from PennDOT, but had nothing in writing. The Board stated they wanted to wait until the decision was confirmed in writing.

Cindy Gaspari, resident River Road, asked if the Board had come to a conclusion about establishing a Local Traffic Advisory Committee (LTAC). Rosamilia said that the Board has not discussed it further as they were waiting on PennDOT traffic calming response for River Road.

G. Executive Session

Rosamilia recessed the regular meeting at 8:38 PM to discuss personnel and legal matters. Rosamilia reconvened the meeting at 10:25 PM. Rosamilia announced the following committee and Board appointments:

Land Preservation Committee [1-Year Term/ 5-7 Members]

Motion: to reappoint Timothy Hall, Bill Ballantine, Rob Galdo, Mary Pucci, John Cole and John Quinby to the Land Preservation Committee for 1-year terms expiring 12/31/22.

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

Zoning Hearing Board [3-Year Term/ 3 Members & 1 Alternate per PA Municipalities Planning Code Article IX]

Motion: to reappoint Mike Zavoda and alternate Tom Casola to the Zoning Hearing Board for a 3-year term expiring 12/31/24.

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

Current Zoning Hearing Board Members: Eric Hinrichs (12/31/22), MJ Frumin (12/31/23)

Microplastic Ad Hoc Committee [1-Year Term/? Members]

Motion: to reappoint Eleanor Breslin, Marion Kyde and Sasha Hall to for a 1-year term expiring 12/31/22.

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

Joint Bridgeton, Nockamixon, Tincum Ground Water Management Committee [1-Year Term/2 Members]

Motion: to reappoint Riley Murphy to the Joint Bridgeton, Nockamixon, Tincum Ground Water Management Committee for 1-year terms expiring 12/31/22.

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


H. Adjournment

Motion: to adjourn the meeting at 10:29 PM.


Motion by: Helms. Second by: Breslin.

The next meeting of the Board of Supervisors is scheduled for January 18, 2022 at 7:30 pm.


TINICUM TOWNSHIP BOARD OF SUPERVISORS



Richard Rosamilia, Chairperson



Jim Helms, Vice-Chairperson



Eleanor Breslin, Member