

June 17, 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
- Dennis Arthur, Commissioner
- Lisa Edmiston, Commissioner
- Roger Joseph, Commissioner
- David D. Schreiber, Manager
- Dennis O’Neill, P.E. Engineer

Solicitor Sam Auslander was absent from this meeting. Patrick Henigan attended representing the Solicitor’s Office.

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 Patrick Barr and second by Lisa Edmiston, the minutes of the May 2024 Monthly Commissioners 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 June 2024 will be distributed to all members at the end of the month. There being no questions;

**ON A MOTION** by Dennis Arthur and second by Roger Joseph, the bill list will be paid for the month of June 2024 by a unanimous voice vote.

**Public Comments on Agenda Items:**

Zurdi Dobi, 200 Powhattan Ave, Regarding Item # 7, Open Proposals for Marina Repairs, asked if the Board was only going to open the bid envelopes and ask the Engineer’s Office to review. The Board responded, Yes. Asked Commissioner Arthur and the rest of the Commissioners to vote in favor of Item #9, proposing an amendment to the Zoning Ordinance. Asked for a brief description of the summary offences described in Item #19, Resolution 2024-007 Arrest Without a Warrant for Certain Summary Offences.

Asked the Engineer for a brief description of the Engineer’s monthly meeting with Airport personnel and the status of the new Tinicum Island Road construction. Asked the Solicitor for a summary of the Board’s Executive Session meeting after the June Workshop Meeting and an update on various ongoing litigation (Wu, County Health Dept., Wawa)

Linda Muller, 118 Bartram Ave., shared her concerns about Items 11 and 12 (Ordinances regarding Abandoned Vehicles and Removal/Impounding of Vehicles, respectively) and the removal of vehicles from private, residents property. Ms. Muller stated that she and several of her neighbors share the same concerns and if the Board is amending previous ordinances, the Board should be careful of removing someone’s private property.

Commissioner McCarthy stated that there are various safeguards and steps outlined in the ordinances that the Township would need to take before any vehicles are removed, including providing a minimum of 5 citations prior to removal. Commissioner McCarthy stated he would elaborate more as the motion is read.

Richard Powley, Manhattan Street, expressed concerns about the street, handicap ramp and curbs cracking and separating in his neighborhood and asked the Board to look into the issue.

**COMMITTEE REPORTS:**

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

**Open Responses to Township Request for Proposals for Marina Repairs**

**The Township Engineer** opened the sole response the Township received from its advertisement for RFPs to make repairs to the Township Marina at 101 Taylor Avenue. The lone bid was received from AP Construction with a bid amount of \$1,586,000. The Board asked the Engineer to review the bid for completion and a recommendation.

**2024 Township Repaving Project**

**ON A MOTION** by Dennis Arthur and second by Lisa Edmiston the Board voted via unanimous roll call vote to award the bid for the Township’s 2024 street resurfacing program to Gessler Construction of Media, PA. Said bid is in the amount of approximately \$450,603 and has been reviewed by the Township Engineer. The following streets are proposed:

Saude Avenue from Front St. to 2<sup>nd</sup> St.  
Jansen Avenue Alley in the 600 Block  
Manor Park Pump Station “turn around”

500 Block of Jansen Ave. Alley  
400 Block of N. Gov Printz Trench Repair  
Portions of Seneca St. and Pontiac St.

**Amendment to Zoning Ordinance**

**ON A MOTION** by Dennis Arthur and second by Patrick Barr the Board voted via unanimous roll call vote to instruct the Township Engineer and Solicitor to draft a revision and implement an amendment to the Township’s current zoning ordinance to change certain portions of Powhattan Avenue in Lester from C1 Commercial District to R1 Residential District complying with all required procedures for its enactment

**Appointment to Library Board of Trustees**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to appoint Ms. Liza Daly of Essington to the Tinicum Township Library Board of Trustees through December 2025

**Adoption of Ordinance 2024-923 Abandoned Vehicles**

**PRIOR TO VOTING** on this item, Commissioner McCarthy read a statement (attached hereto) highlighting the Board’s purpose for adopting this ordinance. Commissioner McCarthy stated that it is not the Township’s intention to cause concern about taking someone’s private property, but that it is the Commissioner’s responsibility to ensure that the health, safety, and welfare of the community is maintained and that this ordinance is primarily for cars parked on streets. Mr. McCarthy also re-iterated that these ordinances are already within the Code of the Township and that these new ordinances are an update and consolidation of the older ones so that they can be enforced when needed.

Various residents present questioned how the ordinances would affect “classic” cars, “antique” cars, “project” cars and other types of vehicles that are not necessarily registered, inspected, insured, etc. Mr. McCarthy stated that the goal of the ordinances was not to target these cars, but to ensure those vehicles that may cause a concern are addressed. Examples include vehicles left on the streets, or that may harbor feral or dangerous animals, or pose some other issue.

Sgt. William Young stated that the police department understands the concerns of the residents. The ordinances being proposed help the Township with issues that have arisen over time and recounted some of the issues police have encountered in the past with a litany of reasons that people have for keeping cars in various states of repair on their property.

**ON A MOTION** by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to adopt Ordinance 2024-923 vacating Chapter 367 of the Township Code (Inoperable Vehicles) and amending Chapter 358 (Abandoned, Junked, Inoperable Vehicles) and providing for their removal, violations and penalties.

**Adoption of Ordinance 2024-924 Removal and Impounding of Vehicles**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to adopt Ordinance 2024-924 amending Chapter 373 of the Township Code establishing regulations, procedures and costs for the towing of vehicles on public and private property, vehicle storage and licensing of towing services and operators.

**Adoption of Resolution 2024-006 Setting of Fees for Licensing of Towing Operators**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to adopt Resolution 2024-006 setting fees for licensing of Towing Operators, Towing Services, and Storage of Vehicles within the Township.

**Appointment of Police Station Turn Key**

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to appoint Ms. Jaden McTighe of Ridley Park as Turn Key at a rate of \$17 hour on an as needed basis

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

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote 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 December 31, 2024

**Extension of Subdivision Application of Ed Rubillo at 117 Seneca Street**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to accept applicant Ed Rubillo request to grant the Board an extension of time by which the Board must consider his proposed Subdivision Application at 117 Seneca. Said Application is to subdivide an existing 15,000 sq. ft. parcel into two lots of 5,000 sq. ft. and 10,000 sq. ft. The extension shall be until September 30, 2024

**Land Development Application of Ed Heron at 336 Bartram Avenue**

**ON A MOTION** by Dennis Arthur and second by Roger Joseph the Board voted unanimously via roll call vote to deny the Subdivision and Land Development Application of Mr. Ed Heron at 336 Bartram Avenue pending since March 2016 finding that the applicant has not demonstrated that the project can meet the Township's Storm Water Management Ordinance or that the proposed lots can be developed as proposed.

**Extension of Land Development Application for Alliance HD at 76 Industrial Highway**

**ON A MOTION** by Dennis Arthur Barr and second by Lisa Edmiston the Board voted unanimously via roll call vote to accept applicant Alliance HP request to grant the Board an extension of time by which the Board must consider their “final” Land Development Application at 76 Industrial Highway. Said Land Development is to construct 3 warehouse/flex buildings consisting of 57,000 sq. ft., 45,375 sq. ft., and 50,985 sq. ft. and associated improvements. The extension shall be until July 31, 2024.

**Adoption of Tinicum Township Resolution 2024-007 Arrest Without a Warrant for Certain Summary Offences**

**PRIOR TO VOTING** on this item, Commissioner McCarthy stated that some of the offences included in the Resolution include: Disorderly Conduct, Public Drunkenness, Obstruction of Highways and other Public Passages, Purchase Consumption Possession or Transportation of Liquor. Further, Mr. McCarthy stated that these offences are already “arrestable” offences, but this resolution formalizes the Police Departments procedures for accreditation purposes.

**ON A MOTION** by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to adopt Township Resolution 2024-007 establishing police guidelines authorizing an arrest in accordance with 42 Pa. C.S.A. Section 8902

**Request for Proposal for Land Planner**

**ON A MOTION** by Patrick Barr and second by Dennis Arthur the Board voted unanimously via roll call vote to instruct the Township Engineer to draft and advertise a Request for Proposal for a qualified Land Planner for the purpose of preparing a Mini-Municipal Park, Recreation, and Open Space (Mini-PROS) plan to prioritize annual capital improvements and provide guidance for management and maintenance of parks, trails, open spaces, and program management.

**COMMITTEE REPORTS**

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

**May 2024 - The Code Enforcement Officer Issued:**

**33 Certificates of Occupancies for a total of \$ 4,625**

**19 Building Permits for a total of \$ 333,516**

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

**Police Report: May 2024**

Township Fines: \$ 7,182 Of that amount, a total of \$ 3,207 were Parking Tickets.

The department handled 460 incidents and made 35 criminal arrests  
33 of those criminal arrests were adults  
02 of those criminal arrests were juveniles. Out of those juveniles  
02 of the juveniles were handled within the Department and Released.  
00 animals were taken into custody

**Fire Company Report: May 2024**

Building Fire	07	Fuel Spill	02
Vehicle Fire	01	Gas Leak	01
Brush Fire	02	Dispatch/Cancel	03
Assist EMS	04	CO Alarm	01
MVA	09	Auto Fire Alarms	12
Water Recue	01		
Total Calls	43		
EMS Calls	165		

**Fire Marshal Report: May 2024**

**Plan Reviews:**

1. Terminal A East and West substation fire alarm plan
2. Berwind Corporate Aircraft hangar fire sprinkler
3. Esstech fire sprinkler plan
4. 200 Stevens Drive 2<sup>nd</sup> floor fire sprinkler plan
5. Interboro High School, fire alarm system affecting renovations

**Fire / Code Inspections and Acceptance Tests:**

1. 200 Stevens Drive fire sprinkler hydrostatic test
2. 428 Seminole Avenue fire alarm
3. 410 N. Gov Printz and 423 S. Governor Printz fire code inspection
4. Motel 6 fire alarm “out of service” investigation
5. Esstech office area final fire sprinkler installation test
6. Reviewed location for Berwind Aviation Hanger fire hydrant
7. Corinthian Yacht Club, cleared obstruction of “Fire Department Connection sign
8. Reviewed potential fire sprinkler requirements for rooming house at 314 Powhattan Avenue

Attended various meetings and training pertaining to various fire and life safety issues.

**Ray Lonabaugh, Fire Marshal**

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

**Trash removal: May 2024**

Regular Trash	190	Tons
Bulk Trash	15	Tons
Yard Waste	3	Tons
Street Sweepings	2	Tons

- Took down lights at Gov Printz Park
- Repainted parking lines at Gov Printz Park
- Continue week spraying
- Continue street sweeping
- Elevated trees, swept street and weed sprayed along parade route
- Completed Farmers Market preparation at Gov Printz Park
- Repainted tennis court
- Began mosquito spraying

**George Hinkle, Superintendent**

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

**Tinicum Township Wastewater Treatment Plant: May 2024**

Total flow	34,761,000	gallons
Average Daily Flow	1,121,000	gallons
Total sludge	66,000	gallons (2.58% solids)
Methane Gas	64,616	cu ft

- Serviced all pumping stations
- Serviced chlorine equipment
- Installed new ply wood floor in storage shed
- Placed emergency generator at Clarion Station
- Power washed ABC and 4<sup>th</sup> Avenue Pumping stations

**Louis Clark, Jr., Superintendent**

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

Mr. Barr reported that the Health and Code Officers recently followed up on their inspection of the Delta Hotel to re-inspect several rooms with previous issues. The Hotel's restaurant kitchen was also inspected and was passed by the Health Officer. The season's first Farmer's Market was held this past Wednesday (June 12) and will be held every other week until mid-September.

The Farmers Market lacks a produce vendor this year as none of the 3 or 4 establishments contacted could muster the personnel to take on the task.

Independence Day activities will take place on June 29 at Westinghouse Grove Park beginning at 9:00am. Fireworks this year will take place on Community Day on November 9 in celebration of Veterans Day on November 11.

**Solicitor's Report: Sam S. Auslander, Esquire (Pat Henigan reporting for Sam Auslander)**

Mr. Henigan reported that the proposed mediation process for the Wu litigation has been delayed as the mediator expected for the process was not approved by all of the parties, specifically the insurer for the architect. It is still possible the process can take place in September.

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

The Township Engineer's office reported that the two projects discussed at the monthly Philadelphia Airport included work to be done on Taxiway S and the use of the de-icing facility as a detour for Taxiway Z. The airport may be appearing before the Board in July to present their plan to the Commissioners.

The airport is working on permit applications for work on the West Cargo Development site. The airport proposes to do site work to bring the property up to a point where the ground is prepared to begin actual development. The airport and the Township are working on agreements that need to be in place prior to any detours for Tinicum Island Road to be put into place. Completion of the Road, which had been scheduled for August, is now October. Detours may begin in July.

As part of the inflow and infiltration project being worked on, the Engineer's office is recommending replacing several manhole frames and covers on Front Street with "bolt down" covers and will consider an RFP for other manhole work.

The new sludge heater for the treatment plant has been ordered and there is a 52 week lead time for manufacturing. The sewer lining project begun in the Jansen Avenue alley will be completed in July. The Engineer's office is doing surveying work along 5<sup>th</sup> and Mohawk Street as preparation to possibly place a berm along Long Hook Creek

**Manager's Report: David D. Schreiber**

The Township Manager reported that the latest information from Conrail indicates that the railroad is still committed to updating the grade crossing at Wanamaker, Jansen, and 4<sup>th</sup> Avenues with new lights, gates, and warning devices during the summer of this year.



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

**Other Business** – Commissioner Barr referenced a “flyer” that had been distributed by some anonymous resident referencing the Township’s proposed new Abandoned Vehicle and Towing Ordinances as well the Township’s residential parking sticker ordinance. Mr. Barr commented that this flyer was misleading and how little understanding the author had of the Township’s policy, noting that \$1 for an annual parking sticker is barely a nominal fee especially as compared to the fees charged by other surrounding communities.

**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**

Ms. Sara Kratz of Printz Ave spoke on behalf of the Library Board of Trustees. Ms. Kratz shared some of the library’s recent and upcoming programs for the public including the Summer Reading Kickoff Program, the Olympic themed Journey Across Delco program, Friday’s Read and Create sessions, Wednesday’s Yoga programs and the Library’s two active book clubs.

Ms. Elaine Whitten, Massasoit Street, asked the Board to look into cleaning up the weeds, grass, and other growth emanating from the railroad property behind her home. The Board replied the Township will look to have it cleaned up.

Mr. Richard Powley, Manhattan Street, asked if the new Tinicum Island Road will affect 4<sup>th</sup> Avenue and if the Board has considered making any changes to 4<sup>th</sup> Avenue. The Commissioners responded that there is work scheduled for 4<sup>th</sup> Avenue and a number of “traffic calming” devices are planned for the road.

Mr. Walt Ludwig asked if the Board can look into having the grass cut at the former school property at the end of Seminole Street.

Mr. Zurdi Dobi, 200 Powhattan Ave., referenced a news report of “terrorists” arrested in various cities, including Philadelphia, and asked if the Township has been notified of any of this activity. The Board responded that it has not been notified of any such activity. Mr. Dobi also commented on vegetation growing along the railroad tracks and graffiti in various locations in town.

**Adjournment of Meeting**

**ON A MOTION** by Dennis Arthur and second by Patrick Barr this meeting was adjourned by a unanimous voice vote.

Respectfully Submitted,  
David D. Schreiber  
Manager/Secretary

## **Regarding Proposed Ordinances 2024-923 and 2024-924**

The purpose of the proposed Ordinances pertaining to illegally parked vehicles and towing are intended to address quality of life issues within Tinicum Township by prohibiting the storage of abandoned, inoperative, unregistered or uninspected vehicles from Township streets, highways and other property.

Let me assure the Residents of the Township that these Ordinances do not seek to ticket or tow anyone's personal vehicle, which is lawfully parked, licensed and registered. Again, these Ordinances are directed at vehicles that have been abandoned, inoperative or junked whose presence or storage on properties affects the health, safety and welfare of other Tinicum Township Residents.

The intent of these Ordinances is to consolidate existing Ordinances already found within our Code with respect to abandoned, inoperative or illegally parked vehicles. Our existing related Ordinances going back as far as 1965 have continuously prohibited the parking of these type vehicles on both public and private property. Essentially, these revised Ordinances subject anyone who parks or leaves an abandoned, unregistered or uninspected vehicle on a public street to the receipt of a traffic ticket; and after five (5) such tickets, the Tinicum Township Police Department, after providing additional notice to the owner of the vehicle, may have the vehicle towed and held in storage.

In concert with the Ordinance for abandoned or inoperative vehicles, the Commissioners felt that it was incumbent upon the Township to clarify the regulations, procedures and costs relating to towing and the storage of towed vehicles.

Tonight's other proposed Ordinance updates our existing Ordinance for the removal and impounding of illegally parked vehicles. The updated Ordinance now provides new regulations, procedures and costs for towing of vehicles, the storage of those vehicles as well as requiring the licensing of towing services and operators within the Township. The new Ordinance requires towing services and operators to be licensed, maintain a surety bond, insurance coverage, and operate in compliance with the Pennsylvania Vehicle Code with respect to the removal and storage of vehicles.

Towing costs and hooking fees, as expressed in the Ordinance, are presented tonight by Resolution establishing initial licensing, towing and storage fees which may be modified from time to time by the Tinicum Township Board of Commissioners.