

16th February 2016 @ 7:00 P.M.

The Tincum Township Board of Commissioners held their regular monthly meeting on the above date and time at 629 N. Governor Printz Blvd., Essington, PA 19029, Commissioner McCarthy was absent from this meeting, Thomas J. Giancristoforo, President presiding:

Dennis Arthur, Vice President

C. Patrick Barr, Commissioner

Lisa Edmiston, Commissioner

Sam Auslander, Esq.

Herbert MacCombie, P.E.

David Schreiber, Manager

Elaine M. Brolley, Secretary

President Giancristoforo called the meeting to order, all rose for the Pledge of Allegiance to the Flag.

Invocation

Reverend Edward R. Oswald from St. John's Lutheran Church gave the Invocation

On A Motion by Dennis Arthur, seconded by Lisa Edmiston, the minutes of the January 2016 Commissioners Monthly Meeting were accepted and approved, by a unanimous voice vote.

President Giancristoforo reported that all members had received copies of the January 2016 Treasurer's and Secretary's report of Receipts. There being no questions:

On A Motion by Dennis Arthur, seconded by Pat Barr, the reports were accepted and approved as submitted, by a unanimous voice vote.

President Giancristoforo asked for a motion to pay bills for the month of February 2016. The bill list for February will be submitted to the Board members at the end of the month. There being no questions:

On A Motion by Dennis Arthur, seconded by Pat Barr, the bill list will be paid for the month of February 2016 by a unanimous voice vote.

PUBLIC FORUM

Agenda Item Comments

Regarding Item # 8, Adoption of new Life Safety Code – Ordinance 2016-879, Mr. John Detwiler asked if this affects the fence that is required around the propane tank at the Clarion Hotel. The Board responded that Mr. MacCombie is aware of the need for a fence at that location and will be enforcing that requirement.

Regarding the Solicitors Report, Mr. Zurdi Dobi, 200 Powhattan Ave., asked for an update as to why the new Life Safety Code was being adopted and asked if there were any citations issued under the old code that may have been invalid. Mr. MacCombie responded that the new Life Safety Code was being adopted to remove any conflicts that may exist between already existing codes. The Board added that there would not be any citations issued that would be adversely affected by this new adoption.

Mr. Dobi also asked for an update on a discussion during the Workshop meeting on ‘after-hour’ clubs. During the Solicitor’s report, Mr. Auslander stated that the regulating of alcohol consumption at so-called ‘after-hour’ clubs comes under the direction of the Liquor Control Board and any testimony for or against such an establishment would be presented during the hearing required for the issuance of the necessary liquor license.

ADMINISTRATION, LAW, ORDINANCE, PUBLIC SAFETY & FINANCE

Thomas J. Giancristoforo Jr., Chairman

Implementation of \$52 Local Services Tax

ON A MOTION by Mr. Arthur, seconded by Mrs. Edmiston, the Board voted unanimously via roll call vote to instruct the Township Solicitor to prepare an advertisement and associated ordinance to enact a \$52 Local Services Tax while replacing and repealing the current \$10 Occupational Privilege Tax. Said Local Services Tax is to be used for the purpose of providing the Tincum Township Volunteer Fire Company with the financial ability to employ full time fire and emergency personnel.

Adoption of new Life Safety Code – Ordinance 2016-879

ON A MOTION by Mrs. Edmiston, seconded by Mr. Barr, the Board voted unanimously via roll call vote to adopt Ordinance 2016 - 879 repealing and vacating chapter 29 of the code of Tincum Township Life Safety Code and all other ordinances or parts of ordinances in conflict therewith; adopting a new Chapter 29 The International Fire Code 2015 edition, including all appendix chapters and any modifications thereto by later editions. Said Ordinance regulates and governs the safeguarding of life and property from fire and explosion, hazards arising from storage, handling and use of hazardous substances, materials and devices; and from conditions hazardous to life or property in the occupancy of buildings and premises in the Township of Tincum; and providing for the issuance of permits and collection of fees thereof

Advertisement of Requests for Proposal for the restoration of the Historic Lazaretto Building

ON A MOTION by Mr. Arthur, seconded by Mr. Barr, the Board voted unanimously via roll call vote to place an advertisement in a local newspaper of local circulation requesting bid proposals for the renovation and restoration of the Historic Lazaretto Building including repairs to all structural components, interior and exterior finishes, mechanical, electrical, plumbing, and fire protection systems.

Proposals for leasing Township property for the construction of a car parking facility

ON A MOTION by Mrs. Edmiston, seconded by Mr. Arthur, the Board unanimously voted via roll call vote to obtain and review proposals for the development of a car parking facility on the Township's property located along Second Street in Lester. Said proposals should state that the Township will lease a certain portion of Township property to a third party which will be

developed, at the sole cost of the third party, into a car parking facility, for which the Township will collect lease payments, a parking tax fee, and certain other fees as shall be determined.

Tinicum Township Resolution 2016-01 Application For County Aid

ON A MOTION by Mr. Barr, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to adopt Tinicum Township Resolution 2016-01, Application for County Aid, resolving that the Board of Commissioners hereby makes an application for the allocation of County Liquid Fuels Tax Funds in the amount of \$7,223 for the Township's 2016 street resurfacing projects.

Sewer Rental Ordinance 2016-880

ON A MOTION by Mr. Arthur, seconded by Mr. Barr the Board unanimously voted via roll call vote to advertise Township Ordinance 2016-880 amending Chapter 45, Sanitary Sewers, Article IV, Sewer Rentals and Use, Subsection 45-30 and rentals represented by Ordinance 716, subsequent Ordinances 743, 751, 762, 767, and 798 establishing the annual rentals for the use of the sewers or sewer systems changing the fee per 1,000 gallons used from \$4.00 to \$4.50 after the first 35,000 gallons used.

Resolution 2016-02 Supplementing the Rules and Regulations regarding the Payment and Collection of Sewer Rents

Prior to voting on this item, Mr. Zurdi Dobi (200 Powhattan Ave.) interrupted the Board to ask why his was being adopted during this evening's meeting and not previously advertised. The Board responded that the Commissioners are entertaining a Resolution, not an ordinance. Resolutions do not need to be advertised. The Board added that this Resolution provides rules for the collection of delinquent sewer bills.

ON A MOTION by Mr. Arthur, seconded by Mrs. Edmiston the Board unanimously voted via roll call vote to adopt Township Resolution 2016-02 resolving that, pursuant to its authority under the First Class Township Code, The Township of Tinicum hereby adopts supplemental rules and regulations for the payment and collection of sewer rents as follows:

All sewer accounts not paid on or prior to December 31 of each year shall be referred to the Township Solicitor with authority to proceed with the collection of all unpaid charges, together with interest, penalties and cost of collection, including reasonable legal fees, by a civil action and/or filing a municipal lien against the subject property, or in any other manner provided by law for the collection of municipal debt.

Subdivision of Certain Township Property referred to as the Runway Safety Zone

ON A MOTION by Mr. Barr, seconded by Mrs. Edmiston the Board unanimously voted via roll call vote to instruct the Township Solicitor and the Township Engineer to initiate the process to file a Land Development and Sub-Division Application on behalf of Tincum Township that would subdivide a portion of the 152 acre Folio Number 45-00-00935-75. The result of the Sub-Division would be to create a separate folio number of approximately 21.8 acres commonly referred to as the Runway Safety Zone.

Community Garden at 4th Avenue and North Governor Printz Blvd

ON A MOTION by Mr. Barr, seconded by Mrs. Edmiston the Board unanimously voted via roll call vote to allow the use of the Township's property at 4th Avenue and North Governor Printz Blvd as a Community Garden subject to all Zoning and Permitting regulations as required by Township Code. A fee of \$25 per 100 square feet of gardening space will be charged by the Township to participating gardeners with waivers and indemnifications to be approved by the Township Solicitor.

Code Enforcement Report – January 2016

January: The Code Enforcement Officer Issued:

08 Certificates of Occupancies for a total of **\$950.00**

04 Building Permits for a total of **\$1,900.00**

COMMITTEE REPORTS

POLICE, FIRE, AND BUILDINGS

Patrick K. McCarthy, Chairman

POLICE REPORT – January 2016

Township Fines: \$3,574.49. Of that amount, a total of \$280.00 was Parking Tickets.

The department handled 667 incidents and made 39 criminal arrests.

33 of those criminal arrests were adults

6 of those criminal arrests were juveniles.

6 of the juveniles was handled within the Department and Released

0 animals were taken into custody

FIRE COMPANY REPORTS:

Fire Company Report – January 2016

Assist – 1

Building Fire – 8

Drill – 3

Automatic Fire Alarm – 14

Co Incidents – 2

Dumpster - 1

MVA – 8

Natural Gas Leak – 1

Investigation - 2

Vehicle Fire – 1

Cover Assignment - 1

Marine Unit – 1

EMS Assist – 2

Total Incidents – 44

Average Turnout Per Incident – 9

Total time in service – 21:21:00 Overall avg. Time: 00:29:07

Respectfully Submitted,

Chief Jonathan Buschmeier

T.T.F.C.

FIRE MARSHALL REPORT – January 2016

- 1/3/16: Received a report from the ambulance about hoarding at 312 Carre Avenue. Referred the report to the Herb MacCombie, Building Engineer.
- 1/5/16: Responded with the fire company to the Clarion Hotel for a broken fire sprinkler. The sprinkler was broken by employees and they did not know where to shut the water off. Had the fire company wedge/plug the broken sprinkler to stop the water from flowing. Suggested to the hotel management to mark the valve locations for the fire sprinkler systems. Will follow up.
- 1/12/16: As you are aware I attended and spoke at the Commissioners' Workshop Meeting on the need to repeal the ordinance for the 1997 NFPA Life Safety Code, which can no longer be enforced in Pennsylvania because of the enactment of the Pennsylvania Uniform Construction Code. I also explained the need for the enactment of the International Fire Code, 2015 Edition.
- 1/21/16: Picked up 40 Smoke Detectors from the 6-ABC TV Program at the Philadelphia Fire Academy. Detectors will be distributed to the needy on request.
- 1/21/16: Responded with the fire company to the Econo Lodge for a false fire alarm. Alarm was caused by an inspection of the kitchen fire system. My inquiry was to find out why the alarm company was not notified to avoid the false alarm. Also performed a visual inspection of the kitchen fire system while I was there.
- During the week of January 25th we received seven false fire/carbon monoxide alarms at the Federal Express Facility. I met the Senior Manager on Friday morning January 30th for the purpose of having the alarm problem corrected. I did REQUEST an annual inspection be performed of the fire alarm and suppression systems; however, I could not REQUIRE the inspection without the enactment of the fire code. A fine for six false alarms was to be sent to Federal Express.

Raymond Lanabaugh

Fire Marshal

Assistant Code Enforcement

PUBLIC WORKS, HIGHWAYS, AND RAILROADS

Lisa Edmiston, Chairman

Public Works – January, 2016

- Prepared for winter storm Jonas

Trash removal for the month of January 2016:

Regular trash – 135.16 tons

Heavy trash – 8.41 tons

Recyclables – 19.92 tons

White goods – 3 pieces

Winter Storm Jonas Totals:

Man Hours – 275 hours

Salt used – 75 tons

Repaired plow damaged during storm.

Respectfully Submitted,
Walter E. Lee, Superintendent
Highway Department

SANITATION

Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment

Monthly Report for January 2016

Total: 30,527,000 gallons

Average: 984,742 gallons

Total Sludge: 228,373 gallons

Total Methane Gas: 140,104 cubic feet

Average cu ft

Sludge Hauled: 46,000 gals % solids 2.35

Sewer Complaint:

01/2016 None

Equipment Repairs:

01/2016 Installed new wear plates both pumps Front & Jansen. Also replaced air release on Pump #2

01/2016 Replaced lighting gas room, heater room and lights at 4th & Chippewa pumping station

Operation Problems:

01/2016 Clearing snow from buzzard, chopping ice in secondary settling tanks

01/2016 Contractor plowing snow Comfort Inn piled snow on pumping station

01/2016 General work around plant

Miscellaneous items:

01/2016 Serviced all police vehicles that had to be serviced

Robert J. Bernauer

HEALTH AND RECREATION

Pat Barr, Chairman

Board of Health / Recreation - January, 2016

Mr. Barr had no further report.

Solicitor's Report: Sam Auslander, Esquire

Mr. Auslander responded to Mr. Dobi's inquiry regarding the Life Safety Code as noted above in the Public Comment section. Mr. Auslander also responded to Mr. Dobi's question regarding 'after-hours' clubs as noted above in the Public Comment section.

Mr. Auslander also noted that the pending case against Norfolk Southern Railroad was postponed until March 23, 2016.

Engineer's Report: Herbert MacCombie, P.E.

Mr. Herbert MacCombie reported that on Package 2 of the international airport's Runway Extension Land Development Plan. The Board of Commissioners had approved the City of Philadelphia's plan on proposed improvements to runway 27L and associated taxiways during the March 2015 Commissioner's meeting. The Airport is now ready to move forward with Phase 2 of this plan. Mr. MacCombie's office has reviewed the improvements and plans associated with Phase 2 and has advised the Board that they have no objection to the Board's favorable consideration of this phase. Pursuant to Mr. MacCombie's report, the Board asked for a motion to approve Phase 2 of the pending land development plan.

Motion: PHL Runway 27L & Associated Taxiways

On a Motion by Dennis Arthur, and seconded by Pat Barr, the Board unanimously voted to approve, pursuant to the Boards Approval On March 16, 2015 of the Special Use Hearing considering the Extension of Runway 27 L and its associated Taxiways, Package #2 of said project consisting of the construction of three structures totaling 760 square feet. Said approval is subject to the commitment to adhere to the comments of the Township Engineer letter dated February 16, 2016.

Prior to voting on this item, the Board asked for questions or comments from the public. There were none.

Mr. MacCombie also reported that Aqua PA has advised of various water main replacement projects that Aqua proposed to move forward with. Mr. MacCombie will review Aqua's proposal and discuss with them the funding of the costs of street repairs to be included in the Township's 2016 street repaving program.

Manager's Report: David D. Schreiber

The Township Manager reported that the Township has been notified by ReCommunity Recycling, the Township's recycling vendor, of ReCommunity's intent to terminate the Township's recycling contract. ReCommunity has advised the Township that because of the depressed market and falling prices of recyclable materials, ReCommunity can no longer support the minimum floor price to the Township of \$5 a ton. Instead, ReCommunity is looking to have the Township pay to have their material recycled, sometimes at a cost greater than what it would be to simply dispose of the material.

As a result, the Board is attempting to re-negotiate a new floor price that would be more beneficial to both parties.

Secretary's Correspondence

Ms. Brolley stated there was none for this Month.

OTHER BUSINESS

ADJOURNMENT OF THE BUSINESS PORTION OF MEETING

ON A MOTION by Mr. Arthur, seconded by Mr. Barr to adjourn the business portion of this meeting by a unanimous voice vote.

PUBLIC PARTICIPATION

Public Comment:

1. Mr. John Detwiler, 211 LaGrange, thanked the Board for the new Township website and asked that it be kept updated. Mr. Detwiler also asked to have street signs replace at 2nd and 4th and Wanamaker.
2. Mr. Ed Rubillo, 138 Wyandotte St., asked the Board to consider the 100 block of Pontiac St. during the repaving project this year. Mr. Rubillo advised the Board that the seawall at Gov. Printz Park is in need of repairs. Mr. Rubillo asked the Board to advertise the Lazaretto Project in a more widespread newspaper and also and the Board who is going to run the new proposed car parking facility. The Board responded that the Township would review proposals for the car parking facility from parking vendors. Mr. Rubillo expressed concern that the Township would be missing out on revenue by not running the facility itself.
3. Mr. Ray Griffin, 116 Saude Ave stated that his neighbor has a diesel tour bus that his neighbor often runs, causing diesel fumes to enter his house and is concerned about health problems. The Board asked Mr. MacCombie to look into the issue.
4. Mr. Art Perdun, 247 S. Gov Printz, Blvd., stated there were other businesses in town not operating as they are required to. Mr. Perdun asked what type of personnel would be hired for paid positions within the fire company. The Board responded that while not yet determined, there would be various types of positions filled. Mr. Perdun asked the Board to consider other types of funding rather than a \$52 Local Services Tax. Mr. Perdun also was not in favor of the Community Garden being proposed at 4th Ave and N. Gov Printz Park.

5. Mr. Mike Ellis, Fire Company Ambulance Captain, spoke about the SAFER grant the fire company had been awarded several years ago that enabled the fire company to hire fire company personnel. The SAFER grant is now expiring and that is why the Board is considering the \$52 Local Services Tax. Mr. Ellis stated that the rate of volunteerism is not what is used to be and the Township and Fire Company are looking for ways to staff the fire company. Mr. Ellis stated that while all applicants will be considered, regulations restrict volunteer members from being paid employees. Further, volunteer members that give up their membership are ineligible for employment for a period of two years.
6. Mr. Zurdi Dobi, 200 Powhattan Avenue, stated that he received a phone call from the Township (via the Township's automated call out system) warning about telephone scams. Mr. Dobi asked if the police can provide an update on their investigation. Mr. Dobi asked if the Emergency Medical Technicians were under contract. The Board responded they were not. Mr. Dobi asked about the status of the Non Uniform Employee contract negotiations. The Board responded that the negotiations were ongoing. Mr. Dobi objected to the Township 'censoring' the minutes. Mr. Dobi opined that the Township's adoption of the new Life Safety Code ordinance may have invalidated any citations that were issued under the old ordinance and asked the Board if any studies were done to account for this.

Mr. Dobi also stated that his Right to Know request submitted in October 2015 has not been responded to and further stated that Pennsylvania's Right to Know office has issued a Final Determination letter upholding Mr. Dobi's request. The Township Manager responded by pointing out that although the Pennsylvania Office of Open Records did issue the noted Final Determination letter in November a subsequent letter from the OOR dated December 2015 acknowledged that the Township did respond and, subsequently, has closed the case. Mr. Schreiber pointed out that Mr. Dobi was sent a copy of the OOR's letter as well.

ADJOURNMENT OF MEETING

ON A MOTION by Mr. Arthur, seconded by Mrs. Edmiston to adjourn the meeting by a unanimous voice vote.

Respectfully submitted,

Elaine M. Brolley

Township Secretary

