

WARWICK TOWNSHIP BOARD OF SUPERVISORS
Warwick Township Municipal Building
Meeting Minutes
November 18, 2020
7:00 p.m.

W. Logan Myers, III, convened the November 18, 2020 Warwick Township Board of Supervisors meeting to order at 7:00 p.m. In attendance were Supervisors Logan Myers, Kenneth Eshleman and Jeffrey Tennis. Absent were Supervisors Herbert Flosdorf and Kelly Gutshall. Also in attendance were Daniel L. Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Billy Clauser, Township Planner; Tom Zorbaugh, Code and Zoning Officer; Chuck Haley representing the ELA Group; Jason Minnich, Public Works Superintendent; and Harry Kickey.

GUEST RECOGNITION: Harry Kickey, President of the Homeowner's Association at Traditions of America, spoke about the outstanding items on the punch list from the Township that still need to be completed at TOA. He feels the repairs were done either inadequately or not done at all. He is asking the Board of Supervisors to reject any return of collateral at this time to TOA due to these deficiencies. He went through a list of items that still need to be completed as well as items that he feels were repaired inadequately. D. Zimmerman stated the recommendation for tonight is for a partial release of money as some of the items on the punch list have been completed. There was a discussion with C. Haley on what items on the punch list have been completed, what items still need to be completed and if he feels the items that have been completed were done satisfactorily. H. Flosdorf commented that Dave Ebright has not kept the commitments he made to the Board in terms of having the punch list completed by the end of October. D. Zimmerman stated the Board has the right to make a call on the bond for Phases 1-3 as these items are overdue. D. Zimmerman stated that he has offered several times to have a meeting with H. Kickey and D. Ebright to try and get these issues resolved. L. Myers inquired of D. Zimmerman what the Township could get from TOA at this point. D. Zimmerman stated the Board could decide to not release any money on the basis of the evidence that presented tonight or the Board could call on the bond for Phase 1. However if the Township calls the bond there is the likelihood TOA would challenge this and it would end up going to court and would prolong the situation. H. Flosdorf suggested the request for the partial release of the Letter of Credit for TOA Phases 1-4 get tabled for tonight and the Township request that D. Ebright come to the next Board meeting to clarify when all the items on the punch list will be completed.

CONSIDER REQUEST FOR A PARTIAL RELEASE OF LETTER OF CREDIT FOR TOA PHASES 1-4: On a motion by K. Eshleman, seconded by J. Tennis, the Board voted to table the partial release of the Letter of Credit for TOA Phases 1-4 and request representation from TOA at the next Board meeting. K. Gutshall abstained.

PUBLIC HEARING: HEARING ON THE INTENTION TO ADOPT A PROPOSED ORDINANCE TO ADOPT THE UPDATED OFFICIAL MAP OF WARWICK TOWNSHIP: D. Zimmerman stated this is the second update to the original map that was done in 1999. The Township's Planning Commission considered it as meeting the objectives of the Forge the Future 2022, which is the Joint Strategic Plan with Lititz Borough. The Lancaster County Planning Commission review indicated it was consistent with Places 2040 which is the long range comprehensive plan for Lancaster County and viewed it was also in compliance and consistent with the Municipal Plan of Forge the Future 2022.

On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously moved to close the hearing.

CONSIDER REQUEST FOR A TIME EXTENSION FOR THE W. WOODS DRIVE SUBDIVISION PLAN: On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved a time extension for the W. Woods Drive Subdivision Plan.

CONSIDER RESOLUTION 11-18-20-01 AUTHORIZING ACQUISITION OF ADDITIONAL STREET RIGHT-OF-WAY: D. Zimmerman stated the Board did a Resolution last month accepting the right-of-way for what will eventually be Seigrist Farm Road. However, the Resolution did not mention exemption of the Clean and Green taxes. This resolution amends the previous resolution already adopted and exempts the Clean and Green taxes.

On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously approved Resolution 11-18-20-01 Authorizing Acquisition of Additional Street Right-of-Way.

CONSIDER ADOPTION OF THE 2021 MEETING SCHEDULE: On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously approved the 2021 Meeting Schedule.

PRESENTATION OF THE 2020 MS4 PROGRAM: B. Clauser gave a 2020 stormwater summary. He explained that due to COVID-19 Stream Clean-up and Watershed Day were cancelled. However some projects were still able to be accomplished. Approximately 4,000 trees were able to be planted at various areas including the Todd & Katrina Weaver Property, the Adam Davis Property, the Millport Conservancy, and at Saylor Park. At Saylor Park in July at the water quality facility wetland plugs were planted by the LRWA and volunteers. Along with LandStudies, the LRWA started working on updating the Lititz Run Watershed Action Plan as well as a working on a watershed based permit, also known as a Comprehensive Permit, which would allow one permit to oversee a variety of projects. Stream monitoring has continued and is now in it's the seventh year. D. Zimmerman stated one project that has funding and will take place at the end of this year or next spring is restoring the section of stream from the Riparian Park to the David King Property. A fish study was completed with Susquehanna University on the Lititz Run in partnership with the LRWA, Donegal Trout Unlimited and the Millport Conservancy. D. Zimmerman stated with the evidence produced from this study, there are sections of the stream that could possibly be classified as Class I waters. He stated almost 78% of the farms within the jurisdiction of Warwick are in compliance with their conservation plan and have implemented their BMP's. This shows that agriculture has made a huge impact on the water quality within the Township. Success has also been obtained from the industrial/institutional area such as Rock Lititz and the Wynfield Business Center who have done substantial projects towards the overall cleaning of the stream. One sector that does need work is the private sector, which is one reason for the suggestion of a stormwater fee. Much of this is due from the lack of knowledge on the homeowner's part.

CONSIDER ORDINANCE 293 ADOPT THE WARWICK TOWNSHIP OFFICIAL MAP: On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved Ordinance 293 Adoption of the Warwick Township Official Map.

CONSIDER DRAFT OF THE 2021 BUDGET: D. Zimmerman noted the Board had a pre-budget meeting prior to tonight's scheduled Board meeting. He noted the Township will end up in better shape than what was anticipated due to some assistance from the County. He feels however until the current health crisis is addressed to a certain point, the Township needs to stay vigilant and continue with a conservative approach.

CONSIDER MOTION TO ADVERTISE THE 2021 BUDGET: On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously approved advertising the 2021 budget.

LANCASTER COUNTY DA: The Board reviewed the letter from H. Adams, DA, thanking the Township for their contribution to the Lancaster County Drug Task Force.

Board of Supervisors
November 18, 2020

PSATS: The Board reviewed the October 2020 PSATS NewsBulletin.

APPROVAL OF MINUTES: On motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved the October 7, 2020 and October 21, 2020 minutes as submitted.

TREASURER'S REPORT: On a motion by H. Flosdorf, seconded by K. Gutshall, the Board unanimously approved the Treasurer's Report.

PAYMENT OF BILLS: On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously approved the Payment of the Bills.

MANAGER'S REPORT: WESC- The Inter-municipal Agreement and the Service Agreement will be finalized at the reorganization meeting on January 4, 2021.

6th Street Project/Roundabout Project- Tentative opening for the roundabout at Clay Road and Rothsville Road is scheduled for Wednesday, November 25th subject to PennDOT's inspection and approval on Monday.

Reimbursement for COVID-19 impact- The Township is still anticipating \$164,000.00 from the county prior to 12/31/20.

TAX COLLECTOR'S REPORT: On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the Tax Collector's Report.

PUBLIC WORKS REPORT: J. Minnich was present to review his report with the Board.

POLICE DEPARTMENT REPORT: The Board reviewed the October 2020 Report to the Commission.

ZONING OFFICER'S REPORT: T. Zorbaugh was present to review his report with the Board.

WESC/EMC REPORT: The Board reviewed the October 2020 Fire Commissioner Report.

EXECUTIVE SESSION: The Board held an executive session during the pre-budget meeting prior to the regular meeting to discuss transition of the Township Manager position.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager