

## MINUTES

### LEGISLATIVE MEETING: NOVEMBER 19, 2025

The November 19, 2025, Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt. President Wilt called for the pledge of allegiance followed by a moment of silence.

Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Tracey Bechtel, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Thomas Bell Jr., Police Chief
- Don Fure, Director of Planning and Zoning

Residents and visitors in attendance: (see attached sign-in sheet)

PUBLIC COMMENTS: Laurie Castagna, 1901 Scarlett Lane stated that over the past week or so, seven very large electrical poles went up on Nissley down bordering the Pond. Twelve Oaks has been there for 40 years, and we have no poles or wires, we are totally underground. She is wondering why there are going to be above ground utilities on that property and not underground like they are. Ms. Castagna indicated that she contacted PPL today and was told that the decision of above or underground utilities is up to the developer/builder and 99% of the time PPL will go with whatever the developer/builder wants. She would like to know why the Township would permit or want those poles with wires on a nice street in a nice area like bordering Twelve Oaks.

Ms. Castagna also commented that for the past week or so she noticed coming from Fulling Mill Road, up Nissley, there has been a speed sign on our 25-mile-an-hour zone. She is not sure why that was put there, but hopes it is to do some study and try to figure out what to do with that road, because it is getting very dangerous. When we get the 169 townhouses in Pond II, 300 units in The Ponds on Fulling Mill, it is going to be a real issue for us.

Ms. Castagna added that her main concern are the power poles and she would like to know what the Township can do to try to rectify this. She noted that PPL need tell her it is more cost effective for a developer to do above ground utilities because their only cost is the actual poles, whereas if they do underground utilities, they have a lot of expenses with the conduits and all kinds of things that have to be

done. Solicitor Miller stated there are two issues. Number one is the Pennsylvania Public Utility Commission has primary jurisdiction over deciding whether poles are underground. They have regulations that says that for new residential subdivisions, ones that are being planned, that they require installation of underground electrical service, for a mature subdivision such as Twelve Oaks, the Public Utility, The Supreme Court of Pennsylvania ruled in 2019 that the PUC has exclusive jurisdiction over deciding underground or poles, and that we are preempted as a municipality from ordering PPL to install it underground, in other words, the PUC has jurisdiction, not us. Even though our Code, which was written in 1985 has a requirement for underground lines that's been determined since 2019 to be out of compliance with the Supreme Court's jurisdiction to giving it to the PUC to determine design, location, installation and maintenance, so right now, at least, we seem to be without power to order them to take it underground. Mr. Border also indicated that he was told with the apartments that are going in there, they are considered phase 3 and PPL is requiring them to put the lines above ground not underground.

Ms. Castagna pointed out that she took a ride over to the development behind the Middletown Swim Club where there are townhouses and five big apartment buildings, the same size as the ones going in at the Ponds, not one power pole in sight over there. She thinks that when the Pond II gets to the Commissioner's desk this stuff has to be examined, because it is her understanding that they didn't have to put anything in their original application when they built the Pond on Fulling Mill for what the electricity would be like. Mr. Border added that the utilities like gas, electric etc., are not on the development plans when they come to the Township, which comes later. Solicitor Miller asserted that the PUC has regulations about new developments and if it is a triple phase and they decide to do that we probably have to talk to the PUC. Vice President Truntz asked if the PUC is the Township's only recourse. Solicitor Miller indicated that is his understanding. Ms. Castagna asked the Commissioners if they could look into this. Solicitor Miller stated that they can certainly look into it but again the PUC has exclusive jurisdiction over it. We can ask the PUC, but we cannot guarantee that they will agree. Ms. Castagna noted that she would not ask for guarantees but would certainly hope that the Board would want to explore this a little but further. Vice President Truntz asked the Solicitor if there would be any benefit to the neighbors or residents contacting the PUC directly and say, I am a concerned citizen and express their thoughts. Solicitor Miller noted that he really did not know if the PUC will do anything unless they can demonstrate that PPL is violating their rights or doing something to abuse their franchise. If the Board would like he will ask his PUC attorneys to look into whether or not the Township, on behalf of its residents, can either make a request or deal with the PUC to see if they will reconsider ordering underground wires, but again it is very possible, because of the Supreme Court's decision in the city of Lancaster in 2019, which grants the PUC exclusive jurisdiction to determine design, etc., that the PUC's decision will be final. He will ask the questions and report back to the Board.

Chief Bell addressed Ms. Castagna inquire regarding the speed sign on Nissley. He indicated that it was part of a study that he was conducting due to complaints in that area. The study showed that the average speed on that street was about 30MPH, 85<sup>th</sup> percentile is about 36. We will try to get extra enforcement out there, it is a tough spot because it is so wide open and unfortunately there is nowhere for them to sit, but they will make every effort to try to slow things down. There is a volume issue as well, he was surprised that the study showed 1100 cars a day which will double or triple in the next five years. He noted that there are some traffic calming measures that we can look into implementing.

Patricia Ruiz-Pronick, 604 Wilkes Dr noted that she agrees with Ms. Castagna that the poles are an eyesore, and she appreciates the Board for looking into that further. Mrs. Pronick noted that at the meeting where the Pond II was approved, she felt like the concerns of the citizens were brushed off, like the traffic concerns, the fact that there is no recreation area etc. so she wanted the Board to know that most of the citizens that were at that meeting were not in favor of moving forward with the Pond II as proposed.

Mrs. Pronick asked who tracks how many in the 55 and over for the Pond on Fulling Mill, because what was said at that meeting was, he can rent 18 or 20 of the townhouses and all of the ones that he has rented have been people that are under 55, so who tracks the twenty percent. Mr. Border said that he thinks that is HUD requirement and that this information is reported to the Federal Government. Mr. Border also noted that the Pond II will be before the planning commission tomorrow night.

Alexa Fulmer, 1842 O'Hara Lane addressed the Board with several concerns that directly affect the safety, accessibility, and overall experience of living in Twelve Oaks. First, the need for sidewalks on Nissley Road. As Chief Bell just stated there are 1100 cars coming through that street per day. While adding sidewalks throughout the entire neighborhood would be ideal, Nissley Road should be the immediate priority. It is used heavily by pedestrians and serves as a major cut through between Oberlin and Fulling Mill. Cars travel there at high speeds, residents who are walking, running, or pushing strollers are forced into unsafe situations every single day. Second, the visibility and safety issues at the intersection of Nissley Road and Oberlin Road. She understands that Oberlin Road is a State Road, but turning left from Nissley onto Oberlin Road is extremely difficult because the sight lines are poor and the vehicles come around the bend very quickly. She is asking that the Township explore possible measures that could help, whether it is communication with PennDOT, improved signage or speed study. Third, the need for proper crosswalk connecting Twelve Oaks and Ebenezer Drive. The Township just put in a beautiful park at the end of Ebenezer and the only safe way to get there is to load her child in her car to drive less than a half mile because there is no safe way to get there by bike or foot. Lastly, she wanted to address the utility poles. Twelve Oaks has always had underground wirings which keep the environment clean, consistent, and visually appealing. The new poles do not match the existing infrastructure, they look entirely out of place. We were told that the lines needed to be above ground to support the new apartment complex, yet other

apartment buildings in Middletown have underground wiring, she knows they are served by two different electric companies but thinks it is something the Board should still look at. She believes the lines should be placed underground so the development aligns with their neighborhood standards already present. In closing Ms. Fulmer asked that these concerns be taken seriously and given thoughtful consideration as these issues impact on their daily lives and safety to the residents.

Solicitor Miller announced to the Board of Commissioners that consistent with the comments and consistent with what he said, he assigned an associate at 7:16 this evening to start looking at the issue with the PUC. He does not know that there is much that we can do about it, but we will try.

Dave Miller, 1846 Bonnie Blue Lane, noted that he understands a little but about the utility pole situation and appreciates the Board of Commissioner taking a look at that. There are several other factors that were not discussed tonight that perhaps the Commissioners can offer some input to the PUC, one that is an incredible wind area on Nissley Drive and having overhead wires creates a safety factor. Seconded, we are building an over 55 community, if you read the AARP magazine, driving ability diminishes as you get older, that is what all the studies say, so you are promoting a 55 and older community and we're lining the street with telephone poles, which again to him is a risk factor. Dropped lines could create a worse situation. Mr. Miller asked if someone could explain the three phase overhead wiring for the apartment buildings. Vice President Truntz indicated that it is a three-phase electricity, it is a way of power transmission that is more efficient when you are talking higher volumes and higher voltages. They are saying because of this type of transmitted electricity it has to be an overhead line. Candidly, Vice President Truntz does not buy that, he thinks you can run three phase underground just as easily as single phase which we have in our homes and hopefully Solicitor Miller's team will get to the bottom that and challenge it. Mr. Miller suggested that if the Township presented potential risk factors to the PUC it would hold more weight than individual citizens but would still encourage everyone to contact the PUC.

Scott Hile, 1015 Meadowview Court, indicated that last Thursday morning at 2:17 am he received two parking tickets in his cul de sac. His cars were parked straight in as they have been for the past 32 years. He noted that he did have a great conversation with Chief Bell. One of the things after our conversation suggested that maybe we alert the Township in the neighborhoods as far as the law. The law that was put on the Lower Swatara Township Police Department website stated Law 3354 Pennsylvania State Parking Law Title 75 Section 3354 which is basically a two-way highway. He lives in the back half of a cul de sac that he has been parking straight in for 32 years. It was also suggested was if you parked uniform with your passenger tires towards the curb it would basically reduce less crime. Other issues that came up in the conversation were the trash hauling, the mail, snow removal, and leaf removal. He noted he did share with Chief Bell that someone should have knocked on his door and told me I was doing something wrong. His question is, what is the law, because he does not live on a two-lane highway, he lives in a dead end cul de

sac, so what law is he breaking? Solicitor Miller indicated he will look into that. Mr. Hile thanked the Board and noted that he appreciates everyone's time. Dave Miller commented that he appreciates the issues that Mr. Hile brought up but he also lives on a cul de sac in Twelve Oaks and watched for 15 or 20 minutes as the Public Works tried to maneuver their vehicle around to get the leaves cleaned up. The supervisor for the leaf collection was actually knocking on doors trying to see if the residents could move their cars to make it easier.

Tom Jones, Twelve Oaks noted that the neighborhood is having concerns about the things that are developing around their neighborhood. The poles do look very unsightly. The concern of the stages of the Pond and how it will literally be in their backyard. He and his wife moved here because of the beautiful fields around the development, now we are seeing that go away. He wanted to ask, he and most of his neighbors have a propane tank for backup heat because there is not any natural gas lines that come nearby, does the Township know if they will be running any natural gas lines for the Pond and if so, is that something we might have access to in the future? Commissioner DeHart thought The Ponds on Fulling Mill has natural gas, he thought he remembers seeing gas line meters on the side. He recalled that there was supposed to be gas service going through Twelve Oaks years ago for a grant and that it fell through. Vice President Truntz added that they did put a main in down on Oberlin Road a couple of years ago so that apparently could be tapped into, the problem is they have to get a certain number of folks in our neighborhood to sign up and commit to it.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies to approve the Minutes of November 5, 2025 Special Budget Meeting. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart to approve the Minutes of November 5, 2025 Workshop Meeting. The meeting was unanimously approved.,

PAYMENT OF BILLS:

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2025-10. The motion was unanimously approved.

TREASURER REPORT:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Treasurer's Report for October 2025. The motion was unanimously approved.

## PUBLIC SAFETY REPORTS:

### Police Department

Chief Bell presented the summary of the monthly statistics for October. There were 1894 total calls, 28 total cases, 19 arrests, 23 total vehicle accidents, 143 citations, 250 traffic warnings, 8358 patrol miles driven, 220-foot patrol minutes, 365.75 total overtime hours and 149 training hours (non-academy hours). Co-responder stats included 12 new contacts, 3 repeat contacts, 9 follow-up contacts, and 1 mental health commitment. Chief Bell added that the Co-responder continues to be proactive and offers a good service to our community. We appreciate her services and her work out there with us as well.

Commissioner DeHart asked when the Cadets will be done with class and on board. Chief Bell indicated they will tentatively be graduating on December 10<sup>th</sup> and they are all continuing to do very well.

Commissioner Paul commented that the traffic citations have been increasing over the last few months, which is a good thing in order to slow everybody down.

### Fire Department.

Mr. Border presented the Fire Department's monthly statistics for October in the absence of Deputy Chief Taylor. There were 68 calls in total. 27 number of responders, 4 average personnel per response, 16:36:05 time in service. 7 fire incidents, 0 Over pressure rupture, explosion-no fire; 11 rescue & EMS incidents, 3 hazardous conditions incident, 0 service calls, 22 good intent calls; 7 false alarms and 0 severe weather. Mutual aid was provided to Highspire Borough (2), Londonderry Twp (1), Lower Paxton Township (1) Middletown Borough (1), Monroe Twp (1), Penbrook Borough (1), Royalton Borough (1), Steelton Borough (12), and Swatara Twp (19).

Mr. Border also reported that production has started on the new engine and the estimated delivery date is still around the end of January.

## ENGINEERS REPORT:

Mr. Fabian updated the Board on the following in addition to the monthly report: **Hazard Mitigation Grant Program:** HRG has been working with Mr. Fure and the contractor to help close out the demolition permit and work through all the project closeout and the FEMA reimbursement and closeout for that project to move it along. **Fiddler's Elbow Box Culvert Replacement:** PADEP has issued Veolia their permit. HRG has been in contact with UGI, Veolia, and the contractor, Ankiewicz, to start lining up construction timeline in order to get that project in motion. Tentatively, Ankiewicz in the next month will be able to mobilize the site and start setting up detours and getting that project moving forward. As they solidify UGI and Veolia's timelines, they can get a better understanding of the length of construction. **DCIB-G Funded Projects:** Bid preparation is advancing on schedule, and they made revisions to those packages

based on the Township Staff comments **Multi-modal Transportation Funding:** This is the sidewalk infrastructure improvements on Oberlin Rd by Powderhorn and Spring Garden. HRG did produce a couple easement exhibits to aid Township Staff in discussion with affected landowners for the access and temporary construction easement so that those can advance forward.

Commissioner DeHart asked if we heard from Veolia regarding the hydrant at Shireman Park. Mr. Fabian indicated he has not heard anything back from them on that yet. Mr. Border added he will reach out to Veolia again.

**MANAGER’S REPORT:**

**Vehicles**

Mr. Border noted the updated list of vehicles for the police department and for the highway department. This is for information purposes only.

**Shireman Park**

Mr. Border reported that the paving is completed and the fixes to the paths as well as the dirt and hydro seeding. He noted that he will be coming back to the Board with the final total price at the next meeting. Mr. Border added that for the trees, we will put trees of the same species in and they are under warranty.

Mr. Fabian added that HRG has received the final signed change order for rectification of quantity so that we can close out the contract due to final application for payment. HRG is processing that paperwork now and there was an exit interview with the RACP Funding with the Office of the Budget Consultant.

**Winter Newsletter**

Mr. Border reminded the Board that Staff is working on the Winter Newsletter so if anyone has anything to add to let himself or Mr. Davis know. Mr. Border added that all departments, including the fire department and all other agencies, were notified to contribute to the newsletter.

**Website**

Mr. Border mentioned that he should be seeing the proof of the new website this week. He will share that with the Board when he gets it. The new website should be live by either the end of November or the beginning of December.

**FUTURE MEETINGS/EVENTS:**

- December 3, 2025 7 PM Board of Commissioners Workshop Meeting
- December 16, 2025 7 PM Zoning Hearing Board Meeting
- December 17, 2025 7 PM Board of Commissioners Legislative Meeting
- December 18, 2025 7 PM Planning Commission Meeting
- December 22, 2025 7 PM Municipal Authority Meeting
- December 24 & 25 2025 Christmas Eve and Christmas Day, Township Offices Closed

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – He reported that he attended the MARA meeting on Monday. The next meeting is scheduled for February 9, 2026. He noted that the Township’s legal council will be in contact with them to iron out some of the changes and notifications in the Agreement and bylaws.

Budget and Finance: Commissioner Davies reported that there will be some minor tweaks in the final budget as we have reached a final agreement with our non-uniformed employees. President Wilt added that we do have a tentative agreement with the Teamsters Union for the non-uniform employees, they just have to ratify it which will probably be next week.

Public Works Committee: Vice President Truntz reported that leaves are the primary task this time of year. They are also washing and refreshing signs throughout the Township.

Community Development: Commissioner DeHart thanked Commissioner Paul for attending the MARA meeting in his place. He pointed out that he would like to direct the manager to contact UPS. We have done the traffic study, the accident study, now it is time to have a meeting with the Township and UPS and start the process to get a red light at the employee entrance. He would also like to ask UPS to reimburse the Township the money spent on the two studies.

Personnel Committee: President Wilt reported that himself, Commissioner Paul, Solicitor Miller, and Mr. Border have been attending the negotiation meetings with Teamsters and the non-uniform representatives. He noted earlier that they have reached an agreement in principle, they just have to ratify.

Solicitor Miller mentioned two things. Number one is we have successfully been able to negotiate with the Police Union and with the Non-Uniform Union to an agreement that he thinks is mutually beneficial to both sides. This demonstrates that this Board and the Manager have done a nice job of repairing those relationships and making those relationships mutually beneficial. He thanked all the Commissioners who participated in negotiations and the manager for being very supportive. This doesn’t get done without the manager and the commissioners being willing to reach out a hand and get it done. It is nice to have voluntary agreements rather than fights so that has been a nice change and he appreciates the support the commissioners have given to that effort.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 621 Amending Chapter 1, Part 6, Lower Swatara Township Nonuniform Pension Plan and Fund in order to provide for a forced distribution at the direction of the Chief Administrative Officer if the participant's accumulated contributions do not exceed \$1,000 at the time of termination of employment.

Solicitor Miller explained that both Item A and B deal with the exact same subject and have to do with the situation where you have less than \$1,000 because somebody leaves early. It's a pain to allow interest to accrue on that. From an administrative point of view, it is that level which is just more trouble than it is worth and this allows us to say, here is a check, you are out of the plan.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart to approve Ordinance No. 621 Amending Chapter 1, Part 6, Lower Swatara Township Nonuniform Pension Plan and Fund in order to provide for a forced distribution at the direction of the Chief Administrative Officer if the participant's accumulated contributions do not exceed \$1,000 at the time of termination of employment. The motion was unanimously approved.

Ordinance No. 622 Amending Chapter 1, Part 7, Lower Swatara Township Police Pension Plan and Fund, to incorporate agreed upon changes to the Deferred Retirement Option Plan (DROP) and provide for forced distributions.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart to approve Ordinance No. 622 Amending Chapter 1, Part 7, Lower Swatara Township Police Pension Plan and Fund, to incorporate agreed upon changes to the Deferred Retirement Option Plan (DROP) and provide for forced distributions. The motion was unanimously approved.

First Amendment to Developer's Agreement between Union Knoll LLC and Lower Swatara Township, amending Article VIII, Section 5, and permitting Union Knoll, LLC to perform identified development of the property at its own risk.

Solicitor Miller explained that this is an agreement that was worked out between his partner, Jim Diamond and Mark DeSanto allowing them to start certain work on that property even though there is not an interceptor that is approved yet. The Developer is taking the risk on himself to start doing that work, knowing that part of the project has not started yet. They are at risk, the Township is not and all appropriate inspections will be done regardless. Solicitor Miller indicated he is comfortable with this agreement, Solicitor Diamond and Mr Fure are comfortable with this agreement.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz to approve the First Amendment to Developer's Agreement between Union Knoll LLC and Lower Swatara Township amending article VIII, Section 5, and permitting Union Knoll, LLC to perform identified development of the property at its own risk. The motion was unanimously approved.

Authorization to advertise the Quick Ticket Ordinance

Vice President Truntz moved to table this item. There has been a draft that has been worked on, the draft that he saw may not have been the most recent one in the packet. He feels there is a need for a little bit more refining before it is ready to be adopted. In the meantime, he was thinking of having a discussion with Mr. Border, perhaps we may want to reconfigure this quick ticket ordinance. He understands that we need it and it is a good thing, but if we could incorporate the enforcement provision as a part of the existing property maintenance then we do not have two parallel ordinances going on.

Final STMP Report as presented by Keystone Municipal Advisers

Commissioner DeHart commented that he looked over this lengthy report. During the presentation it was stated that we do not have to do everything, they are recommendations, which is good. One of the recommendations is a capital committee in the whole Township. They recommended two commissioners and staff to it. He noted he is willing to serve on this committee; this is something we should do for short term and long term in the Township.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz to approve the final STMP Report as presented by Keystone Municipal Advisers. The motion was unanimously approved.

Resolution No. 2025-R-17 Grant Application to the Commonwealth Financing Authority's (CFA) Local Share Account (LSA) Statewide Program for the Greenfield Park Improvement Project

Commissioner DeHart noted he saw the layout drawings, we added a half basketball court, which is fine, he saw the swings and some play sets but did not see any demonstration of coverings over them. He has been asking for coverings on the playsets for a while now as a retrofit for our older stuff. Mr. Fabian noted that there is sail shade over the benches. Commissioner DeHart asked to have it added to it. Commissioner Paul asked Commissioner DeHart what his goal is, is it to have everything covered. Commissioner DeHart indicated as much as we can like the one in Middletown near the Borough Hall. Those playsets get hot, and he has been asking for this, and it just seems to fall to the wayside. Commissioner Paul commented that he does not know how the rest of the Board feels but we got to be careful how much recreation money we keep putting into recreation parks. Commissioner DeHart stated this is for a grant. Solicitor Miller noted that the Commissioners can make a motion on the grant and then change the scope.

A motion was made by Vice President Truntz, seconded by Commissioner Paul to approve Resolution No. 2025-R-17 Grant Application to the Commonwealth Financing Authority's (CFA) Local Share Account (LSA) Statewide Program for the Greenfield Park Improvement Project. The motion was unanimously approved.

Waiver request to Section 22-502.6: Horizontal and Vertical Curves for PC#2025-01 Greenfield Drive & Blue Raider Lane.

Jeff Shyk K&W Engineers stated that they are here this evening asking for a waiver as part of the Middletown school project. They have to do some off-site work associated with Greenfield Drive extending out to PA441 and as part of that, they have to a PennDOT HOP. There are rules associated with PennDOT that they have to conform to relative to the slopes that come off of their street and then they have to conform to the Township rules for the township's street as well. The challenge is there is a long-haul AT&T fiber optic line that they need to get over and clear it by 42 inches. The waiver will allow them to get over that without moving it. To move it, the cost would be from \$125,000 upwards to half a million dollars and they just put that fiber optic line in two years ago, so it is basically brand new. Mr. Shyk added that they have submitted this to the Planning Commission and HRG and had general compliance for their end in terms of accepting this change. They are not exceeding any slop requirement for the Township Road; it is just the same simple sag curve. They would greatly appreciate consideration for the approval of this waiver that will allow them to meet the PennDOT requirements for the widening and turn lanes associated with 441.

Commissioner Paul asked whose idea it was to take this driveway and make it an extension of Greenfield Drive, he knows it was not a Township idea. Mr. Shyk noted there was an agreement with Messick's in terms of providing access through the school site. PennDOT does not want any additional traffic coming down the existing Greenfield to enter the school site, so this will eliminate that. Commissioner Paul expressed concern that if that goes in, it does not meet our standards, yet it is a Township Road. Who is going to be responsible if something goes bad with that cable that is under there? Mr. Shyk indicated that we are meeting AT&T requirements, we are just asking for a waiver for the Township requirements. The waiver is to allow us to provide that cover over the line without moving it. There is no liability on the Township. Commissioner Paul stated that his concern is the fact that it is now a Township Road. What are we opening ourselves up for? He has no conceptual concern for it being done but does have a problem with the Township owning that road and that seemed to be already predetermined by others.

Discussion continued between the Board, staff and Mr. Shyk on the K value, safety, slopes, etc. In closing Vice President Truntz commented that this seems to be a minimal deviation in order to save the costs in upwards of six figures to move a line. He does not feel it is cost effective to not grant this waiver.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart to approve the waiver request to Section 22-502.6: Horizontal and Vertical Curves for PC#2025-01 Greenfield Drive & Blue Raider Lane. The vote passed 3 to 2 with President Wilt and Commissioner Paul voting nay.

Advertising the proposed Zoning Map Amendment, Zoning Ordinance Amendment, and respective Ordinance for PC#2025-04 Fulling Mills (2025) and scheduling of a public hearing.

Vice President Truntz stated that he does not have an issue with the ordinance itself of the advertisement, however he did review this and made some what he thought not drastic comments. He did have a question about number 11. It was his understanding the two parking spots do not include the interior of the garage, he attempted to clarify that. Also in section 13, there was some confusion, at least in his interpretation it could be read that a lot within the development could be conveyed out and not be subject to the constraints of the larger development. The rest of his comments were more stylistic, he just wants to tighten some things up.

Commissioner DeHart commented that he saw the change in separation to 8 ft on both sides of the building to be consistent with our other ordinance with the RU.

Commissioner Paul noted certain phraseology where it says lots may be subdivided and sold as part of the overall land development plans. That confused him, it seems like it is saying you can create lots and sell them off, he asked for an explanation. Mr. McNaughton stated that it is not the intent, in fact, everywhere in this ordinance it says that once you subject a property to this, you are either all in or all out. If you have a piece of property and you have decided to develop it as an age restricted community, you go through the conditional use process, you are all in or all out, you can't cut a piece out and do it separately from the age restricted development should you get to that stage. Vice President Truntz suggested that cut out lots be subdivided and just have lots maybe sold as part of the overall land development plan. Mr. McNaughton understood and agreed how that could be interpreted differently. The bottom line is they want to make sure that whatever is ultimately advertised is the version that will be in front of the Board for action. We do not want to advertise multiple times. Commissioner Paul added that the word "lots" gets him confused. He defines a lot as certain size, certain distance, etc. He asked if there could be a better way to phrase that without using the word lots. Mr. McNaughton explained that rezoning to RS is step one, so the only thing that anybody could do on the basis of that rezoning is 20,000 square foot lots with water and sewer. The second part of this is the age restricted development option which would be added to the ordinance that's added in to be permitted as a conditional use, so in order to do the age restricted community, you come back to this board and request conditional use approval. Once you subject any portion of that property to the conditional use and the age restricted sets of criteria this says that the whole thing goes under that scheme. Solicitor Miller commented that the Commissioners keep batting around is that one sentence, lots may be subdivided and sold as part of the overall land development plan. It does not say subject to the age restricted development, or it does not say subject to the covenants. The concern is if somebody else comes in after you, saying well that gives me the license to sell off lots, so that sentence without any qualification is concerning. After more discussion, Solicitor Miller stated that he agrees with Mr. McNaughton that if the Board is going to advertise

it needs to be the right version. Mr. McNaughton asked, since we have some built in time between now and when it needs to be advertised can we set the hearing date tonight, contingent upon making the suggested fixes and then advertise the agreed upon version later. Solicitor Miller suggested making a motion to schedule a public hearing on January 21, 2026.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart to schedule a public hearing for the proposed Zoning Map Amendment, Zoning Ordinance Amendment, and respective Ordinance for PC#2025-04 Fulling Mills (2025). The motion was unanimously approved.

Cost Sharing Agreement with Veolia Water Pennsylvania, Inc. for the Lumber Street Water Replacement Project associated with the DCIB-G funded stormwater improvement project in this same location and would contribute \$47,604.29 towards the final wearing course pavement restoration costs.

Mr. Fabian explained that Veolia is installing the water line and paving base up to the top of the trench to leave final wear and course restoration of the pavement until after the stormwater pipe goes in. Since they are not spending that money now, they offered a formula for what would be a fair contribution toward that cost when the Township takes on their infrastructure project which is set to go to bid this winter. They are offering a contribution toward that which would have to then go through PUC approval before they would cut a check, but HRG agrees with the amount and would recommend executing the cost share agreement.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies to approve Cost Sharing Agreement with Veolia Water Pennsylvania, Inc. for the Lumber Street Water Replacement Project associated with the DCIB-G funded stormwater improvement project in this same location and would contribute \$47,604.29 towards the final wearing course pavement restoration costs. The motion was unanimously approved.

#### GOOD AND WELFARE:

Commissioner DeHart thanked everyone for their comments tonight. We do want to hear back from the residents about what is going on, if they do not tell us, we do not know and cannot correct anything.

Commissioner Davies stated it is great to hear from people, and he has to admit that he does share their concern about having uniformity with the installation of public utilities within our community and would love to be able to work towards achieving that if possible.

Commissioner Paul thanked everyone for showing up.

Vice President Truntz appreciated everyone's comments and thanked Mr. Hile for his. He stated that he agrees with the electric poles, he has been a Twelve Oaks resident for 22 years. He did not like them when he saw them go up and hopes Mr. Miller's firm can pull a rabbit out of its hat and give us some ability to do something. In regard to the collective bargaining agreement with Public Works, he wanted to mention the

great job the guys did there negotiating that, but he thinks we often overlook Mike Miller. The Township is fortunate to have probably the best labor attorney in the area. He appreciates all the work he does to get these things worked out; it is just good work. He also requested an executive session for personnel and collective bargaining reasons.

President Wilt agreed with all that was said by his colleagues, he is also glad the contract is settled ahead of time. He wished everyone a Happy Thanksgiving.

Dale Messick asked about tabled item D, the quick ticket ordinance if someone could give an overview of what that ordinance entails. Vice President Truntz explained that it enables the codes department to issue tickets for violations like property maintenance issues like junk in yards, junk vehicles, nuisances, things like that. As the ordinance reads now you have to go through the district justice process and it is a long bureaucratic process in order to be able to do anything. Once we get this hashed out, it is going to enable the codes to operate more streamlined and quickly. Solicitor Miller added that it also helps avoid certain costs that are imposed by the MDJ, allows us to cite people without them having to pay court costs and things like that. Commissioner Paul added that we are not interested in creating money from citing people. We are interested in getting cars that are not licensed and inspected off the properties and some of the trash that is around, that is the goal for this.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Davies to adjourn the meeting and convene into executive session. The meeting was adjourned at 8:31 P.M.

ATTEST:

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Tracey Bechtel  
Township Secretary

**PLEASE PRINT NAME CLEARLY**  
**BOARD OF COMMISSIONERS NOVEMBER 19, 2025**  
**LEGISLATIVE MEETING (7:00 PM)**

Name/Organization	Address/Contact Information
C D Knopp	141 KEYSTONE CT.
Dale Mossiuk	Resident
JIM YOUNG	1847 O'HARA LANE
Laurie Castagna	1901 Scarlett
Scott A. Hike	Resident
BILL MEYER	MASD
Heather James	806 Butler Dr
Ande Gonzalez	806 Butler Dr
Alexa Fulmer	1842 Ohara Lane
Thomas & Ashley Jones	1848 Scarlett Lane
Deb & Dean Cotton	1807 Bonnie Blue Ln.
Loretta & DAVE MILLER	1846 BONNIE BLUE LN
Patty + Bill Prondic	604 Wilkes Dr