

March 18, 2024 @ 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
Lisa Edmiston, Commissioner
Roger Joseph, Commissioner
David D. Schreiber, Manager
Sam Auslander, Esq., Solicitor
Dennis O'Neill, P.E., Engineer

Commissioner Dennis Arthur was ill and absent from this meeting.

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

Pastor Mr. of the New Life Community Church provided an invocation before the agenda items.

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PRIOR TO the beginning with the regular agenda items, Commissioner McCarthy introduced Interboro High School Principal Brian Lytz and Tinicum Township Historical Society President Bill Moeller. Principal Lytz presented Mr. Moeller with two historic land deeds from the 1700's for display with the Society's memorabilia.

ON A MOTION by Roger Joseph and second by Patrick Barr, the minutes of the February 2024 Monthly Commissioners Meeting were accepted and approved by a unanimous voice vote.

Board President McCarthy reported that the Treasurer's reports are delayed this month as the Treasurer has been out ill.

Mr. McCarthy reported that the bill list for March 2024 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 March 2024 by a unanimous voice vote.

Public Comments on Agenda Items:

Zurdi Dobi, 200 Powhattan Ave, Regarding Item # 12, Settlement of Tax Assessment Appeal of JSK Phila., Mr. Dobi asked why the Township is not taking this issue to court and opined that this item should be tabled or voted against. Asked the Solicitor for an update on the Wu, County Health Department and Wawa litigation. Asked the Engineer for an update on any meetings with the Airport. Asked Commissioner Joseph for an update on the Township's 2023 audit.

Mr. Art Perdun, regarding Items 8 and 9, Philadelphia Airport Request for Storm Water Relief, asked how providing storm water relief helps the Township aside from the monetary contributions. Regarding Item #14, Tesla Land Development, asked the Board to postpone a vote on this item since Mr. Perdun believes Tesla has not addressed the fire concern issues. .

COMMITTEE REPORTS:

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

Water Treatment Plant Maintenance Agreement

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted via unanimous roll call vote to accept the bid of Jurich, Inc. to provide the Township with a one year maintenance agreement with an option for a second year for the Tinicum Township Waste Water Treatment Plant. Said agreement will be for emergency and other services that would typically be completed by an industrial contractor on an as needed basis. Said services will be used and paid for only when needed and will not exceed \$136,495 in year one nor \$147,750 in the optional second year.

Philadelphia Airport Request for Storm Water Relief for Taxiway S at PHL

PRIOR TO voting on this item, the Township Engineer stated that this project will include three (3) additional acres of impervious coverage for taxiway connectors that will drain directly to the Delaware River along the airport south ponding ditch. While the Airport is seeking some relief from the Storm Water Management Ordinance, the project will control the runoff and volume rates for both the Taxiway S and slabs projects.

ON A MOTION by Patrick Barr and second by Lisa Edmiston the Board voted via unanimous roll call vote to approve the Philadelphia International Airport’s request for relief from Sections 308-20 (Ground Water Recharge), 308-21 (Water Quality) and 308-22 (Stream Bank Erosion) of the Township Stormwater Management Ordinance for their proposed project to rebuild Taxiway S at PHL. The Township will accept a voluntary contribution of \$163,778 to the Township’s storm water management fund from the applicant.

Philadelphia Airport Request for Storm Water Relief for “Sacrificial Slabs” at PHL

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to approve the Philadelphia International Airport’s request for relief from Sections 308-20 (Ground Water Recharge), 308-21 (Water Quality) and 308-22 (Stream Bank Erosion) from the Township’s Stormwater Management Ordinance for their proposed project to repair and replace the “sacrificial slabs” (concrete walkways and ramps) on the airfield side of PHL. The Township will accept a voluntary contribution of \$1,510 to the Township’s storm water management fund from the applicant.

Adoption of Ordinance 2024-921 Dog Curbing

PRIOR TO voting on this item, the Board entertained comments from Mr. Newbert of 216 Bartram Avenue. Mr. Newbert asked if the Board would consider placing dog waste disposal bags “along the grass near the railroad tracks”. The Board responded that while the Township could not place the bags on railroad property, the Board is willing to make bags available near there.

ON A MOTION by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to adopt Township Ordinance 2024-921 pertaining to “Dog Curbing” and the leashing of dogs. With the adoption of this ordinance, dogs will henceforth be required to be on a leash with said leash not exceeding 8 feet in length.

Adoption of Ordinance 2024-922 Regulations Regarding Weeds and Brush

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to adopt Ordinance 2024-922 Amending Chapter 355 providing for regulations and height restrictions of weeds, grasses and overgrown vegetation upon properties within the Township.

Settlement of Tax Assessment Appeal of JSK Phila, Inc. (Red Roof Inn) at 49 Industrial Highway

PRIOR TO voting on this item, Mr. Auslander stated that in 2020 Delaware County’s reassessment process assessed properties at 100% of their fair market value and that each July thereafter at a common level ratio of something less than fair market value. Mr. Auslander stated that as the common level ratio changes, so may the assessed value. Mr. Auslander also stated that this issue has been litigated and that the numbers agreed upon were derived from the 3 taxing authority’s assessors.

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to approve the settlement of the Tax Assessment Appeal for a parcel owned by JSK PHILA, LLC, folio 45-00-01400-04 (Red Roof Inn) fixing the total Delaware County assessment as follows:

<u>Year</u>	<u>Prior</u>	<u>New</u>
2021 & 2022	\$5,079,110	\$4,800,000
2023 & 2024	\$5,079,110	\$3,741,920

Said settlement has been recommended and accepted by the Interboro School District and attorney for Property Owner.

Grant Application for ARPA Capital Project Fund Community Facilities Program

PRIOR TO voting on this item, the Township Engineer stated that this grant serves to increase broadband access to the public. Mr. O’Neill said that some of the things that this grant may cover include moving the Children’s library to the basement to increase the number of computer workstations at the Library, a “project room”, update the basement and restrooms for ADA accessibility, and possibly a generator and peaked roof for the building.

ON A MOTION by Lisa Edmiston and second by Roger Joseph the Board voted unanimously via roll call vote to instruct the Township Engineer’s office to file an application to the Multi-Purpose Community Facilities Program to provide increased “broadband” access to the public at the Tinicum Township Memorial Library. Said program grants may be up to \$ 2 million.

Tesla Land Development

PRIOR TO voting on this item, The Township Engineer stated that all of the Township’s comments have been addressed by the applicant, including the comments by the Fire Marshall.

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to adopt Resolution 2024-005 granting approval of the Preliminary/Final Land Development Application of TESLA to construct and install twelve (12) EV (electric vehicle) charging stations at the existing Wawa Store at 600 S. Governor Printz Blvd. Said approval shall be subject to the conditions and safeguards attached to the Resolution.

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

February 2024 - The Code Enforcement Officer Issued:

38 Certificates of Occupancies for a total of **\$ 5,525**

14 Building Permits for a total of **\$ 54,623**

Commissioner Joseph asked the Township Manager if there was an update to the Township audit in reply to Mr. Dobi’s question. The Manager responded that the audit has not yet started.

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

Police Report: February 2024

Township Fines: \$ 4,067 Of that amount, a total of \$ 1,300 were Parking Tickets.

The department handled 416 incidents and made 23 criminal arrests 23 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

Fire Company Report: February 2024

Building Fire	08 (2 Working Fires)	Industrial Rescue	01
Vehicle Fire	01	Gas Leak	02
Brush Fire	01	Fuel Spill	01
Asist EMS	05	CO Alarm	04
MVA's	03	Wires	03
Cover Assigment	01	Auto Fire Alarms	10
Total Calls			40

Fire Marshal Report: February 2024

Plan Reviews:

1. 48 W. Pohattan Ave, Esschem, for additional sprinklers
2. Interboro High School, fire alarm system affecting renovations

Fire Inspections and Acceptance Tests:

1. 300 Stevens Drive fire and sprinkler alarm system
2. Red Carpet Motel at 600 N. Gov Printz Blvd
3. Motel 6 at 600 N. Gov Printz Blvd

Fire Incident Investigations:

1. 900 E. Second Street, Smart Park, fire involving vehicles

Ray Lonabaugh, Fire Marshal

Commissioner McCarthy stated that this past weekend there were “around 100 street racers” gathered at Governor Printz Park. Mr. McCarthy stated that Superintendent Righter and his officers handled the situation professionally and efficiently. Mr. McCarthy further stated that the officers were treated very disrespectfully and that he will be speaking to Superintendent Righter about how to handle these situations in the future.

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

Trash removal: February 2024

Regular Trash	149	Tons
Bulk Trash	8	Tons
Yard Waste	8	Tons

- Cold patched potholes on various streets
- Stored snow equipment for the season
- Started spring clean-up at Gov Printz Park
- Cleaned out storm drains
- Attended “One Call” training for system and field work
- Cleaned up Veterans War Memorial on 4th Avenue

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment Plant: February 2024

Total flow	31,756,000	gallons
Average Daily Flow	1,095,000	gallons
Total sludge	51,000	gallons (3.2% solids)
Methane Gas	104,639	cu ft

- Investigated sewer issues on the 600 and 500 blocks of Jansen Ave
- Repaired two Force Main breaks on Jansen Ave
- Repaired Plant comminutor
- Cleaned out “grit” chamber at Plant
- Serviced aeration blower and recirculating pumps
- Replaced transducer at Plant pump station

Louis Clark, Jr., Superintendent

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that the Health and Code Officers recently completed their inspection of the Red Carpet and Motel 6 and addressed several minor issues for the establishment’s annual health inspection.

Regarding baseball, softball, and t-ball sign-ups, Mr. Barr stated that the website is now up and running and that the deadline for sign-ups is April 1 at a cost of \$30.

The VFW Easter egg hunt is March 23 at Westinghouse Grove Park.

Solicitor’s Report: Sam S. Auslander, Esquire

Mr. Auslander reported that there are no changes to report on the Wu or County Health Department litigation. Wu is still scheduled for January 2025 and Judge Angelos has not provided any further ruling on the County litigation. Regarding the Wawa litigation, Judge Angelos has requested dates for argument from the parties. Mr. Auslander’s office is working with the Swedish and Italian organizations on the space for their artifacts in the Lazaretto Building.

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

Mr. O’Neill reported that his office has met with representatives of the Airport on projects such as the reconstruction of Taxiway S and the resurfacing of one of the main airport runways.

Manager’s Report: David D. Schreiber

The Township Manager reported another production company has asked to do another shoot within the Township. It will be a Public Service Announcement for an anti-smoking campaign. Filming will be for two days around March 27 and 28 on the 300 block of Bartram Ave. A charity bicycle ride will be passing through town from Philadelphia to Chester on Saturday, June 8. The Police Department will have officers lend assistance. The Township is meeting with Airport representatives to discuss the status of Tinicum Island Road and flooding on 4th Avenue later this month.

Secretary’s Correspondence –

The Township received two requests to hold two different events on Township property – The VFW Easter Egg Hunt on March 23 at Westinghouse Grove Park and the Tinicum Township Historical Society Annual Flea Market on June 8.

ON A MOTION by Patrick Barr and second by Roger Joseph the Board voted unanimously via voice vote to approve the request of the Fox-Smith Post of the VFW to use Westinghouse Grove Park for their annual Easter egg hunt on Saturday, March 23 (rain date March 30).

ON A MOTION by Lisa Edmiston and second by Roger Joseph the Board voted unanimously via voice vote to approve the request of the Tinicum Township Historical Society to use Governor Printz Park for their annual flea market on Saturday, June 8 (rain date June 9).

Other Business – There was no Other Business discussed

Adjourn the Business Portion of Meeting

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

Public Participation

Art Perdun, S. Gov Printz Blvd., stated that the Board had previously discussed an ordinance or some regulations surrounding Air BnB's but did not take any action. Mr. Auslander responded that he will review his notes and discuss it with the Board. Mr. Perdun suggested that these establishments can be regulated via zoning.

Mr. Zurdi Dobi, 200 Powhattan Ave., asked if the Township had an update on the property for St. John's Church. The Board responded that the property was donated by Westinghouse long ago and that it is necessary to trace the successive ownership of Westinghouse to determine the party to speak with. Mr. Dobi referred to a tax assessment stipulation agreement from December 2023 involving the property owned by Parking Spot. The Parking Spot stipulations resulted in an increase in the tax assessment and Mr. Dobi suggested that this logic was not in line with the logic used for the latest tax stipulations approved this evening.

Mr. Dobi expressed concern about a person knocking on his door on Saturday evening, March 16 and asked if the police had gotten any reports of solicitations in town. Mr. Dobi suggested he does "not wish to be targeted". The Board responded that they were not aware of anyone "targeting" Mr. Dobi, nor were there any solicitation reports to the police. Mr. Dobi was advised to call 911 if he felt there were any concerns.

Adjournment of Meeting

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

Respectfully Submitted,
David D. Schreiber
Manager/Secretary