

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

RICHARD ROSAMILIA, CHAIRPERSON
JIM HELMS, VICE-CHAIRPERSON
ELEANOR BRESLIN, SUPERVISOR

Tinicum Township Board of Supervisors
Meeting Minutes
April 5, 2022

Supervisors Eleanor Breslin, Jim Helms and Richard Rosamilia were present with Township Manager Teri Lewis and Township Solicitor Steve Harris. The meeting was held in the Tinicum Township building meeting room. There were approximately 30 people in attendance.

Chairperson Rosamilia 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

The Board held an executive session from 6:30 to 7:30 PM to discuss potential litigation. No decisions were made.

B. Public Comment

Junk Yard Concern

Sue Walsh, Gruver Road, reported there appeared to be a junk yard of old cars near the creek on Route 113 and near 611. Lewis said that she would ask the Zoning Officer to investigate it.

C. New Business

Headquarters Bridge Pre-Construction Meeting

Rosamilia announced the following:

- A pre-construction conference regarding the Headquarters Bridge Project was held on April 4th with the project managers from PennDOT and the PA Dept of Environmental Protection (DEP) to discuss what is expected of the contractor.
- A Notice to Proceed is anticipated in June, however, there is still an outstanding legal issue.
- The Supersedeas Appeals were denied.

D. Old Business

Reconsideration of the Local Traffic Advisory Committee

Rosamilia said that the Board had looked at the Local Traffic Advisory Committee (LTAC) for some time. He said he asked the Township Dept. heads, (Administration, Public Works, and the Police Dept.) for the pros and cons to understand the potential benefits and problems it may create, and it was determined that the LTAC would be more of a hindrance than a help.

Rosamilia said when people have problems on a road, they do not want to bring it to a committee to investigate the problem, they want immediate answers. He said the way it has worked in the past, the person would contact the Township, then the Township would contact PennDOT for state road issues, Public Works for the local road issues, and the Police for issues such as speeding.

Rosamilia explained that for an issue like potholes on a PennDOT road, PennDOT must take care of the potholes -- the Township cannot take on the responsibility on a state road. He said for an issue like

speeding, which has primarily been on River Road, they have brought it to PennDOT and PennDOT has slowly agreed to some of their recommendations. Lewis noted that PennDOT is currently marking where the 25 mph signs will be installed and Skelton has ordered the signs.

Rosamilia said it is an overreach to have a LTAC and the current process has worked well for many years. He said for those reasons, he was not in favor of an LTAC at this time.

Jim Helms, said after talking to the Police Chief and Public Works Director regarding the types of issues and how they have been handled in the past, he did not see a need for an LTAC at the moment. He said that physical road issues are handled by Public Works and the Police have handled traffic issues. Helms said whenever someone has contacted the township, they have always attempted to resolve the issue or have resolved it. He said that an LTAC, even at the fullest capacity as PennDOT defines it, would still have no impact on state roads, such as River Road, with regards to speeding. Lewis noted that Chief Madden had provided the speeding information in an inter-office email to the Board and Durham Road was the only local Township Road with speeding concerns. She said the police are conducting speed detail work.

Helms said, based on that information, he was not in favor of going forward with a LTAC at this time.

Breslin said she did not see the downside in establishing a group within the structure of the LTAC, which the PennDOT publication defines as a very clearly-defined body created within a municipality. She said it is comprised of a township engineer, a public works representative, a representative from the official governing body, a representative from law enforcement, and one or more of members of the public within the municipality. Breslin said that in the publication there is a flow chart for how the work would be conducted. She said it allows for a lot of public input and background work before any action is taken in an official capacity by the Board in terms of requests made to PennDOT regarding any traffic calming measures for a state road.

Breslin said while a LTAC is what has been requested, she did not see it as the only possibility. She said there is a lot of value in hearing from residents from every section of the Township regarding any concerns about their roads. She said they mostly hear concerns about River Road at these meetings. Breslin said having either an LTAC or a group more customized to the Township, would be a good way to get a handle on any traffic concerns. She suggested a study group of 6 residents (2 from the northeast corner of the township, 2 from the southern Point Pleasant area, and 2 from the western part) that could reach out to their neighbors about road concerns, document the information, and then report back to the Board. Breslin said the Township would have a better understanding about traffic concerns.

Rosamilia stated that the Board will not move forward with LTAC at this time.

Rick Balukas, River Road, asked when the Board met systematically with residents about their concerns or with staff to collect data. Rosamilia said they met with residents at the Board of Supervisor meetings. He said the Chief of Police had compiled a lot of data regarding speeding over the last few years, accidents over the past 5 years, and complaints, like potholes, over the last 25 years. Rosamilia said that things work well the way things are now. He said that Balukas was mainly concerned with River Road and now River Road was down to 25 mph now. Rosamilia said the LTAC would not get anything accomplished more quickly than the way things are done now.

Cindi Gasparre, River Road, suggested residents form a committee to work together to have more of a voice to encourage things like the radar bill and then bring it to the Board with a united voice.

Hybrid Township Meetings

Breslin said the issue is to have Tincum create an opportunity for residents to participate in the meeting if they cannot attend in person. She said that Lewis had investigated the costs and equipment needed to allow residents to attend either in person or remotely, similar to Nockamixon Township's hybrid approach. Breslin said they have identified a way to do it very cost-effectively. She said in Nockamixon they have a small camera that shows the Board, a TV monitor in the back of the room showing those

who have tuned in remotely, and microphones in front of the supervisors. She said the cost is between \$3,500 and \$5,000. Breslin said that Township will receive approximately \$400,000 in American Rescue Fund money. She said that just 1% of that money could pay for the remote, interactive access.

Lewis said that if there were technical problems, Tinicum does not have an IT person on staff and she might not be able to fix things. Lewis noted that Nockamixon's room was more shallow and smaller than Tinicum. She said that her IT person had given her the quote of \$12,500 for the larger size room, set up and training. She said the Township would also need a higher internet speed to accommodate the remote attendance and that would be an additional \$1,250 a year.

Helms said he had thought about it for a while. He said he understood Breslin was posing this as a point of access, but he was concerned that remote meetings would take away from the in-person quality of the meetings, especially when people are discussing things that they are very passionate about. Helms said the current meeting format is conversational and very informal, which fits with the small, rural community of under 4,000 people. He said that interactive live stream would require hearings to be more structured and limited. Helms said they would have to treat those present in the same formal structure as those who were participant remotely and thought that would take something away from the meetings.

Helms said they have discussed a live-stream broadcast that would not be interactive, but he had not made up his mind on that option. He said that in the time he has been on the Board, he had not had anyone contact him requesting interactive meetings. Helms said it would take away more than it would bring to the table.

Rosamilia said he agreed with Helms, they would lose the small-town flavor of the meetings. He said he would hold off on the Zoom portion of the meeting if they were making an immediate decision on the hybrid meetings. Rosamilia said most folks prefer to come to the meeting or call the township if they have a problem because it is a small community.

John Cole, Hollow Horn Road, said he thought they could still maintain a less formal meeting style for the those in attendance and more structured format for those tuning in remotely. Helms asked Harris if they could treat remote participants differently from in-person. Harris said there it is not a legal issue, but the practical issue is that everyone should be treated the same whether they are in person or remote.

Breslin said she did have people contact her requesting remote access due to pandemic concerns, young children, or they work in NYC, and are not able to attend in person.

Tim Hall, Cafferty Road, said that he thought there should be some type of hurdle to clear to participate. He said that typing in questions in electronically from home seemed risky.

Lewis said the other townships all have formal policies, such as a 3-minute limit for comments, and participants are required to sign up in advance. She said that these requirements would also have to apply to those attending the meeting in person.

John Clement, Municipal Drive, said the greater access outweighed the move to a more formal structure.

Anita Nolan, McCann Drive, asked Lewis if she had asked the other townships how many people typically call in because it may not be worth the money if it is only a few people. Lewis said she would look into it.

Sue Bunkin, Cafferty Road, asked the Board to consider Zoom meetings, even if they are not interactive.

Cindi Gasparre, River Road, asked Harris if she could Facetime with her neighbors during the meeting and if the neighbors could comment and ask questions. Harris said she must announce that at the beginning of the meeting, but her neighbors could not participate in that manner.

Rosamilia recommended the topic be tabled pending more information.

Wood Fire Boiler Ordinance Review

Lewis stated that the EPA had revised the emissions and standards for wood fire boilers. Rosamilia said the original ordinance is 12 years old and it might be appropriate for the PC to review the ordinance with regards to the changes, especially with the cost of oil going up. Helms said it would good to know if the current ordinance had referenced the EPA standards. Rosamilia said he believed the current ordinance was not based on EPA standards but distance between houses.

Motion: to recommend PC review of the Wood Fire Boiler Ordinance regarding the new EPA changes. Motion by: Helms. Second by: Breslin. Voted upon and passed.

Bitcoin Mining

Breslin referenced a recent Washington Post article concerning a town in West Virginia that allowed a bitcoin mining operation to be set up. She said the Town now regretted the decision because it was destroying the quality of the community. Breslin said it takes a lot of electricity to run the massive computers and they scale up at night when the cost of electricity is lower, which results in a loud humming noise that can be heard for miles. Breslin said it did not bring any jobs to the community. She recommended PC and EAC review.

Tom Marden, Headquarters Road, said that the bitcoin mining operations require massive amounts of power to run the computers and the cooling systems, which could negatively impact the Township.

Shawn Sanders, McCann Drive, said he builds them and it is a big market. He said the warehouses are usually next to power generation station. Sanders said it would add nothing to the Township.

Breslin said she could not find any sample ordinances. Harris stated that the Township cannot prevent a lawful business in the Planned Industrial district. Harris said they must identify the potential environmental harms and find ways to regulate them to minimize the impact through buffers, setbacks, proper sound insulation, and power impact. Harris recommended that the Building Code Official review for ways to mitigate. Upmalis said the PC would also review.

Motion: to recommend the Building Code Official and PC review the possible impacts of Bitcoin Mining.

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

American Rescue Funds

Rosamilia said they have the choice of itemized account versus standardized deduction for the use of the American Rescue Funds.

Motion: to select the standardized deduction option for reporting the use of American Rescue Funds. Motion by: Breslin. Second by: Helms. Voted upon and passed.

Mark Hankin/Rolling Hills Hedgerow Request

Harris stated that one of the Rolling Hills lots has a hedgerow that runs through the middle of it and Hankin is requesting to relocate the hedgerow to the lot line. Harris said it came before the Township and they requested a mix of deciduous and shade trees, including 9-10 ft Norway spruce and 3 – 3 ½ caliper shade trees. He said that the plan calls for many more trees than what is currently existing.

Damon Aherne asked about escrow to replace any trees that die and suggested a longer replacement guarantee beyond tree years.

Motion: to approve the hedgerow replacement with approved trees from a native tree list with a 3-year guarantee for a replacement and any replacement would carry another 3-year guarantee from date of replacement.

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

D. Regular Business

1. Minutes

Motion: to approve the minutes of the March 1, 2022 meeting as written.

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

2. Budget Recap and Treasurer’s Report

The Budget Recap and Treasurer’s Reports March 2022 will be provided at the next meeting.

3. Payroll Reports

Motion: to accept the Payroll Report for the period ending March 11 in the amount of \$28,381.89 and March 25 in the amount of \$28,173.90.

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

4. Disbursements

Motion: to approve the following disbursements.

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

General Fund	Amount	Memo
Wehrung's	\$307.11	Police Dept Bldg. Supplies
Aflac Business Services	\$145.64	Supplement Insurance withheld
Frankenfield, Michael	\$260.18	Frankenfield, Michael - Snow
VISA	\$538.86	Police Supplies
Service Electric Telephone	\$376.29	Telephone Service
DelGuericco’s Disposal Service	\$155.00	Trash and Recycle Removal
Davidheiser's	\$215.95	Calibration Speed Timing
Merry Maids	\$230.00	Janitorial Services March
Joan Tanner	\$41.54	mileage reimbursement
United Healthcare Insurance Company		\$11,569.22 - 2022 Monthly Health Insurance April
Integrity Business Machines	\$547.00	Police Copier/Scanner
PennTeleData	\$316.55	Internet Modems
Verizon Wireless	\$214.75	Police Wireless
Keystone Municipal Services Inc	\$5,194.50	Zoning and Bldg. 2-21 thru 3/3
Keystone Municipal Services Inc	\$5,028.00	Zoning and Bldg. 3/7 thru 3/17
Interstate Battery Systems	\$267.00	Interstate Battery Systems
Staples Credit Plan	\$1,956.41	Supplies and printing of SALDO, 537, Stormwater Ord books
Roger's Locks	\$185.00	Locksmith service police
Grim Biehn and Thatcher	\$3,537.06	Legal Services ZHB
Wynn Associates	\$4,072.12	Engineering Services (and bridge inspection)
Aflac Business Services	\$145.64	Supplemental Insurance (withheld)
Harris and Harris	\$4,141.25	Legal Services February
Hartford Insurance	\$473.60	Life and Disability Insurance
Ganney Holdings	\$252.40	Intelligencer Subscription
Payroll Fund	Amount	Memo
Account Edge Payroll	\$28,381.89	Pay period ending 3-11-22
Account Edge Payroll	\$28,173.90	Pay period ending 3-25-22
State Fund	Amount	Memo
Plumstead Materials	\$6,297.31	Stone
Plasterer Equipment	\$1,604.09	Loader Service
Allan Myers	\$669.32	Stone
ATCO International	\$105.76	Public Works Supplies
Garden State Hwy Products	\$239.04	Street Signs
Stengel Bros Equipment	\$2,294.00	Rear Spring Replacement Fleet
NAPA of Ottsville1	\$331.13	Public Works Vehicle Repair Supplies
Vanderlely’s Sales and Service	\$361.60	Vehicle Repair Supplies
H & K Materials	\$796.16	Asphalt Patch
Pipersville Garden Center	\$58.45	mower parts/service
Open Space Fund	Amount	Memo
Del Val Regional Finance Assoc	11,500.81	Open Space Bond Payment

H. Zoning:

Sorbello Settlement Discussion

Harris stated that Sorbello's attorney is setting up a meeting with the Sorbellos and the Zoning Hearing Board for Monday, April 11th to try to resolve any outstanding issues.

Advertised Hearing for Ordinance 256 Deer Fence

Lewis read the amendment for the Ordinance 256 Deer Fence.

Motion: to approve deer fence amendment Ordinance 256.

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

Solar Ordinance

Lewis said that they had not received any response from Bucks County Planning Commission (BCPC). The Board decided they would wait to advertise until comments are received from the BCPC.

Tom Marden, Headquarters Road, requested that the storage battery pack be increased to 150% from 110% and the panel height be increased to 15 ft. for a standard 4-panel stack-up installation. After discussion, Harris said that he would contact the BCPC to let them know that the Board may consider a change to the draft ordinance on page 2, section 1(b) and on page 3, section 2 (d) "may not exceed a height of 12 feet" to "a height of 15 feet."

Tretton Farmstead Demolition Permit

Lewis said, according to the ordinance, some types of demolition permits are required to come before the Board. She said at the December 7, 2021 Board meeting discussion took place regarding the removal of a "corncrib," which is in the right-of-way, and two smaller structures, to reduce the impervious surface as part of the settlement agreement.

Lewis said at the December 21, 2021 Board meeting Harris confirmed that the outbuildings were not considered as historical structures on Cultural Heritage Map #13 --- only the house and barn. Harris said that by removing the corn crib the impervious surface ratio of 18.75 would be deleted. Lewis stated the building had not yet been demolished, but she had received a number of calls. She said the Zoning Officer requested confirmation with Harris and the Board, prior to issuing the permit.

Matt McMillian, Park Road, asked if the Historical Commission had looked at the building. Harris read from the ordinance regarding Map #13 designations.

After discussion, Harris recommended that the Historical Commission have 14 days to inspect the corn crib, photograph and document anything of historical significance prior to the issuance of the demolition permit, but noted that they cannot prevent the demolition. Harris asked the Trettons, who were present, if they would agree to the Commission inspecting and photographing the corncrib and they agreed.

F. Subdivision and Land Development

Preliminary Plan Minor Subdivision: Three Horse, LLC, 38 Center Road, TMP# 44-14-76-2 & 44-15

- The application is for a 2-lot subdivision. There are existing dwellings on each lot. No new development is proposed.
- Bucks County Planning Commission review was received on March 17.
- The Tincum Planning Commission reviewed the application on March 22. PC comments/recommendation is expected at the PC April 12 meeting.
- The Board of Supervisors will review the application at the May 3 meeting.

G. Zoning Hearing Board

ZHB 2022-1 Mojjis and Trifiro / Centennial Barn Condo, 26 Cafferty and 45 River Road, TMP # 44-30-8-2, 44-30-8-3 and 44-30-8.

- The application requests relief from minimum lot requirements, impervious surface regulations, and setback requirements to split condominium use of the property into two separate properties. This is a multi-step process. A lot line change was previously approved.
- The Tincum Planning Commission will review the application on April 26.
- The Board of Supervisors will review the application on May 3.
- The Zoning Hearing Board will review the application on May 26.

Motion: to authorize the ZHB 2022-1 Mojjis and Trifiro / Centennial Barn Condo application to the Planning Commission for review.

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

Letter of Resignation from MJ Frumin

The Board accepted the resignation of MJ Frumin from the Zoning Hearing Board. The Board thanked Furmin for his contributions.

H. Executive Session

Rosamilia recessed the regular meeting at 9:32 PM to discuss legal, personnel, and land preservation matters. Rosamilia reconvened the meeting at 10:18 PM.

Motion: to approve the Land Preservation Committee application #2022-1 evaluation of 51 points, which relates to 26 percent of assessed value on the property.

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

I. Adjournment

Motion: to adjourn the meeting at 10:21 PM.


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

The next meeting of the Board of Supervisors is scheduled for April 19, 2022 at 7:30 PM.


TINICUM TOWNSHIP BOARD OF SUPERVISORS



Richard Rosamilia, Chairperson



Jim Helms, Vice-Chairperson



Eleanor Breslin, Member