

December 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

Commissioner Barr was delayed at his place of business and arrived at the meeting at approximately 7:00

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

Pastor Ash, from the New Life Community Church, provided an invocation before the meeting.

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ON A MOTION by Dennis Arthur and second by Roger Joseph, the minutes of the November 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 Lisa Edmiston 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 2023 will be distributed to all members at the end of the month. There being no questions;

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

Public Comments on Agenda Items:

Zurdi Dobi, 200 Powhattan Ave, asked for an update on The Wu, County Health Department, and Wawa Conditional Use litigation. Asked the Engineer for an explanation on a DEP complaint regarding Long Hook Creek and an update on the “surcharging” of the new Tincum Island Road. Mr. Dobi asked if the Board would take comments on the proposed 2024 budget after it was read.

District Justice Jack Lippart

After 24 years as an elected District Justice serving Tincum Township, Ridley Park, and Prospect Park, Judge Jack Lippart is retiring. As a show of appreciation for his dedicated service, Mr. McCarthy presented a plaque to Judge Lippart expressing the Township’s thanks for all his support over the past many years.

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

Approval of the 2024 Township of Tincum Financial Budget

The Township Secretary read the highlights of the proposed 2024 Township Budget including expenses, receipts, millage rate, and real estate tax collectables. The Board then asked for Public Comment.

Mr. Zurdi Dobi objected to not having “actual” expenditures from previous years included in the proposed budget and referred to a difference in the Township Manager’s proposed salary and actual salary in previous years. Mr. Dobi also referred to differences in “actual” receipts versus “budgeted” receipts in previous years. Mr. Dobi objected to a salary increase for the Township Manager.

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted (4-0 in Commissioner Barr’s absence) via unanimous roll call vote to approve and adopt the Township of Tincum 2024 Budget as read by the Township Secretary and authorizing the corresponding notice to be placed in the Delaware County Daily Times.

Conditional Use Application of Action Rental

ON A MOTION by Lisa Edmiston and second by Dennis Arthur the Board voted via unanimous roll call vote (4-0 in Commissioner Barr’s absence) to approve the Conditional Use Application of Action Rental at 23 Industrial Highway to construct a canopy over a wash pit designed to clean their equipment after rental usage. Said approval shall be subject to the conditions outlined in the Board of Commissioner’s written decision dated December 18, 2023.

Land Development Application of Mr. 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 (4-0 in Commissioner Barr’s absence) to accept applicant Ed Heron’s grant of an extension of by which the Board must consider Mr. Heron’s land development application at 336 Bartram Avenue. Said land development is for a proposed twin dwelling and associated improvements. The extension shall be until March 30, 2024.

Extension of Land Development Application for 1 Hotel Group at 101/103 Taylor Avenue

ON A MOTION by Roger Joseph and second by Dennis Arthur the Board voted unanimously via roll call vote (Commissioner Barr was present for this vote and thereafter) 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, 2024

Extension of Land Development Application of 76 Industrial Highway, LLC

ON A MOTION by Dennis Arthur and second by Patrick Barr 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 March 31, 2024.

Replacement of Generator for the Airport Business Center (Stevens Drive) Pump Station

ON A MOTION by Dennis Arthur and second by Lisa Edmiston the Board voted unanimously via roll call vote to instruct the Township Engineer to proceed with the procurement of a replacement generator for the sanitary sewer pump station at the Stevens Drive Airport Business Center. Said generator is being offered by Mardinly Industrial Power (Broomall, PA) at the net Co-Stars price of approximately \$23,981.

Vacate Tincum Code Chapter 264, Ordinance for Disorderly Properties

ON A MOTION by Roger Joseph and second by Dennis Arthur the Board voted unanimously via roll call vote to instruct the Township Solicitor to draft and advertise an Ordinance to vacate Chapter 264 Properties, Disorderly, of the Tincum Township Code. Said Chapter provides to make it unlawful for any property owner or occupier to maintain keep, or lease or to allow a disorderly property within the Township as described within the ordinance. This ordinance will be vacated as it has been deemed to be unenforceable under current laws.

Waste Water Treatment Plant New Hire

ON A MOTION by Dennis Arthur and second by Lisa Edmiston the Board voted unanimously via roll call vote to hire Mr. Kevin Lincoln of Essington for employment within the Township Wastewater Treatment Plant at a rate of \$17/hr.

Settlement of Interboro School District Tax Assessment Appeal for 630 S. Governor Printz Boulevard (Folio No. 45-00-00935-15 The Parking Spot/Colonial Parking)

ON A MOTION by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to enter into a Court Stipulation resolving the Tax Assessment Appeal of the Interboro School District for the property located at 630 S. Governor Printz Blvd previously owned by Nox, LLC and more currently owned (as of February 13, 2023) by TPS Governor Printz Titleholder, LLC. Said Stipulation will set the tax assessment for 2021 and 2022 at \$3,004,000 from \$1,267,000 and has been recommended for settlement by the Interboro School District.

Settlement of Interboro School District Tax Assessment Appeal for 625 N. Governor Printz Boulevard (Folio No. 45-00-00935-04 The Parking Spot/Colonial Parking)

ON A MOTION by Dennis Arthur and second by Lisa Edmiston the Board voted unanimously via roll call vote to enter into a Court Stipulation resolving the Tax Assessment Appeal of the Interboro School District for the property located at 625 N. Governor Printz Blvd and previously owned by Nox, LLC and more currently owned (as of February 13, 2023) by TPS Governor Printz Titleholder, LLC. Said Stipulation will set the tax assessment for 2021 and 2022 at \$1,396,500 from \$948,710 and has been recommended for settlement by the Interboro School District.

Waste Water Treatment Plant Annual Maintenance Contract

ON A MOTION by Dennis Arthur and second by Roger Joseph the Board voted unanimously via roll call vote to instruct the Township Engineer's office to draft and advertise a new Request for Proposal for maintenance services for the Tincum Township Wastewater Treatment Plant. Said RFP will be for the purpose of ensuring that any outages, breakages, or emergency repairs are promptly addressed by a qualified maintenance contractor.

Developer Request for Proposal for Township Property at 101 Taylor Avenue

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to instruct the Township Engineer’s office to draft and advertise a Request for Proposal for the development of the Township owned property at 101 Taylor Avenue (the former “Lagoon” property). Said proposal will request that the bidder provide a study on the best or most advantageous use of the property to benefit the Township.

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

November 2023 - The Code Enforcement Officer Issued:

09 Certificates of Occupancies for a total of \$ 1,325

08 Building Permits for a total of \$ 22,623

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

Police Report: November 2023

Township Fines: **\$ 1,948**

The department handled **440** incidents and made **25** criminal arrests
25 of those criminal arrests were adults
00 of those criminal arrests were juveniles.
00 of the juveniles were handled within the Department and Released.
00 animals were taken into custody

Fire Company Report: November 2023

Building fire	11 (04 Working Fire)
Vehicle fire	02
Assist EMS	04
MVA w/ injuries	08
MVA w/o injuries	01
MVA w/ entrap	01
Water Rescue	01
Gas Leak/Fuel Spill	02
CO Alarm	02
<u>Auto Fire Alarms</u>	<u>07</u>
Total Fire Calls	39
EMS Calls:	157

Fire Marshal Report: November 2023

Plan Reviews:

1. Removal of the firefighting foam agent from the overhead fire sprinkler system in the aircraft hangar at 5 Hog Island Road at Airport.
2. Installation of (1) 500 gallon and (1) 750 gallon vessel at Esstech, 48 W Powhattan Avenue

Fire Inspections and Acceptance Tests:

1. 53 Industrial Highway in Essington, La Quinta Inn & Suites.
2. 101 Taylor Avenue in Essington, Holiday Inn Express.
3. 103 Taylor Avenue in Essington, Waterfront Inn.
4. 6 Powhattan Avenue in Essington, Barber Shop

Attended Del. Co. Board of Fire Life Safety meeting.

Ray Lonabaugh, Fire Marshal

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

Trash removal: November 2023

Regular Trash	170	Tons
Leaves	12	Cu. Yards
Bulk Trash	8	Tons

- Continued leaf pick-up
- Readied buildings for election voting
- Finished preparations for Community Day
- Stored soccer nets for the winter
- Repaired vandalism at playground at 3rd and Carre
- Delivered Thanksgiving holiday meals to various township residents

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment Plant: November 2023

Total flow	33,630,000 gallons	
Average Daily Flow	1,120,000 gallons	
Total sludge	67,500 gallons	(3.6 solids)
Methane Gas	93,105 cu ft	

- Investigated sewer complaint on 200 block of Jansen Avenue and cleared blockage
- Installed new alarm at Airport Business Complex 1 pump station
- Completed project to install new chains and gears in primary settling tanks
- Winterized ball field bathrooms and snack bar

Louis Clark, Jr., Superintendent

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that the hockey and basketball seasons are getting underway and thanked the many volunteers that run these two programs.

Solicitor's Report: Sam S. Auslander, Esquire

Mr. Auslander reported his office is working on a lease for the space occupied in the Lazaretto Building by the Italian American Society of Delaware County and the Swedish Colonial Society. Mr. Auslander stated that the Wu litigation remains scheduled for trial in February 2025, the Delaware County Health Dept. litigation remains status quo with the courts previous ruling against the County, and that all briefs concerning the Wawa Conditional Use case are due at the end of December 2023 but nothing else has yet been scheduled.

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

Mr. Dennis O'Neill reported that DEP issue that Mr. Dobi referred to had to do with an anonymous complaint to the DEP regarding the construction of the new Tinicum Island Road and the Long Hook Creek. DEP did review the complaint and found that no violations have taken place. Mr. O'Neill also stated that the surcharging of the new road at both ends of the construction is ongoing, the center section seems to have completed its surcharging. The property at 101 Taylor Avenue owned by the Township has an approximate gross area of 123,000 sq. ft.

Manager's Report: David D. Schreiber

The Township Manager reported that the advertisement for the Townships 2024 meetings has been placed in the local newspaper and that the 2024 community calendar has been delivered. The Township Manager reminded those in attendance at the meeting that the Board will have its Reorganization Meeting on Tuesday, January 2, 2024

Secretary's Correspondence – There was no Secretary's Correspondence this month

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., stated that the clock at 629 N. Governor Printz Blvd was not functioning properly. Referred to graffiti near the Smart Park facility on N. Governor Printz Blvd. Stated that the Board was in violation of the "Sunshine Act" for not, in Mr. Dobi's view, disclosing any Executive Session that the Board may have had. Referred to the work that Infrasource is doing in the Township (replacing gas lines) and suggested the police are doing a good job in providing safety during this project.

Pastor Ash of the New Life Community Church volunteered to clean up the graffiti that Mr. Dobi referred to. Mr. McCarthy stated that it would not be safe for the Pastor or his congregants to work out on the highway.

Marion Matuliwich, 200 Powhattan Ave., suggested that the comments attributed to her in the September 2023 minutes were not accurate. Asked if the recent flooding on 4th Avenue was due to the construction of the new Tincum Island Road. The Township Engineer responded that the construction was not the reason for the high water, but from the amount of rain combined with the high tide.

Charles Monteith, 552 Jansen Avenue, thanked Officer Lis for investigating a stolen bicycle. Mr. Monteith stated he has been dealing with the Township's EIT collector, Keystone Collections, regarding past year's earned income tax and Keystone's action to impose salary garnishment. Mr. Monteith opined that it was the Township Tax Collector who was responsible for earned income taxes and asked to be contacted by the Tax Collector.

Ms. Sharon Watson was incorrectly identified as Ms. Sharon Baldwin in the September 2023 Meeting Minutes.

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