

22nd January 2019 @ 6:30 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. Township Engineer James MacCombie was absent from this meeting. Mr. Herbert MacCombie was present representing the Township Engineer's Office. Patrick K. McCarthy, President presiding:

Pat Barr, Vice President

Lisa Edmiston, Commissioner

Dennis Arthur, Commissioner

Roger Joseph, Commissioner

Sam Auslander, Esq.

Herbert MacCombie, P.E.

David Schreiber, Manager

Elaine M. Brolley, Secretary

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

---

### **Invocation**

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

---

After the Pledge of Allegiance but prior to the start of the regular agenda items the Board of Commissioners called upon Fire Chief Michael Golden and EMS Captain Mike Ellis to present a new Automated External Defibrillator to the Township. This AED was donated to the Fire Company by the AED Distributor after EMS Personnel used a similar device to resuscitate an ambulance patient before transport to the hospital. Commissioner Barr accepted the AED on behalf of the Board of Commissioners.

**On A Motion** by Lisa Edmiston, seconded by Roger Joseph, the minutes of the December 2018 Commissioners Monthly Meeting were accepted and approved, by a unanimous voice vote.

President McCarthy reported that all members had received copies of the December 2018 Treasurer's and Secretary's report of Receipts. There being no questions:

**On A Motion** by Lisa Edmiston, seconded by Roger Joseph, the reports were accepted and approved as submitted, by a unanimous voice vote.

President McCarthy asked for a motion to pay bills for the month of January 2019. The bill list for January will be submitted to the Board members at the end of the month. There being no questions:

**On A Motion** by Lisa Edmiston, seconded by Pat Barr, the bill list will be paid for the month of January 2019 by a unanimous voice vote.

## **PUBLIC FORUM**

### **Agenda Item Comments**

Regarding Item # 11, "Release # 22 to Wu and Associates" Mr. Zurdi Dobi, 200 Powhattan Ave., asked if the Township Engineer would state what work took place and if any 'extras' were included in this release. Mr. Dobi asked the same of Item #12, "Release #8 to Apostle Construction for Governor Printz Park". Regarding Item # 20 "Motion for a 3 Year Non Uniform Agreement" Mr. Dobi also asked how many employees were affected. The Board responded there were approximately 20. Mr. Dobi asked the Township Solicitor to provide an update on the "Bartol v. Tinicum Township" suit filed in federal court and asked Commission Barr to report on the donations the Patriotic Organization provided to Township Residents.

Regarding Item # 10, "Appointment to the Civil Service Commission" Mr. Art Perdun of South Governor Printz Blvd, asked if the appointee was from Town. The Board responded, yes. Mr. Perdun asked if the proposed ordinance for a Business License would be for all businesses in Town. The Board responded, yes. Mr. MacCombie went on to state that any proposed ordinance would be evenly enforced.

**ADMINISTRATION, LAW, ORDINANCE, PUBLIC SAFETY & FINANCE**

**Patrick K. McCarthy, Chairman**

**Attendance at Annual Seminars and Conferences**

**ON A MOTION** by Mr. Arthur, seconded by Mr. Barr, the Board voted unanimously via roll call vote to approve the attendance of appropriate Township Officials at various County and Statewide seminars and conferences during calendar year 2019 at an approximate total cost of \$5,000.

**Advertisement in Pennsylvania State Association of Township Commissioners Annual Yearbook**

**ON A MOTION** by Mr. Arthur, seconded by Mr. Joseph, the Board voted unanimously via roll call vote to approve the purchase of a Township Advertisement in the annual Pennsylvania State Association of Township Commissioners yearbook at a cost of approximately \$300.

**Transfer of Funds from the General Account to the Sewer Account**

**ON A MOTION** by Mr. Arthur, seconded by Mr. Barr, the Board voted unanimously via roll call vote to make semi-annual transfers of funds from the Township General Operating Fund account to the Sewer Account to cover associated debt service and administrative expenses. Said semi-annual transfers are in the amount of \$325,000.

**Appointment of Civil Service Commission**

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. Barr, the Board unanimously voted via roll call vote to appoint Mr. Steve Giancristoforo of Essington, to the Civil Service Commission, replacing the late Thomas Giancristoforo, Jr. Said appointment would be for a three year period ending December 2021. Mr. Joseph abstained from voting, citing his familial relationship to the candidate.

**Release # 22 to Wu and Associates for Work Completed on the Restoration of the Lazaretto Building**

Prior to voting, Mr. MacCombie mentioned several items that this release covered including elevator installation, porch construction, widow installation and other items.

**ON A MOTION** by Mr. Barr, seconded by Mrs. Edmiston, the Board voted via roll call vote to approve Release # 22 in the amount of \$381,957.88 to Wu & Associates for the work to date on the Restoration of the Lazaretto Building. Said release has been reviewed and recommended for approval by the Project Architect and Township Engineer. Mr. Barr, aye, Mrs. Edmiston, aye, Mr. Joseph, aye, Mr. Arthur, nay, Mr. McCarthy, aye.

**Release #8 to Apostle Construction, Inc for Improvements at Governor Printz Park**

Prior to voting, Mr. MacCombie mentioned several items that this release included grading, meter pit installation, splash pad work, and other items

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. Joseph, the Board unanimously voted via roll call vote to approve Release #8 in the amount of \$106,188.43 to Apostle Construction for the work to date on Governor Printz Park. Said release has been reviewed and recommended for approval by the Township Engineer.

**Resignation from the Township Zoning Hearing Board**

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. Barr, the Board unanimously voted via roll call vote to accept the resignation of Mr. Roger Joseph from the Township Zoning Hearing Board commensurate with Mr. Joseph's appointment to the Tincum Township Board of Commissioners. Mr. Joseph abstained from voting.

**Appointment to Zoning Hearing Board**

**ON A MOTION** by Mr. Joseph, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to appoint Mr. Sean Barr and Mr. Brian Kelly to the Township Zoning Hearing Board to replace two resigning members. Said appointments will be for a three year period ending in December 2021. Mr. Barr abstained from voting citing his familial relationship to one of the appointees.

**Waiver of Land Development Requirements**

**ON A MOTION** by Mr. Joseph, seconded by Mr. Arthur, the Board unanimously voted via roll call vote to waive the requirement to complete and submit a Land Development Application for Jet Stream Parking, Second Street and 4<sup>th</sup> Avenue. Said waiver would allow Jet Stream to erect a 10'x20' storage shed on the parking lot property. As the Township Land Development Ordinance requires all commercial construction to follow Land Development regulations, a waiver from the Board of Commissioners is required for this request.

**Purchase of Vehicle to be used by Township Fire Marshal**

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. Joseph, the Board unanimously voted via roll call vote to purchase a new Fire Marshal Code Enforcement Vehicle under the state COSTARS program at a cost of approximately \$37,000.

**Repairs to Township Building Roofs**

**ON A MOTION** by Mr. Arthur, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to instruct the Township Engineer's office to prepare specifications and Requests for Proposals to replace the flat roofs at Town Hall and the Township Police Station with peaked roofs and to advertise for said RFPs.

**Tinicum Township Business License Ordinance**

**ON A MOTION** by Mr. Joseph, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to instruct the Township Solicitor to research and draft an ordinance calling for the establishment of a Tinicum Township Business License. Said Ordinance would require business located or established within Tinicum Township to apply for and obtain a license for conducting their trade within the Township.

**Inflow and Infiltration Study**

**ON A MOTION** by Mr. Arthur, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to instruct the Township Engineer to prepare Requests for Proposals for an Inflow and Infiltration study on the Township’s Sanitary Sewer System. Said study is for the purpose of identifying, correcting and controlling storm water infiltration into the sanitary sewer system. The estimated cost of such a study is approximately up to \$150,000.

**Non Uniform Agreement**

**ON A MOTION** by Mr. Joseph, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to enter into an agreement of Memorandum of Understanding with Non Uniform members, extending employee agreement to 3 years with 3% annual increases. Mr. Arthur abstained from voting citing his familial relationship to one of the employees affected by the agreement.

**Code Enforcement Report – December 2018**

**December:** The Code Enforcement Officer Issued:

**15** Certificates of Occupancies for a total of **\$1,950.00**

**07** Building Permits for a total of **\$8,090.14**

**COMMITTEE REPORTS**

**POLICE, FIRE, AND BUILDINGS**

**Patrick K. McCarthy, Chairman**

**POLICE REPORT – December 2018**

Township Fines: **\$4,723.11**. Of that amount, a total of **\$105.00** was Parking Tickets.

The department handled **497** incidents and made **18** criminal arrests.

**18** of those criminal arrests were adults

**0** of those criminal arrests were juveniles.

**0** of the juveniles was handled within the Department and Released

**0** animals were taken into custody

**FIRE COMPANY REPORTS:**

**Fire Company Report – December 2018**

**Total Calls: 43**

Building Fire – 6

Assist EMS - 5

AFA – 13

MVA w/ Injuries – 14

MVA w/ Entrapment - 1

Vehicle Fire –1

Gas Leak – 1

Fuel Spill – 2

**Average # of responding personnel: 7**

**Time in service for December: (40.96) hours**

**Time in service for 2018: (634.87) hours**

**Total calls for 2018: (503)**

**Fire Company Report for Year 2018**

Fire, Other – 4

Building Fire – 77

Vehicle Fire – 25

Semi Truck Fire – 1

Brush Fire – 12

Dumpster Fire – 2

Assist EMS – 36

MVA w/Injuries – 85

MVA w/No Injuries - 6

MVA w/Entrapment – 15

Elevator Rescue – 2

Water Rescue – 13

Fuel Spill – 14

Chemical Spill - 1

CO Incident – 7

Wires – 4

MVA General Cleanup – 19

Service Call – 2

Water Leak – 1

Assist Public – 1

Assist PD - 7

Unauthorized Burning – 1

Cover Assignment - 9

AFA – 134

CO Incident, No CO - 2

**Average # of responding personnel: (8)**

**Time in service for 2018: (634.87) hours**

**Respectfully Submitted,**

**Chief Michael Golden**

**T.T.F.C.**

### **FIRE MARSHAL REPORT**

**Fire Marshal Report**

**December 2018**

**Mr. McCarthy:**

**The following report is submitted for your review:**

**Completed one fire alarm plan review for Yards Brewery in the PHL Terminal 'A' East.**

**Inspected, witnessed and approved four fire alarm acceptance tests:**

1. PHL Terminal 'A' West, Chickie's and Pete's
2. PHL Terminal 'A' East, Immotions's
3. 200 Stevens Drive 3<sup>rd</sup> Floor
4. 300 Stevens Drive 1<sup>st</sup> Floor

**Inspected, witnessed and approved the three fire sprinkler changes:**

1. PHL Terminal 'A' Chickie's and Pete's
2. 200 Stevens Drive, 3<sup>rd</sup> Floor.
3. 300 Stevens Drive, 1<sup>st</sup> Floor.

**Inspected and witnessed and approved one commercial kitchen hood fire suppression system test in PHL Terminal 'A' West, Chickie's and Pete's.**

**Attended and participated in the following meetings:**

1. PHL (Airport) Terminal 'A' West Life Safety and Egress Meeting.
2. Pennsylvania Building Officials Regional Quarterly Meeting and Training.

**Signed up for Channel 6's Save A Life Campaign Event to be held on January 29th. We will receive smoke detectors for those who cannot afford them.**

**Raymond Lonabaugh**

**Fire Marshal**

**Assistant Code Enforcement**

## **PUBLIC WORKS, HIGHWAYS, AND RAILROADS**

**Lisa Edmiston, Chairman**

➤ **November 2018:**

Tide gate opened November 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> ...

All trucks serviced for the winter

Used 9 tons of rock salt on November 15<sup>th</sup> storm

Tide gates opened Nov. 26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> ...

Cleaned up Gov. Printz Park for anniversary celebration

**Trash removal for the month of November 2018:**

Regular trash – 171.42 tons

Heavy trash – 13.42 tons

Recyclables – 19.81 tons

Leaves – 126 cu yards

➤ **December 2018**

Tide gate opened December 20<sup>th</sup>

Trees were taken down in park for Boy Scouts Winter Survival

Storm drain cleaned at Lester Fire House on Dec 21<sup>st</sup>

Tide gate opened Dec 27<sup>th</sup>

Tide gate opened Dec 28<sup>th</sup>

**Trash Removal for the month of December 2018**

Regular trash – 155.02 tons

Heavy trash – 11.52 tons

Recyclables – 19.28 tons

Leaves – 38 cu yds

➤ **2018 YEARLY REPORT**

**Trash Removal TOTALS for the YEAR 2018**

Regular trash – 1985.92 tons

Heavy Trash – 140.43 tons

Recyclables – 242.14 tons

White goods – 50 pcs.

Yard waste – 21.57 tons

Street sweepings – 61.23 tons

Leaves – 164 cu. Yds.

**Respectfully Submitted,  
Walter E. Lee, Superintendent  
Highway Department**

## **SANITATION**

**Dennis R. Arthur, Chairman**

Tinicum Township Wastewater Treatment

### **Monthly Report for December 2018**

**No Report this month**

## **HEALTH AND RECREATION**

**Pat Barr, Chairman**

### **Board of Health / Recreation - December, 2018**

Mr. Barr reported that Hockey and Basketball are under way. The next Board of Health activity will be the annual Rabies Clinic held in April. Approximately 100 animals have been receiving vaccines over the past couple of years. The Patriotic Organization donated a total of \$18,750 to three local residents as well as the Coaches v. Cancer organization. These donations were made possible by the funds collected by the Patriotic Organization from the annual Farmers Market and other donations to the Organization. Commissioner McCarthy thanked Mrs. Barr for her hard work that makes the Patriotic Organization events successful.

### **Solicitor's Report: Sam Auslander, Esquire**

Mr. Auslander reported that the litigation concerning the renovation of the Lazaretto building involving the general contractor is ongoing, work at the building site continues and the Township continues to pay for work that is completed. Mr. Auslander reported on an appeal of unemployment compensation benefits for a terminated Library employee whereby the employee was denied unemployment benefits.

The appeal of the Zoning Hearing Boards decision in favor of the applicant for the proposed Wawa store Rt. 420 was denied by Del. Co. Common Pleas Court. However, the appellant has now appealed the Common Pleas Court decision to the State Superior Court.

Regarding Bartol v. Tinicum Township, Mr. Bartol was arrested in February 2015 at the Red Roof Inn., After Mr. Bartol was found not guilty at his trial, he filed a federal law suit citing his civil rights were violated. A settlement of \$150,000 was reached between the insurance carrier and Mr. Bartol.

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

Mr. Herb MacCombie reported the water service was shut off at the Historical Building at Gov Printz Park. The exterior pipe that froze caused no damage to the building and will be repaired as work on the park continues.

Work on the Gov Printz Park Splash Pad has started. Drain lines have been placed, concrete has been poured at the center of the pit, and the band shelter has been ordered and will arrive in 2 to 3 weeks.

**Manager's Report: David D. Schreiber**

Mr. Schreiber reported that the Township's proposed revised Zoning Ordinance that was begun some years ago will be revisited so that it may finally be completed. The Township will be meeting with Del. Co Planning in January to restart this process. The Township's liability insurer will be making a loss control visit to various areas in town to provide some feedback and advice on where the township can make improvements to reduce hazard exposure. The dump truck and pick-up truck that were authorized in the 2019 budget will be removed and replaced with new trash truck as a replacement trash truck is more important to obtain.

**Secretary's Correspondence**

Ms. Brolley stated there was nothing this month.

**OTHER BUSINESS**

**ADJOURNMENT OF THE BUSINESS PORTION OF MEETING**

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

## **PUBLIC PARTICIPATION**

### **Public Comment:**

Mr. Art Perdun, South Governor Printz Blvd., asked if there was going to be a traffic light at 3<sup>rd</sup> and 291? The Board responded that a traffic study was done and the road does not warrant a traffic light.

Mr. Zurdi Dobi, 200 Powhattan Avenue, asked for clarification on a terminated library employee and unemployment. Mr. Auslander stated that an employee had been terminated from the library, filed for unemployment, and that the unemployment was contested. Mr. Dobi asked when the federal trial for Bartol took place and what the docket number was. This information was not readily available. Mr. Dobi stated that the Board was not reporting on Executive Sessions. Mr. Dobi stated that a landscaping company on Powhattan Ave. had been granted zoning variances for a specific use on the property but that a different landscaping company is now situated there and objected to the existing company benefiting from the variances. Mr. MacCombie stated that variances are granted to the property so long as the use remains substantially the same.

## **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

