

WARWICK TOWNSHIP BOARD OF SUPERVISORS

July 16, 2014

Chairman W. Logan Myers convened the July 16, 2014 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, Anthony Chivinski, Michael Vigunas, C. David Kramer, and Herbert Flosdorf. In attendance were Township Manager Daniel Zimmerman, Zoning Officer Thomas Zorbaugh, Randy Hess representing Hess Homes, Mark Johnson representing RGS, Karen Umberger, Hanly Richwine, Barbara Elliott, Barry Whitman, Troy Allison, Dwayne Hartley, Gregory Wright, and Bonnie Wagner.

GUEST RECOGNITION: Mr. Gregory Wright was present to discuss sign issues on Cardinal Road. Mr. Wright states that the sign at the top of Cardinal Road turning from Newport Road indicating truck prohibition the red symbol is totally corroded and cannot be seen. Mr. Wright feels this needs to be replaced. Mr. Wright also stated there was a family who lived at 354 Cardinal Road who had a deaf child and therefore signs were placed for a Deaf Child Area. This family has since moved and Mr. Wright feels there is no longer the need for the Deaf Child Area sign going both north and south on Cardinal Road. However, Mr. Wright feels these signs could maybe be replaced with Child at Play signs because there are quite a few children who play in the immediate area.

Ken Phillips representing RBC was present to discuss the proposal for Warwick Township Municipal Authority to refund its outstanding 2010 Sewer Bond issue. Mr. Phillips has been working with the Township Manager regarding some of the sewer deficits. Historically the Board puts their guarantee behind the water and sewer revenue debt. The revenues from both of these take care of the debt service if the guarantee is ever called upon. A discussion with the Municipal Authority on July 15, 2014 included to look at refunding the 2010 guaranteed sewer revenue bonds. There are two purposes for this. One is there would be savings which is why you do refinancing to go from higher interest rates to lower interest rates. Secondly, the structure of that issue currently goes out to 2029. The ability to shorten the issue was of interest to the Authority. Also, because of the way the debt is structured it would go from 2029 to a 2025-2026 scenario. In essence you are not only saving money but also shortening the maturity. The Municipal Authority requests you guarantee the debt as was done previously in 2010. The guarantee would rollover to a proposed 2014 issue that would take place sometime in the next 30 to 60 days as long as certain parameters passed at the July 15, 2014 Warwick Township Municipal Authority meeting have been met. All legal documents have been provided for consideration. A Board member inquired with and without the guarantee what are the interest rates. Mr. Phillips stated a pure revenue issue without any guarantee is anywhere from 0.1 to 0.2% higher. The Township Manager stated the Township has no debt. The Water and Sewer Authority did borrow money which goes back to a mandate by the EPA and DEP to upgrade the Lititz Sewer Plant to meet the Chesapeake Bay discharge criteria. The plant's capacity is just over 3.8 million and Warwick Township Municipal Authority has a little over 1.6 million gallons of capacity so there is about a 42.3% of sharing. The Township shared this with Lititz Borough as this is a regional plant. There were over 14 million dollars of upgrades that were done to the plant to bring it up to Chesapeake Bay initiatives and also to do some capital replacement. The Township Manager stated this is our fourth or fifth bond issue. The Township has always done a guarantee which allows for the lower rates which benefits the rate payers of the Township itself. This has always worked out well. The bond holders have a guarantee to get a certain rate for five years and then after that are able to go out and reevaluate whether a lower rate is able to be obtained or to reissue. An additional benefit of this bond issue is it will allow us a little bit more freedom on the investment strategy. Mr. Myers asked if this included any money for the water system and wells and the Township Manager stated it does not. Mr. Myers then inquired whether it should. The Township Manager stated the Township is fully

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funded and stated the water bond will be paid off next year. A Board Member asked where the Borough stood. Mr. Phillips stated they did an issue with them as well. A Board Member asked what the appraisal value was of the sewer plant. The Township Manager stated he did not know the appraisal however the net value of the system is \$32 million. On a motion by Flosdorf, seconded by Chivinski the Board unanimously authorized the Township to provide the guarantee for the 2014 Warwick Township Municipal Authority Sewer Bond Issue Ordinance 264.

APPROVAL OF MINUTES: On a motion by Kramer, seconded by Vigunas, the Board unanimously approved the minutes from the June 4, 2014 and June 18, 2014 meetings.

TREASURER'S REPORT: Mr. Myers questioned how the tax collection bureau is going and if everything is on schedule. The Township Manager stated it is on schedule however the flow seems to be a month behind from what was trended last year but is then caught up the following month. On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the Treasurer's report.

PAYMENT OF BILLS: On a motion by Vigunas, seconded by Kramer, the Board unanimously approved the payment of the bills.

MANAGER'S REPORT: The Township Manager stated regarding the NLCRPD, the Commission is working on standardizing some ordinances and adopted a new pension investment policy.

The Township Manager provide a status report on the Warwick Emergency Services Commission. The Commission is jump starting the Hometown Hero Campaign and working on several objectives in their strategic plan. WESC is also working on the replacement of Larry Schultz.

Regarding the outstanding Letters of Credit, the Township Manager stated some progress is being made as is evident from the requests on tonight's meeting agenda.

The Township Manager stated the bids are still out for the Adaptive Traffic System- 501 Corridor.

Regarding the MS4 Permit, the Township Manager stated efforts are continuing with the mapping of the system. The Board will be shown a prototype at the September Board meeting.

The Township Manager provided an update on road projects. Work is currently being done on Millport Road. This is in coordination with the Traditions of America project.

The Township Manager provided a Strategic Planning report. The next meeting will be held July 17, 2014 at the Warwick Township office at 7:00 AM.

The Township Manager stated that the Rails to Trails project is on the agenda for discussion tonight.

TAX COLLECTOR'S REPORT: The Board reviewed the tax collector's report. On a motion by Chivinski, seconded by Vigunas, the Board unanimously approved the Tax Collector's report.

PUBLIC WORKS REPORT: The Road Master provided a report for the month of June including completed road projects/maintenance, upcoming road projects and maintenance scheduled, and updates on the parks and recreation and the leaf and woody site.

POLICE DEPARTMENT REPORT: The Township Manager provided a copy of the Northern Lancaster County Regional Police Department (NLCRPD) Commission Report for June, 2014.

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ZONING OFFICER'S REPORT: The Zoning Officer provided a report for June, 2014. He stated during the month of June 29 zoning and building permits were issued. There were no zoning or hearing applications received. The Zoning Officer stated zoning text amendments have been worked on and will be submitted in the near future for review prior to scheduling required hearings.

COMMUNICATIONS: The Board reviewed the letters of thanks from the Lititz Rec Center and the Lititz Public Library regarding the Township's 2nd Quarter 2014 contributions.

CONSIDER THE HOMETOWN TERRACE LAND DEVELOPMENT PLAN PREPARED BY RGS ASSOCIATES DATED 4/10/14: Mark Johnson, representing RGS Associates, along with Randy Hess, representing Hess Homes, are here to discuss a 3 acre site along Newport Road zoned R2. The plan proposes 28 two-story apartment buildings with 57 parking spaces. There would be a shared access with a neighboring property and an agreement is currently being worked on with this property owner. Storm water management is being done at the bottom of the site. An existing basin is present and would be modified to handle the storm water as required today.

This project was originally approved several years ago for 28 apartment units that were never built. The retention basin is being expanded to meet current ordinance requirements. Plans have been submitted to the Conservation District regarding erosion and sediment for review. Sewer and water will be provided on the west side of the site.

There is a point of access on the west side which will provide emergency access only. This will be a grass paver access with a chain or other device for emergency service providers only.

Johnson noted that there are improvements proposed along East Newport Road including curbing and sidewalk. The Township Manager stated that after the Board saw the sketch, curbing and sidewalk will be required all along Newport Road to Huber's Run which will tie in the bakery, Turkey Hill, and the Green Hill Road area. This will be over a two year period of time.

There were three modification requests that were granted with the sketch plan. One included the horizontal alignment which had to do with the center line of the access drive. There was also a 15 foot setback from the access drive to a unit that was approved as part of the sketch plan. Two additional storm water waivers are being requested. One waiver is to use the previous PennDOT standards for inlets using the old RC 34 standard rather than the RC 45. The reason for this is the newer standards apply to a public highway situation where there is heavy traffic and is not appropriate for private drives as proposed by this project.

Johnson is also requesting the modification of pipe size. Minimum size for storm water conveyance is 15 inches. There are some areas such as in front of the first and second apartment buildings where Smith will be tying in roof leaders and providing lawn inlets so there will be positive drainage. These pipes will be 10 inches and will have more than enough capacity to accommodate what is needed.

The Township Manager talked about the existing building on the site. He stated the historic inventory form will need to be filled out and kept perpetually with the historic inventory data base. Hess stated that he has provided the Township with interior pictures and that the Township was going to get exterior pictures.

The proposed buildings are laid out with one building of 12 with six over six and two buildings of eight. They are spread out between 24 foot and 32 foot units. They are either one bedroom or two bedroom units, 60% two bedroom and 40% one bedroom. On building two because of exposed foundation of about five feet to the rear, Smith stated he is planning on incorporating a basement in the four lower units.

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Johnson stated that they have reviewed ELA's letter and will meet all of the requirements. They are asking for Final Plan approval.

The Chairman stated that there appeared to be a number of people from the Quail Ridge Development and did they have any questions or comments.

Karen Umberger, 378 Cardinal Road and Bonnie Wagner, 382 Cardinal Road, asked if there was any consideration on relocating the dumpsters so that they were not directly behind their homes?

Johnson stated that they had relocated one of the dumpsters on the lower portion of the tract, but could not find a location to relocate the upper dumpster without losing parking spaces. Hess stated that he was willing to relocate the upper dumpster and requested Johnson to review the site further.

Harry Richwine, 374 Cardinal Road, asked why apartments were allowed and if it would lower the value of their homes.

Johnson stated that apartments are permitted in the R-2 zoning district and that they are revising and improving an existing approved plan.

Troy Allison, 390 Cardinal Road and Dwayne Hartley, 380 Cardinal Road, asked if the access lane could be moved further away from the property line, would there be any type of fencing or screening installed to protect their homes, can the upper dumpster be relocated and is the applicant providing a play area for the tenants.

Johnson stated that the road is located the required distance from the property line as stated in the Township's Ordinance. There will be some screening and a guard rail installed, but that they needed to maintain the existing swale along the property line so they can not encroach any closer or add any more screening. Hess stated that if they can get some more vegetation along the property line he would try.

Gregory Wright, 350 Cardinal Road, asked about the lighting on the buildings and the parking lot and if they are going to fence in the property so that people would not walk through his or neighboring properties.

Johnson stated that they are not planning on installing fencing along the perimeter of the property, and that the lighting will meet the Township's standards to reduce or eliminate lighting crossing property lines.

On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved the waivers and conditionally approved the project for the Hometown Terrace Land Development prepared by RGS Associates dated 4/10/14.

CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR PHASE 1 FOR LITITZ RESERVE: The Board reviewed the Letter of Credit- Reduction Recommendation #2 provided. On a motion by Vigunas, seconded by Kramer, the Board unanimously approved the request for partial release of letter of credit for Phase 1 for Lititz Reserve.

CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR THE LA PIAZZA PROJECT: The Board reviewed the letter of Construction Escrow Reduction provided. On a motion by Vigunas, seconded by Kramer, the Board unanimously approved the request for partial release of letter of credit for the La Piazza Project.

CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR KELLER BROTHERS PARKING LOT: The Board reviewed the Letter of Credit- Reduction Recommendation provided. On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the request for partial release of letter

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of credit for Keller Brothers parking lot.

CONSIDER RELEASE OF LETTER OF CREDIT FOR THE STONEY LANE PROJECT: The Board reviewed the Letter of Credit- Reduction Recommendation provided. On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the request to release the remaining letter of credit for the Stoney Lane project.

CONSIDER REQUEST FOR WAIVER WITH CONDITIONS OF ON-LOT SEWAGE AREA FOR LOT 9 OAK RIDGE AREA: The Board reviewed the waiver with the conditions of on-lot sewage area for lot 9 Oak Ridge area. On a motion by Chivinski, seconded by Vigunas, the Board conditionally approved the waiver the of on-lot sewage area for lot 9 Oak Ridge area subject to conditions outlined by staff.

CONSIDER RESOLUTION 07-16-14-01 FOR AUTHORIZING EXECUTION OF WINTER MAINTENANCE AGREEMENT WITH PENNDOT: On a motion by Chivinski, seconded by Kramer, the Board unanimously approved Resolution 07-16-14-01 authorizing execution of winter maintenance agreement with PennDOT.

AUTHORIZE EXECUTION OF AGREEMENT ON THE WENGER FARM FOR RAILS TO TRAILS PROJECT: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the execution of agreement on the Wenger farm for Rails to Trails project.

CONSIDER REQUEST BY HARTZ PHYSICAL THERAPY TO HOST FALL BLAST: On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved Hartz Physical Therapy to host their annual Fall Blast.

LITITZ REC CENTER REQUEST FOR 37TH ANNUAL PRETZEL TWIST RUN: On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved the Lititz Rec Center to host the 37th Annual Pretzel Twist Run.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Daniel L. Zimmerman,

Township Manager