

WARWICK TOWNSHIP BOARD OF SUPERVISORS

July 15, 2015

Chairman Logan W. Myers convened the July 15, 2015 meeting of the Board of Supervisors at 7:00 p.m. Present were supervisors Herbert Flosdorf, Michael Vigunas, C. David Kramer, Anthony Chivinski, Daniel L. Zimmerman Township Manager, Dean Saylor Public Works Superintendent, Tom Zorbaugh Coding, Zoning Enforcement Officer, and Drue Bullington of 129 Moorland Court, Heidi Reyburn of 302 Dorchester Drive, Austin representing Blue Ridge Channel 11, Caroline Hoffer representing Barley Snyder, and Marilyn Taylor of 133 Moorland Court .

GUEST RECOGNITION: Drue Bullington addressed the Board concerning many issues regarding Claire Global and Rock Lititz including noise invading his home on Moorland Court. He read a lengthy letter addressing his many concerns and how he feels nothing is being done by the Board to acknowledge these concerns and he feels he has not received adequate answers to questions he has asked in the past. Zimmerman stated the Township has taken several steps to address all concerns. Zimmerman stated the existing industrial zone along SR 501 has been in place prior to the development Bullington currently resides in. The land was re-zoned to Campus Industrial which is an expansion of the existing industrial use. This was allowed after serious consideration by the Board taking in the best interest of the approximately 18,000 residents of the Township, some of whom have jobs there and also in order to keep the business in the Township and not have it relocate. The Board took serious consideration to allow the expansion so it could grow as it is a good economic tool for the community. In addition, when the sound issues first arose from the first building those were addressed by installing a sound abatement system and a monitoring system in place to make sure those guidelines are met. As far as new growth, the Board wants to make sure that the same safeguards are in place for any other building in this campus industrial area.

When the Township's sound engineer came in for Rock Lititz it was noted there are general ambient noise levels associated with this area and also from 501 and other industrial users who also emit DBC levels. There are no regulations either Federal or State requiring control of this. When tested the majority ambient noise level was within the same range as a restricted activity for Rock Lititz. In addition, these businesses operate within normal business hours.

Bullington stated his concern is with Claire Global changing their testing market and the noise level increasing as time goes on. Chivinski inquired what discussion Bullington has had with Troy Claire and Andrea Shirk over the last couple of months with respect to the existing facility. Bullington stated he has personally not interacted with either Troy or Andrea in the past few months. He stated based on past experience he was ignored so he stopped interaction with them.

Zimmerman stated there have been times when the Township receives complaints and Claire Global was not doing any testing at that time and the monitoring equipment shows Rock Lititz was not either. This is not to say nothing was heard it just means there are other causes for the noise that was heard by the residents.

Vigunas inquired of Bullington if the sound he is hearing is the sound that was originally coming from Rock Lititz and subsequently eliminated. Bullington stated he would have to say it is a sub decibel type noise.

Both Bullington and Marilyn Taylor stated there was noise today from Claire Global starting at 9:00 a.m. and ending at 2:30 p.m.

Myers stated the Board will look at the testing data from today to see what the sound levels were. Also, they will get in contact with Claire Global to discuss the issue. Myers stated if something is occurring of the magnitude that Bullington and Taylor have described then it will be dealt with.

Chivinski reiterated to Bullington and Taylor that when something happens to call the Township Office and ask for Tom Zorbaugh so the Township is aware of the problem and it can be looked into.

APPROVAL OF MINUTES: On a motion by Chivinski, seconded by Vigunas, the Board unanimously approved the June 3, 2015 and June 17, 2015 meeting minutes.

TREASURER'S REPORT: On a motion by Chivinski, seconded by Vigunas, the Board unanimously approved the Treasurer's report.

PAYMENT OF BILLS: On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved the Payment of the Bills.

MANAGER'S REPORT: NLCRPD: The start of contract negotiations is slated for August 5th.

Adaptive Traffic System-501 Corridor- Zimmerman stated the upgrade to the internet has not occurred as of yet.

Chip Seal of Roads- Zimmerman stated many people have questions about chip sealing. The purpose of chip seal is to provide protection to the existing roadway. This is also cost effective. An information sheet was posted on the Township's website for residents to read.

North 501 Corridor- Zimmerman stated environmental clearance was received last week.

Strategic Plan- The Coordinating Committee meets Thursday, July 16th here at the Township.

TAX COLLECTOR'S REPORT: On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the Tax Collector's report.

PUBLIC WORKS REPORT: Saylor reported the Township was the host for the mock MS4 inspection. He found it to be interesting and helpful.

Saylor stated there is a lot of patching and sealing being done as the past two winters have been hard on the roadways.

There was a discussion on the maintenance of the island at Trolley Run Road and what can be done to keep it better maintained.

POLICE DEPARTMENT REPORT: See attached report. Zimmerman gave a brief synopsis of the presentation given by Craig Stedman. A discussion ensued regarding money to help fund the Drug Task Force.

ZONING OFFICER'S REPORT: Zorbaugh stated the Zoning Board had three cases heard in June.

WESC/EMC REPORT: See attached report. Zimmerman stated the Township received the map grant from the State. The Hometown Hero campaign was closed out.

LRC: See attached letter thanking the Township for their 2nd Quarter contribution.

LITITZ LIBRARY: See attached letter thanking the Township for their 2nd Quarter contribution.

MARILYN TAYLOR: See attached emails; Marilyn spoke at the guest recognition at the beginning of tonight's meeting.

PSATS: See attached bulletin.

CONSIDER REQUEST FOR REDUCTION OF LETTER OF CREDIT FOR HOMETOWN TERRACE: On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved the request for Reduction of Letter of Credit for Hometown Terrace.

CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR STEVE SPROLES: On a motion by Vigunas, seconded by Chivinski, the Board unanimously approved the request for Release of Letter of Credit for Steve Sproles.

CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR JARED GARMAN: On a motion by Chivinski, seconded by Vigunas, the Board unanimously approved the request for Release of Letter of Credit for Jared Garman.

CONSIDER REQUEST FOR REDUCTION OF LETTER OF CREDIT FOR THE ZIELGER BARN PROJECT: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the request for Reduction of Letter of Credit for the Ziegler Barn Project.

DISCUSSION ON FINAL AND CONDITIONAL PLAN FOR THE ROCK LITITZ PROJECT- PHASE 1C: Zimmerman stated Rock Lititz is submitting to the Board the same standards that apply to the practicing studio will also apply to the new buildings.

Hoffer stated the agreement that was drawn up for Rock Lititz applies to the whole campus; it is a recorded agreement against all acres. Hoffer stated the purpose of putting it into the land development agreement is to make it clear that the properties are subject to this agreement.

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On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the Final and Conditional Plan for the Rock Lititz Project- Phase 1C.

CONSIDER CONDITIONAL USE DECISION FOR JAMES HOOVER: On a motion by Vigunas, seconded by Chivinski, the Board unanimously approved the Conditional Use Decision for James Hoover.

CONSIDER RESOLUTION 07-15-15-01 AUTHORIZING A GRANT APPLICATION FOR THE GTRP GRANT FOR THE WARWICK RAILS TO TRAILS: Zimmerman stated this is only for the at grade crossings at Newport Road, Rothsville Station, and Picnic Woods. Zimmerman stated the project can still be done without the grant however the grant would be helpful.

On a motion by Chivinski, seconded by Kramer, the Board unanimously approved Resolution 07-15-15-01 Authorizing a Grant Application for the GTRP Grant for the Warwick to Ephrata Rails to Trails.

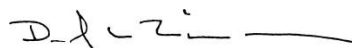
CONSIDER RESOLUTION 07-15-15-02 PROVIDING COMMITMENT TO THE PENNSYLVANIA SUSTAINABLE COMMUNITY ESSENTIALS THROUGH THE PENNSYLVANIA MUNICIPAL LEAGUE: Zimmerman stated this resolution states as long as the Township is certified we will keep our policies up-to-date. On a motion by Vigunas, seconded by Chivinski, the Board unanimously approved Resolution 07-15-15-02 Providing Commitment to the Pennsylvania Sustainable Community Essentials through the Pennsylvania Municipal League.

CONSIDER RESOLUTION 07-15-15-03 PROVIDING FOR ACCEPTING A PORTION OF TROY DRIVE TO THE PUBLIC ROAD SYSTEM: Zimmerman stated a section of Troy Drive was overlooked even though the Township has been maintaining it for years. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved Resolution 07-15-15-03 Providing for Accepting a portion of Troy Drive to the Public Road System.

CONSIDER REQUEST BY UNITED ZION TO HOST ANNUAL UZRC CAR CRUISE: On a motion by Chivinski, seconded by Vigunas, the Board unanimously approved the request by United Zion to host the Annual UZRC Car Cruise.

CONSIDER REQUEST BY MANHEIM BOROUGH FOR USE OF BRUNNERVILLE FIRE POLICE: On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved the request by Manheim Borough for use of Brunnerville Fire Police.

Respectfully submitted,



Daniel L. Zimmerman,
Township Manager