

*Incorporated March 12, 1738*

# TINICUM TOWNSHIP

*Bucks County*

## BOARD OF SUPERVISORS

163 Municipal Road  
Pipersville, Pennsylvania 18947

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

### **Tinicum Township Board of Supervisors Meeting Minutes June 6, 2023**

Supervisors Jim Helms and Richard Rosamilia were present with Township Manager Teri Lewis, Police Chief Nicole Madden, Township Engineer Steve Baluh, Wynn Assoc., and Township Solicitor Steve Harris. Supervisor Eleanor Breslin was absent. The meeting, held in the Tinicum Township building meeting room, was live-streamed on Zoom and recorded. There were approximately 27 people present, and 7 viewed it online.

Chairperson Helms called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 p.m., followed by the Pledge of Allegiance.

#### **A. Emergency Services**

Chief Madden, Tinicum Township Police Dept., presented the following report for May 2023:

- 234 Incident Reports
  - 102 service-related, 34 crime/investigative (including an arrest for simple assault and related charges, 1 theft, and 1 burglary report), 92 traffic, 3 training, and 3 court. Chief Madden noted that the burglary appeared to be a crime of opportunity and no others have been reported in the area, but residents are always encouraged to lock their windows and doors to their homes and vehicles.
- 1 Reportable Traffic Accidents in May
  - A single motorcycle crashed following an improper turn.
- 5-Year Reportable Accident Average
  - Over the past 5 years, for the month of May, there have been an average of 2 reportable accidents.

#### **B. Old Business**

##### Headquarters Bridge Update

The Board announced that the exploratory excavation at the bridge had been completed. Subsequently, Doug Bond of McMullan Associates asked Steve Baluh of Wynn Associates to conduct additional survey work that would be necessary to prepare his report on the potential feasibility of rehabilitating the existing bridge and constructing a temporary bridge.

Resident Kathryn Auerbach asked about the PennDOT June 30<sup>th</sup> deadline regarding the bridge. Harris stated that Auerbach was referring to a federal lawsuit between the Delaware Riverkeeper Network, property owner Steve Gidumal and PennDOT, to which the Township is not a party. PennDOT sent a letter to the Delaware Riverkeeper and Gidumal, which states that if the Township does not pass a resolution to take ownership of the bridge by June 30<sup>th</sup>, PennDOT intends to ask the Judge to end the mediation process and proceed with a decision concerning the lawsuit. The Board clarified that the letter had not been sent to the Township, that the Township was not an intended recipient of the letter, and therefore was not going to respond to it.

Harris said that the Township understood that PennDOT was requesting an end to the mediation process and asking for the judge to make the decision in that matter. He said that the Township will continue to investigate alternatives and, based on those investigations, make a decision concerning the feasibility of rehabilitation of the existing bridge and construction of a temporary bridge. Harris said that until

PennDOT awards the contract to build the bridge, the Township could still make the decision to take ownership of the bridge, and PennDOT would most likely accept that decision.

Resident Jesse Salamun asked the Board to continue the meeting to a date prior to June 30<sup>th</sup> in the hopes that the engineering reports would be completed and Supervisor Breslin could be present to take part in the decision to assume ownership of the bridge. The Board stated that the reports would likely not be finalized until July or August and asked Township Engineer Steve Baluh to speak to the additional work that Doug Bond had requested.

Baluh stated that in addition to the work Bond had completed in the field, they were also mapping the existing bridge, and Bond had requested additional field survey work be done for his report. Baluh estimated it would take approximately 2 to 3 weeks for him to complete the additional survey work necessary for Bond and the road profile necessary for the review of a temporary bridge.

The Board stated that it was highly unlikely the report would be completed by June 30<sup>th</sup>, and without discussion regarding funding for the bridge, the Township could not make a decision. In addition, the Board did not believe the June 30<sup>th</sup> deadline would affect the decision to take ownership of the bridge. Harris stated that the only thing that will happen on June 30<sup>th</sup> is that PennDOT will ask to end the mediation process in federal court.

Resident Tim Cashman stated that taking ownership of the bridge would cost the Township between \$3.5 and \$4 million, and with PennDOT willing to pay for the bridge, the Township should not pay for it. He requested that the Board wait until the current litigation is settled.

#### Sewage Management Amendment

The Board stated that the proposed Sewage Management Ordinance amendment seeks to clarify that a soil-based reserve sewage area is not required when a failed system is replaced with an on-lot system. Lewis said that the amendment is still under review by the Planning Commission, and they asked that the Board table the topic until the next meeting in July.

### **C. New Business**

#### Resolution: Sterling Act Amendment

Lewis stated that the Sterling Act exempted non-residents of Philadelphia who paid the Philadelphia wage tax from paying the wage tax/earned income tax according to their area of residence. This includes those who work remotely but whose company is based in Philadelphia. Lewis said a recent study showed that many townships and boroughs in Bucks County were losing earned income tax money. She said that the proposed resolution to amend the Sterling Act, which most of the townships in Bucks County were passing, asks that 1% of that wage tax be paid to the Township, which is equivalent to the earned income tax it receives from the other residents. The Board stated that it is estimated that \$15,677 would be directed to the Township and the school district.

**Motion to pass Resolution 060623.01 requesting an amendment to the Sterling Act to require that 1% of the earned income paid by non-residents to Philadelphia and collected under the Philadelphia wage tax be remitted to the municipality in which the taxpayer resides.**

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

#### Dirt and Gravel Roads

Lewis said that in the past the Township had budgeted for calcium chloride to assist with dust control on dirt roads, but last year the cost skyrocketed to over \$6 a gallon with a 4,000-gallon minimum for a total cost of \$25,000 to \$30,000. Due to the cost, Lewis said the Township could not afford to budget for calcium chloride in 2023, but recently the price had dropped back down to normal levels. Due to the dry weather, Lewis said the Township was receiving complaints about dust on the dirt roads and requested authorization to purchase 4,000 gallons at a price of approximately \$5,200.

The Board asked about the negative impact of the calcium chloride on vehicles and streams. Lewis said that Public Works Director Skelton had spoken with the Conservation District, and it was concluded that the amount used for dust control is negligible.

The Board asked if the speed limit on Township gravel roads could be lowered, possibly on a seasonal basis, to help reduce the dust. Chief Madden said that a speed study would be needed. Harris said that while they could lower the speed based on the speed study, he did not believe a speed limit could be enacted seasonally.

Lewis said that the Dirt and Gravel Road Grant was funding Driving Surface Aggregate (DSA), which is designed to resist erosion and traffic wear as well as suppress dust, for Tankhannen Road, and that moving forward, she would try to get DSA on more of the Township roads.

Lewis stated that some precipitation must take place before Public Works can grade the roads and apply calcium chloride; otherwise, it evaporates.

Chairperson Helms read a statement by Supervisor Breslin, who was absent due to medical reasons, stating that she was in favor of the purchase of calcium chloride for dust control on dirt roads.

Resident Anita Nolan stated her frustration with repeated requests for DSA grant funding for Sheephole Road. The Board noted that they had tried to get funding for DSA for Sheephole Road as part of the Hurricane Ida repair funds but were turned down. The Board stated that they continue to search for grants.

Resident Renee Shortell asked if dirt roads could be treated with calcium chloride as part of the permitting process for major construction projects on dirt roads. The Board asked Harris if alternative paved routes for construction vehicles could be required in conjunction with permit issuance. Harris said he would look into it. Lewis said that most local contractors are amenable to that request, and she had been able to redirect the construction vehicles from the dirt road Shortell lived on to an alternative paved road. Shortell said it had helped significantly with dust control.

**Motion to authorize the purchase of 4,000 gallons of calcium chloride at a total cost of approximately \$5,200.**

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

Entertainment Uses Draft Ordinance

**Motion to send the Draft Entertainment Uses Zoning Ordinance to the Bucks County Planning Commission for review.**

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

Delaware Valley Fire Company/Tinicum Conservancy

The Board stated that they had previously amended and restated the conservation easement on the Delaware Valley Fire Company property to address fund-raising activities.

**Motion to authorize Harris to send the amended Conservation Easement to the Delaware Fire Company for review.**

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

Fire Police Request: Dublin Borough

**Motion to authorize any available Fire Police to assist Dublin Borough with traffic control at the Dublin Fire Company Fireman's Fair on July 14-15 and July 18-22, 2023, at 6:45 AM.**

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

**D. Announcements**

Executive Session

The Board announced at the beginning of the meeting that an executive session was held prior to the meeting from 6:00 to 7:15 PM to discuss potential litigation.

First Responder Day

Delaware Valley Volunteer Fire is in the initial stages of planning a First Responder Day. The tentative date is August 5<sup>th</sup>. Updates and more details will be given at a future meeting and posted on the Township website.

Environmental Advisory Committee: Plastic Bag Recycling Program Withdrawn

The Environmental Advisory Committee had initiated a project to collect plastic bags and make them into sleeping mats for the homeless. However, the EAC had decided to withdraw the project. Those wishing to recycle their plastic bags should do so at their local grocery store.

Free Tick Testing

Senator Coleman’s office has announced that they are working with the PA Department of Health to test ticks for free. If you find a tick, remove it and place it in a sealed plastic bag along with a lab slip. Go to [www.ticklab.org](http://www.ticklab.org) or the Township website to an easy link for more information.

Parks & Recreation Board Trunk or Treat Event

The Parks & Rec Board has begun planning this year’s Trunk or Treat Event, which will be held in October, and is looking for volunteers. It is not necessary to join the Board. Last year’s event was highly successful. If interested, please contact Park & Rec Chair Terry Johnson, Township Manager Teri Lewis, or come to a Parks & Rec Board meeting, which is held on the second Wednesday of each month at 8 PM.

**E. Regular Business**

Minutes

**Motion to approve the Board of Supervisor minutes of May 2 and continuance May 15, 2023.**

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

Treasurer’s Report & Budget Recap

Treasurer’s Report and Budget Recap for April were presented to the Board and posted on the meeting room bulletin board.

Payroll Report

**Motion to accept the Payroll Report for the period ending May 5, 2023, in the amount of \$38,271.28 and May 19, 2023, in the amount of \$37,042.47.**

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

Disbursements

**Motion to approve the following disbursements as written.**

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

General Fund	Amount	Memo
Three Horse LLC	\$512.72	r/e tax refund 44-015-001
Vizi	\$1,940.81	Newsletter Printing
Harris and Harris	\$6,537.70	Legal Services April
Wehrung’s	\$264.17	Building Supplies
Help Now	\$75.00	Police IT
Grim, Biehn and Thatcher	\$93.00	ZHB Legal Services
PA Dept of Labor and Industry - SWIF	\$13,795.00	Workers Comp - Fire Companies
Holicong Locksmiths	\$245.10	Alarm Monitoring
Keystone Municipal Services Inc	\$5,186.00	Building and Zoning + testimony

Centric Business Systems	\$208.22	Copier Copy Count
ReadyRefresh	\$478.28	Water Coolers - All Depts
PennTeleData	\$383.41	Internet Modems
Staples Credit Plan	\$42.89	Police Supplies
PA Turnpike	\$4.40	PA Turnpike
B. Jeannie Kauffman	\$180.00	Stenography Tretton Cond Use
Keystone Municipal Services Inc	\$4,740.00	Zoning and Building Services
Gary Bickel's Garage	\$525.14	Police Fleet Repairs
Cunningham's Automotive Repair	\$909.45	Police Tires and alignment
Merry Maids	\$169.00	Janitorial
Staples Credit Plan	\$103.92	Police Supplies
Keystone Municipal Services Inc	\$4,906.00	Zoning and Building Services
Keystone Municipal Services Inc	\$4,311.00	Zoning and Building Services
J. Tanner	\$27.16	mileage reimbursement
VISA	\$68.99	VISA - new flag
Wehrung's	\$309.42	Police Supplies
NAPA of Ottsville	\$43.98	Police Fleet Parts
Verizon Wireless	\$207.42	Verizon Wireless
Blue360 Media	\$99.39	Police Supplies
Leaf	\$14.10	Police Copier
Galls dba Red the Uniform Tailor	\$144.24	Police Light
Cunningham's Automotive Repair	\$49.83	Police Dept Vehicle Repair
Fred Beans Ford	\$682.90	Police Vehicle Repair
R.D. Skelton	\$400.00	Clothing Allowance
R. Kallenbach	\$400.00	Clothing Allowance
R. Margot	\$400.00	Clothing Allowance
Met-Ed	\$35.31	Electricity Traffic Light
US Bank Equipment Finance	\$259.15	Sharp Printer
PSATS	\$225.00	Registration Conference
Aflac	\$218.46	Supplemental Insurance
Allied Admin for Delta Dental	\$800.54	Dental Insurance
Met-Ed	\$647.95	Police and Admin Electricity
Met-Ed	\$311.19	Public Works Electricity
United Healthcare	\$12,884.91	Health Insurance
Wex/Sunoco	\$1,241.74	Police Fleet Fuel
Wynn Associates	\$3,855.88	Engineering Services - May
PSATS	\$41.00	CDL test
NAPA of Ottsville	\$41.22	Police Fleet Parts
PennTeleData	\$383.41	Internet Modems
B. Jeannie Kauffman	\$65.00	Stenography Services
Met-Ed	\$378.72	Electricity Garage
<b>Payroll Fund</b>	<b>Amount</b>	<b>Memo</b>
Account Edge Sure Payroll	\$38,271.28	Pay period end 5-5-23
Account Edge Sure Payroll	\$37,042.47	Pay period end 5-19-23
<b>State Fund</b>	<b>Amount</b>	<b>Memo</b>
U.S. Municipal Supply Inc.	\$340.57	Sign supplies
Tractor Supply	\$615.12	PWD Shop Supplies and Hardware
Suburban Propane	\$938.82	Diesel Fuel
Vanderlely's Truck Sales & Serv	\$315.27	Fleet Parts
Michael's Garage	\$280.00	Michael's Garage
Heacock Lumber	\$30.00	Side Rails
Groff Tractor and Equipment	\$342.82	Groff Tractor and Equipment
PPC Lubricants	\$1,051.40	Hydraulics and fluids PWD Fleet
ATCO International	\$156.65	Shop supplies
Hoover Steel, Inc.	\$142.00	Channel steel
Triad Truck Equipment	\$619.25	Parts - Mack Conversion
<b>Escrow Fund</b>	<b>Amount</b>	<b>Memo</b>
Chris Weaver Excavating	\$10,755.00	Headquarters Bridge Test Pits
M2 Associates	\$640.00	Piper Group
Wynn Associates	\$3,847.62	Engineering Services May
Chris Weaver Excavating	\$10,755.00	Balance Headquarters Test Pits
<b>Open Space Fund</b>	<b>Amount</b>	<b>Memo</b>
Del Val Regional Finance Assoc	\$11,073.68	Monthly Open Space Bond Payment

**F. Public Works**

New Public Works Employee Matthew Overbeck

The Board welcomed new Public Works employee Matthew Overbeck.

**G. Zoning**

Zoning Hearing Board ZHB 2023-2 Application of Giordano

59 Byram Road, Point Pleasant, TMP 44-030-015.

The applicant seeks relief from multiple requirements for a nanobrewery and tasting room, including flood plain, setbacks, use, lot, and parking requirements.

Harris stated he had received a letter from the applicant’s attorney requesting a time waiver to September 30<sup>th</sup> in order to submit a revised application and plans for review. Upon receipt of the revised application and plans, new dates will be determined for the Planning Commission review, the Board of Supervisors review, and the Zoning Hearing Board hearing.

- Application Received on 4/21/23
- Presented to Supervisors on 5/2/23
- Planning Commission Review on 5/23/23
- *The applicant requests to waive the 60-day time requirement and continue the hearing effective through 9/30/23.*
- Planning Commission Second Review *date to be determined tentatively in July*
- Board of Supervisors *date to be determined tentatively in August*
- Zoning Hearing Board *date to be determined tentatively in September*

Conditional Use Application of Michael Hessel

921 River Road, Erwinna, TMP 44-015-090.

The applicant seeks relief for a driveway modification within the Riparian Corridor.

- Application Received 5/24/23
- *The applicant requests to waive the 60-day time requirement and continue the hearing effective through 9/5/23*
- Presented to Supervisors 6/6/23
- Planning Commission Review 7/25/23
- Conditional Use Hearing **8/15/23**

Request to Amend the Agenda: Tretton Wedding Venue Application

Harris requested that the Board amend the agenda for discussion and potential action with regards to the appeals the Trettons have filed in court from the Board’s denial of the Conditional Use and Land Development Plan.

**Motion to amend the agenda to discuss the Tretton appeals.**

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

Harris stated that the Tretton Conditional Use and Land Development applications were on the April 18<sup>th</sup> Agenda for the Board of Supervisors meeting; however, neither the Trettons nor their representatives attended the meeting, and revised plans were never submitted for review prior to the meeting as promised. Subsequently, the applications were denied. Harris stated that the Trettons have filed appeals from the denial of the applications, and he has entered his appearance on behalf of the Township on both appeals.

Harris said the applicants are now asking if the Board will withdraw the denials and allow the applicants to continue with the previously denied applications rather than having to proceed with new applications if they withdraw the appeals.

The Board stated that such allowances have not been made for other applicants in the past, and if the Trettons wish to proceed, they should file new applications. Harris said that he would advise the Trettons of the Board's decision not to withdraw the denials.

PC Member Carl Ruthardt asked if the Trettons reapplied, would the previous settlement agreement remain in place? Harris stated that the settlement agreement would remain in place.

**Motion to authorize Harris to advise the Trettons that the Board is not willing to withdraw the Conditional Use and Land Development denials and the Trettons must submit new applications if they wish to proceed.**

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

**H. Public Comment Session**

None.

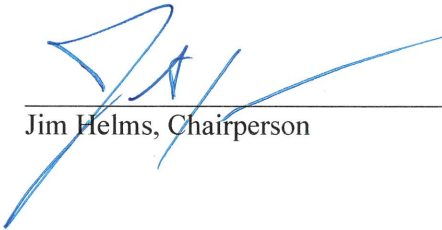
**I. Adjournment**

**Motion to adjourn the meeting at 8:19 p.m.**

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

*The next meeting of the Board of Supervisors is scheduled for July 11, 2023, at 7:30 p.m.*

**TINICUM TOWNSHIP BOARD OF SUPERVISORS**

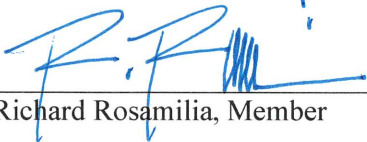


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Jim Helms, Chairperson

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Eleanor Breslin, Vice-Chairperson



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Richard Rosamilia, Member