

18<sup>th</sup> July 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 with Thomas J. Giancristoforo, President presiding. Commissioner C. Patrick Barr was absent from the meeting.

Thomas Giancristoforo, President

Dennis Arthur, Vice President

Patrick McCarthy, Commissioner

Lisa Edmiston, Commissioner

Sam Auslander, Esq.

David Schreiber, Manager

James MacCombie, Engineer

Elaine M. Brolley, Secretary

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

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## **Invocation**

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

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

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

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

## **PUBLIC FORUM**

### **Agenda Item Comments**

Prior to hearing comments from the public, Board President Giancristoforo informed those in attendance at the meeting that a motion will be introduced this evening that is not included on the Public Agenda provided to the public. The decision to include the item in question was made just before the meeting started and after the Public Agenda had been prepared. Mr. Giancristoforo then read the following motion:

**Tinicum Township Bond Issue:** Motion to authorize the Board of Commissioners to pursue the issuance of general obligation bond series A and B for the purposes of financing the Lazaretto Renovation and any other projects the Board deems appropriate.

The purpose of Board President Giancristoforo disclosing this motion prior to Public Comment was to provide those in attendance an opportunity to comment on the item prior to its introduction.

Regarding Item # 13, Appointment of Bond Counsel, Mr. Zurdi Dobi of 200 Powhattan Ave., objected to the appointment of Raffaele & Puppio because, in his opinion, the cost was too high, citing an \$8 million bond issue at a cost of \$18,000 by the Interboro School District.

Regarding Item # 9, Adoption of a Local Services Tax, Mr. Zurdi Dobi objected to the Board taking this item up, citing the time between when the Board motioned to advertise the item, February 2016, and when the Township actually advertised, July 2016.

Mr. Dobi also asked the Solicitor to comment on the Tax Assessment Appeal of Castleway Properties, stating that the error in folio assessment should have been “caught” by the Township long before Castleway filed the appeal.

Regarding Item # 7, Awarding of the Lazaretto Renovation Contract, Mr. Art Perdun of 247 S. Gov Printz Blvd. asked that this item be tabled, while asking the Board what the Lazaretto building will be used for. The Board responded that the Lazaretto Building will be used as the Township Administration building.

Regarding Items # 11 and 12, Lease and Purchase of Hog Island Road, Mr. Perdun asked if the road will be left open for the public. The Board responded that it would.

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

**Thomas J. Giancristoforo Jr., Chairman**

**Award Lazaretto Renovation Contract to Wu & Associates**

**ON A MOTION** by Mr. Arthur, seconded by Mr. McCarthy, the Board voted unanimously via roll call vote to enter into a contract with Wu & Associates for the renovation and restoration of the Historic Lazaretto Building. The Township Engineer’s office and the Project Architect have reviewed all of the bid packages and a Notice of Intent for the project has been advertised. This motion will authorize a bid amount of approximately \$7,972,000 including the Alternates described in the engineer’s letter of May 10, 2016.

**Adoption of Resolution 2016-05, Lazaretto Renovations General Funds Debt Reimbursement**

**ON A MOTION** by Mrs. Edmiston, seconded by Mr. McCarthy, the Board voted unanimously via roll call vote to adopt Tinicum Township Resolution 2016-05 resolving the Township's intent and reasonable expectation to reimburse the Lazaretto project costs with the proceeds of tax-exempt notes or bonds to be issued by a properly qualified institution in the Commonwealth of Pa.

**Item # 8a Tinicum Township Bond Issue**

As stated prior to the Public Comments on Agenda Items, the Board introduced a motion to pursue a Bond Issue to finance the Renovation of the Lazaretto Building.

**ON A MOTION** by Mr. Arthur, seconded by Mrs. Edmiston, the Board voted unanimously via roll call vote to authorize the Board of Commissioners to pursue the issuance of general obligation bonds series A and B for the purpose of financing the Lazaretto Renovations and any other projects the Board deems necessary. The principal amount of said bond issue will be in the amount of \$10 million.

**Adoption of Ordinance 2016-881 Instituting a Local Service Tax**

Prior to voting on this item, Mr. Auslander responded to Mr. Dobi's statement about the timing of the motion to advertise by the Board and when the Ordinance was advertised. Mr. Auslander stated that this Ordinance was required to be advertised three times in a newspaper of general circulation at least 60, but no less than 7, days prior to the adoption of the Ordinance. Despite the fact that the Motion to Advertise was made some time ago, the actual advertisement in relation to the adoption of the ordinance was in compliance with state statutes.

**ON A MOTION** by Mr. McCarthy, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to Adopt Ordinance 2016-881, amending and supplementing the Code of the Township of Tinicum, Chapter 51, Tax, repealing the Occupation Privilege Tax and adopting a new Local Services Tax

Ordinance 2016-881 will impose, and all employers shall be required to collect, a Local Services Tax (LST) for the privilege of engaging in an occupation within the corporate limits of the Township of Tinicum at a rate of Fifty-two (\$52.00) Dollars per employee. Revenue derived from the LST shall be used for emergency services, road construction and/or maintenance, or any other use permissible under the Local Tax Enabling regulations of the Commonwealth of Pennsylvania, provided however, that at least twenty-five (25%) percent of the LST revenue shall be used for emergency services.

**East Coast Greenway Trail – Construction Release #1**

**ON A MOTION** by Mr. Arthur, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to approve Construction Release #1 to JMC Contracting for the work to date on the East Coast Greenway Trail. Release #1, in the amount of \$134,077.43, has been reviewed and approved by the PennDOT approved Construction Inspection firm of Pennoni & Associates.

**Adoption of Resolution 2016-06, Lease of Hog Island Road**

**ON A MOTION** by Mr. Arthur, seconded by Mr. McCarthy, the Board unanimously voted via roll call vote to authorize the President of the Board of Commissioners of Tincum Township, or his designee, to enter into a ground lease and option agreement for portions of Hog Island Road (“Lease”)

**Adoption of Resolution 2016-07, Agreement of Sale of Hog Island Road**

**ON A MOTION** by Mr. Arthur, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to authorize the President of the Board of Commissioners of Tincum Township, or his designee, to enter into an agreement of sale for a portion of Hog Island Road (“Agreement”)

**Appointment of Bond Counsel**

**ON A MOTION** by Mr. McCarthy, seconded by Mrs. Edmiston, the Board unanimously voted via roll call vote to appoint the law firm of Raffaele & Puppio as Special Bond Counsel for the purpose providing legal assistance, advice and service with respect to possible debt transactions via the issuance of a tax exempt note or bond issue. The approximate cost of said services of Raffaele & Puppio is \$25,000.

**Code Enforcement Report – June 2016**

**June:** The Code Enforcement Officer Received:

**21** Certificates of Occupancies for a total of **\$2,975.00**

**23** Building Permits for a total of **\$16,879.00**

**COMMITTEE REPORTS**

**POLICE, FIRE, AND BUILDINGS**

**Patrick K. McCarthy, Chairman**

**POLICE REPORT – June 2016**

Township Fines: **\$9,153.41**. Of that amount, a total of **\$565.00** were Parking Tickets.

The department handled **633** incidents and made **51** criminal arrests.

**50** of those criminal arrests were adults

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

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

**0** animals were taken into custody

**FIRE COMPANY REPORTS:**

**Fire Company Report – June 2016**

No Report This Month

**FIRE MARSHALL REPORT – June 2016**

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

**3- Building Plan Reviews involving fire alarms and fire sprinklers.**

- 1. 53 Industrial Highway former Comfort Inn involving sprinkler system modifications requiring future follow-up inspections.**
- 2. 100 Steven Drive, AmeriHealth involving a modification to the elevator fire detection system.**
- 3. Philadelphia International Airport involving the relocation of the fire main around the former post office building. The relocation is prompted by the proposal to construct two de-icing buildings. There have been several discussion and will require a hydraulic recalculation for the post office fire sprinkler system**

**I have made two trips to an apartment building located at 410 S Governor Printz Boulevard for apartment building false fire alarms. One problem involves the improper securing of a fire alarm pull box station with duct tape. The other involves a pull box being struck by laundry baskets.**

**I did a follow-up on Cargo City Building C-8 for the placement of a Knox Box and signage for the fire department connection.**

**Raymond W. Lonabaugh, CFPS**

**Fire Marshal**

**PUBLIC WORKS, HIGHWAYS, AND RAILROADS**

**Lisa Edmiston, Chairman**

**Public Works – June, 2016**

No Report This Month

Respectfully Submitted,  
Walter E. Lee, Superintendent  
Highway Department

**SANITATION**

**Dennis R. Arthur, Chairman**

Tinicum Township Wastewater Treatment

**Monthly Report for June 2016**

Total: 28,161,000 gallons

Average: .939 GPD

Total Sludge: 235,732 gallons

Total Methane Gas: 84,265 cubic feet

Average cu ft

Sludge Hauled: 13,000 gals      % solids 2.70

**Sewer Complaint:**

06/2016    None

**Equipment Repairs:**

06/2016    Contract building trail at Ramada hit underground electric to station. Had to replace complete service and disconnect. Gave Mr. Schreiber total cost of job.

06/2016 Re-placed two security cameras which were under warranty  
06/2016 Re-place grating and platform at chlorine building, cracking  
06/2016 General work around plant

**Operation Problems:**

06/2016 None

**Miscellaneous items:**

06/2016 Serviced all police vehicles

Robert J. Bernauer

**HEALTH AND RECREATION**

**Pat Barr, Chairman**

**Board of Health / Recreation - June, 2016**

Mr. Barr being absent from this meeting, Ms. Edmiston reported that the Farmers Market cancelled on July 13 because of bad weather was rescheduled for July 20. Mr. McCarthy stated that soccer sign-ups were still ongoing.

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

Mr. Auslander reported that the Board met in Executive Session after the Board's Workshop meeting in regard to the two Hog Island Road motions voted upon during this evening's meeting. Mr. Auslander also reported that despite Mr. Dobi's claim that the Township should have "caught" the error in folio numbers resulting in Castleway's tax assessment appeal, it is at the County level where assessments and folio identifications are made. An error in assessing the correct folio number was made, causing the assessment appeal to be filed. However, Castleway has stipulated that their appeal will be rescinded with the County's assurance that the new assessment is imposed on the correct folio number.

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

There was no further report from Mr. MacCombie.

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

There was no further report from the Township Manager.

### **Secretary's Correspondence**

Ms. Brolley reported there was no report.

### **OTHER BUSINESS**

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

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

### **PUBLIC PARTICIPATION**

#### **Public Comment:**

1. Mr. Art Perdun, 247 S Gov Printz Blvd., stated that the Board should have waited on the awarding of the \$8 million bid for the Lazaretto Building.
2. Mr. Zurdi Dobi, 200 Powhattan Ave., referring to several newspaper articles, the Township's LERTA ordinance and other documents, stated that despite Mr. Auslander's explanation of the folio numbers for Castleway, the Township was responsible for finding the issue.
3. Regarding the Local Services Tax, Mr. Dobi referred to the Township's recent Airport Settlement Agreement to opine that the Township should not be passing a Local Services Tax. Mr. Dobi suggested that if the Township was looking to raise \$400,000 via the tax and to allocate 25% of that tax to emergency services, the Board should eliminate the Township Manager position.
4. Mrs. Marian Matuliwicz, 200 Powhattan Ave., stated that the drainage problem she believes she has on her property that is being caused by her neighbor has not yet been fixed.

**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

