

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES
December 4, 2013

Vice-Chairman Michael Vigunas convened the December 4, 2013 meeting of the Board of Supervisors at 7:00 a.m. Present were Supervisors Michael Vigunas, Herbert Flosdorf, C. David Kramer, and Anthony Chivinski. W. Logan Myers was absent. In attendance were Township Manager Daniel Zimmerman, Jim Wenger, and Andrea Shirk.

COMMUNICATIONS: The Board received information from the Anti-Defamation League regarding religious displays on public property.

REVIEW UPDATE OF THE ROCK LITITZ PROJECT, PREPARED BY DERCK & EDSON, DATED 10/2/2013: Jim Wenger, representing Derck & Edson, stated that most of the Township Engineer's comments for Phase IA of the project have been addressed. He explained that the plan this evening is for Phase IA which is the setup building and associated parking, only. He stated that the setup building would be accessed via Ellen Avenue, which extends through the Clair Brothers property. The plan also includes a private service road that would eventually extend from Toll Gate Road to the site. Wenger stated that Storm Water Management and Storm Water Quality facilities would be provided on-site. He noted that loading would occur south of the proposed building, and parking is to the north of the proposed building. He explained that the southern portion of the site would have an evergreen buffer and landscape berm along the Staffordshire development, to the north, an evergreen buffer would be provided along West Newport Road (no berm is proposed in this area). Wenger noted that they hope to include additional floodplain provisions during this phase as well. The Board is agreeable to the project.

The Code and Zoning Officer stated that he has been in contact with an adjoining resident regarding noise in this area of the project. He said that he has been working with her to verify the noise concern. He explained that he has not heard the specific noise she is referring to and added that perhaps it is a specific frequency or vibration issue. He explained that he provided his cell phone number so she can contact him when she hears the noise so he can verify the sound. He noted that Warwick Township does not have a noise ordinance. Flosdorf suggested the Township review existing noise ordinances to determine the feasibility of developing a noise ordinance in accordance with existing standards. The Township Manager stated that Township staff reviewed standards approximately 2 years ago, and he will again review regulations and update the Board.

CONSIDER REQUEST FOR REDUCTION OF LETTER-OF-CREDIT FOR LA PIAZZA, LITITZ LAND TRUST: The Board reviewed the request. The (alternate) Township Engineer commented that based on their most recent observation of construction progress at the site, compared with the original Letter-of-Credit estimate amounts, they recommend the Township release \$94,389.25 from the current Letter-of-Credit account. The retainage represents their estimate of the costs to complete the remaining site improvements. On a motion by Kramer, seconded by Chivinski, the Board voted unanimously to release \$94,389.25 from the Letter-of-Credit for the La Piazza expansion portion of the Lititz Land Trust project.

IMPLEMENTATION OF ACT 167 STORM WATER MANAGEMENT PLAN: The Township Manager explained that the PA Department of Environmental Protection approved the Stormwater Management Plan for Lancaster County on November 7, 2013. Subsequently, this requires municipalities to update a consistent ordinance by May, 2014. The Township Manager explained that the Township has a working draft of the document. He added that he anticipates adoption by March, 2014.

CONSIDER RESOLUTION 12-04-13-01 AUTHORIZING ACQUISITION OF TDRS FOR PRESERVATION OF THE TODD AND LINDA MILLER FARM (127 W. NEWPORT RD.): The Township Manager explained that the property owners have 2 separate tracts that will be preserved through the TDR process. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to adopt Resolution 12-04-13-01 to acquire 16 TDRs as drafted.

CONSIDER RESOLUTION 12-04-13-02 AUTHORIZING ACQUISITION OF TDRS FOR PRESERVATION OF THE TODD AND LINDA MILLER FARM (194 & 196 W. LEXINGTON RD.): On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to adopt Resolution 12-04-13-02 to acquire 31 TDRs as drafted.

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On a motion by Chivinski, seconded by Kramer the Board voted unanimously to authorize the Township to participate in the preservation of the Miller farms at 127 W. Newport Road, and 194 & 196 W. Lexington Road, respectively, with a \$35,000.00 municipal contribution.

APPROVE 2014 MEETING SCHEDULE & 2014 HOLIDAY SCHEDULE: The Board reviewed the proposed 2014 meeting schedule and proposed 2014 holiday schedule. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to adopt the both the 2014 meeting schedule and 2014 holiday schedule as drafted.

CONSIDER RESOLUTION 12-04-13-03 AUTHORIZING FUND TRANSFERS: The Township Manager explained that the Resolution would authorize the transfer of \$150,000.00 from the General Fund to the Stormwater System Replacement Fund and to transfer \$40,000.00 from the Health Benefit Fund to the General Fund for the Northern Lancaster Regional Police Department. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to adopt Resolution 12-04-13-03 as drafted.

EXECUTIVE SESSION: The Vice-Chairman announced that the Board will recess to an Executive Session to discuss personnel issues.

ADJOURNMENT: Upon reconvening the meeting, and with no further business to come before the Board, the meeting was adjourned at 8:30 a.m.

Respectfully submitted,

Daniel. L. Zimmerman
Township Manager