

June 21, 2021 @ 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 K. McCarthy, President, presiding. Present:

- Patrick K. McCarthy, President
- Patrick Barr, Vice President
- Lisa Edmiston, Commissioner
- Dennis R. Arthur, Commissioner
- David D. Schreiber, Manager
- Sam Auslander, Esq, Solicitor
- Dennis O'Neill, Township Engineer

Commissioner Roger Joseph was absent from this meeting.

President McCarthy called the meeting to order and thanked everyone for coming to the first 'in-person' Commissioner meeting in 16 months. All rose for the Pledge of Allegiance to the Flag.

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ON A MOTION by Patrick Barr and second by Lisa Edmiston the minutes of the Commissioners May 2021 Monthly Meeting were accepted and approved, by a unanimous voice vote.

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 Lisa Edmiston and second by Patrick Barr, the reports were accepted and approved as submitted, by a unanimous voice vote.

President McCarthy reported that the bill list for June 2021 will be distributed to all members at the end of the month. There being no questions;

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the bill list will be paid for the month of June 2021 by a unanimous voice vote.

Public Comments on Agenda Items:

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, requested agendas be available for the Workshop meeting. Under Item # 16, Other Business, Mr. Dobi asked the Board to introduce a motion to address the new C2 Commercial Zoning District to change the district's setback distances and minimum area requirement to what it was prior to the new 2021 ordinance adoption. Mr. Dobi stated that the process started more than 10 years ago in the early 2000's and disputed Mr. Barr's comment that the reason for the change in setbacks and areas requirements was more in line with existing businesses.

Under # 15, Committee Reports, Mr. Dobi asked for an update on the grant obtained by the Township for the Seaplane Base as well as an update on the marina renovation, including an estimated cost. Mr. Dobi also asked for an update on the cost of the Wu litigation, the status of the technical review for the property at 101 Taylor Avenue and the 2020 Township audit.

COMMITTEE REPORTS:

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

Awarding of Bid for the Township’s 2021 Street Resurfacing Project

ON A MOTION by Lisa Edmiston and second by Dennis Arthur, the Board voted unanimously via roll call to award the bid for the Township’s 2021 street resurfacing program to Gessler Construction of Media, PA. Said bid is in the amount of \$300,950 has been reviewed by the Township Engineer and will include the following streets:

- Seminole St. between 4th Ave and dead end at All State Career
- Taylor Ave between 3rd St. and railroad
- Second Avenue (western side) between Pontiac St and Chippewa St.
- Saude Ave Alley (east side) between Seneca St. and Delaware St.
- 4th St. between Printz Ave and LaGrange Ave
- 4th St. between Bartram Ave and Saude Ave

Appointment to Board of Library Trustees

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to appoint Ms. Kari Dukes and Ms. Diane Shannon to the Board of Library Trustees for a three year term ending December Dec 31, 2023.

Release of Escrow Funds

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to release escrowed funds for Century Collision in the amount of \$18,904 for their completed Land Development application

Emergency Repair Work of Storm Sewer at Second Street Park

Prior to voting on this motion, Township Engineer Dennis O’Neill stated that the existing outflow pipe currently in place at this location is collapsed, preventing water from draining from the site. Pumps are currently at work to remove water from the area.

ON A MOTION by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via roll call vote to instruct the Township Engineer's office to begin emergency repairs to the storm sewer pipe and tide gate located in the rear of the "Second St. Park" behind Jet Stream Parking. Said repairs will be done by AP Construction and include installing a new 30 inch "flap valve" and associated piping at an approximate cost of \$44,160. Costs of this emergency repair will be borne from the Township's MS4 Stormwater account.

Extension of Land Development at 336 Bartram Avenue – Ed Herron

ON A MOTION by Lisa Edmiston and second by Patrick Barr, the Board voted unanimously via roll call vote to accept applicant Ed Herron's request to grant the Board an extension of time by which the Board must consider the applicant's land development plan at 336 Bartram Avenue. Said Land development is a proposal to construct a twin dwelling with a garage. The requested extension is until October 31, 2021.

Extension of Land Development for Castleway Industries at Tincum Industrial Park

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant Castleway Industries request to grant the Board an extension of time by which the Board must consider Castleway Industries land development application at Tincum Industrial Park. Said land development application is to construct a 98,000 sf warehouse in the vicinity of the existing Federal Express building. The extension shall be until October 31, 2021

Extension of Land Development for PHL@LLC / 1 Hotel Group

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant PHL@LLC / Hotel 1's request to grant the Board an extension of time by which the Board must consider the applicant's land development application for 101 Taylor Avenue. Said application is for the development of two (2) new hotels on the property at 101 Taylor Avenue. The extension shall be until December 31, 2021.

Release #3 to Blooming Glen Contractors

ON A MOTION by Dennis Arthur and second by Patrick Barr, the Board voted unanimously via roll call vote to approve the 3rd and final release in the amount of \$ 11,212.12 to Blooming Glen Contractors for their work to date on the replacement of 8 'butterfly' valves at the Wastewater Treatment Plant. Said release has been reviewed and approved by the Township Engineer's office.

COMMITTEE REPORTS

Code Enforcement Report – May 2021 Roger Joseph, Chairman

The Code Enforcement Officer Issued:

59 Certificates of Occupancies in **May** for a total of \$ 82,000
18 Building Permits in **May** for a total of \$ 10,971

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

May 2021

Township Fines: \$ 5,890 Of that amount, a total of \$ 531 were Parking Tickets.

The department handled 538 incidents and made 14 criminal arrests
14 of those criminal arrests were adults

00 of those criminal arrests were juveniles. Out of those juveniles

00 of the juveniles were handled within the Department and Released.

00 animals were taken into custody
into custody

Fire Company Report – May 2021

Total Calls:	40
Building Fires	05
Vehicle Fire	01
Assist EMS	06
MVA W/ Injuries	07
MVA w/o Injuries	01
MVA w/Entrapment	01
Elevator Rescue	01
Watercraft Rescue	02
Fuel Spill	02
Gas Leak	02
Dispatch/Cancel	01
Investigation	01
Auto Fire Alarms	10

Avg No. of Responding Personnel	07
Time in Service	33 hrs.

Fire Marshal Report May 2021

Performed the following Building Plan Reviews:

1. UPS Conveyor Fire Sprinkler Additions
2. PHL Terminal 'A' West, East & West Rest Rooms Fire Alarms

Final Acceptance Inspections and Tests:

1. Century Collision & Repair Auto Spray Paint Booth Fire Suppression System.

Inspections:

Tincum Industrial Park 13 various inspections with Tom Lowry, Building Inspector

Attended the May meeting of the DELCO Board of Fire and Life Safety on May 13th as a Board Member.

Other Activities:

1. Participated in the 6-ABC Save-A-Life Program at the Philadelphia Fire Training Academy where we received 42 smoke alarms for distribution to those who cannot afford them.
2. Distributed 4 smoke alarms, which the firefighter/EMT's installed for the resident.
3. Assisted the fire company on several motor vehicle crashes.

Ray Lonabaugh, Fire Marshal

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

Trash removal for the month of May 2021:

Regular Trash	190.42 Tons
Yard Waste	4.23 Tons
Bulk Trash	9.71Tons
Street Sweepings	15.35 Tons

- Placed Stop signs on Second St. near Gov Printz Park
- Placed "Permit" signs on all ballfields
- Placed "Parking by Permit Only" signs throughout town
- Planted flowers at various township buildings
- Cleaned out trash and other debris dumped at Corinthian Ave tennis area
- Installed Jansen Ave Pickle Ball courts
- Began spraying for mosquitos during last week of May and will continue through summer (weather permitting)

Respectfully submitted,
George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment Monthly Report May 2021

Total flow	31,864,000 gallons
Average Daily Flow	1,186,000 gallons
Total sludge	318,892 gallons
Methane Gas	107,832 cu ft
Sludge Hauled	80,000 gallons
Of which 3.76% were solids	

Operational Items:

- Precision Sewer jet cleaned all dead end lines in Essington

Equipment Repairs

- Ordered new chlorine control equipment
- Pressure washed chlorine tank #1 in preparation for painting

Operational

- Contacted vendor (KBX) to pump clog at Manor Pump Station
- Began adding chemical to treat for breeding insects

Respectfully Submitted,
Robert J Bernauer

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that Saturday, June 26 will be the annual Independence Day fireworks at Manor Field with other celebration activities at Westinghouse Grove. Soccer sign up information is underway with information on line.

Solicitor's Report: Sam S. Auslander, Esq.

Mr. Auslander reported that the Wu litigation has been on hold as a result of the covid pandemic but stated that courts could open up in July. There is currently pending a motion to dissolve the temporary injunction regarding the contract arbitrator. There may be some movement in the case in the next few months. The Technical Review by The Flynn Group of the appraisal provided by Jack Coyle for the property at 10 Taylor Avenue is complete and has been submitted to the state.

On May 19, the Board conducted a series of public hearings regarding code enforcement issues at several motels in the Township. These hearings were held as a result of the large number of 911 calls for those establishments with the most alarming number of calls. These hearings were attended by representatives of motel ownership, the Board, the Police Chief whereby the amount and nature of calls were discussed as well as some possible solutions to the situation.

Motel ownership indicated they would take steps to address the issues by implementing on-site security, video camera surveillance, raising room rates and a number of other steps. The hearing was continued for 90 days to evaluate results.

Mr. Auslander also stated that he has been working on a lease proposal for the Lester Fire House that would involve a lease in conjunction with building improvements.

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

Regarding the grant awarded to the Township for the Seaplane base, Mr. Dennis O'Neill reported that during meetings with Penn DOT Bureau of Aviation, it appeared that the grant would result in a large cost to the Township. Consequently, the Township has requested that the Bureau of Aviation hold the grant in reserve until such time as plans for the Base can progress.

Manager's Report – David Schreiber

The Township Manager reported the following: There will be another "drive up" COVID vaccination event at the Township Fire Station on Thursday, June 24. Residents are able to receive either their 1st or 2nd vaccines on that day/place. The 2020 Township audit by Mingus Gotowski is still being compiled. The Township has completed the required grant application for its share of the American Rescue Plan Act in the amount of \$430,000 payable in two installments. The Township will be meeting with County representative on August 3 to discuss the County's plan to establish a Health Department.

Secretary's Correspondence

The Township Secretary read a letter addressed to the Board of Commissioners from Victoria West, a copy of which is attached hereto. The letter contained several concerns of Ms. West regarding the library building.

As a reply, Mr. Barr stated that he does not hold of the title of "Library Liaison" and that there is no such title. Mr. Barr stated he has taken it upon himself to attend several Library Trustee meetings to see if he could help with any issues the library may have. Mr. Barr noted several improvements the Township has made including the enclosure of the steps on the building's east side, grading, landscaping, increasing the library budget and others. Mr. Barr has noted that the Library Director and Board of Trustees are empowered to work many of their issues out on their own, and although not the "Liaison" is always willing to help out.

Regarding ADA access to the library, Mr. Barr has attended several meetings where the Library discussed programs to be held in the library basement and several ideas were looked at for access including a ramp, chairlift, elevator, ground excavation, etc. The Township Engineer's office was consulted on all of these ideas to see what might be viable. While these alterations to the building did not seem viable at the time, a reasonable accommodation for the library was offered in the use of the Township Municipal Building Community Room, which is fully ADA accessible. At the same time, it is noted that the library's facilities are in fact ADA accessible.

If the library wishes to have additional programs that require a larger space that is ADA accessible, the Township Community Room, only directly across the parking lot, is available. Mr. Barr asked if the Library Board of Trustees were concerned about accommodating ADA patrons, why they would not accept that viable option.

Mr. Charles Monteith, 552 Jansen Avenue, made a request to put a gate in the fence separating the rear of his property from the Township driveway at 629 N. Gov Printz Blvd.

ON A MOTION by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via voice vote to grant permission to Mr. Charles Monteith of 552 Jansen Avenue to install a gate in the fence separating the rear of his property from the Township driveway at 629 N. Gov Printz Ave.

Other Business

There was no Other Business discussed this month.

Adjourn of 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

Art Perdun, 247 South Governor Printz Blvd., thanked the Tincum Police Department for apprehending the shooting suspect at one of the local hotels. Mr. Perdun stated he has been approached by ‘various people’ about holding events at the library but are unable to do so because the library basement is not ADA accessible. Mr. Perdun stated that the issue keeps being put off. He stated that the library has attempted to use the Community Room but it did not work out. Mr. Perdun stated the Township is in violation of Federal Law and will work to hold up any grants of the Township.

Zurdi Dobi, 200 Powhattan Avenue, referred to Delaware County’s new system whereby residents are able to view meeting agenda’s, associated agenda documentation, and other information and asked the Board to look into implementing something similar. Mr. Dobi asked the Board to record meetings while stating that the recorded Zoom meetings conducted during the COVID pandemic were of poor quality. Mr. Dobi stated that Mr. Barr gave a long explanation to the library concerns but little explanation as to Mr. Dobi’s C2 Zoning question.

Mr. Dobi referred to the Commonwealth Court’s zoning decision and stated the Board ignored the Court’s decision when implanting its new zoning ordinance. Mr. Dobi stated that the Board’s statements that the new zoning ordinance was not enacted to assist a proposed new Wawa “is a lie”.

Ms. Marion Matulevich, 200 Powhattan Ave, asked the Board to take action against persons feeding the geese and birds at Gov Printz Park. Ms. Edmiston stated signs will be put up and that anyone witnessing that action should be calling the police. Ms. Matulevich stated that kids are climbing on the gazebos and people are having unpermitted parties in the park. Ms. Matulevich was asked to call 911 whenever she witnesses something like that going on. Mr. Barr stated that citations for Disorderly Conduct can be issued. Ms. Matulevich asked for the railroad ditch in her neighborhood can be cleaned out.

Mr. Charles Monteith, 552 Jansen Ave., asked about the splash pad. The Board responded that there are no current plans to open it. Mr. Monteith asked about the fishing pier behind the 2nd Street Park. The Board responded they are still working on permitting.

Mr. Barr responded to Mr. Dobi's comment about the Zoning Ordinance, stating that a thorough review of all existing businesses in the areas was conducted and that the Township made the best decision based on the totality of the area. There was no focus or emphasis on one particular business.

Adjournment of Meeting

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

Respectfully Submitted,

David D. Schreiber
Manager/Secretary