

November 15, 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  
Roger Joseph, Commissioner  
David D. Schreiber, Manager  
Sam Auslander, Esq., Solicitor  
Dennis O'Neill, Township Engineer  
Commissioner Lisa Edmiston was absent from this meeting

President 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 Patrick Barr and second by Dennis Arthur, the minutes of the October 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 Dennis Arthur and second by Roger Joseph, the reports were accepted and approved as submitted, by a unanimous voice vote.

Mr. McCarthy reported that the bill list for November 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 Dennis Arthur, the bill list will be paid for the month of November 2021 by a unanimous voice vote.

**Public Comments on Agenda Items:**

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, objected to item #7 Conditional Use Application of 500 Wanamaker Avenue for a Wawa store and asked Mr. Joseph to comment on the Parking Lot Audit, Mr. Auslander to comment on the "Certificate of Occupancy" case in Common Pleas Court and any EEOC complaints filed against the Township, and the Wu litigation.

Art Perdun, 242 S. Gov Printz Blvd., Objected to Item #7 as well, objected to Item #11 Waiver of Storm Water Ordinance provisions for Taxiway P work.

**COMMITTEE REPORTS:**

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

**Conditional Use Application of 500 Wanamaker Avenue Partners, LLC (Wawa)**

**ON A MOTION** by Roger Joseph and second by Dennis Arthur, the Board voted via a 3-1 majority roll call vote to approve the Conditional Use Application of 500 Wanamaker Avenue LLC. Applicant seeks Conditional Use to operate a Wawa food market with gasoline service station located at 500 Wanamaker Avenue, Essington, in the C2 Commercial Zoning District. Aye: Commissioners Joseph, Arthur, McCarthy. Nay: Commissioner Barr

Before voting on this item, Mr. Barr offered his view on the pros and cons of the application citing as pros: Development of a vacant property, placing a previous non-taxable property on the tax role, and the location of the 291 and 420 State Highways. As cons, Mr. Barr cited: possible adverse completion with nearby existing Wawa, possible adverse effect on other nearby gas and sandwich shop businesses, traffic concerns, and the possibility of placing another type of business at the location.

Said approval shall be subject to the conditions contained in the Written Decision of the Tincum Township Board of Commissioners dated November 15, 2021.

**Approval of John Morton Boy Scout Winter Survival Camp**

**ON A MOTION** by Patrick Barr and second by Roger Joseph, the Board voted unanimously via roll call vote to approve the request of the John Morton Winter Survival groups request to hold their annual event at Westinghouse Grove Park on the weekend of January 8 and 9 2022 with a bad weather date of January 15 and 16.

**Update to Subdivision and Land Development Ordinance**

**ON A MOTION** by Patrick Barr and second by Dennis Arthur, the Board voted unanimously via roll call vote to instruct the Township Engineer and Township Solicitor to review and recommend suggestions for the Township to adopt the Delaware County version of the Subdivision and Land Development Ordinance of 2016 including any necessary revisions relevant to the replacement of the existing Tincum Township Subdivision and Land Development Ordinance of 1978 as needed. Procedures shall include advertising for a public hearing prior to enactment.

**Tax Assessment Appeal of 219-223 North Governor Printz Boulevard**

**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 of 219-223 North Governor Printz Blvd reducing Delaware County’s assessment of \$400,000 to \$273,600 for years 2021 and 2022. Said settlement has been recommended and accepted by the Interboro School District.

**Waiver of Certain Provision of Storm Water Management Ordinance for Taxiway P Project**

**ON A MOTION** by Patrick Barr and second by Dennis Arthur, the Board voted unanimously via roll call vote to approve the waiver request of the Philadelphia International Airport and the Division of Aviation of certain portions of the Township’s Storm Water Management Ordinance for the project to renovate Taxiway P. These Sections include 308-20 (Groundwater Recharge), 308-21 (Water Quality), 308-22 (Streambank Erosion). Said waiver request has been reviewed by the Township Engineer’s office and recommended for approval as noted in the Engineer’s letter dated November 11, 2021. In addition, the applicant will make a voluntary contribution of \$133,523 to the Township’s MS4 Storm Water Management Fund.

**Disability Pension of Officer Kevin Wiley**

**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 Kevin Wiley effective December 1, 2021; providing a service connected disability pension and Honorable Discharge from the Tincum Township Police Department due to his service related injuries.

**Maintenance and Supply Contract for Wastewater Treatment Plant**

**ON A MOTION** by Dennis Arthur and second by Patrick Barr, the Board voted unanimously via roll call vote to instruct the Township Engineer’s office to draft and advertise two separate Requests for Proposals for services to the Tincum Township Wastewater Treatment Plant. The first RFP will be for a Maintenance Contract for the purpose of ensuring that any outages, breakages, or emergency repairs are promptly addressed. The second RFP is for procurement of the chemicals required for all processes required to be carried out by the treatment plant.

**Release for Storm Drainage Improvements**

**ON A MOTION** by Roger Joseph and second by Dennis Arthur, the Board voted unanimously via roll call vote to approve Release #1 for the Storm Drainage Improvements along Carre Avenue from Front Street to the Terminus at the Delaware River in the Amount of \$73,620.00, payable to Gessler Construction Co., Inc. of Media Pa. The release has been reviewed and recommended for approval by the Township Engineer.

**Release for Street Resurfacing**

**ON A MOTION** by Dennis Arthur and second by Patrick Barr, the Board voted unanimously via roll call vote to approve Release #1 for the 2021 Resurfacing and Street Improvements in the Amount of \$183,453.75.00, payable to Gessler Construction Co., Inc. of Media Pa. The release has been reviewed and recommended for approval by the Township Engineer

**COMMITTEE REPORTS**

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

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

**37** Certificates of Occupancies for a total of **\$ 4,925**

**12** Building Permits for a total of **\$ 61,789**

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

**Police Department Report**

**October 2021**

Township Fines: **\$ 5,310** Of that amount, a total of **\$ 640.75** were Parking Tickets.

The department handled **470** incidents and made **17** criminal arrests

**17** 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**

### **October 2021**

Total Calls:	55	
Building Fires	06	(5 Working Fires)
Vehicle Fire	05	
MVA w/No Injury	05	
MVA w/Injury	06	
MVA w/Entrapment	01	
Assist EMS	03	
Fuel Spill	03	
Gas Leak	03	
Wires	01	
Water Rescue	04	
Auto Fire Alarms	18	
Avg No. of Responding Personnel	07	

## **Fire Marshal Report                      October 2021**

### **Building and Fire Plan Reviews:**

1. Restroom renovations at PHL Terminal A East & West

### **Fire Inspections and Acceptance Tests:**

1. Stella News fire alarm and fire sprinkler system at PHL Terminal A East

### **Fire responses and Investigations:**

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

### **Follow Ups:**

1. Reviewed the exit plan for the basement of the PHO Diner, formerly "Mels".

### **Training:**

1. Attended and Participated in the FEMA Management "Readiness" 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

Attended the October 7th meeting of the DELCO Board of Fire and Life Safety

**Ray Lonabaugh, Fire Marshal**

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

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

<b>Regular Trash</b>	<b>177.49 Tons</b>
<b>Bulk Trash</b>	<b>12.19 Tons</b>
<b>Street Sweepings</b>	<b>4.79 Tons</b>
<b>Yard Waste</b>	<b>8.35 Tons</b>

- Mulched Governor Printz Park Playgrounds
- Repaired Manor Field Playground
- Cleaned and prepped Governor Printz Park for Community Day
- Pained and weeded Rt. 291 flower pots
- Planted flower pots and Township Buildings
- Removed trash from various roadways
- Began leaf pickup season
- Completed annual line painting for streets

**George Hinkle, Superintendent**

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

**Tinicum Township Wastewater Treatment**

<b>Monthly Report</b>	<b>October 2021</b>
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**

- Drained & cleaned no. 1 primary tank in order to record measurements in preparation for possible new equipment
- Cleaned tubes on pre-heater and replaced refractory. Cleaned floors and walls in pre-heater and gas room
- Replaced suction & dis-charge valves at Clarion Inn Pumping station

**Miscellaneous Items**

- Serviced all police vehicles due for servicing
- Vacuumed rags out of Manor Field and Taylor Avenue stations wet wells.
- Kudos to Treatment Plant employees who did an excellent job on cleaning and re-building pre-heater as well as on the valve replacement job at the Clarion Inn pumping station.

**Robert J Bernauer**

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

Mr. Barr noted that Hockey and Basketball signups are ongoing. The Township will have a tree lighting event at Governor Printz Park on Sunday, November 28 from 3:30 to 5:30. The Public Works Department put up holiday lights at the park and they look great. Mr. Barr reported that the Patriotic Organization collected \$5,925 in vendor fees for Community Day.

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

Mr. Auslander stated that he has pre-trial conferences for several new assessment appeals scheduled for December 9 as a prelude to scheduling a court hearing. Mr. Auslander has no notices of any EEOC complaints for the Township. Appeal to Common Pleas court of several Certificate of Occupancy violation include CP 23 SA 410-2021, CP 23 SA 411—2021, CP 23 SA 412-2021.

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

Mr. Dennis O'Neill reported that his office has completed the review of the proposed plans for the relocation of Tincum Island Road. Regarding stormwater waivers, Mr. O'Neill stated that because of various circumstances at the location of the airport, such as a high water table, inability to do surface storage to avoid attracting birds and wildlife, and others, projects often cannot comply with the ordinance.

**Manager's Report – David Schreiber**

The Township Manager reported the following: PennDOT will be paving various streets, including 4<sup>th</sup> Ave, 2<sup>nd</sup> Street, and Wanamaker Avenue within the next 2 years. The December Zoning Hearing has been changed from its regular date of December 16 to December 9. A hearing for Ivy Realty at Tincum Industrial Park is currently scheduled.

**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**

Rob Dant of West Chester thanked the Board for their support of the seaplane fly-in, even though it had to be cancelled because of bad weather this past August. They will try again in 2022

Zurdi Dobi, 200 Powhattan Avenue had the following comments: questioned the docket numbers provided by the Township Solicitor; asked about the date of hire and disability amount for the retiring officer (2010 and \$80,000); thanked the officer working on Halloween for driving with his emergency lights on for safety; objected and took issue with Mr. Arthur's vote on the Wawa motion.

Ed Rubillo – Wyndotte Street commented on the lights at former Town Hall

**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