

19<sup>th</sup> February 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. Herb MacCombie was present representing the Township Engineer's Office, Patrick K. McCarthy, President presiding:

C. Patrick Barr, Vice President

Dennis R. Arthur, Commissioner

Lisa Edmiston, Commissioner

Roger Joseph, Commissioner

Sam Auslander, Esq.

David Schreiber, Manager

Elaine M. Brolley, Secretary

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

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### **Invocation**

Father Anthony Orth from St. Gabriel's Catholic Church gave the Invocation

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**On A Motion** by Roger Joseph, seconded by Lisa Edmiston, the minutes of the January 2019 Commissioners Monthly Meeting and the Special Public Meeting were accepted and approved, by a unanimous voice vote.

President McCarthy reported that all members had received copies of the January 2019 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 February 2019. 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 Lisa Edmiston, seconded by Roger Joseph, the bill list will be paid for the month of February 2019 by a unanimous voice vote.

## **PUBLIC FORUM**

### **Agenda Item Comments**

Regarding Item #7, "Release # 23 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. Regarding Item #8, "Purchase of New Trash Truck", Mr. Dobi asked what happened to the old truck. Mr. Dobi asked for updates on the Wawa zoning appeal and the 'Bartol v Tinicum Township' lawsuit settled by the insurance company some time ago. Of Item 10, "Extension of Police Contract", Mr. Dobi asked if the police lodge contacted the Township or vice-versa. Mr. Dobi asked Commissioner Barr to report on the Township's decision to renovate parks, and the Engineer to report on zoning cases.

Mr. Art Perdun, 247 South Gov Printz, asked if "Local Traffic Only" signs were enforceable without an ordinance. Mr. Auslander responded that an ordinance is customary. Mr. Perdun asked for clarification on Item # 11, "Bulk Trash Regulations for Rental Dwellings". The Board responded that bulk trash is becoming an issue when the renter of a single family dwelling leaves the premises and either the tenant or the landlord disposes of rooms full of items at the curb. This is expensive and the Township will investigate ways to have the landlord pay for disposal.

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

**Patrick K. McCarthy, Chairman**

**Release #23 to Wu & Associates for work completed on the Restoration of Lazaretto Building**

Mr. MacCombie stated the work done at the Lazaretto includes, porch decking, copper roof, wood doors, refinished floors, painting and trim work.

**ON A MOTION** by Mr. Barr, seconded by Mrs. Edmiston, the Board voted via roll call vote to approve Release # 23 in the amount of \$246,280.62 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. McCarthy, Aye, Mr. Arthur, Nay.

**Purchase of New Trash Truck**

Prior to voting, Mr. Schreiber stated that the 1995 trash truck at the Public Works Department suffered from an electrical fire in the truck cab and burned up.

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. Joseph, the Board voted unanimously via roll call vote to approve the purchase of a new 2018 HEIL Rear Load Trash Truck from Mid Atlantic Waste Systems. Said truck is to replace the fire damaged 1995 International Truck at a state Costar price of \$142,588.

**Waiver of Land Development at Terminal A-East Concourse**

Prior to voting, Mr. MacCombie stated that the current configuration of this terminal was out of compliance with US Custom regulations since ADA Passengers needing to go from one floor to another had to leave the 'sterile' corridor only to reenter after exiting an elevator.

**ON A MOTION** by Mr. Barr, seconded by Mrs. Edmiston, the Board voted unanimously via roll call vote to waive the requirement to file a Land Development application for the Philadelphia International Airport for the purpose of constructing 3 new elevators on the exterior of Terminal A East Concourse. Said elevators will provide vertical circulation between the "sterile" gates of the terminal for passengers requiring assistance.

The proposed development and expansion of the terminal will be approximately 532 square feet. All Grading and Building Permits will be required for construction.

**Extension of Police Contract between the Township and FOP Lodge 27**

**ON A MOTION** by Mr. Joseph, seconded by Mr. Barr, the Board voted via roll call vote to enter into a 5 year extension of the current contract between the Township and Lodge 27 of the Fraternal Order of Police. Under this extension, the current contract that runs until December 31, 2021 will be extended until December 31, 2026 and will contain wage increases of 3% annually. All other conditions will remain the same.

This motion was approved 4-0. Commissioner Edmiston abstained from voting citing her spouse as the police chief. Further Commissioner McCarthy stated that this issued came about via a mutual conversation between the police and the police committee.

**Bulk Trash Regulations for Rental Dwelling Units as Commercial Enterprises**

**ON A MOTION** by Mr. Joseph, seconded by Mrs. Edmiston, the Board voted via roll call vote to instruct the Township Solicitor to draft a proposed ordinance regulating the disposal of bulk trash for Rental Dwelling Units

**Code Enforcement Report – January 2019, Roger Joseph, Chairman**

**January:** The Code Enforcement Officer Issued:

**24** Certificates of Occupancies for a total of **\$3,275.00**

**18** Building Permits for a total of **\$15,491.00**

**COMMITTEE REPORTS**

**POLICE, FIRE, AND BUILDINGS**

**Patrick K. McCarthy, Chairman**

**POLICE REPORT – January 2019**

Township Fines: **\$2,349.16**. Of that amount, a total of **\$105.00** was Parking Tickets.

The department handled **584** incidents and made **27** criminal arrests.

**25** of those criminal arrests were adults

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

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

**0** animals were taken into custody

**FIRE COMPANY REPORTS:**

**Fire Company Report – January 2019**

No Report This Month

**FIRE MARSHALL REPORT – January 2019**

**Re: Fire Marshal's Report for January 2019**

**Mr. McCarthy: The following report is submitted for your review:**

**One Fire Investigation: January 2, 2019, 137 Bartram Avenue 2<sup>nd</sup> Floor.**

**Two Fire Inspections:**

1. Miller's Café 4 Powhattan Avenue.
2. American Pie Pizza & Sandwich Shop, 200 Powhattan Avenue.

**Inspected and witnessed tested one fire alarm system and one fire sprinkler system:  
Philadelphia International Airport, Terminal 'A' West Vestibule, Phase 1.**

**Inspected and approved the revised installation of one dry pipe fire sprinkler system.**

**Reviewed and approved three fire alarm system plans.**

**Reviewed and approved two fire sprinkler plans.**

**As a Board member, attended the monthly meeting of the Delaware County Board of Fire and Life Safety.**

**Participated in the Channel 6's Save A Life Campaign Event. Received 36 new smoke alarms for distribution to township residents who can't afford them.**

**Raymond W. Lonabaugh, CFPS**

**Fire Marshal**

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

**Lisa Edmiston, Chairman**

### **Public Works – January, 2019**

- Tide gates opened – Jan. 3<sup>rd</sup>, 8<sup>th</sup>, 9<sup>th</sup>, and 25<sup>th</sup>
- Change traffic signs at Rt. 291 & Jansen Ave.
- Replaced stop sign on Rt. 291 at Denny's Restaurant
- Removed Handicap sign at 2<sup>nd</sup> St. & Jansen Ave.
- Used 75 ton of salt for storm on Jan 12<sup>th</sup> & 13<sup>th</sup>

### **Trash removal for the month of January 2019:**

Regular trash – 158.50 tons

Heavy trash – 12.97 tons

Recyclables – 25.97 tons

Christmas trees – 10 cu. Yds

The Highway Department is working on opening up 4 active beaver dams. The State Game Commission from Reading has come in to instruct the men on how to trap and relocate the beavers

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

**SANITATION**  
**Dennis R. Arthur, Chairman**

**Tinicum Township Wastewater Treatment**

**Monthly Report for January 2019**

Total flow	46,435,000 gals	Average	1,498,000 gals
Total sludge	33,500 gals	Percent Solids	3.37%
Methane Gas	112,677 cu ft	Average	3635 cu ft

**Sewer Complaints**

1/2019 Vacuum wet well out at Manor Station, full of rags

**Equipment Repairs**

1/14/2019 Penn Power changed block heater out in generator at Plant station

1/14/2019 Mike & Lou installed re-built utility water pump

1/2019 Clinger installing new service to back garage & back up heater

1/16/2019 William Collins from DEP in plant today, checking

**Miscellaneous Items**

1/23/2019 Mr. Schreiber at plant today with insurance inspector

1/2019 General cleanup of back room and back garage of junk removed

1/2019 Service police vehicles that need service

1/2019 Started teaching Clarke Jr. & Dennis Arthur how to re-build Gorman Rupp pumps

Robert J Bernauer

## HEALTH AND RECREATION

### Pat Barr, Chairman

#### **Board of Health / Recreation - February, 2019**

Mr. Barr reported that renovation of the Township's parks stems from an evaluation and impact of the Philadelphia Airport on property values. This evaluation was published in the Philadelphia Inquirer in 2010 or 2011 and reflected a significant decline in Tincum Township property values despite the Township's Blue Ribbon School status and other amenities offered. Consequently, as a result of the settlement agreement negotiated with the airport, the Board decided to invest in amenities intended to induce more home-buyers and owner occupied homes. These amenities include the newly renovated park and other project that will come about in the future.

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

Mr. Auslander reported the following:

A letter has been sent to all parking business operators advising them that all of their drivers must obey all traffic laws. A separate letter has been sent to all hotels advising them that they must comply with all zoning laws and parking regulations before embarking on a parking enterprise. The Board held an Executive Session on Feb 12 to discuss police contract negotiations. Wu v. Tincum Township is still pending in Delaware County Court. The Township is awaiting Wu's amendment of Wu's fourth revised filing. The appeal of the Zoning Hearing Board's affirmative decision to the Wawa applicant has been appealed by an adjacent property owner is now moving to Superior Court. 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. Tincum 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 violation of his civil rights.

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

Mr. Herbert MacCombie reported the following:

Settlement of the property containing the All State Career Trucking School is scheduled for early March. All State will have vacated the property by then. The City of Philadelphia and the Philadelphia Industrial Development Corp has awarded engineering services for Tincum Island Road to JMT. This group will be coming before the Commissioners in the near future to discuss the relocation of Tincum Island Road.

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

The Township Manager reported the following:

Township Tax Bills have been mailed. Census Bureau jobs are posted on the Township's website and government TV channel.

### **Secretary's Correspondence**

Ms. Brolley read a letter from Arlene Miniconzi regarding a free event called "Light UP The Park With Hope" presented by The Leggings Project.

**On A Motion** by Mr. Barr, seconded by Mr. Arthur the Board voted unanimously via voice vote to approve the use of Governor Printz Park on Sunday, June 2<sup>nd</sup>, 2019, rain date of June 9<sup>th</sup>, 2019 for a community event called "Light Up The Park With Hope". The event will run from 12 noon to 4pm.

### **OTHER BUSINESS**

### **ADJOURNMENT OF THE BUSINESS PORTION OF MEETING**

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

### **PUBLIC PARTICIPATION**

#### **Public Comment:**

Mr. Ed Rubillo, 120 Wyandotte Street, stated that the Airport recently has a person quarantined for the Ebola virus and asked the Board to work with the airport to ensure the safety of Township residents. Mr. Rubillo asked if there was any way to improve water flow on Long Hook Creek. Mr. MacCombie responded that this is not a simple solution but several avenues can be explored.

Mr. Art Perdun, South Gov Printz Blvd., asked if heavier containers for recycling material can be obtained. Mr. Perdun asked what will be done with the former Lagoon property now that the building has been demolished.

Mr. Zurdi Dobi, 200 Powhattan Ave., asked if the Township's infiltration study has started. The Board responded, no. Mr. Dobi disputed which court the Wawa appeal is in. Mr. Dobi that the Township should settle the suit with Wu and just pay what they are asking. Mr. Dobi asked Commissioner Joseph to review the PHL settlement agreement with respect to the annual payments paid to the three taxing districts. Mr. Dobi made reference to 7 of 10 children in the Tinicum School being economically challenged and stated that Mr. Barr's reasons for creating better Township amenities is based on false logic.

#### **ADJOURNMENT OF MEETING**

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

Respectfully submitted,

Elaine M. Brolley

Township Secretary

