

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**  
**APRIL 5, 2023**  
**7:00 a.m.**  
**MEETING HELD BY VIRTUAL FORMAT**

Chairman Kenneth Eshleman convened the April 5, 2023 meeting of the Warwick Township Board of Supervisors at 7:00 a.m. In attendance were Supervisors Ken Eshleman, Jeremy Strathmeyer, Jeff Tennis, and Kelly Gutshall. Ken Kauffman was absent. Also in attendance were Township Manager Brian Harris, Assistant Township Manager Pat Barrett, Code and Zoning Officer Tom Zorbaugh, Lititz Public Library Director Ryan McCrory, WESC Fire Commissioner Duane Ober, Laura Knowles, Lititz Record Express, Megan Senkowski and Anne Horting, Trout CPA.

**LITITZ PUBLIC LIBRARY PRESENTATION:** Ryan McCrory gave an update on activities at the Lititz Public Library. He mentioned that they now have LinkedIn Learning which offers thousands of online courses such as customer service, mastering Excel, Google Suites for business, and AutoCAD to name a few. This learning opportunity is available for all those who have a Lititz Public Library card. In May and June they will be promoting this service to graduating seniors. The library will have a table at the Lititz Farmers Market every week offering something different each week such as children's story time, tech help for navigating library applications and promotional events. McCrory also mentioned the parking lot project which will add 44 new parking spaces that will allow the library to host multiple program events at the same time. The plan is to start the project around April 17, 2023 and have it completed by June 1, 2023. B. Harris mentioned that B.R. Kreider is doing the site work for the parking lot project. McCrory confirmed that B.R. Kreider also put a bid in to do the paving for the parking lot. K. Eshleman asked if artificial intelligence has impacted the library in any way. McCrory stated that they have not seen artificial intelligence really hit the public libraries yet but he feels it could be helpful for more basic factual type questions. They have used it to assist with preliminary updates to policies and procedures for the library.

**TROUT CPA 2022 AUDIT PRESENTATION:** Megan Senkowski and Anne Horting reviewed the 2022 fiscal audit. Senkowski stated that the Township received a clean opinion on the governmental activities and financial statements of the township. She highlighted the receipt of the second round of American Rescue Plan Act (ARPA) funding, receipt of Marketing to Attract Tourists Grant funding, and the execution of a subcontractor agreement with WTMA in which \$1.3 million dollars was transferred to the authority to complete improvements to Pump Station No. 13. B. Harris mentioned that the township met with Brown, Schultz, Sheridan, and Fritz and a proposal from them will be presented to the board at the April 19, 2023 meeting.

**ZONING APPEAL NOTICE FOR 870 CLAY ROAD:** B. Harris reviewed the property and the application submitted by Wayne and Minerva Hoover for variances from setback requirements, and relief from the impervious lot coverage requirement in an agriculture zone to install hoop structures. The applicants were before the Zoning Hearing Board on February 8, 2023. The Zoning Hearing Board did not grant the setback relief variance but they did grant the impervious coverage amount up to 16.4%. Abutting residents on Brooke Court filed an appeal to the decision. The Board of Supervisors have the ability to be party to the appeal if they so choose. T. Zorbaugh stated that the Zoning Hearing Board had to file their paperwork last week. They filed everything that was required from them. They meet next week and will go into executive session with their solicitor to discuss what they want to do and then come back to announce their decision. The Board of Supervisors need to decide whether they want to intervene or not on this case. B. Harris stated his recommendation would be to let the Zoning Hearing Board file the necessary intervention if that is their decision. On a motion by Gutshall, seconded by Strathmeyer, the Board voted unanimously to not be party to the land use appeal filed for 870 Clay Road.

**REQUEST FOR A TIME EXTENSION FOR THE CONDITIONAL USE APPLICATION FOR 817 ROTHVILLE ROAD (COMPASS MILL):** The Township Manager stated that the applicant appeared before the Planning Commission at their March 22, 2023 meeting and will appear before the Commission again at their April 26, 2023 meeting to further discuss the project. He explained that the Conditional Use hearing is now scheduled for May 17, 2023 at 7:00 p.m. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to grant an extension of time until May 17, 2023 for the Compass Mill Conditional Use application.

**CONSIDER MOTION TO ADVERTISE CONDEMNATION OF RIGHT OF WAY AND ORDINANCE FOR THE OPENING AND EXTENSION OF TUPELO STREET CONDITIONED ON THE SOLICITOR'S APPROVAL OF THE NECESSARY DOCUMENTS:** The Township Manager stated that the Township Solicitor advised him that the applicant is working on the documents for the extension of Tupelo Street and is agreeable to the Board authorizing the advertisement of the condemnation of right of way at this time. On a motion by Gutshall, seconded by Strathmeyer the Board voted unanimously that the Township Solicitor be authorized upon receiving all required and necessary information to advertise notice of the intent of the Board of Supervisors to consider the enactment of an ordinance opening an extension of Tupelo Street to connect with West Woods Drive as contemplated by the Official Map of Warwick Township and in connection therewith to consider the enactment of an ordinance authorizing the condemnation of a strip of land approximately twenty-five feet wide consisting of 5,171 square feet more or less for public street purposes as part of Tupelo Street

**CONSIDER RESOLUTION 04-05-23-01 TO AUTHORIZE THE TOWNSHIP TO ENTER INTO THE OPIOID SETTLEMENT AND TRUST AGREEMENTS:** The Township Manager explained that the Township had entered into the original settlement in 2022 and there has been another settlement agreement. He noted that the County will receive the funds and will disburse them to municipalities to help with combating the issues relating to opioids. On a motion by Strathmeyer, seconded by Tennis, the Board voted unanimously to adopt Resolution 04-05-23-01 to enter into the settlement agreement.

**CONSIDER RESOLUTION 04-05-23-02 UPDATING FEE SCHEDULE FOR PYROTECHNICS/FIREWORKS DISPLAYS:** The Township Manager explained that the Township adopts a fee resolution each year; however, the fees for pyrotechnics/fireworks permits were not included. The WESC Fire Commissioner explained that a pyrotechnics firm is located within Pod 2 on the Rock Lititz Campus and assisted in developing the regulations relating to pyrotechnics, flame effects, etc. The fees were adjusted for the event permit since the Fire Commissioner reviews the permit application and is on-site to witness the products being used before they continue with the actual use. This requires approximately 2 hours of the Fire Commissioner's time and the adjusted fee schedule would reflect his time. On a motion by Tennis, seconded by Gutshall, the Board voted unanimously to adopt Resolution 04-05-23-02.

**CONSIDER RESOLUTION 04-05-23-03 AUTHORIZING A C2P2 GRANT APPLICATION TO UPDATE THE COMPREHENSIVE RECREATION PLAN:** The Township Manager explained that the grant application is for \$120,000.00 to update the Comprehensive Recreation Plan. The grant would cover 50% of the costs of the plan, and the remaining funds would be paid by the 3 participating municipalities (Warwick Township, Elizabeth Township, and Lititz Borough). He anticipated that a formal RFP would be issued in mid-2024 and the plan would be adopted in 2025. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to adopt Resolution 04-05-23-03.

**CONSIDER RESOLUTION 04-05-23-04 AUTHORIZING EXECUTION OF THE RACP COOPERATION AGREEMENT FOR ROCK LITITZ POD 1A:** The Township Manager explained that the Resolution is for execution of the cooperation agreement for funding of the educational facility on the Rock Lititz campus. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to adopt 04-05-23-04. Gutshall recused herself from a decision on the motion due to a conflict of interest.

**CONSIDER TOWNSHIP ROAD PAVING BID AWARD:** The Township Manager provided an overview of the bids. Rohrer's Quarry was the lowest bidder on the aggregate bid, Highway Materials was the lowest bidder on FOB paving materials, Rohrer's Quarry was the lowest bidder on concrete products, and Pennsy Supply was the lowest bidder of in-place paving. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to award the road paving bids to the lowest bidder in each category as noted.

**CONSIDER WALKATHON TO BENEFIT K9s FOR WARRIORS ON 6/4/2023 ALONG THE WERT TRAIL:** The Township Manager explained that the walkathon will be held on the Warwick to Ephrata Rail Trail. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to authorize the Walkathon to Benefit K9s for Warriors on June 4, 2023.

**CONSIDER THE DA DRUG TASK FORCE ANNUAL CONTRIBUTION REQUEST:** The Township Manager explained that the Township budgeted \$19,000 for the 2023 contribution. On a motion by Strathmeyer, seconded by Tennis, the Board voted unanimously to authorize a \$19,000 contribution to the Lancaster County Drug Task Force.

**AUTHORIZE LETTER RECOGNIZING WESC AS AN ADDITIONAL FIRE COMPANY SERVING THE REGION:** The WESC Fire Commissioner explained that each year fire companies are provided a grant through the State Fire Commissioner's office. He added that the organization would qualify for this grant funding based on the Intermunicipal Government Agreement and a letter from the municipalities. He added that he and the Assistant Fire Commissioner respond to calls, and assist other fire companies, as well as handling fire investigations. He added that the other existing fire companies serving the region would not be adversely affected by the Board recognizing WESC as an additional fire company. On a motion by Tennis, seconded by Strathmeyer, the Board voted unanimously to authorize a letter to the State Fire Commission recognizing WESC as an additional fire company serving the region.

**AUTHORIZE EXECUTION OF THE CFA CONTRACT FOR THE LSA FUNDING AWARD:** The Township Manager explained that the Township was awarded \$600,000 in funding for streetscape improvements along SR 501. The money for the funding is from the State's gambling proceeds. The Township Manager noted that the funds will be used to extend sidewalk along SR501 from New Street and extending north. On a motion by Gutshall, seconded by Strathmeyer, the Board voted unanimously to authorize the Board Chairman and Township Manager to execute any documents associated with the CFA Contract.

**WTMA ZONING HEARING BOARD FEE EXEMPTION:** The Township Manager explained he is requesting an exemption from zoning hearing fees for the WTMA North Tank project. He explained that he will be representing WTMA to request relief from minimum lot size for the 160x160 pad site, and for setbacks since the structure will be closer to two property lines than required. On a motion by Tennis, seconded by Gutshall, the Board voted unanimously to exempt WTMA from the zoning hearing fee.

**COMMUNICATIONS:**

The Board reviewed a list of draft resolutions for the PSATS 2023 conference.

The Township Manager explained that the NLCRPD will be hosting National Night Out on 8/1/2023 from 6:00-8:00p.m. at the Warwick Township Municipal Campus. He noted that this is the first time the event will be held at the Municipal Campus.

The Township Manager explained that the Lititz recCenter golf outing is scheduled for 5/31/2023.

The Township Manager explained that the Warwick to Ephrata Rail Trail is listed on the Susquehanna National Heritage Bucket list at #51.

The Township Manager explained that the Board members are invited to attend the LCSWMA Public Officials Breakfast on 4/27/2023 from 7:30-9:30 a.m.

The Township Manager explained that Lititz Night at the Lancaster Barnstormers is scheduled for 5/6/2023. The residents of Lititz will receive a reduced ticket cost of \$9.00 on the night of the event.

**ADJOURNMENT** – On a motion by J. Strathmeyer and seconded by J. Tennis, the Board voted unanimously to adjourn the meeting at 8:22 a.m.

Respectfully submitted,

Brian Harris,  
Township Manager