

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
MAY 7, 2025

Minutes of the Regular Meeting of Township Council held on May 7, 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, Bibianna Dussling, Christopher Stump, Mark Damico, Esq., John McMullan, Eric Janetka, Kelly Engineers, Vince Visoskas.

Excused: Walter "Bok" Read, Susan Powell.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Chair, Ms. Dussling, called the meeting of Council to order at 7:00 p.m. and led in the recitation of the Pledge of Allegiance to the flag.

2. APPROVAL OF MINUTES:

Draft Township Council Minutes: November 6, 2024.

Ms. Donnelly made a motion to approve the November 6, 2024, minutes. Mr. Bialek seconded the motion. The motion carried with a vote of 5-0.

3. PUBLIC COMMENTS:

Ms. Lori Reynolds, Hunting Hills Lane, stated at the March 2025 meeting, which was the first meeting she attended, she learned about the proposed school on Rose Tree Road. She stated at that meeting, there was a woman who questioned a School Board meeting that happened on January 24, 2025. There were two bulletins, the first clarified the process and the second continued to coordinate on key items for Land Development. The audio of this meeting stated it was a very productive meeting and Middletown Township is looking forward to working with the School Board and assisting with the Land Development. The Township even made suggestions on how to keep ahead of things. Another consultant at this meeting stated, "it is night and day between this experience and Egmont Township." Ms. Reynolds stated after reading this she was really surprised after what the Township told the public. The Township's public denial while at the same time pledging support to the School Board is disheartening. She stated she questions why build on Rose Tree Road and found only two answers even though the School Board has a whole list of selection criteria; the school owns the land, and it can be built quickly.

Ms. Reynolds stated safety not expediency should be the driving force. She stated looking at the permits they are required to get she does not think the school can be built quickly. She wants the Township to realize this building has the capacity for 817 and maybe up to 908 children between the ages of 4-6 years old. She stated most of the children will be driven. There is not enough space at that site to accommodate the anticipated car line that will be generated. The line will go down Rose Tree Road around the bend to Hunting Hills and will create a traffic hazard. The School District knows this, last week they said their solution is to add another parking lot on the other side of the proposed school taking away more athletic fields and paving over green space. So even with two subdivisions, which raises a question, why the Township is willing to gain their own impervious surface requirements makes no

sense, and why is the Township going forward with working with the School District seemingly behind the public's back. When the construction happens on Rose Tree Road and Rt. 352, the school is going to be nearly inaccessible because both roads to get to the school are going to be under construction. The cars are going to be stuck and unable to get out on Rt. 352. Rose Tree Road will be backed up from Ridley Creek Road to Painter Road.

Ms. Reynolds stated she heard a parent say " I'm going to park at Longview Park and run my kid across the road. It made her cringe because at that location there is a blind curve with a really short sightline. The motivation for such a dangerous measure is 100% preventable. Previously, with a different Council, Middletown Township objected to Penncrest High School adding a parking lot that would have an exit and entrance at this location. The proposed school, which is the size of a commercial building, in a residential neighborhood doesn't integrate well and has a negative impact on the community. She stated she is here to ask Council to act in the best interest of the children, the parents and grandparents that are likely going to be the ones picking up the children and become stuck in this nightmare of a traffic situation. The neighborhood and even random commuters are all going to be impacted. Peoples' lives will depend on what Council does.

Ms. Reynolds urges the Township to not go along with such a dangerous, oversized, and foolish solution. She is asking the Township to deny the reverse subdivision and encourage the district to consider an alternative site; such as the empty Sears building. This site has utilities, does not impact wells, does not encroach on historic property, doesn't require a PennDOT permit or an NPDES permit., there are no wetlands, there is no gas pipeline nearby, no stormwater management, and the building would likely be completed sooner and cheaper than this proposal. The people in opposition are not against a full day kindergarten but they are in support of safety. They have the vision and common sense to see the full impact of the decision. Rose Tree Road is unworkable for this project. Edgmont Township Council was open to listening to people and ultimately demonstrated the courage to make the difficult decision to deny the School district at that location. She hopes Middletown Township will do the same. She wants Council to please act in the interest of public safety.

Ms. Dussling stated she can understand, given the characterization of that slide, the confusion but no detailed plan has come before the Township. Ms. Reynolds stated she understands, but it seems a little disingenuous, because the implication is Middletown Township is "a done deal" which is the message the School District is trying to get to the public. If you hear their consultants talk, someone on Council has given approval on this project. Mr. Bialek stated he believes some of the comments may have been taken out of context. The Council supports the process of every applicant that comes for Land Development. By no means does this mean that the Council supports the development as it sits right now. It hasn't even come before Council yet. Ms. Dussling explained the School Board did not come before the Township with a detailed plan. They met with a couple of Council members and staff to give a heads up that this was going to come to the Township. They asked for feedback and there were concerns expressed even at that meeting regarding traffic and the location. It was an initial heads up from the School District and did not even involve a detailed plan. Ms. Reynolds stated this was not the way it was characterized.

Ms. Ciuca stated clarification of the Land Development process is something that would be provided to anyone who came to the Township, and this would be done by staff. Clarifying the process does not mean Council is approving the development. Ms. Reynolds stated it was implied the Township was going to help the School District to keep ahead of things. Ms. Dussling stated a plan has not been presented to the Township. Ms. Reynolds stated there were 40 people attending the School Board meeting and they did not let the public speak. They were going to do questions and answers, and they provided index cards to write down questions. People attending were furious because they did not get a say. Ms. Reynolds said she did a right-to-know inquiry which was denied, she appealed and was told they don't have any records that pertain to any studies, reports, analysis, or environmental reviews.

Mr. Bialek stated once a plan is submitted, this is when the public can get this information. Ms. Reynolds stated she is just trying to give an indication of how the School Board has been. Yesterday, the state records officer wrote back to the School Board asking them to clarify how they reviewed their records with the A&E firm. The School Board didn't even respond to the first deadline, so they were given one more week to respond and the School Board reported no responses. However, that evening the school's consultant reported there was an environmental review done showing no endangered species, a traffic study was done as well as other reports that they will not share with the public.

Ms. Dussling explained once the School Board initiates the process, the plan comes before the Planning Commission at which point the information will be public. Mr. McMullan stated a step prior to the Planning Commission would be a Council subset committee of Land Planning first which is a public, advertised meeting which gives the subset committee the opportunity to hear the project for the first time. He added there is no date for this committee meeting because they have not received any plans from the School District yet. This committee meeting will be the first public meeting which is typically held before the start of a regular Council meeting. At this point it will then go before the Planning Commission. Ms. Dussling commented on her suggestion of using the Sears building for the school. She stated the owners of the Promenade have been trying to purchase the building from the owner but, they are holding firm at an exorbitant price so she can't imagine the School District wanting to pay this price for the building.

Ms. Reynolds added other suggestions such as the agricultural fields at Elwyn, the Sleighton tract, putting a second floor on the existing school, anything safer than this location. Ms. Dussling stated one of her concerns is whether the School District is aware of the PennDOT project which will completely change the intersection of Rose Tree Road and Rt. 352. Ms. Reynolds thanked Council for their time and clarification.

Mr. Michael Risser, Edgmont Township, stated his Township went through this from 2021 until 2025 when they finally won after his group spent their own money to hire an attorney to support their Township attorney to get this case heard properly and to make sure that a school being built 200 feet off of a 60- or 80-year-old pipeline was not acceptable. The 800-foot pipeline off of the back of Glenwood School is safe. He stated he is running for School Board.

He said the current School Board is reporting that this is a done deal in Middletown Township. The consulting firm is expecting to make millions of dollars getting the school built. His group has given the School Board alternatives such as expanding existing schools, renovation, and adding classrooms. The Board preaches neighborhood schools yet pulling children out of existing schools and busing to the proposed school is not a neighborhood school. This would mean the youngest children taking the longest bus rides and after two years they will be shipped to another school. Ms. Dussling explained again nothing has come before the Township and added it is an organic process and may look very different at the end of the process. Mr. Stump stated this is a very emotional issue involving young children, safety concerns, and what Council has to do through this process is stick to the facts. All information will be made available to the public.

Ms. Colleen Jaanczyk, 655 Heilbron Drive, stated she has a lot of issues about the transparency of this school. She stated all the School Board does is thank Middletown Township for helping them get ahead of things and do next steps. She wanted to know who is meeting with the School Board and why the meetings are not public with minutes. She stated in 2006, this was shot down due to safety issues. Just last Wednesday there was an accident involving an F-150 truck which flipped over. Ms. Janczyk showed a video on her phone of the traffic issues on Rose Tree Road.

Ms. Dussling asked what happened in 2006, and Ms. Janczyk replied the School District tried to put an 88-car parking lot at the back of Penncrest High School in the same spot they are proposing the new school which was denied due to traffic and safety concerns. She stated it makes no sense to save the park across the street for green space and turn around and clog up the streets with more traffic. Ms. Ciuca stated the School Board can submit their plan and Council will take all comments into consideration. She stated they are clarifying the process which they would do for any applicant.

Mr. Paul Lopriato, 123 Kyle Square, Ponds Edge, asked if Outrigger, Inc. is still on track with the Planning Commission, and Mr. McMullan stated it is still on track, but they are considering an alternate location for the meeting. They have reached out to the School District for available space. They will have this information by the end of the week and make the location public. Mr. Lopriato asked if the meeting would be open to the public, and allow public comment, and Mr. McMullan replied yes.

4. REPORTS

A. Chair:

Ms. Dussling reported on the unfortunate cancellation of Community Day. She thanked the Parks and Recreation Department, staff, and the Public Works Department for all of their hard work organizing this event. She stated due to the weather forecast; vendors cancelled due to the fact they stood to lose money because of rainy weather. She stated she is looking forward to the fall for the "Food Truck Festival" event.

B. Committees: NONE

C. Manager:

Mr. McMullan mentioned again the Township staff is looking at alternate options for the Planning Commission meeting, as yet have found none, but will have a location confirmed by Friday so the public has enough time to adjust and accommodate for their own schedules for Tuesday, May 13, 2025. Mr. Bialek asked where the public should look for this information, and Mr. McMullan replied information will be posted on the Township website and on Facebook. Ms. Dussling asked if the information will be in time for the Township newsletter, and Mr. McMullan stated it will be posted in the newsletter as well.

1) Fire Chief: Bill Rigby

Chief Rigby reported there were 65 fire calls for the month of April 2025. Of those, there were approximately 12 MVA's with 40 crashes this year. 278 fire calls to date. There were no fire calls of note in April. There was no property damage to report. Chief Rigby reported that the closure of Crozer Hospital went through with losing all services including EMS on Saturday, May 3, 2025. There were some arrangements from Delaware County to supplement ALS care to communities in the county that didn't have ambulance coverage in place. Crozer provided 65% of the ALS care in the county prior to the closure. Larger communities such as Chester City and Upper Darby had coverage. The county placed four chase vehicles with a paramedic throughout the county with one placed in Middletown Township. This vehicle is to target four municipalities; Brookhaven, Upland, Chester Township and Parkside. This vehicle is also supplementing Middletown Township. Chief Rigby reported there are only two hospitals left in the county with Riddle Hospital dealing with the influx of patients. The units the county funded are for 90 days to give municipalities time to plan how to move forward.

Rocky Run ambulance service has expanded greatly. As an example, in 2019 they responded to 21 calls, in 2020 - 20 calls, in 2021 - 177 calls, in 2022 - 500 calls, in 2023 - 889 calls and last year they responded to 1,700 calls. In 2025, they expect approximately 2,800 calls. He stated not all of those calls are in Middletown Township. For the month of April, they made 184 calls. There is a unit staffed 24x7. Chief Rigby reported the duty engine rotates between stations weekly and is staffed by volunteers 7 days a week. Mr. McMullan asked about the volunteers' cross training with EMS, and Chief Rigby stated the fire volunteers are trained to provide the basic level of care; start CPR, start care, and stabilize the patient. Ms. Dussling asked if Riddle Hospital provided any details on any further expansion on their part. Chief Rigby stated Riddle Hospital is staffing the chase car provided by the county in Middletown Township. The car in the Norwood area is staffed by Keystone Medical, and units from Montgomery County are providing care in the Chester riverfront area. Ms. Donnelly thanked the chief and the volunteers for stepping up and asked if there was anything Council could provide at this time. Chief Rigby thanked Council for their continuing support.

D. Engineer:

1) Engineer's Monthly Report - April 2025.

Mr. Janetka reported the final grading and seeding will be done at Roosevelt

Community Center. There will be crews out next week to do final work on the Mint Trail. He stated the Outrigger LLC second review has been completed. The Lenni Park project is moving forward with design plans and permit applications in order for it to be constructed this year. He added the permitting process takes a long time, but they are making good progress. He stated they are 65-70% complete on the design.

5. PUBLIC HEARING: NONE

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS:

A. Review: Preliminary/Final Land Development application submitted by Elwyn Schools for a new school building, located at 111 Elwyn Road.

Mr. McMullan reported for Council's review is the Preliminary/Final Land Development application submitted by Elwyn Schools for a new school building located on the main campus at Rt. 352 and 111 Elwyn Road. The application has been reviewed by Delaware County Planning Commission, and they recommend approval. The application has been reviewed by the Middletown Township Planning Commission, who are also recommending approval. As with every application, the Township's professional staff has reviewed the plan and sent comments. The applicant has replied they will comply. He stated additionally, the applicant was before the Land Planning Committee a few months ago who had some questions. There are some waivers associated with the application which involve allowing the plan to be considered for Preliminary/ Final, to permit storm sewer structures within 10 feet of utilities and pipes not oriented at right angles, basin slopes to minimize woodland disturbance to allow a structure to within 30 feet of a basin, and a driveway slope of 10%.

Mr. Charlie Houder, Haverford Development Partners, is working with Elwyn to help them facilitate the creation of the new school building. He gave background information stating the existing school campus is within the entire campus which is a subsection of the buildings on the campus. There are multiply buildings as part of the subsection. At the center of the complex is the old original administration building. This building has reached the end of its useful life. The building is old, the spaces are outdated, it's very expensive for Elwyn to maintain the building for many reasons; it's old, it's stone, interior dimensions and spaces that don't match today's uses especially for a special needs school. The other complication with the existing building is the central boiler system. This system is not central anymore in that as buildings have been modernized they have been taken off the central boiler system so now there is a titanic of a boiler system that is meant to operate many buildings to only operate a couple of buildings. It is astonishingly expensive to maintain and operate.

Because the old building sits at the center of the campus and in terms of topography it was determined to be the best spot on the campus to build a new school building where the administration building now exists. Mr. Houder showed the location of the new building on plans presented to Council. The new school building is designed as a purpose-built building for special needs children. This school has an additional layer of design to

accommodate the profile of the students that will go there. It takes an older antiquated school complex and introduces a brand-new building. In addition to the administration building, there is another building adjacent that will also come down. There will be two buildings that come down to make way for the new one. Mr. Houser showed an artist rendering of the new building. He added some of the residents that live on campus will also attend the building. (From this point, it is inaudible)

Mr. Houser stated he will work with Elwyn and Middletown Township Historical Society to preserve many old and historic sections of the building such as the cornerstone. He stated they have looked closely at parking and traffic patterns. He stated there will not be an increase in students just a better space for the students that already exist. The parking design will be a much better experience. They are also paying attention to internal circulation routes for school buses, parent drop-offs, and special needs transportation. Mr. Bialek asked where the construction entrance and exit will be located. Mr. Houser stated the best entrance area will be Elwyn Road by using an existing road. He added there is another entrance on School Lane, but that would be too congested to use. They are very respectful of the fact that people live on the campus. Ms. Ciuca asked how long the project is proposed to take, and Mr. Houser stated if they break ground at the end of this year, they are hopeful to complete it by 2027.

Mr. Stump asked where the administration will move to during construction. Mr. Houser stated the old administration building is lightly used but some employees will work from home, some will go to other locations in the region, and the third group will go to newly leased office space close to the campus. This will be their temporary headquarters. They are also looking at other buildings on campus that could be repurposed for a new administration building. He has told Elwyn there are a lot of buildings on campus so they don't always have to build new but can repurpose an old existing building which saves on approval time and other obstacles and can also cost less. Ms. Dussling thanked Mr. Houser for a very thoughtful process. She added this is only a review and that Council will not take action this evening.

B. Review: Resolution 2025-XX, authorizing Township Officials as liaisons to Berkheimer Tax Collection.

Mr. McMullan stated for Council's review this evening is a resolution that is required by Act 511 of the Commonwealth of Pennsylvania to authorize staff to act as liaisons to Berkheimer Tax Collection. This is a requirement by resolution for Council to identify staff, the Township Manager, the Finance Director/Tax Collector, and/or Deputy Tax Collector as its authorized representatives to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes.

C. Review and Introduction: Ordinance 870, installing a two-way Stop Sign Intersection at Howarth Road and Ahrens Lane.

Mr. McMullan stated for Council's review and introduction is Ordinance 870 which amends Chapter 235, Vehicles and Traffic, of the Townships' Code of Ordinances, to provide for an all-way stop sign at the intersection of Howarth Road and Ahrens Lane.

Members of the Roads, Highways, and Public Safety Committee are more familiar with this request. This came from a resident of Ahrens Lane requesting the Township look at traffic patterns and speeding on Howarth Road. Howarth Road was used as a significant cut through as a result of the Glen Riddle Road Bridge Replacement construction project. Prior to the construction, there was an issue with the school district not permitting buses to enter Howarth Road and use Ahrens Lane as a turnaround. Ahrens Lane is a cul-de-sac. There was a great deal of discussion with a resident and the school district. Unfortunately, the School District stuck to its position. The resident came to the Roads, Highways, and Public Safety Committee to ask the Township to consider a variety of traffic calming mechanisms. One being looking at the crossing on Howarth Road that leads to Mt. Alverno Road. The Township's engineer did a thorough review, and the cost estimate was very significant and not feasible in the immediate future. This could possibly be budgeted out for many years. There has also been discussion on other traffic calming mechanisms like speed bumps and speed humps which is still in committee for additional review. They looked at installing stop signs at Howarth Road which is a very narrow road. There are no shoulders, so the School District doesn't permit buses on Howarth Road. The Traffic Engineer concluded that installing stop signs at Howarth Road and Ahrens Lane would improve safety. Ms. Dussling noted there is a bus stop at Howarth Road and Glen Riddle Road and Mr. McMullan stated, apparently as a result of this bus stop, cars are stacked waiting on Howarth Road for the school bus.

Ms. Patricia Haggerty, 16 Soldier Song Lane, asked what type of stop sign it will be, and Mr. McMullan stated it is considered an all-way stop sign. Mr. Bialek asked if there had been any opposition to the stop sign, and Mr. McMullan replied no. Ms. Jen O'Donnell, 207 Howarth Road, stated she realizes the discussion of speed bumps is still underway, but she feels the installation will help improve traffic and asked if moving forward if there is anything that could prevent the speed hump being installed with the stop signs in place or are they considered separate items. Mr. McMullan stated they considered them separately, he added there has been a lot of discussion within the Roads, Highways and Public Safety Committee as well as input from the traffic engineer and a fair amount of input from residents. He stated they are just not there yet this being in the infant stages. Mr. McMullan stated Council must move to introduce the Ordinance to install the Stop Signs, and he will properly advertise in order for it to be before Council at the May 21, 2025, meeting.

Mr. Bialek made a motion to introduce Ordinance 870. Mr. Stump seconded the motion. The motion carried with a vote of 5-0

- D. Review and Introduction: Ordinance 871, renewing the Comcast Franchise Agreement. Mr. McMullan stated this is a similar exercise this current Council went through with Verizon. This is a five-year renewal agreement with Comcast. The current agreement ended in October 2024. The Township is represented by Cohen Law Group for these agreements. The law firm provided an audit, and the audit determined the Township was made whole by Comcast during the current agreement period. One thing the audit identified, and they saw the same thing with Verizon, is the number of subscribers is

decreasing in terms of full services because of the new technologies available such as streaming. The bundle packages are declining. One of the things recommended by Cohen Law Group is the Township is currently at a 4 1/2% on gross revenue. The suggestion is to increase to 5%, which is the maximum to offset the decrease in subscribers throughout the Township. This will be the change in the existing agreement. This will be a slight increase for subscribers. Ms. Dussling asked for background on why Council needs to vote on this. Mr. McMullan stated utilities in the state of Pennsylvania are required to enter into agreements with each municipality. It is primarily for rights-of-way. The Township permits the use of rights-of-ways per this agreement to give access to utility companies. With that, Townships are providing rights-of-ways and access to areas so, they should be compensated for the gross product being sold by the utility. The state of Pennsylvania requires the utility to offer free cable connections to public buildings such as school buildings, fire departments, Township buildings etc.

Ms. Ciuca made a motion to introduce Ordinance 871. Ms. Donnelly seconded the motion. The motion carried with a vote of 5-0.

8. ITEMS FOR APPROVAL:

A. Consideration for Approval: Resolution 2025-11, Emergency Declaration for Middletown Township, due to the closure of Crozer Health Systems.

Mr. McMullan stated to piggyback on what Chief Rigby reported, with the closure of the Crozer Health System, Delaware County Council signed off on a resolution initiating an emergency declaration. In conversations with other municipalities and knowing what the emergency declaration permits municipalities to do during an emergency, Mr. McMullan engaged Council electronically an approval for the emergency declaration. Before Council this evening is the act of ratifying and making a decision as to whether to continue. There is no date certain ending the agreement. He would not suggest ending the emergency declaration at this time, and Chief Rigby would support this decision. What declarations do is empower municipalities to take immediate action to protect the health and safety of residents and bypass certain regulatory and procurement processes enabling a faster response to evolving crisis.

An example, since the Township has an emergency declaration in place and then the state declares their own emergency declaration and for one reason or another they would need to supplement additional funds to Rocky Run to staff another ambulance or more hours staffed for an ambulance, the Township would be able to provide that allotment which opens the Township for reimbursement from PEMA and to waive procurement requirements during this process in having the emergency declaration in place. Mr. Stump asked if there is a threshold in place for the ambulance service noting the growth of the service if the line is crossed. Mr. McMullan stated they don't have a policy, per say, in place but use the Capital Budget as a guide in terms of what would be available to spend during this crisis. Mr. Bialek questioned whether this is in reference to a financial perspective or the number of calls the ambulance responds to. Mr. Stump stated he is referring to the number of calls. He stated the county reported the average call in April of 2024 was 22 minutes, and in April 2025 the average call was

49 minutes and expected to grow. Mr. Bialek asked if there is a tipping point where the Township would look into purchasing another ambulance.

Chief Rigby stated due to the increase in wait time at the emergency room there is a process in the works, but it would not be realized until 2026. Mr. Bialek stated while he supports the no deadline he would like to revisit in 6 months and determine at that time if the Township is still in an emergency state and needs to continue. Mr. McMullan suggested shrinking the timeline to 3 months. Chief Rigby suggested revisiting prior to the 90-day county declaration and looking at how the other municipalities are doing and adjust from there. Ms. Dussling asked if this needs to be added to the resolution and Mr. McMullan stated the end date will be added to the Resolution.

Mr. Bialek made a motion to approve Resolution 2025-11. Ms. Donnelly seconded the motion. The motion carried with a vote of 5-0.

B. Approval of the May 7, 2025 Bill List.

Ms. Dussling read the Bill List aloud.

	CAPITAL RESERVE FUND		
Suburban Overhead Doors	Replace Garage Door	\$	5,575.00
	TOTAL CAPITAL RESERVE FUND	\$	5,575.00
	DEBT SERVICE FUND		
The Bank of New York Mellon	Loan# Midtwn2019	\$	42,775.00
	Loan# Midtwn2019	\$	47,350.00
	Loan# CT2007892	\$	173,175.00
	TOTAL DEBT SERVICE FUND	\$	263,300.00
	ESCROW FUND		
Kelly Engineers & Surveyors	February Engineering - Escrow	\$	8,672.75
	TOTAL ESCROW FUND	\$	8,672.75
	FIRE APPARATUS FUND		
GM Financial	2024 Tahoe SSV	\$	54,000.00
	TOTAL FIRE APPARATUS FUND	\$	54,000.00
	GENERAL FUND		
Aqua Autopay	Hydrants 2/28 - 3/31	\$	9,078.00

Barbacane Thornton & Co. LLP	2024 Middletown Fire Audit	\$	5,750.00
GO2 Tech, Inc. (ACH)	March 2025 IT	\$	6,073.99
Kelly Engineers & Surveyors	February Engineering - GF	\$	13,740.75
Linn Architects (ACH)	Inspections - Promenade @GR Apts.	\$	15,000.00
PLGIT -CC GF Autopay	HM CC -Trips	\$	9,163.44
	General Fund Total	\$	<u>58,806.18</u>
	GRAND TOTALS	\$	<u>390,353.93</u>

Mr. Bialek made a motion to approve the bill list. Ms. Donnelly seconded the motion. The motion carried with a vote of 5-0.

Ms. Dussling adjourned the meeting at 8:27 pm.

Respectfully Submitted,



Sharon Browne



Middletown Township **Engineer's Report**

May 7, 2025
Council Meeting

MINT PEDESTRIAN TRAIL (PHASE 1)

MT100-V1

- The project was awarded on November 27, 2023, to Richard E. Pierson Construction Co. Construction is now complete with the exception of permanent vegetative stabilization and minor repairs to be made in the Spring 2025. The recently constructed segment of the trail is now open to the public. Punchlist/repair work will be completed in April or May 2025 related to permanent ground stabilization, erosion controls and other minor items.
- General NPDES Permit for the remaining phases of this project has been extended to December 7, 2029.
- Preliminary design 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.

ROOSEVELT COMMUNITY CENTER (PHASE 1)

MT100-O

- Construction was completed by Joseph J. Danielle, LLC and began on July 17, 2024. Heavy work at the site began around August 5, 2024. Overall improvements (Phase 1 and Phase 2) will include construction of a new tot lot, new parking, reconstruction of existing parking facility both in front of and behind the facility, grading of a small field area (next to the tot lot), stormwater management improvements and construction of courtyard improvements. Work is now complete with the exception of permanent vegetative stabilization and minor repairs to be made in the Spring. The Tot Lot was formally opened to the public in late November. A meeting will be held the week of March 31st to coordinate completion of all remaining site work, specifically permanent vegetative stabilization, erosion repairs and seeding, which will take place in April or early May 2025.
- 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.
- Field survey of the park is complete and design (layout, grading, stormwater management design, etc.) is approximately 60% complete and it is anticipated that the project will be submitted for permit from the State and County in May 2025. Work is tentatively scheduled to begin in the late summer of 2025 and completed by late fall. The project will be completed in multiple phases. The first phase of improvements will include 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, baseball field fence, benches, and bleacher pads. The second phase is tentatively planned to include additional pedestrian trail, new parking, multi-court surface and fence, and pavilion upgrades.

TOWNSHIP GUIDERAIL PROGRAM**MT124-E**

- The guiderail program is for the installation and/or replacement of guiderail along the following 6 segments of Township roadway (including the segments associated with the recently completed 2019 contract): Howarth Road, E. Knowlton Road (North), E. Knowlton Road (South), Darlington Road (East), Darlington Road (West) and Valley Road.
- Preliminary design plan is complete for E. Knowlton Road (South), Darlington Road (West) and Valley Road. Bid letting for this work has not yet been scheduled. Significant utility pole relocation and tree removal are required for these projects. The Township recently coordinated relocation of several utility poles impacted by these projects, with PECO.
- The Township is presently working with PECO to relocate utility poles in advance of guiderail projects being finalized and constructed in the future.
- 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.

- 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.
- "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

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- Construction of Stage 2 and Stage 3 of the project has been completed, and it is anticipated that some of the field areas may be open to public use in the fall (to allow grass to grow properly).
 - The final construction phase is anticipated for the spring of 2025 or 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 cost estimated in 2021 to complete the final phase of work was approximately \$500,000.00; however, it is likely this cost has increased due to the current economic environment.

- 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 2025 or 2026 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 will be the first stormwater BMP project from the PRP, to be completed (in 2022). 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.

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. It is anticipated that this land development project will be on a Council Agenda in the near future for consideration of approval.

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 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 (aka ARTIS Senior Living) Land Development – 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 the new owner has received zoning variances for impervious coverage at this location and is in the process of obtaining all other required State approvals to construct a congregation meeting hall. The land development at 47 N. Middletown Road has been withdrawn. 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 and the pedestrian crossing at the entrance to the Promenade at Granite Run, 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 activity at the site is on-going and the work is approximately 80%

complete. A temporary Certificate of Occupancy has been approved for the first constructed home.

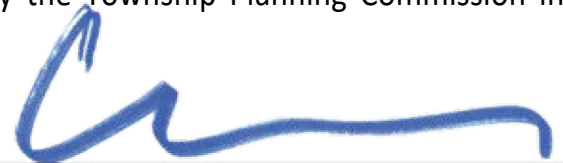
- Promenade at Granite Run Land Development - Construction pursuant to the approved final plan is on-going and is approximately 90% complete. The following amendments to the approved final plan were received in late 2022 and early 2023:
 - ✓ Reconfiguration of Apartment Building 2 and surrounding improvements. This work is approximately 95% complete. The applicant intends to open the leasing office in February of 2025 with occupancy of the apartment units possibly beginning in the spring of 2025.
- 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. The application is scheduled to be reviewed by the Planning Commission in October 2024.
- 643 Darlington Road Minor Subdivision – A minor subdivision and land development application has been received by the Township for the creation of 3 new residential building lots. This application was granted conditional final approval by the Council in September 2024. The applicant recently submitted an amended final plan to reduce the total number of lots from 3 to 2 and this has been approved by Council.

- Darlington Pointe II Subdivision - Construction is complete with all homes occupied, except for Lot 4All which has been purchased to the owner of 420 Matrissa 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.
- 312 Lenni Road Subdivision - Conditional final approval granted by Council. The plan has been recorded, and construction has commenced by Cornerstone Quality Builders. All five homes are complete and occupied and the project is approximately complete. The applicant has requested approval of the Certificate of Total Completion.
- 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 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.

- 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 has started at the site. One new home is under roof at this location and the private road in under construction.
- 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. Permits for the two additional homes have been approved and construction has commenced on those homes.
- 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 been recommended for conditional use approval and preliminary land development approval by the Planning Commission and has received zoning variances to permit the proposed expansion. The township Council granted final approval of this plan, but it has not yet been recorded. The applicant has received approval of a grading and excavating permit application for construction of site improvements, specifically limited to the new driveway (from Whirlaway) and the required stormwater management system for the overall project. This work began in January 2025.
- 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 recommended for approval by the Planning Commission and conditionally granted preliminary/final approval by Council. Grading and Excavating permit has been issued and construction is nearly complete. It is our understanding that the

applicant will be requesting approval of Certificate of Occupancy for the building in the near future.

- 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.
- Outrigger Industrial Acquisition, LLC – A land development application was received on November 21, 2024, for the construction of a 334,000 square feet warehouse facility between Pond's Edge residential development and Franklin Station residential development along Baltimore Pike, just west/south of Pennell Road. This application will be reviewed by the Planning Commission in May of 2025. Staff and consultant plan reviews have been completed and submitted to the applicant.
- 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. This application was conditionally recommended for approval by the Township Planning Commission in April 2025.
- 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



Eric J. Janetka, P.E., Township Engineer
Kelly Engineers and Surveyors