

October 17, 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.

Pastor York Ash of the New Life Community Church gave an invocation prior to starting the meeting.

* * * * *

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

Mr. McCarthy reported that the bill list for October 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 October 2022 by a unanimous voice vote.

Public Comments on Agenda Items:

Mr. Zurdi Dobi, 200 Powhattan Avenue, Lester, made the following comments:
Asked the Township Solicitor to give a description of the "certain situations" described in Item 12, Resolution for Property Tax Waiver. Asked the Solicitor about the number of liens filed by the Solicitor's office and if they were "docketed" court cases.

Asked for an update on the cases involving Wu, Delaware County Health Department, and the appeal of the Conditional Use approval of the proposed Wawa store by the Sunoco Gas Station.

Asked if any immigrants were being transported into the Philadelphia International Airport and where they might be taken. Asked the Township Engineer about the left hand traffic light signal at Rt. 291 and Jansen Avenue being activated even when no cars are waiting. Asked for a description of the inflow and infiltration study.

COMMITTEE REPORTS:

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

Decision on Conditional Use Application of the City of Philadelphia Division of Aviation and Lavatory Dump Station

ON A MOTION by Roger Joseph and second by Patrick Barr the Board voted unanimously via roll call vote to approve the Conditional Use Application and waiver of Land Development of the City of Philadelphia’s Division of Aviation to construct a new Lavatory Dump Station at the site of the current dump station. Said approval is subject to the conditions and safeguards outlined in the Written Decision of the Tincum Township Board of Commissioners dated October 17, 2022 and adopted this same date

Adoption of Storm Water Management Ordinance 2022-916

ON A MOTION by Dennis Arthur and second by Lisa Edmiston the Board voted unanimously via roll call vote to adopt Ordinance 2022-916 regulating storm water management including discharge, site plan requirements, inspections, and general requirements or provisions of the ordinance. Said proposed ordinance was advertised in the Delaware County Daily Times on October 5, 2022.

Appointment of Township Auditor for Tax Year 2022

ON A MOTION by Roger Joseph 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 2022 fiscal year at an approximate cost of \$22,000.

New Member of Tincum Township Sewer Authority

ON A MOTION by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via roll call vote to appoint Mr. Walter Lee, Jr., of Essington, to the board of the Tincum Township Sewer Authority for a 2 year term ending in December 2024.

Extension of Land Development 336 Bartram Avenue (Applicant Ed Heron)

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 request to grant the Board an extension of time by which the Board must consider Mr. Heron’s land development application at 336 Bartram Avenue. Said land development application is for a proposed twin dwelling and associated improvements. The extension shall be until March 21, 2023.

Adoption of Resolution 2022-011 Property Tax Waiver

ON A MOTION by Roger Joseph and second by Patrick Barr, the Board voted unanimously via roll call vote to adopt Resolution 2022-011 ensuring the Township’s compliance with Pa State Act 57 regulating the imposition of interest, penalties, or charges on real property taxes in certain situations.

Release for Street Resurfacing

ON A MOTION by Dennis Arthur and second by Lisa Edmiston, the Board voted unanimously via roll call vote to approve Release #1 for the Township’s 2022 Street Resurfacing program in the Amount of \$268,771.97 payable to Gessler Construction Co., Inc. of Media Pa. The release has been reviewed and approved by the Township Engineer

COMMITTEE REPORTS

Code Enforcement Report – Roger Joseph, Chairman

September 2022 - The Code Enforcement Officer Issued:

25 Certificates of Occupancies for a total of \$ 3,800

21 Building Permits for a total of \$ 36,190

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

Police Report September 2022

Township Fines: **\$ 1,696** Of that amount, a total of **\$ 701** were Parking Tickets.

The department handled **583** incidents and made **34** criminal arrests

34 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 2022

Building Fire	04 (1 Working Fire)
Vehicle Fire	01
Assist EMS	03
MVA w/Injury	08
MVA w/o Injury	04
MVA w/ Entrapment	03
Industrial Rescue	01
Water Rescue	01
Gas Leak	01
CO Alarms	01
Dispatch/Cancel	05
Auto Fire Alarms	14
Total Calls	46

Fire Marshal Report September 2022

Plan Reviews:

1. Fire Alarm plan at 215 Wanamaker Avenue
2. Ivy Property at 10 Industrial Highway, Prestige Fire Sprinkler Plan
3. New Fencing at UPS at Entrance Gates
4. PHL Terminal A West SBARRO Kitchen Equipment Upgrade
5. PHL Restroom Renovations in A East and Terminal B

Fire Inspections and Acceptance Tests:

1. Fed Ex Ground annual walk through
2. Lou Turks annual Entertainment Fire and Health Inspection
3. Fantasy Boutique annual Entertainment Fire and Health Inspection
4. International Plaza II fire alarm and fire sprinkler system test

Fire Investigation:

1. Lehman's Tavern and Restaurant
2. Cargo City C7 heater fire

Ray Lonabaugh, Fire Marshal

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

Trash removal for the month of September 2022:

Regular Trash	183	Tons
Bulk Trash	10	Tons
Yard Waste	8	Tons

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

- Seasonal soccer fields have been installed and maintained
- Replace broken fence at Gov Printz Park
- Repaired damages at 3rd and Carre playground
- Trimmed trees from Tincum Island roadway
- Removed broken fence at 2nd St.
- Monitored John Heinz tide gate during storms
- Prepped and serviced seasonal leaf machine
- Concluded weed and mosquito spraying at end of month

George Hinkle, Superintendent

Sanitation: Dennis R. Arthur, Chairman

Tincum Township Wastewater Treatment – September 2022

Total flow	32,522,000 gallons	
Average Daily Flow	1,122,000 gallons	
Total sludge	41,000 gallons	(2.7% solids)
Methane Gas	78,522 cu ft	

Equipment Repairs

- Cleared clogged sewer line at 1000 block of 3rd Avenue
- Cleaned pre-heater
- Installed new flow meter at Comfort Inn pumping station

Respectfully Submitted,

Louis Clark, Jr., Superintendent

Health & Recreation: Pat Barr, Chairman

Mr. Barr reported that Hockey and Basketball sign-ups are underway. Hockey is 1st to 8th grades and is \$30 for the season. Basketball is various age groups from 4 years old up to 17 years old as is \$50 per player. Interested parties can sign up at Tincumtwprecreation.com.

Tincum Community Day and Health Fair was held on Saturday, October 8. Mr. Barr thanked Pastor Ash of New Life Community Church for his donation of the hay rides and thanked all of the volunteers that helped make the day. Mr. Barr stated that the last Farmers Market was held on October 5 and thanked the Public Works Department for their work during the season. Funds raised during the Community Day activities will be donated to two different Tincum families as well as the Dave Remshard Memorial Scholarship Fund and Coaches for Cancer.

Mr. McCarthy stated that thanks should be extended to both Mr. Barr and Mrs. Barr for all of their hard work to make these events successful.

Solicitor’s Report: Sam S. Auslander, Esquire

Mr. Auslander reported that the litigation involving the Delaware County Health Department and the 7 communities challenging local restaurant inspections has been ruled upon by Judge Angelos. Mr. Auslander stated that after several hearings from February through August, the court has ruled in favor of the communities. Essentially the communities will be conducting their own inspections as they have petitioned. The case is still in the appeal period, but at this time there is no word on any potential appeal.

Regarding the Wu litigation, Mr. Auslander stated that the parties have stipulated to an extension of discovery and deposition, and expert testimony. Depositions are now scheduled towards the end of October, November and December while February 2023 is the deadline for expert reports.

Local hotels/motels have been sent correspondence regarding the Township’s regulations regarding guest stays in excess of 30 days and warning them to comply with Township ordinances. Mr. Auslander’s office has been working on the Settlement Agreement, Developers Agreement and Land Development Financial Agreements with the City of Philadelphia. There has been no updates to the Wawa litigation at this time.

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

Mr. O’Neill reported that his office has met with a vendor to discuss the parts and machinery needed to repair the settling tanks at the water treatment plant. This is a project that would take place in Spring 2023 as the parts are 16 to 20 weeks out. Regarding the chemical testing to determine the origin of various chemicals found in the wastewater, Mr. O’Neill stated that nothing definitive has been found and that efforts would continue to identify the source.

Regarding the traffic light at 291 and Jansen Avenue, Mr. O’Neill stated that this is being worked on as part of the Highway Occupancy Permit needed for the development at 10 Industrial Highway. Mr. O’Neil stated that the inflow and infiltration study is monitoring the flow of water into and out of the treatment plant. The monitoring will hopefully determine where rain or storm water is getting into the system, highlight a course of action and work towards coming up with a plan to make repairs where needed.

Manager’s Report: David D. Schreiber

The Township manager reported that the Township repairs are needed to the tide gate at the dyke located between Long Hook Creek and the Darby Creek in the John Heinz Refuge. During the past year, repairs were made to the tide gate on the Darby Creek side of the location. At this point, the gasket on the Long Hook Creek side has deteriorated and is in need of replacement. The cost is approximately \$4100 but lead time for delivery is 16 weeks. The Township will look to see if there is an alternative.

Secretary’s Correspondence – There was no Secretary Correspondence

Other Business – There was no Other Business. .

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

Mr. Zurdi Dobi, 200 Powhattan Ave., made several references to graffiti within town such as near the Clarion Hotel and the I-95 overpass and stated his concern about the graffiti being linked to gang related activity. Mr. Dobi stated that he was not provided the full audit report as requested by his Right to Know Request.

Mr. Art Pedun, S. Gov Printz Blvd., asked if the Township has a mutual aid agreement for emergency medical services with other communities. Mr. Arthur responded that the Fire Company has mutual aid agreements and the County Dispatcher will request service from fire companies based on the “call cards” established for emergency calls. Mr. Perdun asked about a “nuisance” ordinance. Mr. McCarthy responded that the Township has a nuisance ordinance and asked Mr. Perdun to be more specific. Mr. Perdun described situations where youths are being disruptive or unruly and suggested that something should be in place to hold parents responsible. Mr. Perdun was advised to call the police if/when these situations come up.

Pastor Ash or New Life Community Church stated that there have been some issues at Manor Field after dark where teenagers are there late night/early morning leaving beer bottles and other trash around the area. Pastor Ash also stated that there are homeless folks present at Manor Field as well. Past Ash was advised to call the police when these issues arise.

Rob Dant, Seaplane Splash in Coordinator, spoke about the “Fly In” scheduled for the weekend of October 22 and suggested 5 to 6 planes may be flying in. He and volunteers are looking to clean up the ramps at the base and asked if restroom facilities would be available.

Ed Rubillo, Wyandotte St., asked it were possible to set up a detail for speeding vehicles on Rt. 291. Chief Simpkins suggested that he could touch base with the state police for such a detail.

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