## December 20, 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

Dennis Arthur, Commissioner  
 Lisa Edmiston, Commissioner

Roger Joseph, Commissioner

David D. Schreiber, Manager

Sam Auslander, Esq., Solicitor

Dennis O’Neill, Township Engineer

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

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Board President Patrick McCarthy opened the meeting by announcing a special event before the Board of Commissioners – the promotion of Patrol Officers William Dean and Kevin Gaul to Corporal within the Tinicum Township Police Department. Both Officers Dean and Gaul were present with their families. Mr. McCarthy introduced District Justice Jack Lippart and called the Judge and Officers up to the podium.

Mr. McCarthy then asked for the following two motions:

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston, the Board voted unanimously via roll call vote to appoint Patrol Officer William Dean to the rank of Corporal within the Tinicum Township Police Department subject to the receipt of satisfactory written reports of his physical and psychological examinations.

**ON A MOTION** by Lisa Edmiston and second by Roger Joseph, the Board voted unanimously via roll call vote to appoint Patrol Officer Kevin Gaul to the rank of Corporal within the Tinicum Township Police Department subject to the receipt of satisfactory written reports of his physical and psychological examinations

After the swearing in, a brief pause for photos and congratulations was taken before resuming the regular meeting schedule.

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the minutes of the November 2021 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 Dennis Arthur, the reports were accepted and approved as submitted, by a unanimous voice vote.

Mr. McCarthy reported that the bill list for December 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 December 2021 by a unanimous voice vote.

**Public Comments on Agenda Items:**

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, made the following comments:

No copies of the budget were distributed to the attending public; what was the dollar amount provided to Delaware County from the 2015 Airport Settlement Agreement (the Board Responded $621,000); suggested that because of the Wu litigation, the Township Manager be terminated; objected to salary increase for the Township Manager; asked what the Pension amount and length of service is for the retiring police officer.

**COMMITTEE REPORTS**:

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

**Approval of the 2022 Township of Tinicum Financial Budget**

After the reading of the Township’s Proposed 2022 Budget by the Secretary:

**ON A MOTION** by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to approve and adopt the Township of Tinicum 2022 Budget as read by the Township Secretary and authorizing the corresponding notice to be placed in the Delaware County Daily Times.

**Extension of Time for the Subdivision and Land Development Application of NEIL 1004 LLC (Travel Lodge)**

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant NEIL 1004 LLC request to grant the Board an extension of time by which the Board must consider NEIL’s subdivision and land development application at 43 Industrial Highway. Said land development application is to subdivide the existing 8.392 acre tract into two separate lots of 5.6 and 2.79 acres. The extension shall be until June 30, 2022.

**Extension of Time for the Proposed Wawa Development at 500 Wanamaker Avenue**

**ON A MOTION** by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to accept applicant 500 Wanamaker Avenue Partners request to grant the Board an extension of time by which the Board must consider Wanamaker Avenue Partner’s land development application. Said land development application is to construct a Wawa food market and associated gasoline station on the corner of Wanamaker Avenue and Rt. 291. The extension shall be until February 21 2022.

**Extension of Time for 1 Hotel Group at 101 / 103 Taylor Avenue**

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant 1 Hotel Group LLC request to grant the Board an extension of time by which the Board must consider Hotel Group’s land development application at 101/103 Taylor Avenue. Said land development application is to construct two new hotels on the site of the current Holiday Inn Express. The extension shall be until June 30 2022.

**Extension of Time for Ed Heron at 336 Bartram Avenue**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant Ed Heron’s request to grant the Board an extension of time by which the Board must consider Mr. Heron’s land development application at 336 Bartram Avenue. Said land development application is for a proposed twin dwelling and associated improvements. The extension shall be until May 31 2022.

**Land Development Application of Castleway Properties LLC**

**ON A MOTION** by Roger Joseph and second by Dennis Arthur, the Board voted unanimously via roll call vote to decline the land development application of Castleway Properties LLC at 10 Industrial Highway. Said application is a proposal to develop a 98,000 sq. ft. warehouse with outside storage of materials. The application is declined subject to the issues noted in the Township Engineer’s letter of May 28, 2019 citing: Area & Bulk – Section 1305 - incomplete building dimensions; Parking Lot Screening and Landscaping – Section 2207 subsection 2.c. – inadequate screening plantings. In addition, it is noted that Castleway Properties, LLC. is no longer the equitable property manager/owner of the location.

**Disability Pension of Officer Adam Barrowclough**

**ON A MOTION** by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to authorize the Board President to execute a Settlement Agreement and Mutual Release with Officer Adam Barrowclough providing a service connected disability pension and Honorable Discharge from the Tinicum Township Police Department due to his service related injuries.

**Opposing the Requirement of Joining the Delaware County Health Department**

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote approving Tinicum Township’s participation in legal action, together with multiple communities, in opposing the mandatory requirement to join the Delaware County Health Department for services related to Township health and safety inspections. Mr. Auslander noted some of the other towns participating include: Ridley, Springfield, Marple, Aston, Darby Township, Upper Chichester,

**Release for Street Resurfacing**

**ON A MOTION** by Lisa Edmiston and second by Roger Joseph, the Board voted unanimously via roll call vote to approve Release #2 for the 2021 Resurfacing and Street Improvements in the Amount of $ 87,169.25 payable to Gessler Construction Co., Inc. of Media Pa. The release has been reviewed and recommended for approval by the Township

**Adoption of Resolution 2021-007 Act 537 Plan Update**

**ON A MOTION** by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via roll call vote to adopt Township Resolution 2021-007 supporting DELCORA’s update to their Act 537 Plan and DELCORA’s proposal to implement construction of the Deep Tunnel Storage and Conveyance Facility and associated upgrades to its pumping and treatment facilities.

**Release for Carre Ave. Storm Drainage Improvements**

**ON A MOTION** by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to approve Release #2 for the storm drainage improvement s at Front St. and Carre Ave. in the amount of $ 8,180. The release has been reviewed and recommended for approval by the Township Engineer.

**COMMITTEE REPORTS**

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

**November - The Code Enforcement Officer Issued:**

**40** Certificates of Occupancies for a total of **$ 5,700**

**14** Building Permitsfor a total of **$ 23,198**

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

**Police Department Report**

**November 2021**

Township Fines: **$ 7,675** Of that amount, a total of **$ 2,159** were Parking

Tickets.

The department handled **441** incidents and made **12** criminal arrests

**12** 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.

1. animals were taken into custody

**Fire Company Report –** November - No Report Available

**Fire Marshal Report November 2021**

**Fire Inspections and Acceptance Tests:**

1. Pho Philly Restaurant Kitchen Hood Fire Suppression System Acceptance Test. Also reviewed the exit plan for the basement
2. 102, 106 & 108A Ericson Avenue
3. 343-345 Seneca Avenue – Found Fire Alarm System Turned Off. Found corridor opening to the basement without a rated door.
4. 427-431 Powhattan Avenue Lester, Powhattan Village Apartments - Found Fire Alarm System not monitored and errors on the report by the company who inspected and tested the fire alarm system.
5. Econo Lodge regarding the reconstruction of a fire damaged room. Work was being done while failing to obtain permits

**Fire responses and Investigations:**

1. 345 North Governor Printz Boulevard, 2nd Floor Apartment. Small fire caused by smoking.
2. 206 Powhatten Avenue, American Pie, Grease in the pizza oven.

**Training:**

1. Attended and Participated in the FEMA Management “Rediness” course sponsored by the City of Philadelphia. .
2. Attended the 2018 Pennsylvania Building Code (UCC) adoption amendments
3. Attended the Automatic Fire Alarm Association Seminar on Emergency Responder Radio Communication System.
4. FEMA’s Grant Programs Directorate (GPD).
5. Report Writing for Fire Investigators

**Ray Lonabaugh, Fire Marshal**

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

**Trash removal for the month of November 2021:**

**Regular Trash 201 Tons**

**Bulk Trash 9 Tons**

**Leaves 75 Cubic yards**

**Yard Waste 2 Tons**

* Repaired Gazebo railings at Gov Printz Park
* Power washed window at Lazaretto Building
* Repaired playground equipment at Gov Printz Park
* Installed Christmas lighting at Gov Printz Park
* Installed Christmas lighting at Townhall and on 291
* Removed leaves from various Township properties
* Leaf pick up continues through week of Dec 17

**George Hinkle, Superintendent**

**Sanitation: Dennis R. Arthur, Chairman**

**Tinicum Township Wastewater Treatment**

**Monthly Report November 2021**

Total flow 31,222,000 gallons

Average Daily Flow 1,007,000 gallons

Total sludge 228,634 gallons

Methane Gas 104,414 cu ft

Sludge Hauled 39,000 gallons

Of which 1.9% were solids

Equipment Repairs

* Relaxed all suction, discharge and bleed off valves at the Clarion Inn pumping station
* Load tested all plant and pumping station generators

Miscellaneous Items

* Serviced all police vehicles due for servicing

Completed various training courses for several employee

**Robert J Bernauer**

**Health & Recreation: Pat Barr*,* Chairman**

Mr. Barr noted that Hockey and Basketball signups are complete and the season will be starting very soon. The annual Rabies Clinic will resume in 2022 with Glenolden Animal Hospital participating on either April 2 or April 9, 2022.

Mr. Arthur reported that he has been working with communities within the Interboro School District on the Hometown Hero’s Banner campaign. The volunteers involved will be putting out a brochure in early 2022 containing information on how to request a banner, cost, installation, etc. The group will be doing fundraising in order to assist with the cost of the banners and reduce the cost to the family or person requesting a banner. A website regarding the project will be available sometime early in 2022.

**Solicitor’s Report: Sam S. Auslander, Esq.**

Mr. Auslander reported on what was discussed in the Workshop Meeting of December 2020. The 136 acres (+/-) of the former Henderson Property was purchased by the City of Philadelphia /International Airport and that the Township has been presented with a preliminary subdivision and land development proposal regarding the relocation of Tinicum Island Road. The proposal suggests three new parcels that would include a new Tinicum Island Road, a walking/mult-iuse trail, and a large parcel that will be the site of the future West Cargo Development Project. While discussing this project, the Township and City have come to loggerheads over the legal ownership of the current Tinicum Island Road. As a result, the Township and City have discussed entering into a Settlement Agreement that will help to resolve the disputed issues. Among other things, the proposed Settlement Agreement will move and reconstruct a new Tinicum Island Road (with all associated storm water and other improvements), a multi-use walking trail, demolishing the current Tinicum Island Road the eventual development of a new cargo facility. As part of the Settlement Agreement, the Township will continue to receive as well as extend the annual payments being made to the Township, ensure the road remains open to public use, conduct noise studies to mitigate excess noise, among others.

**Engineer’s Report – Dennis O’Neill P.E.,**

Mr. Dennis O’Neill reported that his office has been reviewing the availability of funds from the national Infrastructure Bill including which state, federal, and other agencies will be rolling out programs, eligibility requirements, and what the programs will cover. Mr. O’Neill will report further as he obtains additional information.

**Manager’s Report – David Schreiber**

The Township Manager reported the following: Township meetings for 2022 have been advertised in the newspaper, including the January 3, 2022 Commissioner Reorganization meeting. There are changes to the January and February 2022 Commissioner Meeting schedule resulting from holidays. They are reflected in the Township’s 2022 calendar which will be mailed to all residents before 2022

**Secretary’s Correspondence**

There was no correspondence this month.

**Other Business**

There was no Other Business this month.

**Adjourn of the Business Portion of Meeting**

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

**Public Participation**

Zurdi Dobi, 200 Powhattan Avenue had the following comments: asked if a copy of the budget would be provided to the public (a copy was offered and provided to Mr. Dobi); referring to the County Budget , asked what was provided to the County from the 2015 Settlement Agreement. The Board responded $621,000; who is taking the lead on the suit voted on this evening (Springfield) and when will it be filed (week of Dec 20,, 2021); asked if the “Castleway” land development application was the same as the recently presented Ivy Realty land development (they are different plans).

Walter Fife, Seneca St; Asked what was the nature of the suit regarding the County Health Department. Mr. Auslander responded that the plaintiffs did not believe the County was prepared to property carry out their responsibilities.

Mr. Marian Matuliwich, Powhattan Avenue; asked how one of the Commissioners is able to get a parking sticker for their work truck. The Board responded that the parking ordinance allows for this.

**Adjournment of Meeting**

**ON A MOTION** by Roger Joseph and second by Dennis Arthur this meeting was adjourned by a unanimous voice vote.

Respectfully Submitted,

David D. Schreiber

Manager/Secretary