

WARWICK TOWNSHIP BOARD OF SUPERVISORS

February 3, 2021

7:00 p.m.

Due to COVID-19 this meeting was held virtually.

Chairman Ken Eshleman convened the February 3, 2021 meeting of the Warwick Township Board of Supervisors at 7:00 a.m. In attendance were Supervisors Kenneth Eshleman, Herbert Flosdorf, Kelly Gutshall, Jeffrey Tennis, and Logan Myers. Also in attendance were Daniel Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Chuck Haley with the ELA Group; and Laura Knowles with the Lititz Record Express.

ARRO: The Board reviewed the letter from ARRO thanking them for the appointment as the Alternate Engineer for the Township for 2021.

CONSIDER TEMPORARY HOLDING TANK AGREEMENT FOR ELI ESH AT 945 DISSTON VIEW DRIVE:

D. Zimmerman stated currently it is taking up to six months for DEP to get onsite septic sewer permits processed and a system cannot be installed until the permit is received. This Applicant is building two houses, one for his family and one for his parents. The Applicant has started to build as he already had a septic system from the old existing farmhouse he tore down. The module is for the new house and he wants to place the system beside the existing tank. The Applicant would like to be able to occupy the house prior to the system being installed. The SEO has no issue with this as the existing tank can be used. D. Zimmerman feels six months would be sufficient time to get the new system installed. The Township does have a cash escrow to ensure it will get processed. H. Flosdorf stated the Township's holding tank ordinance should be reviewed as not everything in it would apply to this particular situation as well as to ensure compliance. D. Zimmerman stated the ordinance would be reviewed with the SEO Officer.

On a motion by H. Flosdorf, seconded by L. Myers, the Board unanimously approved the temporary holding tank agreement for Eli Esh at 945 Disston View Drive with the aforementioned review of the Township's holding tank ordinance.

CONSIDER RESOLUTION 02-03-21-01 AUTHORIZING PARTICIPATION IN COOPERATIVE BIDDING FOR ROAD WORK AND PAVING MATERIALS: On a motion by L. Myers, seconded by K. Gutshall, the Board unanimously approved Resolution 02-03-21-01 Authorizing participation in cooperative bidding for road work and paving materials.

CONSIDER RESOLUTION 02-03-21-02 AUTHORIZING TDR PURCHASE FOR THE PRESERVATION OF THE JOHN SHENK FARM: D. Zimmerman stated this is a project that is slated for 2021. It is a produce farm located at the corner of Disston View Drive and Church Road. On a motion by J. Tennis, seconded by H. Flosdorf, the Board unanimously approved Resolution 02-03-21-02 Authorizing TDR purchase for the preservation of the John Shenk Farm.

DISCUSS THE PROPOSED ZONING ORDINANCE AMENDMENTS: D. Zimmerman stated signage, the expansion of flag lots and historic preservation were discussed briefly previously and Staff would like the Board's input on these topics. Regarding the historic preservation, the ordinance would be targeted to structures that are classified as Class I or Class II. An historic inventory of properties within the Township has previously been completed. The amendment would require if the property were classified as Class I or II it must go through a Conditional Use prior to being demolished. The criteria that would be generated under the Conditional Use is still being determined. All

records on campus relating to the structure must be turned over to the Township. The Board was in agreement with what was provided in the outline.

With regards to the sign ordinance, after reviewing and discussing the proposed ordinance changes, H. Flosdorf stated he thought personal expression signs should be recognized everywhere including on commercial and industrial properties. K. Gutshall inquired why the rear property lines were not included in the ordinance. She also inquired if the signs were permanent or temporary. D. Zimmerman stated a time limit cannot be allocated but he would ask these questions to the solicitor and get back to the Board with the answers.

DISCUSS THE 2021 TRANSPORTATION PROJECT SCHEDULE: D. Zimmerman reviewed some of the projects slated for the upcoming year:

1. Lititz Borough will be doing stormwater and curb and sidewalk work on 772 and heading towards the roundabout. The paving of 772 from the square to the village of Rothsville will be done in 2022.

2. The Lincoln Road bridge project will be done by the state starting in March or April and will take approximately three months to complete.

3. At the roundabout at Woodcrest Avenue and Sixth Street the streetlights still need to be placed. This is anticipated to be completed sometime in June.

4. The roundabout at Clay Road and Rothsville Road will need to be shut down at the end of March or the beginning of April for approximately two weeks to mill out the temporary paving and replace it with permanent paving. Restoration of the bio basins and final restoration of the disturbed yard areas will also be done at this time. Most likely the streetlights will be placed in June at the same time as the streetlights at Woodcrest and Sixth Street roundabout are placed.

5. Work will start in the spring on the extension of Sixth Street from the roundabout at Clay Road and Rothsville Road to the Lititz Reserve Development.

6. Siegrist Farm Road, which will be the connection between Sixth Street and Pierson Road, is a project that will be completed by the Township. Plans and bid documents for this project will be shown to the Board at the February 17th meeting.

7. Moravian Manor will complete their portion of the extension of Sixth Street as well as improvements to the T intersection at W. Orange Street and Sixth Street.

8. The right in right out at Pierson Road and Rothsville Road could either occur this year or next year; this is yet to be determined.

D. Zimmerman stated regarding the Lincoln Road Bridge project, all three property owners who will be impacted have been contacted. Carpenter Road will be closed prior to the start of this project to eliminate traffic going over the Carpenter Bridge. Since Carpenter Bridge will be closed during this time, Staff thought now would be an ideal time for more discussion on the possibility of vacating this bridge. This process can be done one of two ways. It can be done through a vacating ordinance or through a settlement agreement. The Township can vacate any road it wants to as there is no obligation for a Township to maintain a road. However by doing so it cannot have an impact on a property owner in a negative manner either fiscally or for a safety issue. In the Weaver's case, if the bridge and road are vacated the ability for the Weaver's to get to Lincoln Road is cut off. They would then be required to utilize the intersection at Clay Road and Carpenter Road which does not have proper sight distance. In discussions between the Weaver's and the Township the possibility has been raised about potentially relocating the access point of Carpenter Road to Clay Road by approximately 150-200 feet towards Lincoln Road to achieve better sight distance.

The portion of Carpenter Road from the old access down to the curve would then be removed. In addition, there is the possibility of having a partnership with Mr. Weaver, who has a brother who is an excavator, who would excavate this area and the Township would then build the access utilizing the recycled materials from Carpenter Road. This would allow the Weaver's to have an access that meets the sight distance requirements and is a fully functional driveway as well. H. Flosdorf inquired if the Weavers could be approached with the possibility of the Township paying Mr. Weaver's brother to do all the work instead of just a portion of it. L. Myers inquired if the property owners involved seemed accepting of the idea of the road closure. P. Barrett stated each property owner has their own concern with the project which would be addressed in an agreement drawn up by the Township's Solicitor.

D. Zimmerman reiterated that none of these plans are finalized as this is still in the preliminary stages of the planning process.

DISCUSS THE POTENTIAL BUYOUT OF THE WARWICK TOWNSHIP MUNICIPAL AUTHORITY SEWER BOND:

D. Zimmerman stated with the current low interest rates at banks the Authority has discussed paying off the bond and taking out a bank loan. This would get rid of the trustee on the bond and allow money to be with more options as per the Authority Act. The Township is the only one that can do a loan as the Authority Act does not allow for a direct loan. The debt is recorded against the Township to DCED and would be in the audit. However because it is a subsidized debt the Authority is responsible for it. The Board was in agreement with the Township securing a loan for the Municipal Authority.

DISCUSS THE MS4 PROGRAM AND 2021 GOALS: D. Zimmerman stated the Township has been working with LandStudies for approximately six to eight months in evaluating whether to do a stormwater fee and how the fee would be funded. Approximately 90% of the money the Township generates would go towards the private system. D. Zimmerman stated the only weakness he sees in the Township's current program is the private ownership and maintenance of stormwater systems.

There are five objectives of the stormwater fund:

1. Continued replacement of deficient stormwater pipes.
2. Self-funding for sinkholes. The Township has already placed money aside in a stormwater fund for sinkholes that occur on public property. Staff would recommend starting self-funding for private sinkholes. In order to be eligible for the money there must be proper record keeping. The fee would be a 50% match up to \$2,500.
3. Education. In partnership with LandStudies a handbook has been created on property owner maintenance of stormwater facilities. The fees would include geotech costs, ELA and LandStudies fees and Staff time.
4. Enforcement/cultivation of private stormwater systems: Inspections of private systems would need to be done at least once every three years by a subcontractor.
5. Watershed projects: D. Zimmerman stated the LRWA has brought in just under 1.6 million dollars' worth of grant monies in restoration projects throughout the Township thus allowing the Township to avoid investing in these costs. For this reason some money should be allocated towards watershed projects that still need to be completed.

D. Zimmerman stated the overall budget is approximately \$200,000.00 which is lower than most other municipalities. As far as coming up with a stormwater fee it is difficult to find a percentage which is lower than what the property owner pays in real estate tax. D. Zimmerman stated the Board should give some thought about raising the mileage on the real estate taxes for the 2022 fiscal budget. In addition to taking on all the fire equipment replacement responsibility for three fire companies, completing massive infrastructure improvement projects, and the need to fund this portion of the MS4 program in a better manner, with a mileage increase the money would easily be raised to address these five objectives. There was a discussion among the Board members regarding how the money should be funded as not all were in favor of raising the mileage on real estate taxes as a way to fund this fee.

D. Zimmerman stated he would go back to the Solicitor and LandStudies to see if there is hybrid way to fund the money. Overall the Board was in agreement with the five objectives that were reviewed.

CONSIDER APPOINTING GARY LEFEVER TO THE TOWNSHIP VACANCY BOARD: D. Zimmerman stated

Board of Supervisors
February 3, 2021

G. Lefever is a member of the Zoning Hearing Board and has lived in the Township for many years. On a motion by H. Flosdorf, seconded by L. Myers, the Board unanimously approved the appointment of Gary Lefever to the Township Vacancy Board.

CONSIDER RESOLUTION 02-03-21-03 TAX COLLECTOR COMPENSATION: On a motion by J. Tennis, seconded by L. Myers, the Board unanimously approved Resolution 02-03-21-03 Tax Collector Compensation.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager