

October 16, 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

Mr. McCarthy called the meeting to order and all rose for the Pledge of Allegiance to the Flag and a moment of silence for both the death of former Commissioner Joe Wunder and the war in Israel.

Pastor Ashe of the New Life Community Church provided a brief opening prayer.

\* \* \* \* \*

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the minutes of the September 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 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 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 Patrick Barr, the bill list will be paid for the month of October 2023 by a unanimous voice vote.

**Public Comments on Agenda Items:**

Zurdi Dobi, 200 Powhattan Ave, asked the Township Solicitor to provide an update on the following: Wu, Delaware County Health Department, and Appeal of the Wawa Conditional Use litigation. Mr. Dobi opined that the Wu litigation should be resolved. Mr. Dobi asked the Township Engineer to provide an update on the Engineer's monthly meeting with PHL representatives. Mr. Dobi asked the Board to adopt a resolution supporting Israel and condemning the actions of Hamas in Israel.

**COMMITTEE REPORTS:**

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

**Land Development Application of Berwind Aviation at 5 Hog Island Road**

**ON A MOTION** by Roger Joseph and second by Dennis Arthur the Board voted via unanimous roll call vote to approve the Land Development Application of Berwind Aviation. Said application is to construct a 50'x165' expansion of their existing airplane hangar at 5 Hog Island Road with no change in use. Said approval shall be subject to the conditions outlined in Tinicum Township Resolution 2023-009 adopted October 16, 2023.

**Appointment of Mingus Gutowski for Fiscal 2023 Audit**

**ON A MOTION** by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to appoint the accounting firm of Mingis Gutowski, LLC as Auditor for the Township's 2023 fiscal year at an approximate cost of \$26,000 for both the Township and the Library.

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

Prior to voting on this item, Commissioner Arthur noted that this project has been pending for some years and that, although he will vote "yes" on this item, Commissioner Arthur believes that this should be the last extension request accepted.

**ON A MOTION** by Lisa Edmiston and second by Patrick Barr the Board voted unanimously via roll call vote 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 December 31, 2023

**Appointment of Crossing Guards**

**ON A MOTION** by Roger Joseph and second by Lisa Edmiston the Board voted unanimously via roll call vote to appoint Ms. Lynn German of Essington and Mr. Donald Nevell of Essington as Alternate Crossing Guards on an as needed basis.

**COMMITTEE REPORTS**

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

**September 2023 - The Code Enforcement Officer Issued:**

**28 Certificates of Occupancies for a total of \$ 3,730**

**05 Building Permits for a total of \$ 39,880**

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

**Police Report: September 2023**

Township Fines: **\$ Not Available**

The department handled **429** incidents and made **21** criminal arrests

**18** of those criminal arrests were adults

**03** of those criminal arrests were juveniles.

**03** of the juveniles were handled within the Department and Released.

**00** animals were taken into custody

**Fire Company Report: September 2023**

Building fire 07 (02 Working Fires)

Vehicle fire 01

Assist EMS 08

MVA w/ injuries 08

MVA w/o injuries 01

Mva w/ entrap 01

Hazmat response 01

CO Alarm 01

Auto Fire Alarms 05

Total Fire Calls 33

EMS Calls: 134

**Fire Marshal Report:** There is no Fire Marshall Report available for September 2023

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

**Trash removal: September 2023**

Regular Trash	168	Tons
Yard Waste	4	Tons
Bulk Trash	21	Tons

- Seasonal weed spraying has concluded
- Continue mosquito spraying
- Maintained all baseball and soccer fields
- Pressure washed walking track and Lazaretto Townhall
- Cleaned and maintenance Sept 11 Memorial
- Rebuilt storm sewer inlet at 2<sup>nd</sup> and Lagrange
- Cleaned out all storm drains and ditches
- Prepped Manor Field and Gov Printz Park for community day and fireworks

**George Hinkle, Superintendent**

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

**Tinicum Township Wastewater Treatment Plant: September 2023**

Total flow	34,210,000	gallons
Average Daily Flow	1,140,000	gallons
Total sludge	53,000	gallons (2.3 solids)
Methane Gas	47,789	cu ft

- Investigated Sewer Issues at Bartram Ave, 100 and 400 Block of S. Gov Prints, 500 Block of LaGrange
- Installed New Transducer at Ramada Inn Pumping Station
- Painted Front Fence at Plant
- Installed New Section of Sewer Line at 500 Block of LaGrange
- Started Project to Refurbish Settling Tanks at Plant

**Louis Clark, Jr., Superintendent**

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

Mr. Barr reported that the Township's Community Day that was scheduled for October 7 was cancelled because of weather and is now rescheduled for Saturday, November 11 at Governor Printz Park. This event will be combined with the Township's Christmas Tree lighting and will include fireworks.

Mr. Barr stated that October 7 was also the opening of the exhibition space on the east side of the Lazaretto Building that includes items from the Italian/American Society, the Swedish Colonial Society and the Tinicum Township Historical Society. Mr. Barr said there was a good turn-out with food, guest speakers, and is part of promoting the Township’s waterfront. Mr. Barr thanked Commissioner McCarthy, Herb MacCombie and the Lazaretto Preservation Association.

There will be a drive-through flu vaccine clinic at the Tinicum Township Fire Station on Thursday, October 19 from 10:00am to 2:00pm.

**Solicitor’s Report: Sam S. Auslander, Esquire**

Mr. Auslander reported that Wawa litigation continues. The Court has received a brief from the appellant (Tinicum 15, LLC) and respondents have until mid-November to respond. Regarding the Delaware County Health Department litigation, Mr. Auslander stated that a hearing was scheduled in August with the Communities involved to respond to the County’s contention that the decision by the Court from October 2022 was “temporary” and not permanent. The Court has not yet ruled.

Regarding Mr. Dobi’s opinion that the Wu litigation should be settled, Mr. Auslander stated that many factors go into complex litigation and that a number of witnesses and expert witnesses are involved. Mr. Auslander stated that the case may move forward in the spring of 2024. Further, it takes all of the parties to agree to settle, however the complainant is not willing to do so. Approximately cost to date is \$50,000.

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

Mr. Dennis O’Neill reported that this past month’s meeting with PHL personnel was cancelled. PECO will begin to restore the streets dug up for the gas main replacements.

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

The Township Manager reported that the Township DCED report is complete and filed. The Township will be meeting with representatives of Wawa to discuss the many police incidents at their store as well as meeting with PennDOT and Energy Transfer to discuss progress on the bridge replacement on Rt. 291.

**Secretary’s Correspondence** – Mr. and Mrs. Jack and Alison Monaghan of 245 Taylor Avenue requested an exception to the Township’s Fence Ordinance to allow for the installation of a 6 ft. tall privacy fence on their corner property.

**On A MOTION** by Roger Joseph and second by Patrick Barr, the Board voted unanimously via voice vote to authorize the Board of Commissioners to approve the request of Mr. Jack Monaghan at 245 Taylor Avenue to erect a 6' tall privacy fence extending 6' past the side of the residence. Said approval is subject to the satisfactory review of a sketch plan of the proposed fencing by the Township Engineer and Zoning Officer.

**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. Patrick Quinn of Prospect Park addressed the Board, asking for the Township's support in conducting a ceremony for the banner to honor Tinicum Township's fallen police officer. The ceremony for the banner will be on October 25, 9:00am at the Tinicum Township Police Station.

Pastor Ash of the New Life Community Church asked if the tractor left on the Church's property from the near-by sewer main break could be removed.

Mr. Zurdi Dobi, 200 Powhattan Ave., referred to a newspaper article and a police incident on October 11 and asked if any Township officers were involved. Referred to the City of Philadelphia Police Officer that was killed on duty at the Airport and asked if that incident occurred within Tinicum Township. The Board responded, No. Mr. Dobi referred to his previous statements about the clock at the former Town Hall, lights on the walking trail, and trash on Rt. 291.

Mrs. Barbara Cellich asked how the event for the opening of the exhibition space was communicated. Mr. Barr responded that it was posted on various social media sites, via "code red", and was also on television news. Ms. Cellich asked about hours the exhibition space would be open. Mr. McCarthy responded that the hours have not yet been worked out and more information should be available in the next few weeks.

**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