

July 18, 2022 @ 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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PRIOR TO the regular meeting, the Board held a special Conditional Use Hearing for the application of AFCO Cargo PHL,LLC and their proposal to construct a temporary structure at Building C2 at Cargo City. A transcript of this hearing is prepared under separate cover.

AFTER the Conditional Use Hearing concluded, the regular Commissioner Meeting resumed.

ON A MOTION by Lisa Edmiston and second by Patrick Barr, the minutes of the June 2022 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 July 2022 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 Lisa Edmiston, the bill list will be paid for the month of July 2022 by a unanimous voice vote.

Public Comments on Agenda Items:

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, made the following comments:

Regarding Item #7, Appointments at Wastewater Treatment Plant, asked what the rates for these positions would be. The Board responded \$34.59 and \$27.25 for the Head Operator and Assitant Head Operator, respectively. Regarding Item #8, asked if these positions were advertised. The Board responded that applications were obtained via “word of mouth.” Regarding Items 9 and 11, suggested copies of the Resolutions being considered were not included with the Agenda available to the public. Mr. Auslander responded that the Motions for the Resolutions are included in the Agenda and that copies of the proposed Resolutions are not typically distributed with the public Agenda and that there was nothing unusual about that. Resolutions are available to the public after adoption.

Mr. Dobi asked for updates on the litigation involving the Delaware County Department of Health and Wu. Suggested that the “fees” collected for the Farmer’s Market was Township funds and asked how much was turned over to the Treasurer. Referred to graffiti in various locations.

COMMITTEE REPORTS:

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

Appointments of Head Operator and Assistant Head Operator of the Tincum Township Wastewater Treatment Plant

Prior to voting on this item, Commissioner Arthur thanked each member of the Wastewater Treatment Plant, including Lou Clarke, Jr., Dennis Arthur, Jr., John Bushmeier, and Cliff Corcoran for doing an outstanding job in the face of losing both Bob Bernauer and Michael Smythe within 10 days of each other in June. Mr. Arthur stated that everyone pitched in to get all of their tasks completed and did a good job while being shorthanded.

Commissioner McCarthy stated that although the decision to promote Mr. Clarke and Mr. Arthur ultimately rested with the Board of Commissioners, the candidates were interviewed and reviewed by a separate panel to provide another evaluation and assessment of the candidates.

Both Commissioners Arthur and McCarthy stated that Bob and Mike will be missed among the Township’s community.

ON A MOTION by Lisa Edmiston and second by Roger Joseph Barr the Board voted unanimously (4-0) via roll call vote to appoint Mr. Louis Clarke, Jr. as Head Operator and Mr. Dennis Arthur, Jr., as Assistant Head Operator of the Tincum Township Wastewater Treatment Plant. These appointments are effective immediately.

Commissioner Arthur abstained from voting on this item, citing a familial relationship with one of the candidates.

Wastewater Treatment Plant and Public Works Department New Hires

Prior to voting on this item, Commissioner McCarthy stated that these hires are to replace Mr. Bernauer and Mr. Smythe at the Treatment Plant and for a retiring member of the Public Works Department.

ON A MOTION by Patrick Barr and second by Lisa Edmiston, the Board voted unanimously via roll call vote to hire the following personnel for the Tincum Township Wastewater Treatment Plant and Public Works Department as noted:

Mr. Timothy Connor, of Lester, Wastewater Treatment Plant
Mr. Thomas Parkinson, of Essington, Wastewater Treatment Plant
Mr. Matthew Cox, of Essington, Public Works Department

These offers are for full time employment including all full time benefits at a starting salary of \$18.09

Land Development Application of Ivy Airport Property, LLC

Prior to voting on this item, Mr. Auslander provided the conditions of the Resolution under which final approval would be given. The Board then asked Mr. Adam Matlawski, representing the applicant, if the conditions were acceptable to the applicant. Mr. Matlawski asked the Board if they would consider modifying some of the conditions. Specifically, item #5 in the Preliminary Approval Conditions dealing with Federal Express as a leaseholder and their traffic through the site; granting the waiver of a portion of the Township's Storm Water Ordinance subject to the review and approval of the Township Engineer's office of a modified storm water system design that would accomplish the Ordinance's goal. Mr. O'Neill stated that as currently presented, the site plans leave a large amount of storm water untreated and that he was concerned about storm water discharge during high tides. Mr. Auslander suggested that if the Board were to consider Mr. Matlawski's request, the applicant would need to agree that no permits would be issued until coming to a mutually agreeable solution. Mr. Matlawski agreed on behalf of the applicant.

The parties agreed that no "barbed wire" fence would be permitted, but the applicant may pursue erecting a fence higher than 6 feet. Mr. Matlawski also requested a waiver of the Traffic Engineer's suggestion to widen Old Island Road. Approvals would also be subject to the latest Township Engineer letter and Traffic Consultant letter.

ON A MOTION by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to provide final approval of the land development application of Ivy Airport Property, LLC at 10 Industrial Highway. Said land development consists of the demolition of all existing buildings upon the site and for the construction of a proposed warehouse/distribution facility to be completed in 2 phases: one building of approximately 1 million sq. ft. and one building of approximately 750,000 sq. ft. Final approval is subject to the conditions set forth in Resolution 2022-010 adopted this date.

Extension of Limited Land Development Waiver and Remaining Land Development for Tincum Island Road Relocation

ON A MOTION by Patrick Barr and second by Roger Joseph, the Board voted unanimously via roll call vote to accept applicant, City of Philadelphia’s grant of an extension of time by which the Board must render a Decision on the City’s Application for a Limited Waiver of Land Development requirements until July 20, 2022 and to extend the deadline for the balance of the Land Development Application issues not covered by the Waiver Request until December 31, 2022

Limited Waiver of Land Development for Construction of a New Tincum Island Road

Prior to voting on this item, Mr. Auslander provided a brief explanation of the project and what the limited Waiver entails, namely that the applicant will be permitted to begin “grading and surcharging” of the area for the new road under certain conditions, which Mr. Auslander reviewed. When asked, the attorney (Mr. William Kerr) representing the applicant acknowledged his clients acceptance of the condition and Resolution.

ON A MOTION by Patrick Barr and second by Roger Joseph, the Board voted unanimously via roll call vote to approve applicant City of Philadelphia request to provide a limited waiver of the Township’s land development ordinance requirements pursuant to Section 503(8) of the Municipalities Planning Code. Said limited waiver shall include approval to undertake certain “grading and surcharging” activities, erosion and sediment control measures, and storm water impact mitigation as it relates to the ground cited for the construction of the proposed relocated Tincum Island Road. The limited waiver shall be subject the limitations and parameters contained within Township Resolution 2022-009 adopted this date.

Analytical Lab Testing by Suburban Testing Labs

ON A MOTION by Lisa Edmiston and second by Patrick Barr, the Board voted unanimously via roll call vote to authorize Suburban Testing Labs to conduct composite sampling of the wastewater treatment plant influent for various chemical compositions relevant to the ongoing maintenance of the treatment plants operating permit. Said testing will be at a cost of approximately \$13,000.

Extension to Approve Subdivision Application for West Cargo Development Property

ON A MOTION by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to accept applicant, City of Philadelphia’s grant of an extension of time by which the Board must render a Decision on the City’s Application for a Subdivision of the property commonly known as the West Cargo Development Tract until December 31, 2022

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

June 2022 - The Code Enforcement Officer Issued:

20 Certificates of Occupancies for a total of **\$ 2,825**

11 Building Permits for a total of **\$ 11,959**

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

Police Report June 2022

Township Fines: **\$ 3,539** Of that amount, a total of **\$ 175** were Parking Tickets.

The department handled **580** incidents and made **23** criminal arrests

20 of those criminal arrests were adults

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

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

00 animals were taken into custody

Fire Company Report: No Report Available This Month

Fire Marshal Report June 2022

Plan Reviews:

1. 216 South Governor Printz Boulevard, Fire Panel Replacement.
2. International Plaza II Suite 640, 46 Fire Sprinkler Relocations.
3. 10 Industrial Highway, Airport Business Complex, regarding the demolition of a portion of 'O' Building.
4. 10 Industrial Highway Airport Business Complex Ivy Properties regarding the applicant's proposed Land Development Plan.

Fire Inspections and Acceptance Tests:

1. Flashbacks Tavern, 401 Powhattan Avenue
2. Clarion Hotel, 76 Industrial Highway, Annual Building & Fire Inspection.
3. Holiday Inn Express, 101 Taylor Avenue
4. Water Front Inn, 103 Taylor Avenue
5. Wyndham Hotel, 45 Industrial Highway, Annual Building & Fire Inspection

Fire Investigation:

215 South Governor Printz Boulevard, Dwelling Fire Investigation

Ray Lonabaugh, Fire Marshal

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

Trash removal for the month of June 2022:

Regular Trash	197	Tons
Bulk Trash	12	Tons
Yard Waste	8	Tons
Street Sweepings	6	Tons

- Removed storm damaged trees from Gov Printz Park
- Hung Home Town Hero Banners
- Removed dead trees from Westinghouse Grove
- Hung bunting for Township Employee Funeral
- Repaired bocce ball court at Gov Printz Park
- Cleared and repainted Pickle Ball courts
- Repainted basketball court
- Cleaned and prepped Manor Field and Westinghouse Grove for Independence Day
- Street sweeping and mosquito spraying continued through the month

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tinicum Township Wastewater Treatment – June 2022

Total flow	38,038,000 gallons	
Average Daily Flow	1,268,000 gallons	
Total sludge	69,200 gallons	(3.2% solids)
Methane Gas	76,012 cu ft	

Equipment Repairs

- Investigated possible sewer issued on the 100 block of 3rd Ave and the 500 block of Saude Avenue. Both calls were cleared with no issues.

Respectfully Submitted,

Dennis Arthur, Jr., on Behalf of the Wastewater Treatment Plant

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported on-line soccer sign-ups are ongoing. Regarding the fees collected by the Patriotic Organization, Mr. Barr did not have a running total but stated he expected the season's total to be approximately \$5,000. As he has explained to Mr. Dobi several times, and once again explained, the Township does not collect the fees for the Farmer's Market. The Market is run by the Patriotic Organization and any funds collected are donated to various charitable events, most

notably Coaches for Cancer and various residents suffering from cancer. This is a Patriotic Organization event and not a Township event.

Solicitor's Report: Sam S. Auslander, Esquire

Mr. Auslander stated that Judge Angelos has entered an injunction against the Delaware County Health Department preventing the Department from any further inspections within the plaintiff Township's until further notice. Regarding the Wu litigation, Mr. Auslander again explained to Mr. Dobi that the Township is fully compliant with all court orders. The Wu litigation discovery is now due in October and will likely not come before the court until 2023.

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

Mr. O'Neill had no further report.

Manager's Report: David D. Schreiber

The Township manager reported that emergency repairs to the Township's boat ramp have begun, at a cost of approximately \$88,000. This was an emergency situation and was therefore not put out to bid. PECO is expected to commence a project in 2023 to replace numerous gas lines throughout the Township. The Township will coordinate with PECO to ensure that repairs to streets are fully completed. There are two (2) zoning hearing this month.

Secretary's Correspondence

There was no correspondence this month.

Other Business – There was no Other Business discussed

Adjourn of the Business Portion of Meeting

ON A MOTION by Dennis Arthur and second by Lisa Edmiston to adjourn the business portion of this meeting by a unanimous voice vote.

Public Participation

Mr. Ed Rubillo, Wyandotte St., Asked if there was a location identified for the new Tincum Island Road. The Board responded that there was a location identified.

Zurdi Dobi, 200 Powhattan Avenue had the following comments: Referred to graffiti that, he states, has been in the Township "for months". Is concerned about the quality of life issues and property values. Is concerned about some property damage at St. Margaret Mary church. Stated that the May meeting minutes were incorrect in that they noted Commissioner Arthur as absent. Made reference to the hiring of new employees and that the jobs were not advertised. Referred to several photos of purported graffiti in the Township.

Art Perdun, S. Gov Printz Blvd, had the following comments: Requested some “Curb your dog” signs at the library and made reference to dogs “doing their business” on the library property.

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