

MIDDLETOWN TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA  
SEPTEMBER 17, 2025

Minutes of the Regular Meeting of Township Council held on September 17, 2025, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

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Present: David Bialek PharmD, R.Ph., Bibianna Dussling, Susan Powell, Christopher Stump, John McMullan, Mark D. Damico, Esq., Chief Bill Rigby.

Excused: Carissa Ciuca, Jackie Donnelly, Walter "Bok" Read, Eric Janetka

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1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Chair 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:

1) Draft Township Council Minutes: June 4, 2025.

Mr. Bialek made a motion to approve the June 4, 2025, Council minutes. Mr. Stump seconded the motion. The motion carried with a vote of 4-0.

2) Draft Township Council Minutes: May 21, 2025.

Mr. Stump made a motion to approve May 21, 2025, Council minutes. Ms. Powell seconded the motion. The motion carried with a vote of 4-0.

3. PUBLIC COMMENTS:

Mr. Lennart Jungbark, 206 S. Pennell Road, asked about the progress on Loop Road. Mr. McMullan stated the Loop Road is in a holding pattern. Township representatives have had meetings with the Riddlewood/Sunnybrea Community Association who have had additional questions which were tasked to PennDOT. PennDOT is running models to get newer traffic data to prepare for a meeting with Riddlewood/Sunnybrea Community Association. They are hopeful PennDOT will have the data for a meeting at the end of the month so the Riddlewood/Sunnybrea Association can take the information back to their members. Mr. Jungbark stated living on S. Pennell Road the speed limit enforcement would be greatly appreciated. He has seen a lot of accidents in front of his house.

Mr. John Laye, Spring Run, stated for the record, he would like the tree line that runs down Rose Tree Road to be retained. He stated they add to the attractiveness of the community. Because the proposed school development is further down the road, and since the developers can project the cost of building, can they also project the proposed tax revenue. When this comes to fruition, if there are construction overruns the cost shouldn't fall on the taxpayers.

Ms. Dussling stated that even though the project is further down the road as he had stated, the process has begun. So, this is the appropriate time to give feedback. (Inaudible 05:36 - 6:10). Mr. Bialek stated the process began with a presentation before the Land Planning Committee. He stated his comments as well as others will highlight key questions Council

will be asking the developers such as costs and how they will affect the residents. (Inaudible 06:40 - 07:10). Mr. Laye asked about the name of the park. Ms. Powell stated that one of the historic homes was named Longview. Mr. McMullan stated the name was taken from the house that was owned by the Smedley family called Longview House. It provides a long view of the city skyline.

Ms. Dussling stated the Smedley family did not want the park named after them. She added the road that Mr. Laye was alluding to is part of the PennDOT project which is scheduled to start in 2035. She added the school district is aware of this and is taking it into account with their plans. Mr. Bialek stated as part of the Land Planning Committee meeting, they asked the school board what contingencies and scenarios they are considering as they think about the Rt. 352 project and what impact it may have on the proposal they are putting forward or plan to put forward. Mr. Laye suggested the school district look into the Sears property.

Mr. Joe Ward, 16 Van Leer Avenue, stated he would like Council to push hard against the school district to not build at the proposed location. He knows they own the property, but it is one of the densest traffic areas in the entire Township. A church is going to be built right next to Van Leer Avenue. He stated he sees accident after accident at the intersection of Van Leer Avenue and Middletown Road. It is not a safe place to bring in extra traffic, trucks and buses every single day. He invited Council to come to Van Leer Avenue at 3:00 p.m. to see how far the traffic backs up. It is a traffic nightmare and adding more density in this area is insane. He suggested the school board utilize the Franklin Mint property and build the school there where it would have a lot less of an impact traffic wise.

Mr. Bialek stated both of those topics were presented to the school district representatives during the Land Planning Committee meeting. One being an updated traffic study is ongoing so Council should be getting information if they decide to make a formal application. There will be an updated traffic study as part of the formal application. Mr. Bialek stated he asked specifically what other parcels they considered as part of this proposal. They provided some detailed information on some of the areas they investigated and ultimately why they chose not to go to those places. He specifically asked them to be prepared to address public questions specifically on this topic of why they ultimately chose the location they chose and what other locations were considered. Mr. Ward stated the primary factor is the school district already owns the property. Mr. Bialek stated that it was a key factor, they don't have to lease the land. Mr. Ward stated it is not the best place in the Township to build the school. He suggested keeping this property a green space. He stated the traffic is just too congested. Mr. Bialek added traffic was a hot topic of discussion.

Ms. Maryann Wolf, 711 W. Rose Tree Road, stated she has attended almost every school board meeting where they have addressed the tax impact. One of the estimates is about \$250 tax increase a year. The \$84 million dollar monstrosity they want to build is costing every single person in this room for the rest of their lives. Her taxes have doubled since she

moved into her house. The other point they keep pushing is they own the property. In 2006, they sold the property to Riddle Hospital. They sold five acres of property that is now theirs again. The Smedley family sold 10 acres; the school district sold five acres. The school district received \$620,000 for the property. When building the school in Edgemont failed, the school district bought back the property for \$5 million dollars. She wanted Council to include the five million dollars on top of the estimated \$84 million dollars to build the school. She stated the school district owns Glenwood School, Springton Lake, and Indian Lane. They own a lot of properties. She stated they need to build the school somewhere else. She lives on Rose Tree Road, and the traffic is a nightmare. Keep the tree line and leave the neighborhood the way it is. Don't turn it into the mall or the Baltimore Pike corridor. Don't blacktop the whole area. It is not the right place to build the school. She stated that 25% of Middletown residents are senior citizens who don't have children in the schools. In 2018, there was an independent study done that told the school district to research and build on to their existing schools. If this was done in 2018 the cost would be less and they would have had their kindergarten six years ago.

Ms. Wolff asked if she is correct that PennDOT will not be fixing the intersection of Rt. 352 and Rose Tree Road until 2034. Mr. McMullan stated he has been to recent meetings with PennDOT and they noted approximately 2035. She stated the school district is railroading the residents. They do not allow anyone to speak at the meetings, and they do not respond to any questions she has put to them in writing. She reminded Council that they speak for the residents. There are many opportunities to use the existing properties they own to build on. She started a school in Chester County and added a new wing to their middle school.

Ms. Colleen Janczyk, 655 N. Heilbron Drive, stated the school is going to be a major problem if it is located on Rose Tree Road. She suggested the school be built at the location of the warehouse that Council denied. It would also prevent the problem of another developer attempting to build in that location. There are 500 homes located at this spot, the children could walk to the school. She thinks it is a win-win solution that Council should consider. She doesn't know how this could be done legally. She stated she didn't understand how the Penncrest High School location was acquired by eminent domain. She stated there are a lot of residents who are speaking out against this location, but it will affect everyone. She debates every day on how she will get to work. Should she try to take a left turn onto Rt. 352 or take Ridley Creek Road and hope to make a left onto Baltimore Pike. Every person who drops their child off at school will also have to debate which direction to go. There are no traffic signals in this area. She stated she has been taking video of the traffic, and she has been studying Delco Dispatch every time there was an accident and has recorded every accident on Rose Tree Road, Painter Road, and Barren Road. She pointed out, in a previous meeting Chief Rigby pointed out in an emergency it is seconds that count, not minutes. She stated in the Township's plan, all schools should be walkable. She stated the cost of building is approximately \$84 million dollars and the costs are out of control.

Mr. Stan Johnson, 160 Kennedy Drive, stated that even though Outrigger's proposal was denied, they still have the option to appeal. He asked if the Township has heard anything in this regard. If they have appealed, how does a resident become aware of this? Mr. McMullan stated as of right now they have not heard of any appeal. He stated by law, they still have time. Municipalities in general, after an appeal is made, usually find out in two weeks that an appeal has been made in Common Pleas Court. The Township will more than likely receive written notification through the solicitor's office. In terms of notifying the public, they will have to think it through as it will be a matter of litigation; it will be a legal matter which may prohibit the Township from talking about the appeal. They will have to carefully review options in terms of notifying the public. Ms. Dussling asked how long after a decision made by Council does Outrigger have the right to appeal. Mr. McMullan stated they have thirty days after the decision from council.

Ms. Dianna Lembo, 1499 Middletown Road, Edgemont Township, stated she was a resident who would have been directly impacted by the school. She shares the right-of-way with the church. She said it all comes down to the quality of life of all the residents in Middletown Township and Edgemont Township. It will increase noise, congestion, traffic, and safety issues. This will affect residents for the long term. The character of Middletown Township and the whole region will change forever. We need to think about where we live and what kind of quality of life we want. The school district digs their heels in and will put a school wherever they want to without any consideration for the negative impact it will have on the community. She stated her group is not against education or schools or new buildings but feels the school district needs better planning and decisions for the future.

Ms. Lembo's group, Save Edgemont, introduced many locations to the school board when they were fighting them, but they ignored each suggestion. One of the locations introduced is zoned for a school, but not for sale, the school board could do eminent domain to obtain it, is the agricultural fields at Elwyn, Inc. The fields are not being used and have a deep setback. They could put a super school at this location and close Glenwood School. This would solve their problem for many years. It would not impact on all these neighborhoods and all these ancillary roads with increased traffic. Closing Glenwood School will help with the traffic and if they sell the school, it will help offset some of their costs. In addition, populations in each municipality ebb and flow with children. She suggested this location could be a hub in which to pull children from schools with declining population. The school district has one way, and it is the only way.

Springton Middle School has 70 acres. They could put a small elementary school in this location. A small school requires 14 acres. She spoke with the architects of the project, the Schrader Group, and they said 11 to 14 acres for a small school. A small school holds 400 children. Additionally, parents drive their children to school and along with the buses create a traffic mess. Also, the cost needs to be considered. Rose Tree Media School District only hires Montgomery Demographic Professionals to do their study. They don't get a second

opinion. A resident of Egmont Township caught a lot of errors in their study. She stated she hopes the Middletown residents pull together, and Council says no to this proposal.

#### 4. REPORTS

A. Chair: None

B. Committees:

- 1) Land Planning Committee had a public information meeting on September 3, 2025, with the Engineer for the RTMSD proposed K-1 Education Center. Ms. Powell stated on September 3, 2025, they had a concept plan presented for the K-1 school.
- 2) Land Planning Committee met on September 17, 2025, with representatives from Locust Hill Gateway Park Project Team to discuss a proposed connection to the Township owned Darlington Tract. Ms. Powell stated on September 17, 2025, the committee presented an idea for a Locust Hill Gateway Park project that would connect the Township owned Darlington tract to a portion of the Township's park land.

Ms. Lori Reynolds, 181 Hunting Hills Lane, asked if that was the end of the September 3, 2025, report. She said she wanted to know what the concept plan was that they presented. Ms. Powell stated the presentation was a concept plan that the School Board is proposing. Once they submit a plan it will have to be introduced to Council in detail. Ms. Reynolds asked if the plan included the cut-through, additional parking, lighting and how the drop-off and pick-up by the parents will be handled.

Mr. Bialek stated those were questions he himself asked during the discussion. There was a key question about bus traffic specifically and they were told that bus traffic will not be coming off of Rose Tree Road it would only be a one-way in and a one-way out which would actually be coming off the high school road and access the same roads they currently access to get to the K-1. Ms. Powell added that is the cut-through road. Mr. Bialek stated there would be no buses outgoing or coming off Rose Tree Road. They did highlight there would be parental drop-offs and incoming off Rose Tree Road. They did not talk about lighting. The additional parking was discussed which was additional parking for sporting events. Ms. Reynolds asked if junior level students will be able to park in that parking lot. Mr. Bialek stated they did have discussion regarding the students parking at the Promenade at Granite Run and the committee asked if there would be additional parking for students, and they stated there would be no additional allotment for high school students to park within the new building area.

Ms. Reynolds stated at the June school board meeting, which is recorded and closely captioned, the Superintendent said they will allow junior level students to park in the new parking area. She said she could provide screen shots of the meeting. Ms. Powell stated the plan presented is a concept plan and nothing is detailed. Ms. Dussling stated Council will see that level of detail when it is introduced before Council and the Planning Commission.

Ms. Reynolds asked if the topic of the reverse subdivision was raised and Ms. Powell answered yes. Mr. Bialek stated the school board basically shared what they are thinking about doing and it is more a discussion and guidance that came from the Land Planning Committee. At this point, one of the key things he specifically requested was that they have a public forum where they share the concept plan to the community and get feedback from the community. This was a key topic discussed at the meeting where the school board heard the concerns from the community and addressed the concerns as well as addressed some of the questions coming from the community. There were no decisions made because the Land Planning Committee is not a decision-making body, more of guidance for the next steps and concerns from the public that should be incorporated into the plan. When they make their formal submission, hopefully they have incorporated a large percentage of the comments to amend and make change to the plan.

Ms. Reynolds asked what the timing as far as their submission of the plan and the reverse subdivision activity. Mr. Bialek stated he specifically requested the potential for them coming back to the committee when details were fleshed out, specifically, the traffic study. They are not required to do this, they can move to the next step, which is engaging with the Township professionals on a formal basis. They did not give a specific timeline, but he felt that it would move relatively quickly.

Ms. Reynolds asked how the public is made aware of this activity. Mr. McMullan stated if and when the school district submits a formal Land Development application it will be introduced as a summary, just like the Pinnacle Car Wash on tonight's agenda. The first public review will be at the Planning Commission meeting. As of right now, they have missed the date to submit plans to the Planning Commission for their October meeting. The submission date for the November Planning Commission meeting is around October 15, 2025. The November Planning Commission meeting is November 18, 2025. Once the Township receives the application, as with any project it is first listed as a summary to alert Council and the public. It is then reviewed by the Township professional staff to prepare a review for the Planning Commission. This process could take multiple meetings depending on the Planning Commission questions as well as public comments. It then returns to Council for a workshop session and then comes back again before Council for action. It is a fluid process so he can't commit to a timeline. Ms. Reynolds asked if the documents submitted are available for public review.

Mr. McMullan stated a member of the public can submit a right to know request for pieces of application. And as they experienced with the warehouse application, several of the documents were stamped copyright reserved, therefore the Township cannot produce them publicly, but you can come into the Township building to review

them in person. When the application comes before the Planning Commission, the documents are included along with the agenda and likewise with the Council workshop meeting. Ms. Dussling stated the meetings are posted on the Township website as well as the weekly e-newsletter. She said it is easy to sign up to receive the newsletter. All directions are on the website.

Ms. Reynolds clarified when the applicant submits an application, the public can request a right to know request. Mr. Bialek suggested she wait until she sees the application on the meeting agenda and after the review by the Township professionals submit her right-to-know request. Mr. Bialek added there will be minutes from the committee meeting, and Mr. McMullan stated they will be posted on the website later this week.

Ms. Marianne Wolf, 711 W. Rose Tree Road, thanked Mr. Bialek for asking the school district to have a meeting with the public for their comments. She stated at the last school board meeting the Superintendent said there will not be public comments. At the April meeting they handed out index cards where the public could write down their comments or questions, and he chose six cards to answer. Mr. Bialek stated while he urged the school board to have a public meeting, he was stern in his conversation and his point that there was a lot of misinformation coming from the school board as far as this project. The perception that is being left with the public is highly incorrect and needs to be rectified in the sense of “this is a done deal” and “rubber-stamped.” This is not the case. He hopes this is represented in the minutes how this committee is trying to hold them accountable for conversations and points they are making at their meetings of which they are not a part of. There needs to be a clear understanding of the process, where the process is and what the process is going to be moving forward and for the school board to articulate this is as a “done deal” is not accurate. Ms. Wolff stated at the meeting it was asked what happens if this proposal is denied. They said they have no backup plan. Mr. Bialek stated he also asked for scenarios such as “what ifs,” and they should be looking for other scenarios. Ms. Dussling stated the Franklin Mint site was suggested but the school board was not interested.

She asked if the school board provided any details. Ms. Powell asked if the school board wasn't interested or if the owners of the site were not interested. Mr. Bialek stated one of the questions he asked was how they were planning to address key questions from the community about alternate sites. The Superintendent highlighted three sites. He was asked not to go into detail but to be prepared to address it to the community. The Sleighton property, which is currently in litigation, and they didn't want to be involved with this, mentioned the Franklin Mint property, but they didn't own the land and would have to lease the land. The concept is currently planned for this location because they own the land. Mr. Stump stated the school board sent out

an e-mail earlier this week that lists the steps required and lists the approvals needed from Delaware County, the Township, DEP, and PennDOT. Ms. Powell stated she also inquired about the Springton Lake property. Mr. Bialek stated the lease agreement with the little league fields presented some difficulty at Springton Lake.

Ms. Patsey Haggerty, 16 Soldier Song Lane, asked if the Planning Commission is going to have a large review akin to the meeting they had for Outrigger, Inc. because she suspects there will be a rather large audience interested in participating in the meeting. Mr. McMullan stated he agrees, and they will have to look at all options as school will be in session.

Mr. Stan Johnson, 160 Kennedy Drive, stated he had a meeting with the Superintendent of the school district about the possibility of RTMSD considering the Franklin Mint site and his answer was "it takes two parties," there must be a buyer and a seller. They are not willing buyers because they already own a piece of ground. Secondly, McKee Group was not interested in selling even if the Outrigger proposal were to fall apart. He just wanted Council to be aware of this.

Ms. Colleen Janczyk, 655 N. Heilbron, added when they met with the Superintendent, he explained the Sleighton property was in litigation. She asked if there was a timeline for the litigation. Ms. Dussling stated the courts are very slow. Mr. McMullan stated it is moving through the process slowly and there is nothing they can share because it is currently under litigation. It appeared before Common Pleas Court, went to Commonwealth Court, and is now back in Common Pleas Court. Unfortunately, a Judge that was assigned as a mediator recently passed away so a new judge will have to be assigned.

Ms. Janczyk stated she didn't feel there was any interest in the Sleighton property. She stated since Penncrest has a swimming team, why not make the five-acre parcel at Springton Lake the athletic center. She stated since there are trailers serving some of the schools, why can they not be brick and mortar wings? She was told it would be more expensive. She thinks this statement is misleading.

Ms. Dianna Lembo, 1499 Middletown Road, Edgemont Township, stated in 2018 planners in Chadds Ford wrote all that needs to be done is add wings to the existing schools to accommodate for the future or you can build a new school. The school district wanted to build a new school. If just one wing is added, five classrooms per side, ten classrooms at twenty students per classroom equals 200 students. The demographics are easily solved with a wing or two. This was brought to the attention of the school board. In addition, Haverford school district is in a very dense location, and they used what they had and spent their money wisely. RTMSD is digging in their heels to build a new school building. The cost in 2018 to renovate the schools was \$16 million dollars. This would have saved the taxpayers and solved the problem.

Now they are wasting everyone's time and wasting money. To build a new school in 2018 was \$34 million dollars. She stated the school district is shutting down the citizens right to know. Mr. Bialek stated during the Land Planning Committee meeting he specifically asked them to speak about the differences between the output of the 2018 study and what drove them to the decision of where they are today and why they are choosing to go this path. Ms. Lembo stated the demographics indicated a short-term increase in students and then a drop down. Mr. Bialek stated in 2018 the Township did not have the development at the Promenade or the two developments which would have changed the demographics. He asked them to be prepared to speak to those points.

Mr. John Laye, Spring Run, stated he has attended many school board meetings. He stated they are asking students who live beyond this Township to be put on school buses that could take up to 45 minutes to drive them to this proposed school.

C. Manager:

Mr. McMullan stated unfortunately, Chief Rigby was unable to attend tonight's meeting but asked him to recognize Deputy Chief Mike Johnson, Assistant Chief Mike Grover, and Lt. Nate Evans who are part of the Rocky Run EMS team. They are being recognized for picking up the slack since the Crozer Health System shut down. The newly purchased Township ambulance is in the parking lot tonight for the public to look at. Ms. Dussling thanked them and Chief Rigby for working ahead of the closure to have systems in place.

Cpl. James Nolan, PSP, reported he just came back to Troop K after being in Avondale Barracks for a while. He reported on the service calls for the month of August. In total 602 calls, Act 64 offensives or narcotic possession calls were 4, crimes against society 15; crimes against persons 12; death investigations 1; Domestic security checks 50; Meghan's Law updates 133; Crashes 38; other investigations 55; property crimes 16; requests for services 165; traffic enforcement 92. He stated they cover Middletown, Edgemont, Thornbury, Concord, Chadds Ford, Rt. 476, I-95, Chester Heights, and Rose Valley. There is a nationwide issue of police recruitment and retention. Sometimes they will cover all those areas with six Troopers. When he first attended the Police Academy, there were over 100 cadets, now there may only be 30 or 40 cadets.

Mr. Bialek asked how those numbers were compared to August of 2024. Trooper Nolan did not have that information and Mr. Bialek asked for future comparisons to last year's statistics. He agreed that the new developments have definitely increased the call volume. Ms. Dussling stated there seems to be a rash of car thefts and break-ins and asked if there were any hot spots within the last month or so. Trooper Nolan stated Concord Township deals with a lot more than Middletown Township.

- 1) Middletown Township's Food Truck Festival: Thursday, September 18, 2025, 4:00 p.m. -8:00 p.m. at Longview Park located at the intersection of N. Middletown Road (Rt. 352) and Rose Tree Road.

Mr. McMullan announced the Middletown Township Food Truck Festival will be held

Thursday, September 18, from 4:00 p.m. – 8:00 p.m. at Longview Park located at the intersection of N. Middletown Road and Rose Tree Road. There will be 5 to 6 trucks, music, events, activities for children. This is the third annual event that supplements the Township Community Day which was cancelled due to poor weather.

2) Environmental Advisory Committee: Vacancy

Mr. McMullan announced a vacancy on the Environmental Advisory Committee. This will require an appointment from Council to fill the vacancy. He was going to ask Council to appoint an Ad Hoc Committee to review recent applications, but they will move on October 1 with a policy to fill vacancies and expiring terms and assign the Ad Hoc Committee. Ms. Dussling explained this is a more formal way of filling vacancies and expiring terms.

Mr. McMullan stated over the last three or four years the process has evolved and they are at a point to put something in writing, getting it approved by Council, so they know what steps to follow each year. The EAC member states she will remain until the seat is filled. Ms. Dussling recognized Ms. Stacy Teagan who served as the Chairperson of the Committee and has done a fantastic job. She took the committee from the very beginning which was formed in 2023. She formed the role and how they would work with Council and the purpose or mission statement. She will be missed. Mr. John Kolicious, representing the EAC, announced a lecture next Wednesday, September 24, 2025, at 6:30 p.m. Dr. Tim Lawler will speak on the effects of artificial light. This will be held at the Roosevelt Community Center.

3) Request from Linvilla Orchards to operate the traffic lights at Rt. 352 and Knowlton Road beginning every weekend from September 13 & 14 through the end of October, including Monday, October 13, from 10: a.m. – 6:00 p.m. The intersection will be staffed by fire police from Middletown Fire Company and Rocky Run Fire Company with notification to PA State Police.

Mr. McMullan stated before Council is the annual request from Linvilla Orchards to operate the traffic lights at Rt. 352 and Knowlton Road beginning every weekend from September 13 & 14 until the end of October including Monday, October 13th from 10: a.m. – 6:00 p.m. The intersection will be staffed by Fire Police from Middletown Fire Company and Rocky Run Fire Company with notification to the PA State Police. Due to the lack of business from the September 3rd meeting, the request was made by Linvilla Orchards for last weekend and he wants to ratify that motion from Council approving Linvilla having access to the traffic signal box for last weekend. It worked very well and was able to be staffed by Fire Police. Moving forward for the remaining weekends in September and October, Linvilla Orchards is asking for approval for access to this intersection. This was done in the past by a motion to approve.

Mr. Bialek made a motion to approve the request. Mr. Stump seconded the motion. The motion carried with a vote of 4-0. Ms. Powell stated the Fire Police do a good job in keeping the traffic moving.

D. Engineer: NONE

5. PUBLIC HEARING: N/A

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS:

A. Summary: Land Development for Pinnacle Car Wash LLC, located at 1216 W. Baltimore Pike.

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Mr. McMullan stated before Council is a summary and no action needs to be taken. This is a project overview. The project is located along the south side of Baltimore Pike and the north side of Printers Way, which is a private road, and west of Pennell Road. It is just west of the small Middletown Pizza Strip retail plaza owned by the Flick Brothers. The applicant intends to construct and operate a proposed one car wash tunnel approximately 4,574 square foot automated self-service car wash on 1.49 acres. Access to the site is proposed to be a right-in and right-out driveway on Baltimore Pike and a full-access driveway onto Printers Way. There is also an existing cross access easement between the subject property and the adjacent Flick Brothers property to the east. The interconnection to that property is proposed.

This application has been reviewed and recommended by the Delaware County Planning Commission. It has been reviewed and recommended by the Middletown Township Planning Commission with some comments. In particular, the comment that he thinks Council will be brought up to speed with at the October 1st meeting when this will be workshopped with Council is the continued discussion with McKee Group regarding access to Printers Way. Printers Way is privately owned at this point, by the McKee Group, and the Middletown Planning Commission tasked the applicant with reaching out to the McKee Group to discuss some type of agreement for the proposed project to have access to in and out on the backside of the project onto Printers Way. Now there is a right-in and right-out on Baltimore Pike and an access easement that is behind the Post Office and Middletown Pizza. However, the Township Traffic Engineer and the Township Civil Engineer feel that it is safer and better for the project if access can be gained through Printers Way. Ms. Dussling asked if this proposal is instead of not in addition to.

Mr. McMullan answered yes, instead of. However, if a settlement cannot be agreed upon between the McKee Group and the applicant then the Township engineers propose using the cross-access easement behind the Flick Brothers owned property behind the Post Office and Middletown Pizza. Mr. Stump asked what is preventing the Township from taking ownership of Printers Way up to the intersection. Mr. McMullan stated this is an excellent question. The McKee Group has approached the Township of potentially

taking dedication of Printers Way.

There have been some punch list items that are still in the process of being completed which put a pause on the Township considering this. In addition, there are some undeveloped pads the McKee Group owns which will mean future construction. If the applicant is unable to enter into an agreement with the McKee Group, the request from the applicant likely will be to the Township will they have a discussion with the McKee Group about taking dedication and what that settlement agreement would look like. What the Township would like built into the agreement is some type of maintenance regarding the future construction projects the McKee Group has and who would repair the road after those construction projects have taken place.

Ms. Dussling stated the Planning Commission encouraged the applicant to seek approval from the McKee Group. Mr. McMullan stated this is a first option. Mr. Bialek stated they want access from Baltimore Pike and Printers Way. Mr. McMullan stated this is correct. Mr. Bialek stated he is interested in knowing more about the traffic flow on the property. If there is double in and out from front and rear it could cause a bit of a log jam on the property, especially on a nice day or after winter. The car wash could be very busy. He would like to know more when they submit their final plan. Ms. Dussling outlined the land development process; they appeared before the Council subcommittee Land Planning, they go before the Township Planning Commission, a Council workshop meeting, and a final meeting with Council for approval or denial.

Ms. Donna Thompson, 18 Soldier Song, asked if Council will allow left hand turns into the car wash from Pennell Road. Mr. Bialek answered not according to the proposal it is one way in which is the eastbound lane off Rt. 1 making a right in.

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

- 1) Application 2025-14: Applicant Liza and Michael Cremin, 4 Brandywine Drive, seeking variances for the expansion of nonconforming structures and for the minimum 20 ft. side yard and aggregate 45 ft. side yard setbacks to construct a 743 square foot addition to be constructed to within 5 ft. of the side yard property line, zoned R-2. Mr. McMullan stated there is no voting action required of Council just if they want to send representation to the Zoning Hearing Board to represent the Township's interest.

Before Council is Zoning Application 2025-14, Lisa and Michael Cremin, 4 Brandywine Drive who are seeking variances for a non-conforming structure which is currently an enclosed sunporch to convert to an open air porch and for the minimum 20 foot side yard and aggregate 45 foot side yard setback to construct a 743 square foot addition to be constructed to within 5 feet of the side yard property line. This is zoned R-2. This application previously received zoning approval in 2020. Zoning approvals are good for one year . It was granted an extension for one year, but no activity took place. There were changes in the household with the addition of aging parents and accommodating a child. There was a pause in the project. Because it is past two years, the applicant must go before the Zoning Hearing Board again. Ms. Dussling

asked if it is the same plan and Mr. McMullan stated it is similar. Council decided not to send representatives to the Zoning Hearing Board meeting.

8. ITEMS FOR APPROVAL:

A. Motion to Accept: FY 2026 Minimum Municipal Obligation (MMO) calculation for the Township Defined Benefit Plan.

Mr. McMullan stated for Council’s approval to accept the fiscal year 2026 Minimum Municipal Obligation (MMO) which is calculated by the Township’s actuary. Municipalities are required by the Pennsylvania Pension Act to read the projection publicly at a Council meeting to get approval from the local elected body. The actuary’s projected number for the Township’s contribution for 2026 is \$84,290. This is on par with the last several years. The Township’s Defined Pension Plan is funded currently at 103%. It is strongly funded based on the States funding categories. Additionally, in 2019, for new hires there was a freeze on the Defined Benefit Plan and the creation of the Defined Contribution Plan. This plan is also eligible for Pennsylvania State Pension Aid. The Township is benefitting from an aid contribution to the 2026 Defined Contribution Plan. In 2026 they are anticipating the Township contributing approximately \$60,000 to the Defined Contribution Plan. There are two benefit plans, Defined Benefit, which is closed, which will receive \$84,290 and the Defined Contribution Plan will receive \$60,000. Both are eligible to be supplemented by the Pennsylvania Pension State Aid program. Mr. Bialek stated from a budget perspective this is not an increase in any way. It is planned, budgeted, and is in line with the currently proposed budget for this particular item.

Mr. Bialek made a motion to approve the MMO calculation. Ms. Powell seconded the motion. The motion carried with a vote of 4-0.

B. Approval of the September 17, 2025, Bill List.

Ms. Dussling read the bill list aloud.

**ESCROW FUND**

|                               |                           |              |
|-------------------------------|---------------------------|--------------|
| KELLY ENGINEERS AND SURVEYORS | JUL Engineering - ESCROW  | \$ 9,001.77  |
| PETRIKIN WELLMAN DAMICO       | #24560 Outrigger Land Dev | \$ 7,945.00  |
| BROWN & PETROSA               |                           |              |
| Total ESCROW FUND:            |                           | \$ 16,946.77 |

**FIRE APPARATUS FUND**

|                            |                  |              |
|----------------------------|------------------|--------------|
| KML TRANSPORT, LLC         | 2024 Tahoe Upfit | \$ 21,360.68 |
| Total FIRE APPARATUS FUND: |                  | \$ 21,360.68 |

**GENERAL FUND**

|                                 |                              |              |
|---------------------------------|------------------------------|--------------|
| AQUA AUTOPAY                    | JUL Township Hydrants        | \$ 9,078.00  |
| BLUE MOUNTAIN MULCH, LLC        | Grinding leaf pile           | \$ 10,000.00 |
| DWD MECHANICAL CONTRACTOR, INC. | HVAC Replace condensing unit | \$ 21,000.00 |

|                                     |   |               |
|-------------------------------------|---|---------------|
| DWD MECHANICAL CONTRACTOR, INC.     | HVAC Replace condensing unit            | \$ 19,500.00  |
| DWD MECHANICAL CONTRACTOR, INC.     | HVAC Maintenance/Repair 5/30,6/30       | \$ 8,538.00   |
| GENERAL CODE                        | Code Book Supplement #28                | \$ 9,670.00   |
| GO2 TECH, INC. (ACH)                | JUL 2025 IT                             | \$ 5,387.19   |
| KELLY ENGINEERS AND SURVEYORS       | JUL Engineering - GF                    | \$ 18,124.61  |
| KELLY ENGINEERS AND SURVEYORS       | JUL Engineering - GF Lenni Park         | \$ 29,204.75  |
| KEYSTONE MUNICIPAL SERVICES, INC.   | Building Inspection 07/07-07/18         | \$ 5,700.00   |
| LONGLEY INSURANCE AGENCY (ACH)      | Cyber & Privacy Liability 8/1/25-8/1/26 | \$ 7,676.50   |
| OPDENAKER INC.                      | JUL RECYCLING AC #14321600              | \$ 52,705.20  |
| PA MUNICIPAL HEALTH INS. COOPERATIV | SEP Health Insurance                    | \$ 36,509.04  |
| PLGIT- CC GF AUTOPAY                | Bus Trips                               | \$ 14,307.92  |
| UNITED INSPECTION AGENCY INC.       | JULY - Electrical Inspections           | \$ 9,872.00   |
| Total GENERAL FUND:                 |   | \$ 257,273.21 |
| Grand Totals                        |   | \$ 295,580.66 |

Ms. Powell made a motion to approve the bill list. Mr. Stump seconded the motion. The motion carried with a vote of 4-0.

Ms. Dussling adjourned the meeting at 8:32 pm.

Respectfully Submitted,



Sharon Browne