

October 18, 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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Conditional Use Hearing for the Application of 500 Wanamaker Avenue Partners, LLC

Board President McCarthy opened the first order of business for the evening by introducing a Conditional Use Hearing for 500 Wanamaker Avenue Partners, LLC. The Applicant seeks Conditional Use pursuant to Section 903(1) of the Tinicum Township Zoning Ordinance for the use as a Food Market with a Gasoline Service Station located at 500 Wanamaker Avenue, Essington, PA 19029. The property is currently zoned in a C2 Commercial Zoning District. This meeting was advertised in the Delaware County Daily Times on Tuesday, September 28 and Tuesday, October 5, 2021. After introductions, Mr. McCarthy turned the Conditional Use Hearing over to Township Solicitor Sam Auslander. As this was an advertised Public Hearing, the minutes/transcription is provided under separate cover via a Court Reporter.

After the hearing, Mr. McCarthy called the regular meeting back to order.

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

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

Public Comments on Agenda Items:

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, suggested the Board should vote “NO” on Item #7, Adjustment to Commissioner Salary. Mr. Dobi asked for an update on the Parking Lot Audit, stated that the Township Manager overpaid himself over \$20,000 over a four year period, asked if there was an “EOC” (Employment Opportunity Commission) complaint filed by a former employee, asked for the amount of funds collected by the Township from vendors for Community Day, asked for an update on the Wu litigation. At this point, Mr. McCarthy emphasized that this Public Comment period was to address Agenda Items only.

COMMITTEE REPORTS:

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

Adoption of Ordinance 2021-913 Adjusting the Salaries of Township Commissioners

ON A MOTION by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call to adopt Tincum Township Ordinance 2021-913 changing the annual compensation of the Township Commissioners from \$1,875 to \$3,145. Said adjustment is pursuant to Section 703 of the Pennsylvania First Class Code for Townships with a population of less than 5,000 residents. This Ordinance shall become effective at the beginning of the next term of each Township Commissioner

Adoption of Ordinance 2021-914 Small Wireless Facilities

ON A MOTION by Patrick Barr and second by Roger Joseph, the Board voted unanimously via roll call vote to adopt Ordinance 2021-914 and amending the Code of the Township of Tincum by adding new chapter 290. Said Ordinance will allow for and regulate “Small Wireless Facilities” within the Public Rights-of-Way within the Township

Appointment of Mingis Gutowski as Township Auditor

ON A MOTION by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via roll call vote to appoint Mingis, Gutowski & Company of Media as Township Auditor for the fiscal year ending December 31, 2021 at a rate not to exceed \$21,000

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

The Code Enforcement Officer Issued:

38 Certificates of Occupancies in **September** for a total of **\$ 5,350**
08 Building Permits in **September** for a total of **\$15,307**

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

Police Department Report

September 2021

Township Fines: **\$ 5,147** Of that amount, a total of **\$1,325** were Parking Tickets.

The department handled **503** incidents and made **11** criminal arrests
11 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

September 2021

Total Calls:	48
Building Fires	06
Vehicle Fire	01
Brush Fire	01
Trash Fire	01
Assist EMS	01
MVA W/ Injuries	10
MVA W/O Injuries	02
Water Rescue	07
Gas Leak	01
Fuel Spill	01
Odor Investigation	01
Auto Fire Alarms	16
Avg No. of Responding Personnel	08
Time in Service	32 hrs.

Fire Marshal Report **September 2021**

Final Acceptance Inspections and Tests:

1. United Parcel Service, 1 Hog Island Road
2. Airport Business Center Inspections Building Inspector:
 - a. Hake Rigging Office Trailers
 - b. ALLI Metal Fabricating
 - c. Iron Mountain Records Storage
3. Red Roof Inn
4. Denny's Restaurant
5. Lou Turks
6. La Quinta Hotel
7. Final acceptance inspection and hydrostatic test of the second half of the UPS building fire sprinklers under conveyors and mezzanines

Violations:

1. Airport Discount Tire: Outdoor tire storage
2. La Quinta Hotel: Maintenance of the fire alarm system and fire sprinkler system
3. Airport Business Complex: Provided complex manager with a list of corrections that need to be made

Ray Lonabaugh, Fire Marshal

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

Trash removal for the month of September 2021:

Regular Trash	195.35 Tons
Bulk Trash	15.34 Tons

- Repaired gates at Governor Printz Park
- Cleaned / Maintenance Sept 11 Memorial
- Placed lines for Soccer Field at Manor and Westinghouse Grove Fields
- Replaced bench and bike rack at Greenway Trail
- Pressure washed and cleaned gazebo at Governor Printz Park
- Removed tree at Lester Fire House
- Made repairs to Manor Field Tot Lot
- Made repairs to Westinghouse Grove Log Cabin
- Replaced trash cans at Manor Field
- Competed putting up parking signs
- Installed one handicap placard

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment

Monthly Report	September 2021
Total flow	33,301,000 gallons
Average Daily Flow	1,110,000 gallons
Total sludge	238,195 gallons
Methane Gas	103,314 cu ft
Sludge Hauled	19,750 gallons
Of which	2.24% were solids

Equipment Repairs

- Installed new electronic front gate
- Installed a shim under the eccentric arm on #1 sludge piston pump to prevent shearing of pins
- Repaired and replaced sunken secondary digester cover by rebuilding gas relief unit

Miscellaneous Items

- Serviced police vehicles
- Vacuumed out rags from Manor Field and Taylor Avenue pumping stations wet wells

Robert J Bernauer

Health & Recreation: Pat Barr, Chairman

Mr. Barr thanked all of the volunteers (Commissioners, Public Works Dept., Ladies Auxiliary, West End Boat Club, etc.) that made for a successful Community Day and expressed his regret that he could not make the event. Regarding Mr. Dobi's question about the Township's accounting for the funds brought in by Community Day events, Mr. Barr stated that as he's explained to Mr. Dobi in the past, Community Day is sponsored by the Patriotic Organization of Tinicum Township, not the Township itself. All vendor and other proceeds collected by the Patriotic Organization are donated to families within the Township and is not Township revenue.

Community Day is a community building event with many activities, music, food and other amenities run by a group of volunteers for the benefit of Tinicum Township residents.

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

Mr. Auslander stated that he has several "code" violations that will have upcoming court dates. Mr. Auslander expects to see more issues come about as the District Justices office begins to open up. Mr. Auslander is not aware of any Employment Opportunity Commissions issues open for the Township.

Mr. Auslander stated that as he has explained to Mr. Dobi several times, the Wu litigation still awaits a court date. Mr. Auslander announced an Executive Session to discuss some real estate issues.

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

Mr. Dennis O’Neill reported that the storm water work on Carre and Front St. is 90% complete. The 2021 street paving project has been started and should be done within a week.

Mr. O’Neill asked the Board to entertain a discussion and motion regarding the previously approved project for enhancements to Runway “P” at the airport. The Engineer’s office has reviewed the storm water management plan for this project and has determined that the location will not support storm water infiltration. The applicant for the project has inquired if the Township is open to the applicant’s offer to make a contribution to the Township’s storm water management fund.

Prior to voting on this agenda amendment request, the Board asked for Public Comment. There was none.

ON A MOTION by Patrick Barr and second by Dennis Arthur, the Board voted unanimously via Voice Vote to amend the Meeting Agenda to consider a new item: Consider the request of applicant _____ for a waiver of _____ as it relates to the renovations to Taxiway P at the Philadelphia International Airport.

Subsequent to the motion to amend the Meeting Agenda, ON A MOTION by Dennis Arthur and second by Roger Joseph, the voted unanimously via roll call vote to approve the waiver request of _____ to comply with Section 308.20 of the Township’s Storm Water Maintenance Ordinance and _____

Manager’s Report – David Schreiber

The Township Manager reported the following: The Township has made is required Minimum Municipal Obligation deposit to the Township Police Pension Plan and Non Uniform Pension Plan in the amounts of \$492,612 and \$8,270 respectively. Fencing for the Historic Lazaretto property has been ordered and is expected near year end. Roof repairs for the Lester Fire House are near completion. There is an October Zoning Hearing Board application pending for the building of a duplex residence at 301 Printz Ave. Wiring for cameras at 291 and Wanamaker and 291 and Scott Way has been completed. Camera installation should be done within 2 weeks. Radar signs for placement on Wanamaker Avenue, Second Street and Fourth Avenue have been ordered and are expected by year end. A draft of the Parking Lot Audit has been delivered to the Commissioners and barring any further comment will be finalized this month.

Secretary’s Correspondence

The Township Secretary read the attached letter from resident Sandra Lees of Chippewa Street regarding the proposed Wawa store into the record.

Other Business

Commissioner Arthur presented an award to Commissioner Edmiston on behalf of the Pennsylvania State Association of Township Commissioners for her 12 years of service as a Township Commissioner.

Extensions to Land Development Applications

The Township has three (3) expiring Land Development Applications for which extensions have been granted by the applicants. One is for 500 Wanamaker Avenue Partners, LLC for the proposed Wawa, one is for Ed Herron for the duplex proposed on Bartram Avenue and the last is for Castleway Properties LLC for their proposed Warehouse at Tinicum Industrial Park.

Prior to voting on this agenda amendment request, the Board asked for Public Comment. There was none.

ON A MOTION Roger Joseph and second by Lisa Edmiston, the Board voted unanimously via Voice Vote to amend the Meeting Agenda to consider the aforementioned items during tonight's meeting.

ON A MOTION by Dennis Arthur and second by Roger Joseph, the Board voted unanimously via Voice Vote to accept applicant Ed Herron's request to grant the Board an extension of time by which the Board must consider the applicant's land development plan at 336 Bartram Avenue. The requested extension is until December 31, 2021.

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via Voice Vote to authorize the Board of Commissioners to accept applicant Castleway Industries request to grant the Board an extension of time by which the Board must consider Castleway Industries land development application at Tinicum Industrial Park. The extension shall be until December 31, 2021

ON A MOTION by Dennis Arthur and second by Roger Joseph the Board voted unanimously via Voice Vote to Motion to authorize the Board of Commissioners to accept applicant 500 Wanamaker Avenue Partners, LLC Board an extension of time by which the Board must consider 500 Wanamaker's land development application at 500 Wanamaker Avenue. The extension shall be until December 19, 2021

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

Ed Rubillo, Wyndotte Street, asked the Board to enforce the STOP sign at 4th Avenue and the entrance to the Federal Express site, to fix the lighting at the memorial at the former Township building, move the TV in the meeting room and use it for presentation, place a 4-way stop sign at 3rd and Seneca.

Richard Powley, 443 Manhattan Street stated the following: speeding on 4th Avenue is an issue and speed limits should be enforced; activity by juveniles at the playground at the end of Manhattan is a problem and made mention of several incidents that occurred. Mr. Powley is concerned about “what will happen” if he called the police. Mr. Powley asked for better communication of meetings regarding the airport.

Mr. McCarthy acknowledged the difficulties in dealing with today’s youth and the lack of respect afforded adults. Mr. McCarthy suggested it takes the community to be consistent in calling the police for issues.

Ms. Pat Sweeny (no address) commented about speeding and trucks on Wanamaker Avenue.

Zurdi Dobi, 200 Powhattan Avenue, asked about the docket numbers for the code issues, referred to a “fee” imposed upon vendors by the Township for community events. Mr. Barr re-iterated that the Patriotic Organization runs various events and is the collector of fees – not the Township. Mr. Dobi referred to a newspaper article of funds embezzled by a township employee in Chester County and suggested that the Township Manager is overpaying himself. He asked the Board to settle the Wu litigation and stated there is no need for another gasoline station.

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