

July 17, 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
David D. Schreiber, Manager
Sam Auslander, Esq., Solicitor
Dennis O'Neill, Engineer

Commissioner Roger Joseph was absent from this meeting.

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

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ON A MOTION by Lisa Edmiston and second by Patrick Barr, the minutes of the June 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 Patrick Barr 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 July 2023 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 July 2023 by a unanimous voice vote.

Public Comments on Agenda Items:

Zurdi Dobi, 200 Powhattan Ave. Regarding item #10, Committee Reports, Mr. Dobi asked about the Township's 2022 audit. The Board responded that the Audit is still being worked on. Mr. Dobi asked for an update on the Wu, County Health Department, and Wawa litigation as well as their respective legal costs. Mr. Dobi asked for an update on the Engineer's meeting with 76 Industrial Highway and the Army Corp of Engineers regarding the "levee system in the Township", the Engineer's monthly meeting with the Airport and the "inlet on 291 and Long Hook Creek"

Mr. Dobi suggested that the June 2023 Commissioner Meeting Minutes be amended to include comments that Mr. Dobi said Mr. McCarthy made regarding a letter read at the June meeting. Mr. Dobi also suggested that the minutes were inaccurate because the minutes referenced his calling “Officers” Billbrough and Reilly “Mister” Billbrough and Reilly and also did not include their salaries.

COMMITTEE REPORTS:

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

Conditional Use Application of Berwind Aviation

ON A MOTION by Dennis Arthur and second by Patrick Barr the Board voted via unanimous roll call vote to approve the Conditional Use Application of Berwind Aviation to construct a 50’ expansion on their existing private corporate hangar located at 5 Hog Island Road adjacent to the Philadelphia International Airport. Said approval shall be subject to the conditions outlined in the Board of Commissioner’s written decision dated July 17, 2023.

Extension of Subdivision Application of 43 Industrial Highway

Prior to voting on this item, the Engineer stated that this request stems from the applicant having submitted a subdivision application that did not include a plan with actual sub-division information contained on it. Presumably, the applicant wants to subdivide an area on the eastern end of the property.

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to accept applicant 43 Industrial Highway Properties LLC request to grant the Board an extension of time by which the Board must consider the applicant’s subdivision application at 43 Industrial Highway (Travel Lodge). At the applicant’s request, the extension shall be until such time as a new application can be submitted before restarting the MPC timeframe.

Essington Beverage Request for Ice Box in Right of Way

ON A MOTION by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to approve Essington Beverage’s request to place an Ice Box for the sale of packaged ice on the pavement adjacent to their business within the Township right of way. Said approval is conditioned upon the acceptance by the Township of a “Hold Harmless” agreement between the business proprietor and the Township

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

June 2023 - The Code Enforcement Officer Issued:

31 Certificates of Occupancies for a total of \$ 4,450

17 Building Permits for a total of \$ 127,578

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

Police Report: June 2023

Township Fines: **\$ 3,031** Of that amount, a total of **\$ 554** were Parking Tickets.

The department handled **510** incidents and made **20** criminal arrests
20 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

Mr. McCarthy stated that the letter to which Mr. Dobi refers came from someone arrested by the Tincum Township Police and in which the person commended the Police and staff for their professional and kind treatment – something the person noted he had not experienced with other police departments.

Fire Company Report: May 2023

Building fire	05 (1 Working Fire)
Brush fire	04
Mva w/ injuries	13
Mva w/ entrap	01
Water rescue	02
Gas leak	03
Assist ems	04
Assist PD	01
<u>Auto Fire Alarms</u>	<u>15</u>
Total Fire Calls	48
EMS Calls:	178

Fire Company Report: June 2023

Building fire	02
Vehicle fire	02
Comm VF	01
Gas Leak	01
Mva w/ injuries	06
Mva w/o injuries	02
Mva w/ entrap	01
Water rescue	02
Fuel spill	01
CO alarm	01
Assist EMS	01
Wires	01
<u>AFA</u>	<u>15</u>
Total Fire Calls	36

EMS Calls: 155

Fire Marshal Report: June 2023

Plan Reviews:

1. UPS recycle Belt Platforms
2. UPS Circulating Fans

Fire Inspections and Acceptance Tests:

1. 414 Powhatan Avenue, Monaghan's Pub
2. Airport Business Center J Building
3. 211 E. Second St., J D McGillicuddy's
4. PHL Terminal A East, New TSA Office
5. 10 industrial Highway, Building 'H' fire sprinkler hydrostatic test

Investigations:

1. Jack-knifed tractor trailer on I-95 with fuel spill
2. Fire along rear exterior wall in rubbish container of 135 Carre Ave

Attended various Fire Training sessions (including arson and electrical fire incidents), worked with Berwind Aviation regarding their fire sprinkler system, and with UPS on issues with their building's radio communications.

Ray Lonabaugh, Fire Marshal

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

Trash removal: June 2023

Regular Trash	196	Tons
Yard Waste	12	Tons
Bulk Trash	14	Tons
Sweeper	6	Tons

- Trimmed bushes at Police Station and Firehouse
- Elevated trees at Manor Field
- Removed graffiti in Township parks
- Assisted in building Police Evidence Locker
- Performed maintenance on street inlets
- Repaired 2 separate park swing sets
- Continued weed spraying
- Continued street sweeping
- Continued mosquito spraying

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment Plant: June 2023

Total flow	36,762,000	gallons
Average Daily Flow	1,225,000	gallons
Total sludge	52,000	gallons (2.2 solids)
Methane Gas	44,362	cu ft

- Investigated Sewer Complaint in 400 block of Wanamaker Ave.
- Replaced man-hole cover and frame at 3rd Ave. and Seneca St.
- Began preventative maintenance on pumping stations
- Replaced arm at Gate 81
- Cleaned and serviced restrooms a Log Cabin

Louis Clark, Jr., Superintendent

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that soccer sign-ups are now going on and that there was a good turn-out at the recent Farmer's Market at Governor Printz Park.

Mr. Arthur stated that the Library's recent "Touch a Truck" event held at the library had over 200 people attend. Mr. Arthur thanked the Library Board of Trustees and the Library staff for their work in running such a successful event.

Solicitor's Report: Sam S. Auslander, Esquire

Mr. Auslander reported that his office has recently filed all of the agreements pertaining to the Land Development and Sub-Division for Tinicum Island Road and the Betz development.

Mr. Auslander stated that the Wu litigation is still in discovery and that "expert" witnesses may be called. Discovery will most likely be extended past the July 31 time frame. Regarding the Health Department litigation, Mr. Auslander stated that a portion of the case has been appealed by Middletown Township in the Common Wealth Court. A follow up conference with Judge Angelos is scheduled in August.

Regarding the proposed Wawa, Mr. Auslander could not comment on any proposed negotiation between the Wawa developer and the neighboring properties. A July conference with the Court is scheduled for this matter.

Regarding the June Meeting Minutes, Mr. Auslander stated to Mr. Dobi that the minutes are not meant to be a "transcript" of the meeting. The Township provides what is required and often times goes above what is required.

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

Mr. Dennis O'Neill reported that his office responded to a report of a 'sinkhole' at the end of Taylor Avenue at Governor Printz Park and had the Township's contracted maintenance provider respond to repair it. Regarding 76 Industrial Highway, the Engineer reported that his office met with the applicant and that the applicant is working on a Land Development Application submission. Mr. O'Neill and the Township Manager did meet with the Army Corp of Engineers. The issue is not Township levees but a proposed levee in the Eastwick section of Philadelphia at the Cobbs and Darby Creeks. The Corp is preparing a report on their proposed work and the Township will be able to respond with any concerns.

The Airport has approximately 16 airfield side projects that they are working on, mostly affecting taxiways over the next several years.

Water levels at the inlet draining to Long Hook Creek appear to be steady and draining to the creek.

Manager’s Report: David D. Schreiber

The Township Manager reported that the project to replace the drive chain equipment at the Water Treatment Plan is moving forward. Parts have been ordered and there is a several month lead time. Work may begin in the fall. The project to replace the Plant’s sludge heater has begun with equipment being ordered. There is a six month lead time for that equipment and work will begin in the spring.

The Township has contacted Tesla and Dewberry Engineering to inform them that they are required to file a Land Development Application for the zoning relief they received from the Zoning Hearing Board to install electric charging stations at the existing Wawa store. They have responded and are preparing an application.

The Township has contacted Conrail about their proposal last year to replace and upgrade the signals at the railroad grade crossings at Wanamaker, Jansen and 4th Avenues. Conrail confirms they are still moving these projects forward and are working through Federal regulations at this time.

Secretary’s Correspondence – There was no correspondence this month.

Other Business –

Commissioner Arthur stated that the July Zoning Hearing Board meeting will include an application for 501 Seminole Street (former All State Career truck property) to store rental cars for Enterprise Car Rental Company. Dennis stated that interested residents should attend.

Mr. Walt Ludwig made several comments about his concerns with Enterprise’s proposal. Mr. Ludwig also stated he went to a meeting in Eastwick and the people there could not answer any questions about “the Eastwick Levee”.

Mr. Barr responded that Enterprise will be in front of the Zoning Hearing Board about their proposal but Mr. Barr did not consider this to be a good use of the property in question, which he described as “cycling” rental cars into and out of the property. Mr. Barr encouraged residents to attend the Zoning Hearing Board meeting.

Adjourn the Business Portion of Meeting

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

Public Participation

Mr. Art Perdun thanked the Township for their participation in the Library's truck event. Referencing the proposed electric charging stations at the current Wawa Mr. Perdun stated that in the event of a fire incident, a fire at one of these stations would be difficult to put out. Mr. Perdun noted the current police activity at the Wawa for incidents there regarding shoplifting.

Ms. Sharon Watson asked about an event at Governor Printz Park for Representative Young. The Board responded that Ms. Young's office is sponsoring a music event on July 20 from 6 to 8pm.

Ms. Barbara Cellich asked if the state representative was going to have an office in town. The Board responded that Ms. Young will be at the former Town Hall (629 N. Gov Printz) once or twice a month for constituent services.

Mr. Zurdi Dobi, 200 Powhattan Ave., stated he observed a customer at Wawa openly carrying a firearm and asked if Pennsylvania was an "open-carry" state. The Board responded that Pennsylvania is an open carry state. Mr. Dobi referred to a recent newspaper article that he said recounted a story of an overdose death at a local motel involving someone from a nearby town. Mr. Dobi suggested that the Police Chief report on these issues. Mr. Dobi referred to several photos of what he described as trash on Rt. 291 and stated it has not been addressed.

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