

September 18, 2023 @ 6:30 P.M.

The Township Board of Commissioners held their regular monthly meeting on the above date and time at 97 Wanamaker Avenue, Essington, PA 19029 with Patrick McCarthy, Board President, presiding. Present:

Patrick Barr, Vice President
Dennis Arthur, Commissioner
Lisa Edmiston, Commissioner
Roger Joseph, Commissioner
David D. Schreiber, Manager
Sam Auslander, Esq., Solicitor
Dennis O'Neill, Engineer

Mr. McCarthy called the meeting to order and all rose for the Pledge of Allegiance to the Flag. Mr. McCarthy asked everyone to keep Mr. Ed Rubillo in their thoughts as Ed has been ill.

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ON A MOTION by Lisa Edmiston and second by Patrick Barr, the minutes of the July 2023 Commissioners Monthly Meeting were accepted and approved by a unanimous voice vote.

Board President McCarthy reported that all members had received copies of the Treasurer's and Secretary's Report of Receipts. There being no questions;

ON A MOTION by Roger Joseph and second by Lisa Edmiston, the reports were accepted and approved as submitted by a unanimous voice vote.

Mr. McCarthy reported that the bill list for September 2023 will be distributed to all members at the end of the month. There being no questions;

ON A MOTION by Dennis Arthur and second by Roger Joseph, the bill list will be paid for the month of September 2023 by a unanimous voice vote.

Public Comments on Agenda Items:

Zurdi Dobi, 200 Powhattan Ave. Regarding item #11, Maintenance of Bicycle Markings on State Road, stated that this issue was brought up "several years ago" and were deemed unsafe and unnecessary and opined that that Board should vote "no" on this item. Mr. Dobi asked for an explanation of Item #14, 2024 Minimum Municipal Obligations, and how the 2024 Obligations compared to 2023. Mr. Dobi asked for an update on the Wu, County Health Department, and Wawa litigation as well as their respective legal costs and the status of the 2022 Township Financial Audit. Mr. Dobi asked for an update on the Engineer's monthly meeting with the Airport, and if the annual payment from the airport due in September has been received.

Mr. Art Perdun, South Governor Printz Blvd. Regarding Item #10, Lease for State Representative Regina Young, Mr. Perdun asked if the lease was for only 1 year. The Board replied that it would be year to year. Regarding Item #16, Amendment of Parking Permit Ordinance, Mr. Perdun asked if Airline personnel would be required to obtain a sticker. The Board responded, Yes.

COMMITTEE REPORTS:

ADMINISTRATION, LAW, ORDINANCE, PUBLIC SAFETY AND FINANCE – Patrick K. McCarthy Chairman

Jansen Avenue Alley Sanitary Sewer Main Repairs

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted via unanimous roll call vote to accept the proposal of Mobile Dredging and Video Pipe of Newfield N.J. to line and repair the 8” terra cotta sanitary sewer main within the Jansen Avenue alley for an approximate length of 700’, including the rehabilitation of 4 manholes between Seneca Street and Delaware Street. Said proposal is in the amount of approximately \$89,512.

Land Development Application of Texas Eastern

Prior to voting on this item, the Engineer stated that this request stems from the applicant having submitted a land development application for a 6’x6’ shed that did not rise to the level of requiring going through the land development process.

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to waive the requirement to file a Land Development application for Texas Eastern Transmission for the purpose of enlarging an existing fence area to accommodate an RTU building (6’ x 6’ communications shed) to house the equipment necessary for remote operation of their pipeline valve.

Land Development Application of 76 Industrial Highway, LLC

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to accept applicant 76 Industrial Highway, LLC request to grant the Board an extension of time by which the Board must consider their Land Development Application. Said application is to develop the existing vegetated vacant lot with three industrial warehouse buildings and associated improvements. The extension shall be until December 31, 2023.

Lease for State Representative Regina Young

ON A MOTION by Patrick Barr and second by Roger Joseph the Board voted unanimously via roll call vote to enter into a Lease with State Representative Regina Young for a certain portion of the premises located at 629 N. Governor Printz Boulevard for the term of September 15, 2023 through November 30, 2024, at the monthly rental rate of One Hundred (\$100.00) Dollars.

Maintenance of Bicycle Markings on State Roads

A MOTION TO authorize the Board of Commissioners to enter into a Maintenance Agreement for “sharrow” (bicycle) markings on Wanamaker Avenue, Second Street, and 4th Avenue was tabled for this month **ON A MOTION** by Dennis Arthur and second by Roger Joseph and passed unanimously via roll call vote.

Menold Parking Request for 433 Powhatan Avenue

ON A MOTION by Dennis Arthur and second by Roger Joseph the Board voted unanimously via roll call vote to approve the request from Ernest D. Menold, Inc. to allow for parking of employees working at 433 Powhattan Avenue within the employee parking lot on 5th Avenue. Said approval would be for up to no more than three (3) employees working at 433 Powhattan Ave. to use the 5th Ave parking facility.

Land Development Application of Berwind Aviation at 5 Hog Island Road

ON A MOTION by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to accept applicant Berwind Aviation (5 Hog Island Road) request to grant the Board an extension of time by which the Board must consider their Land Development Application. Said application is to expand an existing airplane hangar by approximately 8,235 sq. ft. (50 x 165) with no change in use. The extension shall be until November 30, 2023.

2024 Minimum Municipal Obligations for the Township’s Police and Non Uniform Pension Plans

ON A MOTION by Dennis Arthur and second by Patrick Barr the Board voted unanimously via roll call vote to adopt the Township’s 2024 Minimum Municipal Obligations for the Township’s Police and Non Uniform Pension Plans in the amounts of \$733,591 and \$30,619 respectively.

2024 Budget Workshop Advertisements

ON A MOTION by Dennis Arthur and second by Patrick Barr the Board voted unanimously via roll call vote to instruct the Township Manager to advertise the dates of Wednesday, November 8 and Wednesday, November 15 for the Township’s 2024 Budget Workshop meetings.

Amendment of Parking Permit Ordinance

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to instruct the Township Solicitor to draft and advertise an amendment to the Township Ordinance requiring an annual residential parking permit. Said amendment will be to allow for one permit to be obtained for the life of the vehicle ownership.

Appointment to Tincum Township Library Trustees

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to appoint Ms. Maura Kennedy and Ms. Donna McBride to the Tincum Township Library Board of Trustees. Said Appointment shall be through December 31, 2025

Repair of Various Storm Water Sewer Inlets

ON A MOTION by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to approve the use of approximately \$80,000 in MS4 Storm Water Funds to rebuild and repair up to 6 storm sewer inlets and pipes located at Front and Erickson, Carre Ave., Bartram Ave., Chippewa St.. and others.

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

July 2023 - The Code Enforcement Officer Issued:

94 Certificates of Occupancies for a total of **\$ 13,825**

13 Building Permits for a total of **\$ 14,219**

August 2023 - The Code Enforcement Officer Issued:

67 Certificates of Occupancies for a total of **\$ 11,200**

19 Building Permits for a total of **\$ 10,852**

Police, Fire, and Buildings: Patrick K. McCarthy, Chairman

Police Report: **July 2023**

Township Fines: **\$ 3,622** Of that amount, a total of **\$ 276** were Parking Tickets.

The department handled **446** incidents and made **17** criminal arrests
15 of those criminal arrests were adults
02 of those criminal arrests were juveniles. Out of those juveniles
02 of the juveniles were handled within the Department and Released.
00 animals were taken into custody

Police Report: August 2023

Township Fines: **\$ Not Available**

The department handled **469** incidents and made **23** criminal arrests
21 of those criminal arrests were adults
02 of those criminal arrests were juveniles. Out of those juveniles
02 of the juveniles were handled within the Department and Released.
00 animals were taken into custody

Fire Company Report: August 2023

Building fire	04 (1 Working Fire)
Vehicle fire	04
Comm. Vehicle Fire	01
Assist EMS	01
MVA w/ injuries	08
MVA w/o injuries	05
MVA w/ entrap	02
Wires	01
Dispatched/Canceled	09
<u>Auto Fire Alarms</u>	<u>09</u>
Total Fire Calls	44
EMS Calls:	161

Fire Marshal Report: July 2023

Plan Reviews:

1. UPS recycle Belt Platforms
2. UPS Circulating Fans

Fire Inspections and Acceptance Tests:

1. Re-Inspection of Monaghan's Pub 414 Powhatan Avenue
2. Flash Backs 401 Powhattan Avenue

Investigations:

1. Investigated two (2) fire alarm issues as requested by Fire Company

Other Activities:

Various Fire and Emergency Services Training meetings; review of fire protection requirements for the Interboro High School addition and renovation

Fire Marshall Report:

August 2023

Plan Reviews:

1. PHL Terminal ‘A’ East Partial Roof HVAC Duct Fire Detector Installation.
2. 600 S Governor Printz Boulevard, The Parking Spot, Attendant’s Booth.

Inspections & Acceptance Tests:

1. 10 Industrial Highway, Complex A, Building P, Imperial Marble Fire Alarm and Sprinkler Systems
2. 50 Powhattan Avenue, Lou Turks
3. 426 S Governor Printz Boulevard, Fantasy Boutique.
4. 410 Governor Printz Boulevard, Apartments, Buildings A and B

Other Activities:

1. Attended Cumberland Valley Volunteer Firemen’s Association Annual Meeting; DELCO Board of Fire Life Safety Monthly Meeting; Met with Esstech on their plan to install new storage tanks
2. Attended Federal Express their Fire Evacuation Drill Exercise
3. Continuing to work on the fire protection plans and requirements for the Interboro High School addition and renovation

Ray Lonabaugh, Fire Marshal

Public Works, Highways, and Railroads: Lisa Edmiston, Chairperson

Trash removal: July 2023

Regular Trash	183	Tons
Yard Waste	5	Tons
Bulk Trash	10	Tons
Sweeper	8	Tons

- Continue to spray for weeds
- Continue mosquito spraying
- Maintained all baseball fields
- Property maintenance for vacant or bank owned properties
- Removed trash and graffiti on State Roads 291 and 420
- Trimmed hedges and bushes at Township properties
- Installed new lights at Gov Printz Park
- Pressure washed gazebos at Gov Printz Park
- Removed fallen tree on Township trail

Trash removal: August 2023

Regular Trash	188	Tons
Yard Waste	8	Tons
Bulk Trash	12	Tons
Sweeper	9	Tons

- Continue to spray for weeds
- Continue mosquito spraying
- Maintained all baseball and soccer fields
- Completed annual painting of street lines and markings
- Painted parking spot lines at Township buildings
- Repaired grounds at Governor Printz Park
- Made minor repairs to tide gate in John Heinz Refuge

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment Plant: August 2023

Total flow	36,774,000 gallons	
Average Daily Flow	1,028,000 gallons	
Total sludge	68,200 gallons	(2.5 solids)
Methane Gas	44,574 cu ft	

- Replaced UPS unit at Manor Pump Station
- Replaced batteries at Townhall generator
- Flushed arms at both Plant Filters
- Serviced sludge pumps
- Load tested all generators
- Generator at ABC 1 (Stevens Drive) pump station is out of service. Temp generator will be used until repairs/replacement is made

Louis Clark, Jr., Superintendent

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that soccer season has begun. The final Farmers Market of the season will take place on September 20. The fire pit will be lit for s'mores and there will be a full band playing rather than just the single singer or duo for the same fee as the single singer. The annual Community Day and Health Fair will be held on October 7 from 10am to 3 pm.

Mr. McCarthy stated that the Director of the intramural basketball program has stepped down and asked for a volunteer replacement.

Solicitor's Report: Sam S. Auslander, Esquire

Mr. Auslander reported that his office has recently prepared all of the documents required for the land development for NPU, LLC. Financial Security and Storm Water Agreements have been submitted to the applicant and are expected to be returned to the Township shortly.

Mr. Auslander reported that the litigants in the Wawa matter had a hearing in Judge Angelos' court on August 02 and that the appellant has until October 2023 to file any briefs pertaining to their case and that the other parties have until November 30 to respond. Regarding the Delaware County Health Department, a conference was held on August 14 in Judge Angelos' court at the request of the County. The county is asking the court to determine that its previous injunction is just temporary while the communities involved in the action have asked the court to determine that the injunction placed upon the county in October 2022 is final. The court has not yet ruled.

Regarding the Wu matter, depositions have been completed and the parties are obtaining expert witness testimony. Mr. Auslander stated that the Zoning Hearing Board application for 501 Seminole St. submitted by the Airport has been withdrawn.

Engineer's Report: Dennis O'Neill, P.E.

Mr. Dennis O'Neill reported that his office has received a quote to replace the Water Treatment Plan generator at the Airport Business Center pump station. Mr. O'Neill has met with the airport and the airport has discussed projects that will be taking place over the next 5 years on the "airfield" side, mostly consisting of runway and taxiway projects. The Engineer's office is reviewing the Army Corps of Engineer's plan to build a levee in the Eastwick section of Philadelphia. Comments are due to the ACE by November 1 and the ACE will be scheduling follow up meetings in November, December, and January. The Township's MS4 report is due to the DEP in the next month.

Manager's Report: David D. Schreiber

The Township Manager reported that the Township continues to meet with representatives of Philadelphia and the Army Corp of Engineers regarding the proposed levee in Eastwick. City representatives were able to take a tour of the areas of the Township that are prone to flooding as well as the dyke and tide-gate locations the Township maintains within the John Heinz Wildlife Refuge. Township representatives were also able to visit the site of the proposed levee in Eastwick, located adjacent to the Clearview Landfill site.

Secretary's Correspondence – Mr. Joe Monaghan, Sr. of Monaghan's Pub requested approval to temporarily erect a 20x30 ft. tent within the Pub's parking lot for 4 events this fall.

On A MOTION by Roger Joseph and second by Lisa Edmiston, the Board voted unanimously via voice vote to authorize the Board of Commissioners to approve the request of Joe Monaghan, Sr. to erect a temporary 20 x30 foot tent in the parking lot at Monaghan's Pub for events to be held on October 5th, 14th, and 29th. Said tent will be erected during the week of October 5th and taken down shortly after October 29th.

Other Business – There was no Other Business discussed

Adjourn the Business Portion of Meeting

ON A MOTION by Dennis Arthur and second by Patrick Barr to adjourn the business portion of this meeting by a unanimous voice vote.

Public Participation

Mr. Zurdi Dobi, 200 Powhattan Ave., asked that the clock tower at 629 North Gov Printz be corrected to the right time. Asked if the annual payment from the city of Philadelphia/Airport has been received yet. The Board responded, No. Mr. Dobi referred to several photos of various items including trash, lights on the East Coast Greenway trail, and what he stated was a “bill” from the Court system stemming from attorney costs from the Wu litigation. Mr. Auslander stated that the “bill” was addressed.

Mr. Art Perdun referred to the number of arrests on the monthly Police Report and stated that they do not include the activity at the Wawa store. Mr. Perdun suggested that the Township was not required to provide police assistance at the Wawa and suggested that Township police do not respond. Mr. Perdun noted that there are school buses picking up students at the Township motels. Mr. McCarthy stated that federal law requires that the school district provide transportation.

Commissioner Dennis Arthur reminded the public of the next Zoning Hearing Board meeting and that the subject of the meeting was the parking of the cars at the former Lester School Property. Mr. Arthur suggested that the public attend and voice their opposition to the application.

Mrs. Marian Matuliwich, 200 Powhattan Ave., asked about the ATVs and Motorcycles that were driving around within the former Westinghouse property and what happened to the riders. Mr. McCarthy stated that some were arrested and it was made known that that activity is not welcome in Tinicum.

Mr. Sharon Baldwin asked about the property of the former Airport Tire business. Mr. McCarthy responded that the owners are in litigation regarding its disposition.

Adjournment of Meeting

ON A MOTION by Patrick Barr and second by Dennis Arthur this meeting was adjourned by a unanimous voice vote.

Respectfully Submitted,
David D. Schreiber
Manager/Secretary