

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
JANUARY 8, 2025

Item 3A

Minutes of the Regular Meeting of Township Council held on January 8, 2025, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

Present: David Bialek, PharmD, R.Ph, Carissa Ciuca, Jackie Donnelly, Bibiana Dussling, Susan Powell, Walter “Bok” Read, Christopher Stump, John McMullan, Denis Dunn, Esq., Eric Janetka, Kelly Engineers, Andy Parker, Traffic Engineer, Vince Visoskas, Meredith Merino, Chief Bill Rigby.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Chairwoman Ms. Dussling called the meeting to order at 7 p.m. and led in the recitation of the Pledge of Allegiance to the Flag.

2. APPROVAL OF MINUTES:

3. PUBLIC COMMENTS:

Mr. Trevor Penning, 614 Hoopes Lane, stated he has several questions relating to the Delaware County Planning Commissions disapproval of the Outrigger development on the Franklin Mint parcel. He asked as far as the Township is concerned, how influential is this disapproval notice when it comes to the township’s consideration of this development. Secondly, if the Township were to approve moving forward on this development, what are the legal implications when the Delaware County Planning Commission has already disapproved this development.

Mr. Bialek asked for clarification, is it a recommendation from the Delaware County Planning Commission? Mr. McMullan stated this is correct. Ms. Dussling asked if there were notes as far as the reasoning of why they are not recommending the development. Mr. Penning stated the wording in the letter is “Land development disapproval due to code noncompliance and broad inconsistency with the overarching purpose of the Zoning District as well as the Middletown Township Delaware County Comprehensive Plans.

Mr. McMullan stated the Delaware County Planning Commission is an advisory commission. They do the first level review which is shared with the Township’s professional staff as well as the Township’s Planning Commission. The letter received from Delaware County is part of the overall review. In terms of putting an actual measurement on how to rate it, he is unable to do that, but it is certainly taken into consideration as part of the overall review.

Mr. Penning asked if the Township decided to approve the Outrigger development what would be the legal implications when the Delaware County Planning Commission has already disapproved the development. Mr. Bialek asked if it is possible for Council to not comment on Outrigger because it is currently under review, and they don’t want to give any perception that it is final and that Council is making any determination. Ms. Dussling added the plan has not come before the Township’s Planning Commission which will then make a recommendation to Council. There could be more things that Outrigger does, finish etc. before it even gets to the Township Planning Commission.

Mr. Stump asked to address the criteria for approval/disapproval, are they different at the different levels of this process? Mr. McMullan stated the criteria that apply to Council is what is in the Township Ordinances. This is what the Township staff and professionals are evaluating when reviewing the application. Is it compliant and does it satisfy what is in the Township's ordinances? Mr. Stump stated this sounds like slightly different criteria than what the County Planning Commission uses. Mr. McMullan stated the County mentioned their Comprehensive Plan which covers all of Delaware County. There is some applicability, but there are some differences in terms of them not evaluating each of the Township's Ordinances as part of their review process.

Mr. Richard Smith, Secretary of the Riddlewood Sunnybrea Community Organization, 73 War Admiral Lane, stated they brought before Council the question of speed bumps. He stated his organization is still in the process of getting the community organization back up to speed as it was idle due to COVID. As they become aware of situations, they will bring them before Council. One of the things brought before Council is the traffic using Man O'War Drive and War Admiral Drive. It got bad during COVID and has gotten worse. They had talked about having speed bumps placed. Council was in the process of looking at this. Has Council decided yet?

Ms. Dussling stated the way it was left at the Roads, Highways, and Public Safety Committee meeting was the Traffic Engineer, Andy Parker, was going to look at several options and bring this back to the Committee. This would happen before it comes before Council or not, depending on the nature of things. Mr. McMullan stated the Township Engineer has been tasked with several items to review over the past last 3-4 months and is working through several of those. Hopefully by the end of the first quarter, they will be able to present the criteria to come up with some type of speed deterrent such as speed bumps, speed tables, etc. They are not just looking at War Admiral Lane but Township wide because there are other requests from other areas of the Township. Mr. Smith asked if he would be given some type of heads up, and Mr. McMullan stated it would be a public meeting and welcomed Mr. Smith to attend so he can provide input on what is presented to the Roads, Highways, and Public Safety Committee. Ms. Dussling stated the meeting will be advertised on the Township website and in the Township newsletter.

Mr. Stan Johnson, 160 Kennedy Drive, stated for full disclosure he is starting a petition to express their concerns and disapproval of the proposed development at the Franklin Mint site.

Mr. Richard Shaw, 754 Switchman Road, stated he has two points he wishes to address; the first one he documented to Council and wants to take a minute to emphasize. It is regarding the warehouse and there is an arcane point that has to do with the traffic letter. The traffic letter is three and a half pages long and contains most of what are tables in which the Audio Guard Solutions got the wrong figures for the sound study. The traffic letter in his opinion is clear that it locks Outrigger, Inc. into a model where the warehouse, the area proposed for a

warehouse but doesn't give them much flexibility in terms of adapting to other uses such as a fulfillment center and an e-commerce center. His recommendation is that the Township get clarity from Outrigger, Inc. if that is their plan as stated in the traffic letter and confirm it to not be used for other things.

The wording in the traffic letter is they are going to use this model to use the warehouse I.T.E. (The Institute of Transportation Engineers) publication that shows how traffic is modeled for the site. It goes on to say, if it were used for other things such as the fulfillment center or Amazon type of e-commerce center, they would use completely different numbers. In fact, when Scott Henderson made his presentation on July 16, he made a big point that this proposed development would have way less traffic than the proposed Amazon warehouse. This was a big point; a selling point they were using. Over 100% of the reduction of vehicles was from this restriction that it was to be used as a warehouse. If it is positioned to be used as a warehouse, it affects the proposal in a few ways; it uses a different I.T.E. model for modeling traffic, it affects the design of the place because of the way the truck traffic and other traffic would come in the parking area.

If the proposal was for e-commerce, there would be completely different parking requirements. Once it is built, it cannot be changed. He stated the traffic letter is used throughout the document as a reference. Given that, if they are going to be used for anything beyond the warehouse, the proposal would have to be redone. Ms. Dussling clarified when he mentions the traffic letter, this is part of Outrigger Inc.'s initial Land Development proposal.

Mr. Shaw stated he was on a call with others with the Clean Air Coalition and they commented that this site was in the middle of discussion several years ago regarding the Mariner East pipeline, specifically sinkholes on the property. He knows Council is aware of this. He asked if this property is intersected by the Mariner East pipeline and were there indeed sinkholes on the property.

Ms. Dussling stated her understanding is the pipeline runs between the State Police Barracks and this parcel, and the sinkhole was in front of the old barracks location. Ms. Dussling stated as far as construction, there is a 75-foot setback. Mr. McMullan stated the plan shows it is beyond the 75 feet requirement. Mr. Shaw asked if there is a plan he can see to verify the location of the pipeline. Ms. Dussling stated if there was a pipeline on the site it would have to be shown on the Land Development Plan. Mr. Shaw stated there is nothing on the plan. (Inaudible from 18.10 - 18.28). Mr. Janetka stated the pipeline crosses Baltimore Pike just west of the entrance to Granite Farms Estates. (Inaudible from 18.39 - 19.36).

Mr. Penning stated he wants to follow up on the point Mr. Shaw made. The traffic letters are built behind the traffic impact study which is part of the Outrigger proposal. The traffic impact study is 410 pages long. Mr. Penning stated he read every page of the traffic impact study. Irrespective of which model is used, which he believes the Township knows, the

original traffic volume is based on measurements made in 2021. When you go through the impact study, they use the 2021 volume of traffic, extrapolate that to what they think the traffic is now without actually doing the study, and extrapolate it further to indicate what the impact would be if the warehouse was approved. This is extrapolation upon extrapolation built on old data. He believes the Township is aware a new traffic impact study would be required. Ms. Dussling stated this is part of what the Planning Commission will take into consideration.

Mr. Jacob Chimolowski, 65 Paul Lane, stated he would like to acknowledge the great emergency medical service providers at Rocky Run Fire Company. He experienced a medical emergency about two weeks ago and their response time and professionalism in getting him to Riddle Hospital was extremely satisfying. He knows they are busier than ever, but they deserve a word of thanks.

4. REPORTS:

A. Chair: NOREPORT

B. Committees: NO REPORT

C. Manager:

Mr. McMullan stated he wanted to thank the public for helping the Township with the snow removal. There were some vehicles that had to be relocated and removed to help the plow trucks operate. This goes a long way in helping the Public Works team clear the roads and make them safe and passable. Ms. Dussling added thanks to the Public Works Department for all they did in preparing for the storm. Whether it ends up being a large accumulation or smaller than expected they are out there many hours prior to the storm treating the roads, preparing for the storm at zero dark thirty in the morning to get things ready and to get things cleared. She stated the residents are very lucky with the Public Works Department. After a storm, when she drives around other municipalities in the area, our roads are consistently in better shape than other roads in the area.

D. Engineer: NO REPORT

5. PUBLIC HEARING: NONE

6. OLD BUSINESS:

A. Introduction: Ordinance 842, installing no parking signs on the entire road of Bonsall Drive.

Ms. Dussling stated the Township Traffic Engineer, Andy Parker, provided information for Council. The last time this was addressed they were going to look at the length of Bonsall Drive to help identify potentially establishing a certain limited number of parking spots. He has communicated to Council what he has found so far. They will look at a full presentation at the next meeting on January 22, 2025. Mr. Parker stated they are trying to identify specific spots that would be striped on Bonsall Drive, anywhere else would be "No Parking Allowed." Mr. Parker stated they have looked at the site, have done field view, and have 10-14 spaces in mind along one side of Bonsall Drive from Cabot Court to Lima School Court. There are approximately 2-3 spaces per block.

Mr. McMullan added unfortunately, Mr. Parker has had IT issues over the past 3-4 days, which is why there is no electronic version of the concept for review this evening. The goal coming out of the last meeting was to look at spaces on Bonsall Drive to accommodate the residents currently using Bonsall Drive, which is one component. They are also looking at, since there are limited spaces, that they might have to do a deeper review of the ordinances and look at situations where parking in general needs to relax for activities and events such as holidays and gatherings that will help with parking. They have looked at the least expensive, feasible way to accomplish some spaces on the road, while not taking a deep dive into financial resources.

Ms. Dussling asked if cars are parked along the length of Bonsall Drive, how many that would be, and Mr. Parker said approximately 30 cars, but he observed that usually the cars are not parked along the length. Mr. Stump asked if 14 spaces would accommodate the cars that are currently parking on Bonsall Drive, and Mr. Parker said yes. (Inaudible from 29.9-29.28).

Ms. Dussling stated tonight they are looking to make a motion to introduce the Ordinance. Mr. Stump asked Mr. Bialek when he did his walk through how many cars were parked on Bonsall Drive, and Mr. Bialek answered one car in the early afternoon. Ms. Ciuca stated she will drive through the area this evening. Mr. Parker stated on his pass through this evening there were 16 cars parked.

Mr. Nader Toma, 39 Cabot Court, stated he owns three cars and parks one on Bonsall Drive. He stated at night, on average, on Cabot Court to the intersection of Glenwood Road there are 8-9 cars. On the other side of the development, Middletown Crossing, he sees an average of 7-8 cars. In his opinion, 14 spaces are not enough. The development was built in the 1980's where the average ownership of cars would be one or two at a maximum. Now this is not the case, and this should be considered in the planning.

Mr. Parker stated there is some flexibility in this number of spaces. They could add a few more but still consider not parking the full length of Bonsall Drive. Mr. Bialek asked if Mr. Parker considered a grassy area that could be turned into perpendicular parking spots. (Inaudible from 32.54 - 33.09) His goal was not putting cars on Bonsall Drive but finding spots off Bonsall Drive. Mr. Toma stated he also finds that fire engines can come through the development with the cars parked on Bonsall Drive, so he does not see this as a concern.

Mr. Dan Castellano, 20 Cabot Court, stated before the Township puts parking spaces on Bonsall Drive they should consider what spaces are not being used in the development. In Cabot Court, there are four garages full of junk. He stated if people used their garages and driveways like they should, they would not need spaces on Bonsall Drive. The reason being, the HOA is dysfunctional. They will not tell residents to use their driveways and garages to park cars, which results in chaos in the streets. Then they ask the Township to bail them out. He stated there is ample room in the courts to make parking spaces. Ms. Dussling stated an engineer reported they could not put additional parking spaces in Middletown Crossing. (Inaudible from 37.49 - 39.50)

Ms. Dussling stated the Township Traffic Engineer has been able to locate where there is decent line of sight and spacing to make parking spots to facilitate safe passage. She stated this should facilitate discussion within the HOA's. This type of communication should be between the HOA's. She stated but if the Township looks at Bonsall Drive and can identify what the Traffic Engineer deems are safe spots, which is what the Township can do to help facilitate this issue. Mr. Castellano stated this idea flies in the face of Bruce Clark's letter from 2013 when he said the streets are not wide enough and issued no parking which stayed in place for five years. Ms. Dussling stated things have changed since 2013, and the Township is adjusting and trying to work with the HOA's to adjust.

Ms. Leslie Campo, 210 Blackhawk Court, stated she would like to address the garages first. The garages are substandard in size. They currently own a Subaru Forrester and Rav4. Neither of them fit in the garage. Cars have gotten bigger since the 1980's. It's not that they don't want to park their cars in their garage, they won't fit in the garages. Most of the garages with the exception of 2 or 3 don't have electricity. There is no ventilation in the garages, so things are subject to mold. She was going to get electricity in her garage, but it was several thousand dollars to hook up. Ms. Campo stated the garages are deeded separately in Middletown Crossing so there are people who don't live in Middletown Crossing who own garages in the development. She asked Council to keep all this in mind. She stated safe passage is important and suggested lowering the speed limit to 15 mph. She also suggested using speed bumps. Ms. Campo asked if the Township is looking at all the streets that are less than 30 feet wide in the Township. Ms. Dussling stated this has come up in meetings, and if any are brought to the Township's attention, they will look at them.

Michael Kandrak, 220 Blackhawk Court, stated he personally drove through the streets in the Township, and there are currently eight streets that are less than 30 feet wide. He stated he would send Council his video of these streets. Ms. Campo stated for safety reasons this should affect every street in the Township. She stated her whole community is short 12 parking spaces. She stated there was conversation about making the parking spaces smaller, but Middletown Crossing's Traffic Engineer reported it wouldn't work because cars are larger. Ms. Campo said her wife, who recently had back surgery, cannot get in and out of the car. She also remarked on mothers who must get car seats in and out of their cars. Making the spaces smaller will not work. Ms. Campo thanked Council for all they are doing and stated the HOA's must share in the responsibility of finding solutions. She reiterated that the additional 14 spots may not be enough. Ms. Campo thanked the Public Works Department for being proactive in cleaning the storm sewers of leaves prior to a storm.

Ms. Lorraine Bradshaw, 273 Lima School Court, stated in the United States of America she doesn't think anyone can tell you what to put in your garage. She asked for everyone who is against no parking to stand up. She also said if signs are installed in her community they should also be installed throughout the Township.

Mr. Toma reminded Council that some of the homes in his development, Pennell Place,

do not have garages, but they were designated two parking spaces. He said if you look at the court, it lists the house number, but the other space says visitor. He stated he personally requested from his HOA to allow owners to park in the visitor spaces.

Georgette Kendrak, 220 Blackhawk Court, stated someone stated it creates chaos if there is parking on Bonsall Drive. She said school buses and fire engines come through without a problem. She suggested installing ripple strips as an alternative safety measure in addition to reducing the speed limit.

Mr. Kendrak read the list of streets for the public record; Woodland Avenue, Ridge Avenue, Smedley Avenue, Man O' War Drive, Oak Avenue, and Chestnut Avenue all being 22 feet or less.

Mr. Bialek made a motion to table Ordinance 842 until the January 22, 2025, meeting. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

- B. Ordinance No. 864, amending Chapter 275, Zoning, by deleting all of the language of the present Chapter and replacing it with new language and replacing the existing zoning map with a new zoning map, continued until January 22, 2025.
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Mr. McMullan stated at the December 18, 2024, Council meeting, Ordinance 864, amending the zoning ordinance was discussed and there was also a public hearing allowing the public to provide comment. Three comments were received; the public hearing was closed. In addition, under Old Business, Item 6C, Ordinance No. 866 creating a new Chapter 120 for the Middletown Township Code of Ordinances entitled "Floodplain Management." This too was open for a public hearing. There were no comments received. The hearing was closed. Council had a discussion. Based on the fact there was low council attendance for a variety of reasons, Council decided to postpone and to avoid having to re-advertise, it must be postponed to a day certain of January 22, 2025. There is no action to be taken by Council.

- C. Ordinance No. 866, creating a new Chapter 120 for the Middletown Township Code of Ordinances entitled "Floodplain Management," continued until January 22, 2025.
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There is no further action to be taken by Council. This agenda item is postponed until date certain, January 22, 2025.

- D. Ordinance No. 867, Chapter 63, Animals continued until January 22, 2025.
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Ms. Dussling stated this item was before Council for introduction. There was a lot of public discussion both at the meeting and on social media. Mr. McMullan stated there was considerable discussion at the December 18, 2024, meeting. This ordinance is being proposed as a standalone ordinance to give staff better oversight and making it less for enforcement on some of these issues. Mr. McMullan stated there was a great deal of discussion from the public, and he received several e-mails from Council and from the public.

At the last Council meeting they looked at Section 2, and there was a recommendation

from the public concerning removing the word chicken and replacing it with fowl. Staff suggested wherever the term chicken was used in the ordinance, replace it with domesticated chicken/fowl as this is more inclusive. In Section F, a zoning permit shall be required for keeping farm animals including chickens, and for the construction of any enclosure and/or shelter that is less than 1,000 square feet. There was some confusion from the public that the Township would be charging \$1,000 to have domesticated chickens on their property. This is not the case. The 1,000 square feet relates to a shelter for farm animals. Ms. Dussling added the distinction between the zoning permit and a building permit is that a zoning permit is required for a shelter under 1,000 square feet and a building permit for a shelter over 1,000 square feet.

This is similar to a zoning permit for a shed or fence or any type of accessory structure. This is the point of having some oversight to ensure that it satisfies the setback from the adjacent property, stated Mr. McMullan. After review from staff and taking into consideration comments from the public and Council they are suggesting a zoning permit and striking out “be required for the use of keeping farm animals including chickens.” “A zoning permit shall be required for the use of keeping farm animals, including chickens, and for the construction of any enclosure and/or shelter which is less than 1,000 square feet.” In section G. 1 replace with “domesticated female chicken/fowl.” In Section G.3, striking out “the slaughtering of chickens is prohibited.” Under G.6 striking out “the feces must be regularly removed by double-bagging and placing the bagged feces in the trash for collection” and leaving in “all chicken feed must be stored in rodent-proof and fly-tight closed containers.” For discussion is striking this language and including language such as not creating an odor.

Mr. Stump stated in Section G.3, the slaughtering of chickens is prohibited he is for removing this language and replacing with “the slaughter is allowed for personal consumption only” and have it include all farm animals. Ms. Dussling asked if this is necessary for inclusion as the slaughter of animals is regulated by another agency. Mr. McMullan stated it is regulated by the Department of Agriculture. Mr. McMullan stated it is not needed; however, it is another level of enforcement. Mr. Bialek stated his concern is unless it is regulated by the Department of Agriculture, for health standards is if there is a private commercial entity slaughtering mass produced chickens and distributing or selling them. His recommendation is to add “slaughter for personal consumption is allowed, commercial use or distribution is prohibited.” Mr. McMullan stated if a complaint came to the Township it would be assigned to the Health Officer who would then report it to the Department of Agriculture. Ms. Dussling questioned enforcing odors and double bagging. Mr. Bialek stated there are environmental uses for the feces that can be maintained and if the ordinance can somehow be worded so that the disposal of feces if composted and other approved environmental ways is authorized. He believes this is what the public was looking for.

Mr. Richard Smith, 73 War Admiral Lane, stated he is confused (Inaudible from 1.06.36 - 1.07.00) he can't understand having chickens and wildlife in residential areas. He stated the problem is not the chickens but the roosters. (Inaudible 1.08.19 - 1.08.35) Ms. Dussling explained the farm animals are already existing, and many residents want to

maintain their right to have them. This ordinance is trying to work in some controls while not removing the public's right to own and raise farm animals. Mr. Smith believes this is beyond the scope of being neighborly and slaughtering should be managed by the health department. (Inaudible from 1.10.29 -1.11.33).

Ms. Ciuca asked if this covers chickens/fowl currently owned and Mr. McMullan stated they are grandfathered in. Mr. McMullan stated the noise emitted from the animals is addressed and will remain the same. These are amendments being proposed and a standalone chapter for animals. Council agreed on the keeping of roosters is prohibited. Council agreed on using the language of farm animals instead of exclusively chickens. Mr. Stump pointed out some issues such as feces removals is just under chickens and perhaps making it more of a general farm animals statement. Mr. Bialek stated the whole statement is getting removed. Mr. Stump pointed out Section G.6 "all owners of chickens" ... and change it to "all owners of farm animals." Council agreed this is fair. Ms. Dussling asked about the section regarding the double bagging being removed and where else is it in the ordinance. Mr. McMullan stated it is addressed elsewhere in the ordinance, but it is being extracted and singled out for chickens based on complaints received over the past two or three years. He stated they looked at other municipalities to see what they were doing and that is where they got the double-bagging idea. He added that a couple people brought up the good usage of chicken feces, hence striking it.

Mr. Penning stated what struck him is the existence of avian flu. There is an epidemic in this country and Pennsylvania is a hotspot. He understands people have historically had chickens and the Township should grandfather those but the raising of chickens in residential areas could be a problem in terms of spreading avian flu. He stated there is transmission from birds to humans. The Township should be concerned about health effects. He was looking up on the CDC website that cases in which the flu has spread is in the droppings. Ms. Dussling stated the Township has ways of communicating to residents how to mitigate such risks. She thinks if the Township would try to prohibit the raising of chickens there would be much public outcry from a property rights standpoint. Mr. Penning thinks some type of inspection for homeowners who want to keep chickens for sanitary purposes be considered. Ms. Dussling asked what the Township has in place in case of any such concern and Mr. McMullan stated the first course of action is the Township Health Officer doing an inspection and handling it at the local level or reaching out to the Department of Agriculture for guidance and possibly enforcement at that level.

Jose Vergara, 3 War Admiral Lane, stated he appreciates Council's approach, which seems reasonable. He believes Council is thinking about property rights and the right to raise animals in safe conditions. This is a great thing for families to do when done responsibly. His understanding is for properties that are 1/2 acre with these amendments residents would still be able to raise chickens and other fowl, in his case ducks. Mr. Bialek stated a single-family dwelling on a 1/2 acre or greater is correct. (Inaudible from 1.21.26 - 1.22.26) Ms. Dussling asked if feral cats should be addressed.

Mr. McMullan stated when a feral cat is reported it will be turned over to the Brandywine Valley SPCA at considerable expense to the Township that is unrecoverable. The feeding

of any wild animal is prohibited in the ordinance but they wanted to pull out specifically feral cats because when they begin to breed and multiply the cats burrow under sheds etc. because they know the general feeding area and even if they are trapped, neutered and set free, they are still a nuisance resulting in the Brandywine Valley SPCA removing the cats and the Township being billed. Ms. Dussling asked for the fee and Mr. McMullan stated he does not have the amount broken down but it is a retainer amount and it is approximately \$200 plus per cat. Ms. Ciuca asked if this is a commonly occurring problem, and Mr. McMullan stated depending on the time of the year such as the colder months, the cats are looking to keep warm, so they are underneath sheds, porches, inside car engines, any place to keep warm. Ms. Dussling stated stray cats are an issue in the area. Ms. Dussling suggested that the proper thing for residents to do is to keep calling the SPCA.

Mr. McMullan stated they are looking to find some other option rather than calling the SPCA because then there will be an expense incurred by the Township. The problem is the cats are multiplying so quickly, and people are intimidated by feral cats and calling the Township resulting in calls to the SPCA. He fully understands people feeding the cats to capture and neuter and release. This is language they took from surrounding municipalities. He stated the cost of the services of the Brandywine Valley SPCA to cover their own overhead expenses is getting to be very expensive. Ms. Powell asked if it is a problem for people to trap the cats and relocate. Mr. McMullan stated if they want to trap the cats that is fine they are not going to enforce. (Inaudible from 1.28.37- 2.28.53) Mr. McMullan stated this is a common theme at the monthly Manager's meeting; how do you solve the feral cat issue. There is no solution and other municipalities are in the same situation Middletown Township is in. Ms. Dussling stated she doesn't know if this is the best way to address the problem. Mr. McMullan stated they can certainly revisit as this is just the draft being proposed. Ms. Powell stated she is leaning for more of the educational theme and less enforcement. Ms. Dussling suggested communicating to the community about how much it costs to engage the SPCA. Ms. Ciuca stated if someone is doing a trap, spay and neuter and release the Township should not incur the costs. Mr. McMullan stated the solicitor suggested downsizing the language and making it applicable when it needs to be enforced.

E. Ordinance No., 868, Chapter 235, Vehicles and Traffic, continued until January 22, 2025.

Mr. McMullan stated before Council for review is Ordinance No. 868 which is being removed from the Zoning Ordinance and being a standalone ordinance to provide for more staff oversight and to have a simpler, streamlined process for enforcement. It softens the burden on the person violating the ordinance. This was introduced at the December 18, 2024 Council meeting and had a great deal of discussion. He received some subsequent e-mails as a follow-up to the meeting from members of Council and the public. Mr. Stump provided some input in terms of revisions. In particular this ordinance looks to define antique car for which an antique or classic license plate has been issued by the Commonwealth of Pennsylvania, junk vehicle which is any vehicle so disabled, disassembled, dismantled or damaged as to being capable of being used safely for its intended purpose and is left in such condition for 30 days or more, vehicles stored for their parts or scrap, and a recreation vehicle which is built on a single chassis designed to

be a self-propelled or permanently towed by a light duty truck, not designed for use as a permanent dwelling, but as a temporary living quarter for recreational camping, travel, or seasonal use, snowmobiles, mini bikes, all-terrain vehicles, go carts, golf carts, boats and trailers are also deemed to be recreational vehicles.

The introductory paragraph stimulated some discussion, so Council decided at the meeting to table it to a date certain of January 22, 2025. Ms. Dussling stated she understands certain issues have come up to the Township but in regard to junk vehicles there should be some kind of in-between such as people working to restore a vehicle and it is not at the point to be drivable. These vehicles can be worked on for many months before they are drivable or registered as an antique or classic car. She is worried about the in-between. Mr. McMullan stated this is not the purpose of the ordinance. The Township doesn't go riding around looking for these situations, but the Township must have some type of oversight in terms of enforcement. When staff are going out to enforce what is considered a junk car it is pretty clear what a junk car is as opposed to a car that is being worked on and parked in a driveway. Staff can see it is being worked on and not a car that has weeds growing out of the engine. The Township has come across situations where there are four, five, or six cars that haven't moved in 10-15 years on the property. It is clear those are junk cars. Typically, neighbors are not complaining about cars that are covered, there is air in the tires, and is being actively worked on or restored. It is pretty clear from an enforcement standpoint, what is a junk car. He stated he agrees, the definition doesn't necessarily equate to the way Ms. Dussling described it.

Mr. Bialek stated he can give examples of where he has used a donor car to create another vehicle and the donor car sat for more than 96 hours as he is taking off fenders and other pieces to put on a future registrable vehicle. He agrees that if a car hasn't been touched in months, 96 hours is not a good description of a junk vehicle. Mr. McMullan stated they can certainly strike out the 96-hour period. Mr. Bialek stated he agrees that in the way it is described as having not been touched and has clear evidence such as vegetation growing through it is clear evidence of a vehicle having not been touched and is an unattractive nuisance.

Ms. Ciuca questioned Section B.3, where it lists an exception is a car being reconstructed for the purpose of qualifying as an antique car. Ms. Dussling added it should not be limited to antique cars. Ms. Ciuca stated she thinks 96 hours is too short a duration. Ms. Dussling stated she prefers the idea of 30 days without any activity. Her husband and father-in-law worked on their hot rod for several years before it was ready to be driven. Mr. Bialek stated this will become enforceable when a neighbor complains that a car hasn't been touched in three years and it is now a visual nuisance. He agrees with the point of without activity is a good point. Mr. Bialek suggested they check with other municipalities to see how they handle junk cars; someone has had to have dealt with this already and created verbiage that the Township might be able to use. Mr. McMullan stated he will take a look at this.

Ms. Dussling asked if there was also question about storage of recreational vehicles. (Inaudible from 1.43.03 - 1.43.56) Mr. Stump stated in Section 235.14.A he questions the

definition of storing a recreational vehicle. He would like residents to be able to park their RVs after a trip. Ms. Dussling asked what is the purpose behind restricting this to begin with, why are they looking to restrict someone from parking their own RV in their own driveway. Mr. McMullan stated they are not looking to restrict parking on their own driveways, but to have them screened from adjacent properties. It could be the side of the house that blocks the view, shrubs, or parking to the rear of the property, or a carport. He is not looking for anything overly complicated, just to reduce complaints from neighbors that they must view an RV. Typically, people can screen them by using their house structure. Ms. Dussling stated she can think of a number of individuals who don't have the option of storing it in the side or rear yard or screening it. Mr. McMullan stated this is how the ordinance is currently written and it is not an overall issue. Mr. McMullan stated they are attempting to have a discussion on the storing of RVs. Mr. Bialek stated this section was not newly created the only newly created section was on the junk vehicles. So, this is currently how it exists in the Zoning Ordinance which is being removed to create a standard-alone ordinance so that the Township can efficiently and better manage junk cars. Mr. Stump asked what the Township is to do in situations where people are driving the RV up to their house just to load up for a trip., that's not storing. Mr. Bialek agreed they need to define storing. What is a person to do if they are visiting for a two-day period? Mr. Bialek stated he believes storing could be defined as 60 days or more.

Ms. Donna Thompson, 18 Soldier Song Lane, and also representing the Riddlewood/Sunnybrea community, stated there are several residents in the neighborhood that have RVs of all different sizes and shapes as well as boats. She can only speak to her neighborhood and how driveways are designed, there are a number of homes that it would be impossible to park beside the house where it hides your RV or even behind your house. There is just no access. There are people with high driveways. She has a very small RV and is able to hide it, but the ordinance does not make sense to her. There are people that come into these neighborhoods to be able to park their RVs in their driveways because it costs a lot of money to find other parking and accommodations for your RV. We have properties that cannot accommodate the restrictions that are listed. She would like Council to consider how they are wording this ordinance. Ms. Powell suggested it should be broken down by neighborhood how they want to handle this issue. Ms. Dussling stated she understands how staff would want something in writing to help with enforcement, but does it even need to be in writing. She considered this to be a neighbor issue if someone complains. Ms. Ciuca stated it is not the Township's responsibility to police this issue. There might be a situation where they need some structure, but she would like it to be pared down as discussed.

Mr. McMullan stated if a family was living in an RV it would be a zoning violation. He said in most cases, people have very presentable RVs, the screening is not unique to Middletown Township, it is in other municipalities. Removing any language about screening doesn't give the Township ability to enforce. If removed, it might come back at a future meeting whereas there is this vulgarness on an RV. Ms. Dussling asked if there was something in the books that would prevent someone having a sign in the yard that is vulgar. Mr. McMullan stated there is a sign ordinance that prohibits vulgarity. Mr. Stump stated he would be inclined to remove sections A and B. Mr. Bialek remarked on the

different structures of homes in the Township this makes it restrictive to some areas. Ms. Dussling stated she does not like governmental restrictions based on two neighbors' disputes. Mr. McMullan asked to consider language "recreational vehicles may not be stored on a public street." Mr. McMullan stated one other point of discussion which was reviewed by staff for consideration is Section 235.15 B.2 "vehicles designed for farming when stored on an active farm." They are exempt from restrictions on keeping and storing junk vehicles. They are looking to strike this from the ordinance. Ms. Dussling stated Council will see this at the January 22, 2025 meeting.

7. COUNCIL WORKSHOP ITEMS:

A. Review: Resolution 2025-01, Middletown Township Emergency Operations Plan.

Mr. McMullan stated for workshop is Resolution 2025-01, The Middletown Township Emergency Operations Plan which is an annual operations plan which is due to be submitted by municipalities to the Delaware County Emergency Services Department which is completed by the Township's Fire Chief/Director of Public Safety. Chief Rigby stated this is an overview of procedures handbook. It has guidelines on how the Township responds in different situations. This is mandated by the state under Title 35. The document has been prepared with updates from facilities and contact information. There will be a proclamation from Council which will be on the agenda for January 22, 2025.

B. Review: Council Review of Zoning Hearing Board Applications:

- 1) Application 2025-01: Applicant AMA Services LLC, 1232 W. Baltimore Pike, seeking variances from Chapter 275, Article XXXII, Signs, zoned B-General Business.

Mr. McMullan stated Council does not need to take action on this but to decide if representation should be sent to the Zoning Hearing Board meeting. The first application is 2025-01, AMA Services, LLC, 1232 W. Baltimore Pike. They are seeking several variances from Chapter 275, Article XXXII, Signs, in a B-General Business district. This application goes back to 2021 and there are a lot of moving pieces that are related to the development. This property sits back and was called Gillespie Plumbing. It is right next to the WSFS property. There are two buildings, and in 2021 the applicant submitted a permit application to reinstall signs. In this zoning district they are permitted a wall sign and a free-standing sign. There were several communications between the applicant and staff and sometime in 2024 the applicant installed two free standing signs. The free-standing sign on the Baltimore Pike side constitutes as two signs because it doesn't satisfy the distance between the parallel signs the distance between the two of them.

The way the zoning is written, it is actually two signs on one standard. So, in total there are three standing signs on the property which is currently a violation of the zoning code. A zoning enforcement was sent in November and the applicant reached out to the Township prior to issuing a citation. The applicant was told if they filed the proper paperwork for a variance the Township would suspend the issuing of the citation. It is an involved case; the applicant is being represented by an attorney because they feel differently about the zoning. They feel they should be able to have

the two free standing signs and a wall mounted sign. Council decided to send representation to the Zoning Hearing Board meeting. Mr. Bialek asked about the statement “deemed approved,” and Mr. McMullan stated the applicant feels it is deemed approved because the permit fee check was cashed. This does not constitute deemed approved. In terms of commercial properties, the universal construction code requires a 30-day response period. There was subsequent communication with the applicant and no response from the applicant. Mr. Bialek stated it appears due to neighboring construction the original signs were taken down requiring them to get a permit for a sign that was taken down not of their own accord.

- 2) Application 2025-02: Applicant Yeha Noha, LLC, 3 Foxwood Lane, (aka 205 Fox Road), seeking variances from Chapter 275-180, steep slopes, zoned R-2.

Mr. McMullan stated the second application is 2025-02, Yeah Noha, LLC, 3 Foxwood Lane, aka 205 Fox Road because this is the way it is listed on the County’s real estate website. The applicant is proposing relief from steep and very steep slopes along the road frontage of the existing lot. The applicant needs to locate a driveway, and this would result in retaining walls to access a proposed house across very steep slopes and the need to position a portion of the house within a steep and very steep slope. There is no viable way to build a house on this lot without the disturbance of steep and very steep slopes. Notification was sent to the immediate properties impacted with no response. This project will require retaining walls and will require a lot of grading overseen by the Township Engineer. Council did not feel the need to send representation to the Zoning Hearing Board meeting.

8. ITEMS FOR APPROVAL:

- A. Approval of January 8, 2025 Bill List.
 Ms. Dussling read the Bill List aloud.

GENERAL FUND		
Kelly Engineers and Surveyors	Monthly Engineering Services	\$ 23,528.00
Keystone Municipal Services	Monthly Building Inspections	\$ 10,650.00
Linn Architects	Promenade at Granite Run	\$ 27,199.25
Middletown Fire Company	Fire Fighter Incentive	\$ 11,455.13
Opdenaker, Inc.	Monthly Recycling	\$ 49,862.50
Petrikin Wellman Damico Brown	November & December Legal Services	\$ 23,266.05
Rocky Run Fire Company	Fire Fighter Incentive	\$ 6,557.12
Summer Consultants	HVAC	\$ 25,000.00
Joseph J. Danielle, LLC	Roosevelt Playground	\$ 12,725.50
		\$ 190,243.55

CAPITAL RESERVE		
Joseph J. Danielle, LLC	Roosevelt Playground RFP 04 & RFP 05 (Final)	\$ 269,185.74
Kelly Engineers and Surveyors	Monthly Engineering Services Roosevelt	\$ 5,335.69
Richard Pierson Construction	TRID Pedestrian Trail RFP 08	\$ 254,619.00
		\$ 529,140.43
ESCROW		
Kelly Engineers and Surveyors	Monthly Engineering-Variou Escrow Projects	\$ 6,040.75
		\$ 6,040.75

Mr. Stump made a motion to approve the bill list. Ms. Donnelly seconded the motion. The motion carried with a vote of 7-0.

Ms. Dussling adjourned the meeting at 9:18 pm.

Respectfully Submitted,



Sharon Browne

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
JANUARY 5, 2026

Item 3B

Minutes of the Reorganization Meeting of Township Council held on Monday, January 5, 2026, at 8:00 P.M. in the Township Building located at 27 N. Pennell Road.

Present: Leslie Campo, Carissa Ciuca, Steve D'Agostino, Bibianna Dussling, Garrett Fails, Susan Powell, Christopher Stump, John McMullan, Mark D. Damico, Esq., Chief Bill Rigby, Vince Visoskas

Ms. Dussling reported that prior to the meeting, Council met in Executive Session to discuss the Reorganization meeting and personnel matters.

1. OPENING: Pledge of Allegiance to the Flag.
Chairwoman Bibianna Dussling opened the Reorganization Meeting and led in the recitation of the Pledge of Allegiance to the Flag.
2. OATH OF OFFICE: Judge Jennifer DiPillo
 - A. Steve D'Agostino, At-Large
 - B. Garrett Fails, Second District
 - C. Leslie Campo, Fourth District

Judge DiPillo administered the Oath of Office to the newly elected Council members.

3. ELECTION OF COUNCIL CHAIR AND VICE CHAIR:
 - A. Motion to appoint Chairman of Township Council.
Ms. Dussling made a motion to elect Mr. Christopher Stump Chairman of the Township Council of Middletown Township for the year ending January 4, 2027. Ms. Campo seconded the motion. The motion carried with a vote of 7-0.
 - B. Motion to appoint Vice Chair:
Ms. Dussling made a motion to elect Ms. Carissa Ciuca Vice Chairperson of the Township of Middletown for the year ending January 4, 2027. Mr. Stump seconded the motion. The motion carried with a vote of 7-0.
4. CONSENT ITEMS/APPOINTMENT OF TOWNSHIP COMMITTEES, BOARDS, CITIZEN POSITIONS
 - A. Appointment of Township Solicitor
Ms. Dussling made a motion to appoint Mark D. Damico/Petrikina, Wellman, Damico, Brown, and Petrosa Township Solicitor for the quarter ending March 31, 2026. He shall be compensated by such fees as are earned in the operation of this office at a monthly retainer of \$1,000 and an additional hourly rate of \$175 for other legal services. Ms. Ciuca seconded the motion. The motion carried with a vote of 7-0.
 - B. Appointment of Township Conflict Solicitor/Planning Commission Solicitor
Ms. Powell made a motion to appoint Lamb McErlane, Attorneys at Law, Conflict and Planning Commission Solicitor for the year ending January 4, 2027. They shall be

compensated by such fees as they are earned in operation of this office at an hourly rate of \$175 for legal services. Mr. Fails seconded the motion. The motion carried with a vote of 7-0.

C. Appointment of Township Engineer

Ms. Powell made a motion to appoint Eric Janetka of Kelly Engineers & Surveyors for the year ending January 4, 2027. Ms. Ciuca seconded the motion. The motion carried with a vote of 7-0.

D. Appointment of Traffic Engineer

Ms. Powell made a motion to appoint Andy Parker of McCormick Taylor, Traffic and Conflict Engineer, for the year ending January 4, 2027. Ms. Campo seconded the motion. The motion carried with a vote of 7-0.

E. Appointment of Special Police Officer for Dog Law Enforcement

Ms. Powell made a motion to appoint Brandywine Valley SPCA, Special Police Officer for Dog Law Enforcement for a one-year term expiring January 4, 2027. Mr. D'Agostino seconded the motion. The motion carried with a vote of 7-0.

F. Establishment of Council Meeting Dates for 2026.

Mr. Fails made a motion to establish regular public meetings according to the scheduled dates below. All meetings will be held at 7:00 PM in the Township Building unless otherwise advertised: January 7, January 21, February 4, February 18, March 4, March 18, April 1, April 15, May 6, May 20, June 3, June 17, July 1, July 15, August 5, August 19, September 2, September 16, October 7, October 21, November 4, November 18, December 2, and Reorganization Meeting, Monday, January 4, 2027, at 8:00 PM. Special meetings may be held as provided for in the Home Rule Charter and Administrative Code. Mr. D'Agostino seconded the motion. The motion carried with a vote of 7-0.

G. Board and Committee Appointments

1) Planning Commission

Mr. D'Agostino made a motion to appoint Doug Gramo and Doug Kushnerick to the Planning Commission for a four-year term expiring January 7, 2030. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

2) Zoning Hearing Board

Mr. D'Agostino made a motion to appoint Joseph Ward as a member of the Zoning Hearing Board for a five-year term expiring January 6, 2031. Ms. Dussling seconded the motion. The motion carried with a vote of 7-0.

Mr. D'Agostino made a motion to appoint David Bialek PharmD, R.Ph, as a member of the Zoning Hearing Board to fill a term expiring January 3, 2028. Ms. Campo seconded the motion. The motion carried with a vote of 7-0.

3) Parks and Recreation Committee

Mr. Stump made a motion to appoint Sharon Browne, Beth Devine, Jonathan Pitts, and Nancy Wooding as members of the Middletown Township Parks and Recreation

Committee for a one-year term expiring January 4, 2027. Ms. Dussling seconded the motion. The motion carried with a vote of 7-0.

4) Senior Citizen Committee (Exploratory Committee)

Mr. Stump made a motion to appoint and establish a Senior Citizen Advisory Committee through May 1, 2026. The members will be Claire Dente and Bertie Boner. The term will expire May 1, 2026. Ms. Dussling seconded the motion. The motion carried with a vote of 6-0. Ms. Campo recused herself from the vote.

5) Sewer Authority

Mr. Stump made a motion to appoint John Grose to serve on the Middletown Township Sewer Authority for a five-year term ending January 6, 2031. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

6) Environmental Advisory Committee

Mr. Stump made a motion to appoint John Kolicus to the Environmental Advisory Committee for a 3-year term expiring January 2, 2029. Ms. Ciuca seconded the motion. The motion carried with a vote of 7-0.

7) Township Representatives to the Library Board

Mr. Stump made a motion to appoint Parag Dalal and Don Melnick Township representatives to the Library Board for a one-year term expiring January 4, 2027. Ms. Campo seconded the motion. The motion carried with a vote of 7-0.

H. Appointment of Township Zoning Officers

Ms. Ciuca made a motion to appoint the Township Manager and Director of Planning & Development Zoning Officers for a one-year term expiring January 4, 2027. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

I. Appointment of Fire Police

Ms. Ciuca made a motion to appoint the following as Fire Police of Middletown Township for a one-year term expiring January 4, 2027.

Rocky Run Fire Company: William Zak, Captain; Verdant Tiwari, Matthew Biffen, and Joe Veloric

Middletown Fire Company #1: Wayne LaDue, Captain; David Biordi, David Evans, Phoan Trexler, Tim Burbage, Ben DeHaven, and Robert Linder

Mr. Stump seconded the motion. The motion carried with a vote of 7-0.

J. Establish Bonding Level for Township Treasurer

Ms. Campo made a motion that the Township Treasurer be bonded in the amount of \$2,000,000 and that the premium thereon be paid by the Township, subject to the approval of the Board of Auditors. Mr. Fails seconded the motion. The motion carried with a vote of 7-0.

K. Retention of Safe Deposit Box

Ms. Campo made a motion for the Township to retain safe deposit box #118 at Fulton Bank (Media Branch) for the purpose of safeguarding various Township documents. Mr.

D'Agostino seconded the motion. The motion carried with a vote of 7-0.

L. Designation of Bank Depositories

Ms. Campo made a motion the following depositories are authorized to be used for the year 2026; the Finance Director and Manager will be required and are hereby authorized to sign checks and to make withdrawals from these accounts. The Director of Planning and Development is authorized as an alternate signer to the Township Manager.

Council reserves the right to use additional depositories during the calendar year 2026 upon passage of a supplementary resolution adding such banks as depositories. Mr. D'Agostino seconded the motion. The motion carried with a vote of 7-0.

PA LOCAL GOVERNMENT INVESTMENT TRUST FUND (PLGIT)

Capital Reserve Account, General Fund Account, Operational Reserve Account Debt Service Account, State Aid Account TRID Bond Account, Fire Apparatus Account, Sewer Revenue Account

BANK OF NEW YORK

Debt Repayment Sinking Fund – 2020 Bond Issue
Debt Repayment Sinking Fund - 2019 Bond Issue
Debt Repayment Sinking Fund - 2019A Bond Issue

FULTON BANK

Depository Account Sewer Revenue Account General Fund Account

UNIVEST BANKING

Depository Account, Escrow Account, Payroll Account, General Fund Account, Capital Reserve Account, State Aid Account

M. Establishing Organizational Chart for 2026

Mr. McMullan read aloud the following positions. Consideration for approval of:

HR/Office Administrator - 1
Accounts Coordinator 1/Accounts Receivable - 1
Accounts Payable/Payroll Specialist – 1
Director of Finance - 1
Director of Planning and Development - 1
Director of Public Safety and Fire Chief - 1
Director of Parks and Recreation – 1
Receptionist/Office Assistant - 1
Recreation Assistant Facilities/Permit Coordinator RCC - 1
Permit Coordinator for Planning & Development - 1
Public Works Foreman - 1
Public Works Assistant Foreman - 1
Public Works Crew Leader - 1
Public Works Laborer I - 2
Public Works Laborer II - 4
Township Manager - 1

Township Council Members - 7
Zoning Hearing Board Members - 5
Assistant Fire Marshal - 1
Public Safety Inspectors (Part-time) - 5
Parking Enforcement Officer (Part-time) - 2
Personnel/Administrative Support (Part-time) - 1
Seasonal Help/Public Works (Part-time) - 2
Seasonal Help Parks and Recreation (As needed) - 10
Adult Sports Leaders Parks and Recreation - 2
Facilities Assistant (Part-time) at Roosevelt Community Center - 2

Ms. Dussling made a motion to approve the Organizational Chart for 2026. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

Mr. Stump adjourned the meeting at 8:25 p.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Sharon Browne". The signature is written in a cursive style.

Sharon Browne

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
JANUARY 21, 2026

Item 3C

Minutes of the Regular Meeting of Township Council held on January 21, 2026, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

Present: Leslie Campo, Carissa Ciuca, Steve D'Agostino, Bibianna Dussling, Garrett Fails, Susan Powell, Christopher Stump, John McMullan, Mark D. Damico, Esq., Erik Janetka, Kelly Engineers, Vince Visoskas, Chief Bill Rigby.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Christopher Stump called the meeting to order at 7 p.m. and led in the recitation of the Pledge of Allegiance to the Flag.

2. APPROVAL OF MINUTES:

A. DRAFT Council Minutes

3. PUBLIC COMMENTS:

Mr. Stump reported the Township has not received an application from the school district so there is no update on the proposed K-1 learning center. No Public Comments.

4. REPORTS

A. Chair:

1) Certificates of Achievement - Vo-Tech Volunteer Firefighters.

Chief Bill Rigby acknowledged the Vo-Tech Volunteer Firefighters who are part of a program with DCIU (Delaware County Intermediate Unit). The program has Emergency Service training as part of the curriculum. The students ride with the crews from Middletown during the day. The program runs from September through June. Four young men from the program are, in his opinion, very outstanding individuals. He stated they all have a home station, when they are not running with the Middletown crew, they run with their home stations. Two run with Manoa Fire Company, one with Oakmont Fire Company, and one with the Ardmore Fire Company.

Chief Rigby recognized Chief Larry Howard from Haverford Township. He also recognized Dr. Acosta, Director of the program who unfortunately was unable to attend. Christine Marshall, Class Coordinator, who recently retired, and Kesten (no last name) the instructor of the program.

Mr. Stump read the certificate; "This Certificate is awarded to James Travaglini in recognition of participation in Middletown Fire Company's Volunteer Service Enhancement Program in service of the residents of Middletown Township and surrounding communities." Mr. Stump read the Certificate to Charlie McCartney, Caleb Kilbride, and Emory Delis.

Chief Rigby stated James, Charlie, and Caleb run on the fire trucks while Emory runs ambulance with Chief Johnson and Chief Gruber. Chief Rigby stated this is the second year for the Volunteer Enhancement Program. The fire engine is in station and staffed 7:00 – 3:00 during peak hours. This program has made a difference in the Township.

Chief Rigby called Assistant Chief Mike Johnson to the front. Councilwoman Ms. Dussling stated Chief Johnson has been instrumental in building up the ambulance program to the fully functional program it is today. This prepared the Township for the closure of the Crozer Health System.

Ms. Dussling read the Certificate of Appreciation. "This Certificate is awarded to Mike Johnson, Assistant Chief in recognition of his efforts and dedication to the revitalization, modernization, and launching of the Emergency Medical Services Program of Middletown Township." Chief Rigby stated two years ago, Mike said he would make the program happen and he has.

There were approximately 3,000 calls in 2025 and they are prepared to do approximately 4,000 plus calls in 2026. They went from a fully functioning BLS to now, an ALS unit. They, along with their partners from Brookhaven and Media Fire Companies have made a big difference in the ambulance service in Middletown Township. Chief Mike Johnson stated it is not "me," it is a group. He said it was a tough struggle, going through COVID and the Crozer Health System crisis. He thanked Chief Cairns of Rocky Run Fire Department. Chief Johnson said he has a great team and could not have made the program happen without the support of the Township.

2) Proclamation - Middletown Fire Company No. 1, Chief Duke Nasino.

Chief Rigby stated the Township has an outgoing Fire Chief who served 25 plus years at Middletown Fire Company No. 1 and 15 years as Chief. Chief Rigby stated Chief Nasino has been there countless nights and weekends. He thanked Chief Nasino for his service.

Councilman Mr. Stump read the Proclamation; "This Proclamation recognizing Duke Nasino, Volunteer Firefighter. "Whereas, Duke Nasino, joined Middletown Fire Company No. 1 in February 2005 and quickly rose through the ranks and, Whereas, Duke Nasino was elected Captain in 2008 and in 2009, was Assistant Chief in 2010 before acting as Deputy Chief from 2011 through 2014 and, Whereas, Duke Nasino quickly gained the respect and confidence with the membership and became Chief of Middletown Fire Company No. 1 in 2015 through 2025.

Having served in this role for 11 years and Whereas, he now serves as a member of the Board of Directors and will continue to have a voice in the future of the company that Duke Nasino has helped lead for more than 20 years and, Whereas, Duke Nasino has been there for its members in every aspect of their lives inside and outside of the fire company. He has attended every training graduation milestone for members that went on to become career members and has attended many of their weddings. Duke Nasino was always willing to offer assistance to provide sound advice and more importantly, he was always willing to listen to the members and what their needs and opinions were and, Whereas, Duke Nasino has been a force for good and a positive influence to all those around him, Now, Therefore, be it Resolved that Middletown Township Council and residents do hereby deem it an honor and pleasure to extend their Certificate of Recognition to Duke Nasino on the occasion of having served the

community for over 20 years, with sincere thanks for the contributions he has made do Hereby, Proclaim this 21st day of January, 2026.”

Chief Rigby stated Chief Nasino also served with the city of Chester and has over 60 years of fire service. He was a volunteer in the city of Chester for many years and became a paid driver for the city, and when he moved to Middletown Township he continued his service. Chief Nasino stated it has been an honor to serve the residents of Middletown Township and appreciates all the firefighters in attendance.

Chief Rigby thanked the residents and the mutual aid partners. He updated Council on some accomplishments for 2025. He spoke of the upgrade from BLS service to ALS service. They have hired additional advanced EMT's and Paramedics. He thanked the support from the Brookhaven Fire Company. He reported that in 2025 there were 830 plus calls, 725 calls in 2024, and 630 in 2023. The EMS division in December 2025 made 320 calls; and the ambulance made 2,963 calls in 2025. He stated in 2026, they anticipate making 4,000 calls. He thanked all the officers attending tonight's meeting, Deputy Chief Bill Cairns, Deputy Chief Phil Mills, Assistant Chief Mike Johnson, Assistant Chief Mike Gruber, Assistant Chief Chris Epps, and Assistant Chief Rob McLaughlin. He said Assistant Chief Rob McLaughlin is the coordinator for the Vo-Tech program.

3) Third District Council Vacancy.

Mr. Stump stated this vacancy will be effective March 1, 2026. Mr. McMullan stated no motion is required for this item. The meeting after the vacancy occurs, which will be the first meeting in March, March 4, 2026, is when Council has the requirement to fill that seat within 30 days. Mr. Stump asked when the Township will be posting the vacancy, and Mr. McMullan stated now that the vacancy is made public by Ms. Dussling he can post it next week. Mr. Stump added he would like to see the seat filled as soon as possible as Council will be facing some critical items in the next few months.

B. Committees: N/A

C. Manager:

1) PSP - Lieutenant James Holstein.

Lt. Holstein reported he is the station Commander at Troop K. He started his career in 2004 as a patrol trooper in Media. He said he grew up in Springfield; his parents still live in Springfield. He is very familiar with the area. He is now in his 21st year with the PA. State Police. He worked both on patrol and as criminal investigator in Media. He was transferred to Philadelphia then to Skippack as a criminal investigator and a crime supervisor with Internal Affairs, was transferred back to Philadelphia then to Media Barracks. He reported for the month of December there were a total of 678 calls in the Township. Property crimes, including criminal mischief, trespassing, theft, including retail thefts, identity thefts, forgery, and credit card thefts totaled 25. Crimes against a person including assaults, harassment and threats totaled 16. Lt. Holstein stated in the report Council has before them, the redacted lines are internal calls that do not affect the call volume. Mr. Stump asked how sensitive the redacted

information is. Lt. Holstein replied it is not very sensitive. It is basically building maintenance or internal issues such as vehicle inspections. Mr. Fails asked if it would be fair to say these items are administrative, and Lt. Holstein said this is exactly what they are. Ms. Dussling asked if there is any particular area in which the numbers are trending upward or remaining steady. Lt. Holstein reported obviously, with the closure of Crozer Health System, there have been a lot more calls at Riddle Hospital but other than that the numbers are pretty steady.

Mr. John Kolicious, Environmental Advisory Committee, reported the committee met last night. The meetings for 2026 will be on the third Tuesday of each month. They had previously been on the third Thursday. The meetings start at 7:00 pm. Jennifer Nichols has taken over as Chair for 2026 succeeding Stacy Tegan who resigned. Pauline Thompson is the new Secretary succeeding Jeff Arbogast whose term expired. They welcomed Dr. Trevor Penning to fill the remainder of Stacy Tegan's term. He noticed the vacancy has been advertised on the Township website, and they are looking for qualified candidates.

Last night they heard a presentation from Rick Tralies of the Natural Lands Trust on a preliminary report on an evaluation done on the Darlington tract to look at ways to improve the site and stewardship of the area such as possible removal of invasives and improving the meadowlands. The study was funded by a grant from the DCNR (PA Conservation and Natural Resources) no Township funds were needed. The final report should be available sometime in March or April. The study was funded through a grant but anything they propose will have the cost estimate attached to see what is feasible. Finally, the first educational presentation for the committee will be Saturday, February 21, 2026, at the Roosevelt Community Center on the topic of Bluebirds, nesting, and habitat. This event will be at 1:00 pm and will be posted on the website.

D. Engineer: NO REPORT

5. PUBLIC HEARING: N/A

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS: N/A

8. ITEMS FOR APPROVAL:

A. Consideration for Approval: Resolution 2026-01, Middletown Township Emergency Operations Plan.

Mr. McMullan stated for Council's consideration is Resolution 2026-01, which was workshopped two weeks ago at the January 7, 2026, Council meeting. This is the Township's Emergency Operations Plan which is updated annually to make sure it conforms to the PEMA (Pennsylvania Emergency Management Authority) regulations and the Delaware County emergency planning requirements. This resolution provides support in the event the Township has any catastrophic events or weather events so that there is a plan prepared to address these events. It does open up the potential for funding

if the Township is in one of those events. Mr. D'Agostino asked if there were changes from the previous plan, and Mr. McMullan stated there were minor changes or updates as far as contact information at some of the facilities or businesses in the Township.

Mr. D'Agostino made a motion to approve Resolution 2026-01. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

B. Consideration for Approval: Resolution 2026-02, 2026 Enhanced Volunteer Firefighter Incentive Program.

Mr. McMullan stated for Council's consideration for approval is Resolution 2026-02. This resolution was workshopped with Council at the January 7, 2026 meeting. As Chief Rigby alluded to earlier, this Enhanced Volunteer Firefighters Incentive Program has been in place for two years. It enables both fire companies to partner to get a volunteer duty crew out the door seven days a week, minus holidays. It has been a very effective program. It has engaged quite a few volunteers and sparked interest in volunteer service in Middletown Township. They would like to continue the program in 2026.

Ms. Campo made a motion to approve Resolution 2026-02. Ms. Dussling seconded the motion. The motion carried with a vote of 7-0.

C. Consideration for Approval: Resolution 2026-03, 2026, Volunteer Firefighter Incentive Program.

Mr. McMullan stated for Council's consideration is Resolution 2026-03, the Volunteer Firefighters Incentive Program. This is considered the "Legacy" program and has been in place since 2022. This was the first incentive program put in place that addressed an incentive for training and volunteers responding to calls. They still feel there is a need to continue with this incentive program as it gets volunteer firefighters to satisfy the requirements to get them on an engine and out the door. This program has been successful, and he asks for consideration for 2026.

Ms. Ciuca made a motion to approve Resolution 2026-03. Mr. Fails seconded the motion. The motion carried with a vote of 7-0.

D. Consideration for Approval: Resolution 2026-04, extending the existing Emergency Declaration due to the closure of Crozer Health System, expiration April 1, 2026.

Mr. McMullan stated for Council's consideration is Resolution 2026-04. This was discussed in detail at the January 7, 2026 meeting. Council made a motion to extend the Emergency Declaration to January 21, 2026, and at that meeting suggested extending it to the first Council meeting in April. This Emergency Declaration continues to address the emergency crisis created by the closure of the Crozer Health System.

Ms. Powell made a motion to approve Resolution 2026-04. Mr. D'Agostino seconded the motion. The motion carried with a vote of 7-0.

E. Consideration for Approval: Appointment of an Ad Hoc Council Committee to review applications for resident board appointments.

Mr. McMullan stated as noted at the January 7, 2026, Council meeting, there are still existing vacancies on some of the boards and committees. The Township advertised on the website, the weekly e-newsletter, and the Township Facebook page. In order to start processing some of those applicants, the citizen policy for boards and committees went into place in October of 2025 and to appoint a three-member Council Ad Hoc Committee. Tonight's request is for Council to identify three members to make up the Ad Hoc Committee to review the applications for vacancies that still exist. This can be decided tonight, or people interested can send e-mails and the formal motions to appoint can be made at the February 4, 2026, Council meeting. Mr. Stump decided this would be the best form of action. Ms. Dussling asked what vacancies still exist. Mr. McMullan reported on one vacancy on the Environmental Advisory Committee, a one-year term that needs to be filled on the Zoning Hearing Board, and three vacancies on the Parks and Recreation Committee.

Ms. Dussling made a motion to create the Ad Hoc Committee (members to be appointed at the February 4, 2026 Council meeting). Ms. Campo seconded the motion. The motion carried with a vote of 7-0.

F. Consideration for Approval: Citizen Committee Appointment:

- 1) Ms. Jennell Williams-Zahir - Senior Citizen Advisory Exploratory Committee, term expiration May 1, 2026.

Mr. McMullan stated Ms. Jennell Williams-Zahir has expressed interest in serving on the exploratory committee. This is the committee that was appointed at the Re-organization meeting on January 5, 2026. This is a committee of three to explore the existing powers and to share with Council how they feel the committee should move forward. The request tonight is for a motion to approve Ms. Williams-Zahir as a third member of the exploratory committee.

Ms. Campo made a motion to approve the appointment of Ms. Jennell Williams-Zahir to the Senior Citizen Advisory Exploratory Committee. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

G. Consideration for Approval: Appointment of an Ad Hoc Council Committee to review proposals and conduct interviews for Township Solicitor.

Mr. McMullan stated this could be similar to the creation of the Ad Hoc Committee for vacancies that exist on the Boards and Committees. The request is for a motion tonight to approve appointing members to the Ad Hoc Committee. They can be appointed tonight or return on February 4, 2026, identifying the members of Council to the committee. This is a follow-up to the Re-organization meeting where the current Township Solicitor was appointed until the end of the first quarter which is March 31, 2026. Mr. Stump asked if the RFP (request for proposal) has been sent out or what the status is. Mr. McMullan stated it is very close to being sent out as he wanted to align it with this committee. If Council decides to move forward to February 4, 2026, he will make the recommendation to e-mail the RFP this Friday and have a response back in three

weeks.

Ms. Dussling made a motion to create an Ad Hoc Committee (members to be appointed at the February 4, 2026 Council meeting). Ms. Campo seconded the motion. The motion carried with a vote of 7-0.

Ms. Stump adjourned the meeting at 7:46 pm.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Sharon Browne". The signature is written in a cursive style with a large initial 'S'.

Sharon Browne



PENNSYLVANIA STATE POLICE Item 5C.1

Calls for Service

County Call Type Detail

Date Range: 02/01/2026 to 02/28/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

Troop	Station	Incidents
TROOP K	MEDIA	620
	<i>Troop Total</i>	620
	<i>Non-Turnpike Total</i>	620
	<i>Turnpike Total</i>	0
	<i>Overall Total</i>	620

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	620	620	0
	Call Group, Call Type			
	Act 64 Offenses	1	1	0
	DRUG - POSSESSION (DRUGP)	1	1	0
	Crimes Against Society	24	24	0
	DISORDERLY CONDUCT (DC)	1	1	0
	DISTURBANCE/NOISE COMPLAINT (DIST)	17	17	0
	INDECENT EXPOSURE (FLASH)	1	1	0
	WARRANT - MISDEMEANOR/FELONY (WARMF)	5	5	0
	Crimes Against the Person (Homicide Included)	8	8	0
	ASSAULT - AGGRAVATED (ASALAG)	1	1	0
	ASSAULT - SIMPLE (ASALSI)	2	2	0
	HARASSMENT - COMM - STALK - OTHER (HARASS)	2	2	0
	TERRORISTIC THREATS (TERRTH)	1	1	0
	THREATS - ACTOR NOT ON SCENE (THRET)	1	1	0
	THREATS - ACTOR ON SCENE (THRETP)	1	1	0
	Death Investigations (Homicide Not Included)	2	2	0
	DEATH - NATURAL (DOAN)	2	2	0
	Domestic Security Checks	23	23	0
	DOMESTIC SECURITY CHECK - HOUSE OF WORSHIP (DSCHHW)	1	1	0
	DOMESTIC SECURITY CHECK - SCHOOL (DSCHSC)	7	7	0
	DOMESTIC SECURITY CHECK (DSCHK)	15	15	0
	Megan's Law	126	126	0
	MEGAN'S LAW - VERIFICATION/UPDATE (MEGVER)	126	126	0
	Motor Vehicle Crashes	33	33	0
	MVC - DUI - ALCOHOL (MVCDA)	1	1	0
	MVC - HIT AND RUN W/INJURIES (MVCHRI)	1	1	0
	MVC - HIT AND RUN, NO INJURIES (MVCHR)	1	1	0
	MVC - INJURIES (MVCI)	3	3	0
	MVC - INJURIES AND ENTRAPMENT (MVCIE)	2	2	0
	MVC - NON-REPORTABLE (MVCNR)	16	16	0
	MVC - PRIVATE PROPERTY (MVCPP)	4	4	0



PENNSYLVANIA STATE POLICE

Calls for Service

County Call Type Detail

Date Range: 02/01/2026 to 02/28/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	620	620	0
Call Group, Call Type				
Motor Vehicle Crashes		33	33	0
MVC - REPORTABLE, NO INJURIES (MVCRNI)		4	4	0
MVC - SCHOOL BUS, NO INJURIES (MVCSB)		1	1	0
Other Investigations		37	37	0
911 HANG UP CALL (911)		1	1	0
BACKGROUND INVESTIGATION (BACINV)		2	2	0
DOMESTIC - OTHER (DOMO)		6	6	0
INTERSTATE HIGHWAY - CLEAR LINE ZONE (ILNZN)		4	4	0
REFER TO OTHER AGENCY - PD (REFER)		5	5	0
SEE OFFICER (SEEOFC)		8	8	0
SUSPICIOUS PERSON (SUSPP)		3	3	0
SUSPICIOUS VEHICLE (SUSPV)		2	2	0
VEHICLE FRAUD INSPECTION/INVESTIGATION (VFI)		1	1	0
VEHICLE FRAUD INSPECTOR-GENERAL ASSISTANCE (VFIGEN)		1	1	0
WELFARE CHECK (WELCK)		4	4	0
Property Crimes		18	18	0
CRIMINAL MISCHIEF (CMR)		2	2	0
IDENTITY THEFT (IDTHFT)		1	1	0
THEFT - FRAUD/FORGERY (THEFTF)		5	5	0
THEFT - RETAIL (THEFTR)		7	7	0
THEFT - VEHICLE (THEFTV)		1	1	0
THEFT (THEFT)		1	1	0
TRESPASSING (TRES)		1	1	0
[REDACTED]				
[REDACTED]				
[REDACTED]				
[REDACTED]				
[REDACTED]				
[REDACTED]				
Requests for Services		197	197	0
ABANDONED VEHICLE (ABNVEH)		3	3	0
ALARM FALSE FAULT (ALRMF)		17	17	0
ALARM FALSE NO FAULT (ALRMNF)		13	13	0
ANIMAL LOST - FOUND (ANIMAL)		1	1	0
ATTEMPT LOCATE PERSON - VEHICLE (ATL)		3	3	0
DISABLED MOTORIST (DISM)		23	23	0
DISABLED MOTORIST ON ROAD (DISMT)		1	1	0
FIREARM RELINQUISHMENT PFA/MCDV (FIRREL)		1	1	0



PENNSYLVANIA STATE POLICE

Calls for Service

County Call Type Detail

Date Range: 02/01/2026 to 02/28/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	620	620	0
Call Group, Call Type				
Requests for Services		197	197	0
LICENSE/REGISTRATION SEIZURE (DLREG)		4	4	0
LOCK OUT - CHILD INSIDE (LOCKC)		2	2	0
LOST ITEM - NCIC (LOSTNC)		1	1	0
LOST ITEM - NON NCIC (LOST)		2	2	0
MENTAL HEALTH ACT (302)		4	4	0
OFFICE OF COMMUNITY ENGAGEMENT (OCE)		2	2	0
PATROL CHECK (PATCHK)		76	76	0
PFA ORDER SERVICE (PFAO)		1	1	0
PRESCRIPTION DRUG TAKE BACK PROGRAM (PDTBP)		1	1	0
REQUEST ASSIST - FINGERPRINTS (RAFNGP)		8	8	0
REQUEST ASSIST - LOCAL PD (RAPDGO)		7	7	0
REQUEST ASSIST - OTHER AGENCY (RAOGO)		11	11	0
REQUEST ASSIST- DRE EVALUATION (RADRE)		1	1	0
ROAD HAZARD - ANIMAL - DEBRIS (ROAD)		12	12	0
SPEECH (SPEECH)		1	1	0
TOWED VEHICLE (TOWVEH)		1	1	0
UNATTENDED VEHICLE TAG (UNVTAG)		1	1	0
Traffic Enforcement		108	108	0
MOTOR CARRIER SAFETY - SCHL BUS/VEH SPOT CHECK (MOTSBC)		1	1	0
MOTOR CARRIER SAFETY (MOTCAS)		5	5	0
TRAF VIOL-DUI ALCOHOL (TRADUI)		1	1	0
TRAFFIC STOP (TS)		96	96	0
TRAFFIC VIOLATION - OTHER (TROTH)		2	2	0
TRAFFIC VIOLATION/ERRATIC DRIVER (TRERDR)		3	3	0



Middletown Township Engineer's Report

March 4, 2026
Council Meeting

MINT PEDESTRIAN TRAIL (PHASE 1)

MT100-V1

- The recently constructed segment of the trail is open to the public. The required 12-month maintenance period will expire on March 17, 2026. A trail inspection will be conducted in the near future to make sure there are not defects that have to be repaired by the bonded contractor.
- General NPDES Permit for the remaining phases of this project has been extended to December 7, 2029.
- Preliminary grading and trail layout for the next phase of the project is complete (refer to "Lenni Road Pedestrian Trail (Phase 2)" in this report.

LENNI ROAD PEDESTRIAN TRAIL (PHASE 2)

MT100-U1

- A project coordination and kickoff meeting was held in December 2023, with project consultants, Township staff and Delaware County. Final engineering design of phase 2 of the Township trail projects may begin later in 2025 upon acquisition of property necessary for completion of the project.
- This trail project will connect the recently completed "Mint Trail" to the Chester Creek Trail, on the east side of Lenni Road and will extend under the SEPTA right-of-way through a previously constructed "underpass" and then will extend along the right-of-way to Lenni Road, where it will then cross the road and connect to the Chester Creek Trail. The project will include a pedestrian crossing on Lenni Road, a trailhead parking lot, pedestrian bridge, and sight distance improvements along Lenni Road between the bridge and the SEPTA grade crossing
- A portion of this trail crosses under an overhead PECO electric transmission line right-of-way. The Township is working with PECO to obtain their approval for the trail to pass under the right-of-way. Discussion have been on-going for about 2 years and most recently, additional survey information was obtained so that the Township can

demonstrate that the trail can be constructed without impacting the foundation pedestals of three of the towers.

ROOSEVELT COMMUNITY CENTER (PHASE 1)

MT100-O

- Phase 1 work is complete. Phase 1 Improvements included construction of a new tot lot, reconstruction of existing parking both in front of and behind the facility, construction of a small field area (next to the tot lot), stormwater management improvements and construction of courtyard improvements.
- General NPDES Permit for the remaining phases of this project has been extended to December 7, 2029.
- Design for the next phase of the project is complete (refer to "Roosevelt Community Center (Phase 2)" in this report.

ROOSEVELT COMMUNITY CENTER (PHASE 2)

MT100-O

- This project awaits funding sources and can be let for bid upon securing funding. This project is the second and final phase of the project and includes installation of additional parking, lighting, underground infiltration basin, storm sewer, and entrance improvement from S. Old Middletown Road to the library building area.

LENNI PARK

MT100-W

- A kickoff meeting was held with DCNR regarding the approved grant for redevelopment of Lenni Park.
- The Delaware County Conservation District recently granted approval of the State NPDES permit application for the construction of the project, which will be completed in two phases. Phase 1 of the improvements includes reconfiguration/regrading of the softball field, stormwater management facilities (infiltration and detention basins), pedestrian trail from the parking lot to the softball field, grading for a future multi-court surface, buffer trees, baseball field fence, benches, and bleacher pads. This project will be let for bid (Phase 1) in mid to late February 2026.
- Phase 2 will include additional pedestrian trail, new parking, underground stormwater infiltration, multi-court surface and fence, and pavilion upgrades and will be completed upon securing funding to complete the construction. All engineering and permitting is complete for Phase 2.

TOWNSHIP GUIDERAIL PROGRAM

MT124-E

- The guiderail program is for the installation and/or replacement of guiderail along several segments of Township roadway including Howarth Road (completed), E. Knowlton Road – North (partially completed), E. Knowlton Road – South (partially completed), Darlington Road – East (completed), Darlington Road - West and Valley Road.
- Preliminary design plan is complete for E. Knowlton Road (South), Darlington Road (West) and Valley Road. Significant utility pole relocation and tree removal are required for the project remaining to be completed.
- The Township recently coordinated relocation of several utility poles with PECO, along Darlington Road and Valley Road, some of which were necessary to complete some of the remaining projects.
- The Township applied for an A.R.L.E. grant for the completion of guiderail projects in 2020, 2021, and 2022, but none was awarded. A.R.L.E. is the Automated Red-Light Enforcement Transportation Enhancements Grant Program established in 2010 as a PennDOT-administered competitive grant program in accordance with PA Vehicle Code (75 Pa.C.S.) §3116(l)(2) and §3117(m)(2). Funding for the program is generated from the net revenue of fines collected through Automated Red-Light Enforcement Systems. Grant applications are accepted annually during the month of June.

TOWNSHIP CODE AMENDMENTS

MT110 SERIES

- The following Codes are in the process of being amended prior to the end of 2021: Chapter 186 (Soil Erosion and Sedimentation Control), Chapter 204 (Streets and Sidewalks), Chapter 210 (Subdivision and Land Development) and Township Standards (construction standards, details, and specifications).
- Chapter 198 (Stormwater Management Ordinance) – Amended Ordinance was adopted by Council and went into effect starting on January 9, 2020.
- Preparation of Draft revisions to Chapter 186 (Soil Erosion and Sedimentation Control), has been completed and reviewed by the Township review committee. The document will be introduced for adoption in 2025 or 2026.
- Preparation of a new Township Code, Chapter 77 (Building Permit and Occupancy Procedures) has been completed and distributed to Township review committee. The document is in the process of being

reviewed by Township Staff and consultants. Chapter 77 is intended to establish requirements and procedures for obtaining building permits and requirements for approval of Certificates of Occupancy for occupiable structures. The draft ordinance has been reviewed by the Township's Land Planning Committee.

- Preparation of a new Township Code, Chapter 204 (Street, Curbs and Sidewalk) has been completed and distributed to Township review committee. The document is in the final phase of being reviewed by Township Staff and consultants. Chapter 204 is to replace the existing Chapter 204 and is intended to establish requirements and procedures for working within the right-of-way of Township streets, including street restoration standards and maintenance and protection of traffic (work zone traffic controls). It is likely this draft ordinance will be presented for review by the Council in 2025 or 2026.
- "Township Standards and Specifications" has been reviewed by Township Staff and revisions to the document, as well as various Township application forms, is in process. This document is to formally update/upgrade and replace numerous construction details and policy documents utilized by the Township over the last many years. It is anticipated that upon review by Township staff, this document will be presented to Council for review. This document will be updated periodically to include additional construction details, guidance documents, forms, etc. as they become necessary.

LONGVIEW PARK

MT100-A.2

-
- Construction of Stage 2 and Stage 3 of the project has been completed, and some of the field areas have been open for public use. A portion of the park field areas has not yet been open to the public while the Township is working on improving the field turf grass.
 - The final construction phase is anticipated for 2026 and will include the following work: conversion of sediment trap nos. 1, 2, 3, 4 and 5 to permanent stormwater basins, installation of approximately 800 feet of pedestrian trail (that was not be completed with the previous stages of construction), asphalt paving of approximately 400 feet of paved trail (that was only completed to stone subbase to permit future construction access for basin conversion), installation of softball and baseball infield areas, and removal of all erosion and sedimentation controls. The Township applied for a grant (in the amount of \$250,000.00) to partially fund the completion of the project; however, only a small fraction of the requested funding was awarded to the Township. The estimated cost to complete the final phase of work is approximately \$500,000.00.

- The NPDES Permit for the Park has been extended to December 20, 2027 (since it is an individual permit) to allow the project to be completed in 2026 or 2027 depending on budgetary needs. PennDOT Highway Occupancy Permit work is complete, and permits are closed.

MS4 NPDES PERMIT/POLLUTANT REDUCTION PLAN

MT300-18

Pollutant Reduction Plan (PRP) for the PADEP NPDES Permit term of 2018-2023 was submitted to PADEP on December 4, 2019, and final approval of the PRP was issued on February 7, 2020. Although the NPDES permit term is 2018 to 2023, the Township has 5 years (from the date of PRP approval) to complete design, permitting, and construction of all the proposed stormwater facilities (BMPs) described in the PRP. The PRP includes an estimation of cost to complete all stormwater facilities required by the State as part of the approved PRP, prior to the end of the PRP approval term (February 2025). The Sunny Brae Basin revitalization, which was completed in 2023, is the first stormwater BMP project from the PRP. The Township submitted a PA DCED Watershed Restoration and Protection Program Grant application in the amount of \$296,905.00 for construction of a second stormwater BMP in Township open space north of Highpoint Drive and south of the Franklin Mint, however, only a small portion of the requested funds were awarded. The funds that were awarded have been approved to be “transferred” for use as part of the Lenni Park project.

SEPTA R3-3

MT120-Bwa

- SEPTA has completed the R3-3 rail line extension including the parking deck, driveway, station building, and stormwater management facilities. Final Certificate of Occupancy has been approved for the station building and the crew quarters. The Township reviewed the project close-out request (Certificate of Total Completion) and has notified SEPTA there are minor issues remaining to be addressed. Amended stormwater management agreement and exhibits have been recorded.

MARINER 2 PIPELINE

MT100-Ea

- Valley Road shoulder restoration/stabilization. ETP has agreed to fund the cost related to obtaining a PennDOT Highway Occupancy Permit and construction improvements to stabilize the road shoulders of Valley Road with rock lining from W. Forge Road to New Darlington Road. The Highway Occupancy Permit plan has been prepared and has been submitted to PennDOT by the Township, for approval. This restoration

work, which is being done due to water erosion along the shoulders, will also include milling and asphalt wearing course overlay of the entire cartway of Valley Road along the work area. This work has not yet been scheduled due to ongoing PennDOT permit acquisition efforts. All other ETP restoration work in the Township is complete.

- Horizontal Direction Drill HDD #591 (Sleighton Park to 143 Valley Road) - "Monitoring Plan" - Sunoco/ETP and the Township are in the process of closing out the geologic and geophysical testing that took place at Valley Road/W. Forge Road, pursuant to the agreed upon testing protocol between the Township and Sunoco/ETP. The Township's geophysics consultant has reviewed all testing completed as part of the monitoring plan.

SUBDIVISIONS/LAND DEVELOPMENTS

MT305 SERIES

- 129 N. Middletown Road Land Development (formerly "ARTIS Senior Living") – The land development at this location, formerly known as ARTIS Senior Living, was never recorded, and the property was sold to the owner of 47 N. Middletown Road (Philadelphia Meeting Room-Religious Use Land development) and zoning variances have been received for impervious coverage at this location. The applicant recently submitted amended plans that include revisions to reduce construction cost. State permits previously obtained for this site are in the process of being amended and/or transferred from Artis Senior Living to the current property owner (based on the new site layout). The land development submission for 129 N. Middletown Road was reviewed by the Township Planning Commission on June 11, 2024, and has been conditionally approved by the Township Council. The adjoining property located between the site Rose Tree Road, is now owned by the RTMSD and the easement formerly being sought by ARTIS to allow a sidewalk connection from the site to the PGR entrance is now subject to Philadelphia Meeting Road acquisition and RTMSD approval.
- Guss Subdivision (Howarth Road) – Construction of site improvements (not including the dwellings) has been approved by the Township (through issuance of a grading and excavating permit). Construction is on-going and the work is complete. A temporary Certificate of Occupancy has been approved for the both new dwellings constructed at the site.
- Promenade at Granite Run Land Development – Overall site construction pursuant to the approved final plan is on-going and is approximately 95% complete. Work related to the reconfiguration of Apartment Building 2 and surrounding improvements is complete and final Certificate of Occupancy for the apartment building has been approved. In regards to Popeye's, the land development plan has been recorded and it is our

understanding that the property owner intends to begin construction in 2026.

- 386 Dutton Mill Road – A minor subdivision and land development application has been received by the Township for creation of 3 new residential building lots and a lot consolidation. The site is located approximately 500 feet southwest of Mary Anne Drive, on the west side of Dutton Mill Road which is a Pennsylvania State Highway. New homes are to be served by public water (a main extension from Mary Anne Drive) and public sewer. There is a sewer interceptor traversing the rear of the property, which is also traversed by an unnamed tributary to Chester Creek. There is an existing home and parcel that will be impacted by this development. The existing driveway to this home is to be relocated to the proposed shared driveway for the 3 new homes, and the old driveway is to be removed. Further, a portion of the subdivision parcel is to be conveyed to 412 Dutton Mill Road. The parcel is heavily encumbered by wetlands, floodplain, steep slopes, and regulated waters of the US. There is a variable width riparian corridor proposed; however, Township Codes requires a riparian corridor of 50 feet. Some of the proposed improvements are within this riparian corridor. The development will also disturb steep slopes but will not disturb wetland, waters of the US, or floodplain area. A large underground infiltration basin is proposed to control stormwater runoff from the new impervious surfaces. A shared driveway, 20 feet wide, is to serve lots 1 and 2 and 412 Dutton Mill Road. Driver sight distance appears to comply with applicable regulations, but this will be reviewed by PennDOT as part of the Highway Occupancy Permit application.
- Darlington Pointe II Subdivision - Construction is complete with all homes occupied, except for Lot 4All which has been purchased to the owner of 420 Mattrissa Ridge and it is our understanding there is no intent on their part to build on the lot. Certificate of Total Completion has been filed, and it is anticipated that the project will be closed in 2025.
- 33 N. Middletown Road Subdivision (Convery) - Conditional final approval granted by Council. The plan has been recorded. Site work construction (excluding the houses) is largely complete. All Lot 3 work is complete.
- Penncrest High School Life Skills Center and Parking Lot Subdivision and Land Development – Conditional final approval has been granted by the Township Planning Commission and Council. The plan has been recorded, and construction of the bus facility parking lot is complete. Project has not yet been closed through approval of Certificate of Total Completion.
- 345 (aka 347) Valley Road Subdivision – The overall project is complete, and Certificate of Total Completion has been submitted by the builder

and conditions for approval of the CTC have been forwarded to the applicant for completion/resolution.

- Glenwood Elementary School Parking Lot – The plan has been recorded, and a Grading and Excavating Permit has been approved for the construction of the new parking lot and related stormwater facilities. Construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
- Glenwood Elementary School Modular Classrooms – Plan has been reviewed by Township staff and was recommended for final approval by the Planning Commission and approved by Council in May. The plan is recorded, and construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
- Indian Lane Elementary School Parking Lot and Baseball Field Relocation – The plan has been recorded, and construction is complete. Project has not yet been closed through approval of Certificate of Total Completion.
- Luongo Reverse Subdivision and Land Development – Zoning Variances and Conditional Use have been approved. The applicant submitted a land development application which was recommended for approval by the Planning Commission in June of 2023. The applicant has revised the plan pursuant to staff and consultant reviews and was reviewed by Council in June 2024. The applicant is in the process of preparing land development agreements and recording the approved plan.
- Granite Farms Estates – Nursing Care Facility – Site improvements including building additions and reconfiguration of the parking area surrounding the nursing care facility, was granted final approval was granted by Council in March 2022. The plan has been recorded, and construction is nearly complete. The Certificate of Total Completion has not yet been submitted for approval.
- 552 Old Forge Road - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded, and construction is approximately 90% complete. One new home has been completed and is approved for occupancy. The other two dwellings are under construction. Private road installation was recently completed to base paving.
- 40 Van Leer Avenue Subdivision and Land Development - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded, and construction of the first home is now complete and is occupied. The two additional homes have been completed and request for occupancy is currently being reviewed by Township Staff. The applicant has recently filed for approval of Certificate of Total Completion of the project and release of all remaining financial security funds. A list of project defects/repairs (i.e. punchlist) have been sent to the developer for resolution.

- A land development application has been received from Sunnybrae Farm, L.P. (Wolff's Applehouse) for approval of a permanent pavilion structure (previously constructed under a waiver of land development), building expansion (for on-premises kitchen) and a separate garden center building. This application has received zoning variances to permit the proposed expansion. The plan has been recorded and a Grading and Excavating permit has been approved by the Township to complete construction.
- Williamson College of the Trades 72-Bed Dormitory Land Development (Phase 6) – A land development application has been received to construct a 72-bed dormitory at the campus. This application was recommended for approval by the Planning Commission and approved by Council in August 2022. Plan has been recorded, and work is complete. Certificate of Total Completion has been filed by the applicant and the Township is awaiting resolution of issue identified during CTC review.
- Elwyn of Pennsylvania and Delaware – Kitchen Building – A land development application has been received to construct a new kitchen facility at the campus. This plan has been granted preliminary/final approval by Council. Grading and Excavating permit has been issued and construction is complete. It is our understanding that the applicant will be requesting approval of Certificate of Total Completion this land development in 2026.
- ACTS Lima Estates – Rehab and Therapy Garden Land Development – A land development application has been received to construct a small new building addition at this facility. The plan has been recommended for approval by the Planning Commission and has received conditional final approval by Council but has not yet been recorded.
- Wawa Land Development – A land development application has been received by Wawa for minor expansion of the dairy facility to allow the increase of capacity. The plan received conditional recommendation by the Planning Commission in October 2024 and was conditionally approved by Council in November of 2024. The applicant intends to begin construction in February of 2026 and is in the process of completing land development agreements and plan recordation.
- Elwyn of Pennsylvania and Delaware – School Building – A land development application has been received to construct a new two-story school building at the campus totaling 78,336 square feet. This building will be constructed at the location of the existing administration building, which is to be demolished. The plan has been recorded and construction has commenced.
- Mills at Glen Riddle – A land development application was received to construct a 45,000 square feet light manufacturing building at the southwest corner of Parkmount Road and Pennell Road, behind the

existing office complex. This application was conditionally recommended for approval by the Township Planning Commission in April of 2025 and conditionally approved by Council in June. The plan has not yet been recorded.

- Pinnacle Car Wash – A land development application was received to construct a car wash on the Biordi property, just west and south of the intersection of Pennell Road and W. Baltimore Pike. This application was reviewed by the Planning Commission in August of 2025 and was recommended for preliminary approval only.

Kelly Engineers and Surveyors
Township Engineer

A handwritten signature in blue ink, appearing to read 'Eric J. Janetka', with a stylized flourish at the end.

Eric J. Janetka, P.E.



MIDDLETOWN TOWNSHIP APPLICATION TO ZONING HEARING BOARD

27 N. Pennell Road | Media, PA 19063
610-565-2700 | Fax 610-566-3640 www.middletowndelcopa.gov

Date Jan 26th, 2026

Application No. 2026-06

Applicant Mr. & Mrs. Yacono Address 107 Forge Rd. - Middletwn Del Cty PA
(When there are a number of applicants the additional names shall be entered on the back of this application)

Phone: 610-5058350 Applicant Email Address: kellido@gmail.com

Attorney (if any) NONE Address: _____

Phone _____ Attorney Email Address: _____

LOCATION OF PROPERTY 107 Forge Rd. - Middletwn Del Cty PA Zoning District R1-A

Deed Book 6993 Page No. 0353

Owners Kelli & Christian Yacono Address 107 Forge Rd. - Middletwn Del Cty PA

Agent _____ Address _____

If the applicant is not the agent or the owner, state his interest: N/A

Application is made for a (variance) (special exception) from the following ordinance and/or section of ordinance:

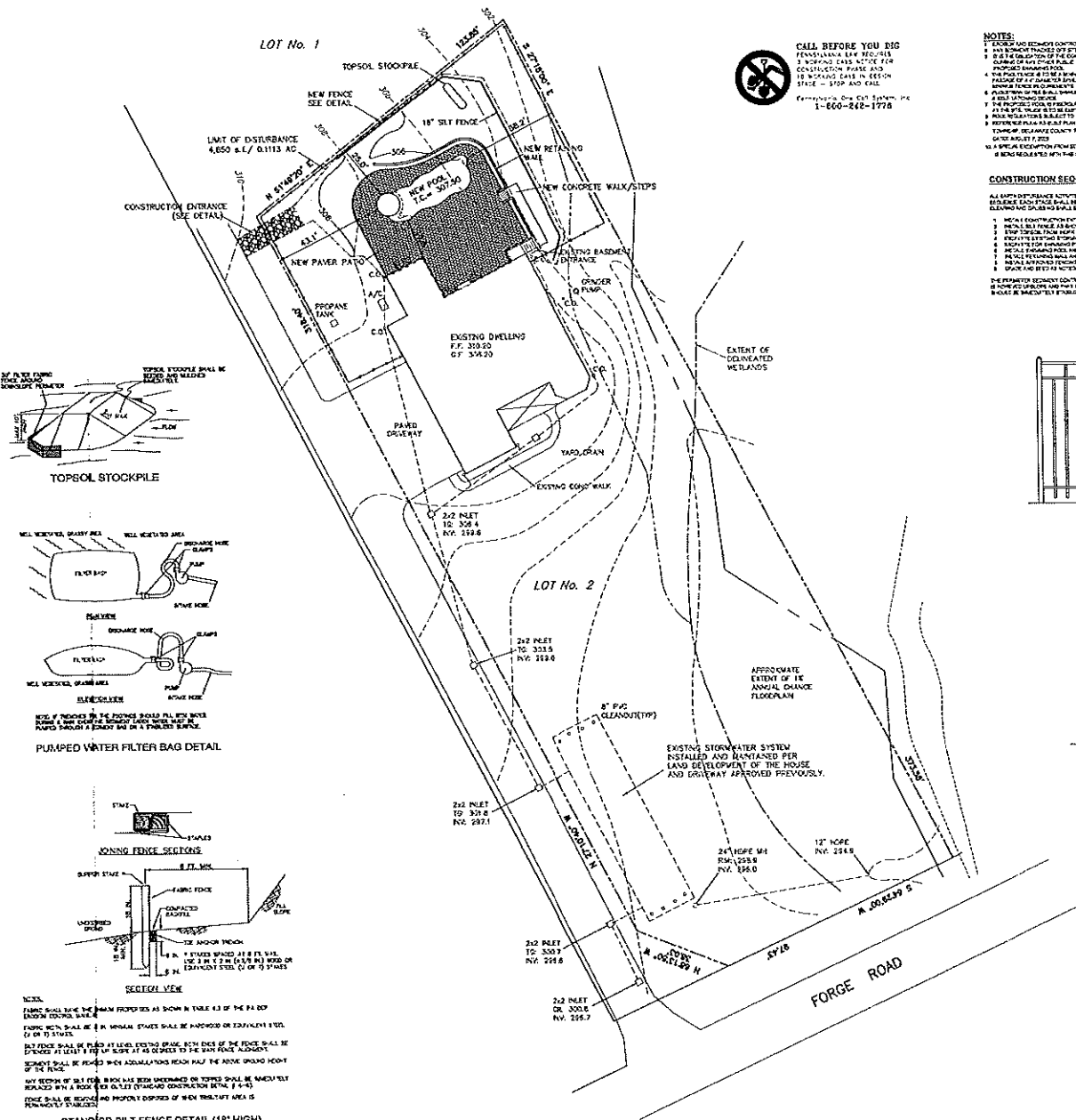
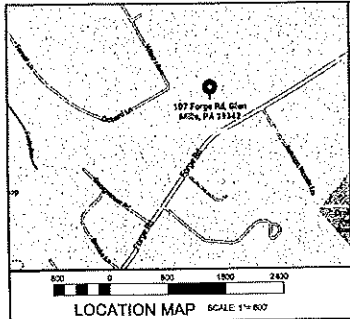
Special Exception per Section 275 - 127 B. (4) (b) [2]
for a swimming pool within the rear yard
setback area, to within 25 ft of the rear
property line.

State facts and/or basis of support of application (attach narrative if necessary) _____

1ac property with a built to limit equal to 10 -15% of this very large property.

Not enough space for a modest pool and patio.

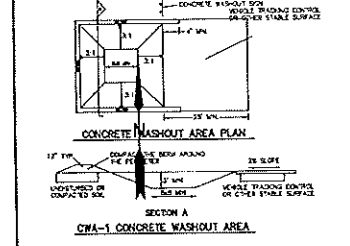
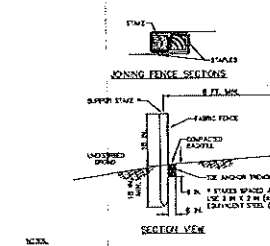
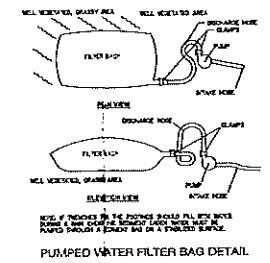
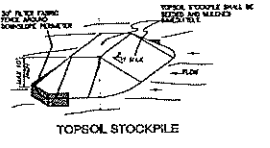
This is further complicated by very large 50' rear setback.



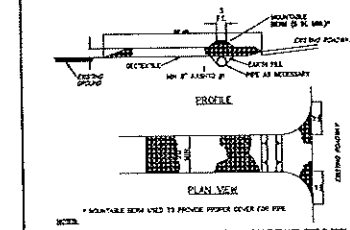
CALL BEFORE YOU DIG
PENNSYLVANIA LAW REQUIRES
3 WORKING DAYS NOTICE FOR
CONSTRUCTION PHASE AND
18 WORKING DAYS IN EROSION
CONTROL - STOP AND CALL
Pennsylvania One Call System, Inc.
1-800-242-1778

- NOTES:**
1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IMMEDIATELY AFTER EXCAVATION.
 2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
 3. THE DESIGN OF THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE BASED ON THE PROPOSED CONSTRUCTION PHASE AND THE EXISTING CONDITIONS OF THE SITE.
 4. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
 5. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
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 9. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
 10. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

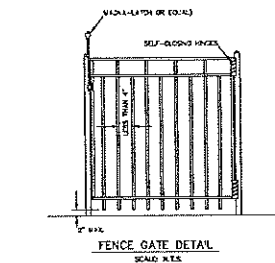
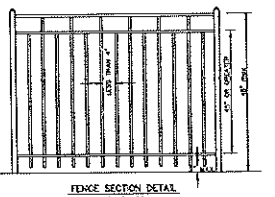
- CONSTRUCTION SEQUENCE:**
1. INSTALL EROSION AND SEDIMENT CONTROL MEASURES.
 2. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
 3. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
 4. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
 5. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
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 8. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
 9. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.
 10. EXCAVATE AND INSTALL CONCRETE WALK/STEPS.



- DELIMITATION NOTES:**
1. SEE PLAN VIEW FOR DELIMITATION LOCATION.
 2. ALL DELIMITATION MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED OR REPAIRED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
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- ROCK CONSTRUCTION ENTRANCE DETAIL:**
1. ROCK CONSTRUCTION ENTRANCE DETAIL.
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 9. ROCK CONSTRUCTION ENTRANCE DETAIL.
 10. ROCK CONSTRUCTION ENTRANCE DETAIL.



IMPERVIOUS CALCULATIONS

ITEM	AMOUNT	PERCENTAGE
EXISTING DWELLING	3700 SF	1.00%
EXISTING DRIVEWAY	1000 SF	0.27%
EXISTING PAVED DRIVEWAY	1000 SF	0.27%
PROPOSED PATIO	400 SF	0.11%
PROPOSED WALK	100 SF	0.03%
TOTAL IMPERVIOUS SURFACE	6100 SF	1.68%

8.000 BTU / 1.000 BTU / 1.000 BTU

NO.	DATE	DESCRIPTION
1	1/27/2023	ISSUED FOR PERMIT
2	2/20/2023	REVISED PER COMMENTS
3	3/07/2023	REVISED PER COMMENTS
4	3/21/2023	REVISED PER COMMENTS
5	4/04/2023	REVISED PER COMMENTS
6	4/18/2023	REVISED PER COMMENTS
7	5/02/2023	REVISED PER COMMENTS
8	5/16/2023	REVISED PER COMMENTS
9	5/30/2023	REVISED PER COMMENTS
10	6/13/2023	REVISED PER COMMENTS
11	6/27/2023	REVISED PER COMMENTS
12	7/11/2023	REVISED PER COMMENTS
13	7/25/2023	REVISED PER COMMENTS
14	8/08/2023	REVISED PER COMMENTS
15	8/22/2023	REVISED PER COMMENTS
16	9/05/2023	REVISED PER COMMENTS
17	9/19/2023	REVISED PER COMMENTS
18	10/03/2023	REVISED PER COMMENTS
19	10/17/2023	REVISED PER COMMENTS
20	10/31/2023	REVISED PER COMMENTS
21	11/14/2023	REVISED PER COMMENTS
22	11/28/2023	REVISED PER COMMENTS
23	12/12/2023	REVISED PER COMMENTS
24	12/26/2023	REVISED PER COMMENTS
25	1/09/2024	REVISED PER COMMENTS
26	1/23/2024	REVISED PER COMMENTS
27	2/06/2024	REVISED PER COMMENTS
28	2/20/2024	REVISED PER COMMENTS
29	3/06/2024	REVISED PER COMMENTS
30	3/20/2024	REVISED PER COMMENTS
31	4/03/2024	REVISED PER COMMENTS
32	4/17/2024	REVISED PER COMMENTS
33	4/30/2024	REVISED PER COMMENTS
34	5/14/2024	REVISED PER COMMENTS
35	5/28/2024	REVISED PER COMMENTS
36	6/11/2024	REVISED PER COMMENTS
37	6/25/2024	REVISED PER COMMENTS
38	7/09/2024	REVISED PER COMMENTS
39	7/23/2024	REVISED PER COMMENTS
40	8/06/2024	REVISED PER COMMENTS
41	8/20/2024	REVISED PER COMMENTS
42	9/03/2024	REVISED PER COMMENTS
43	9/17/2024	REVISED PER COMMENTS
44	9/30/2024	REVISED PER COMMENTS
45	10/14/2024	REVISED PER COMMENTS
46	10/28/2024	REVISED PER COMMENTS
47	11/11/2024	REVISED PER COMMENTS
48	11/25/2024	REVISED PER COMMENTS
49	12/09/2024	REVISED PER COMMENTS
50	12/23/2024	REVISED PER COMMENTS

THOMAS GUY JADICO
1000 Judd Stephen Way
Ewing, NJ 08528
Phone: 215-496-8853
Email: gjadico@msn.com
Professional Engineer
Pennsylvania Professional
Engineer No. 011848-E



EROSION AND SEDIMENT CONTROL PLAN
FOR CONSTRUCTION OF A PROPOSED SWIMMING POOL
FOR
Kelli E. & Christian S. Yacono
107 Forge Road
Middletown, Pennsylvania
Delaware County, Pennsylvania

Received
FEB 27 2023
Middletown Township

SHEET NO.
1 OF 1

Vendor Name	GL Account	Invoice Description	Amount
DEBT SERVICE FUND			
THE BANK OF NEW YORK MELLON	23-472-019-95	LOAN#MIDTWN2019A (i)	44,685.00
Total DEBT SERVICE FUND:			44,685.00
GENERAL FUND			
AQUAAUTOPAY	01-411-384-75	Township Hydrants JAN	9,068.01
GO2 TECH, INC. (ACH)	01-407-300-75	JAN 2026 IT	6,838.19
KEYSTONE MUNICIPAL SERVICES, INC. (01-413-300-75	Building Inspection 01/05-01/16	6,090.00
OPDENAKER INC.	01-426-300-75	JAN RECYCLING AC #14321600	55,399.72
PA MUNICIPAL HEALTH INS. COOPERATIV	01-487-196-55	FEB Health Insurance	48,283.27
PECO - AUTOPAY	01-409-361-85	464 S. Middle ELC 01-2026	7,375.83
THE COUNTRY PRESS, INC.	01-403-230-65	2026 Tax Bills	5,745.00
UNITED INSPECTION AGENCY INC. (ACH)	01-413-300-75	JAN-Electrical Inspections	5,170.00
Total GENERAL FUND:			143,970.02
Grand Totals:			188,655.02

Approved by _____

Date _____