

## **WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES**

**February 20, 2013**

Chairman W. Logan Myers convened the February 20, 2013 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, C. David Kramer, Herbert Flosdorf, and Anthony Chivinski. Michael Vigunas was absent. In attendance were Township Manager Daniel Zimmerman, Roadmaster Dean Saylor, Nathan W. Jameson, Reid Buckwalter, Whit Buckwalter, Mike Leeking, Milt Lauch, and Dianne Cox. Gary P. Klinger of the Lititz Record Express represented the press.

**APPROVAL OF MINUTES:** On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the minutes of the January 7, and January 16, 2013 meetings as submitted.

**TREASURER'S REPORT:** The Board reviewed the Treasurer's Report. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to approve the Treasurer's Report as submitted.

**PAYMENT OF BILLS:** The Board reviewed the list of bills submitted for payment. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the payment of bills from the General Fund in the amount of \$292,507.99.

**TOWNSHIP MANAGER'S REPORT:** The Township Manager provided a status report on the Northern Lancaster County Regional Police Department (NLCRPD). He explained that the year-end report will be provided in March. The NLCRPD's first audit was recently completed. The audit report will be provided by April.

The Township Manager provided a status report on the Warwick Emergency Services Alliance. He explained that the Hometown Hero campaign is kicking off for 2013.

The Township Manager provided an update on the Joint Strategic Plan. He explained that the final draft was sent to the Lancaster County Planning Commission for review. He explained that the Board will begin its review of the document at the March 6, 2013 Board meeting.

The Township Manager provided a status report on the MS4 Application. He explained that PA DEP has accepted the TMDL report as a draft. He noted that the Township will not be able to submit it as a final report until June, 2013.

The Township Manager explained that the Code and Zoning Officer will be out for 6 weeks and suggested that he and Township employee Barbara Kreider be appointed as Assistant Zoning Officers in his absence. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to appoint the Township Manager and Barbara Kreider as Assistant Zoning Officers while the Code and Zoning Officer is out.

The Board unanimously approved the Township Manager's Report.

**TAX COLLECTOR'S REPORT:** The Board reviewed the January, 2013 Tax Collector's report. On a motion by Kramer, seconded by Chivinski, the Board unanimously approved the Tax Collector's January, 2013 report.

**PUBLIC WORKS DEPARTMENT REPORT:** The Roadmaster presented a report that outlines the activities of the Public Works Department during January, 2013. He explained that the Township will participate in a joint bid for road materials and added that Warwick Township will be the primary on the joint bid. The Board unanimously approved the Public Works Department Report.

**NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT:** The Police Chief provided a report that outlines the activities of the Police Department during January, 2013. The Board unanimously approved the Police Department Report.

**ZONING OFFICER'S REPORT:** The Township Manager presented a report prepared by the Code and Zoning Officer that outlines the Zoning/Building permits issued in January, 2013. The Zoning Hearing Board did not meet in January since no zoning hearing applications were submitted.

**COMMUNICATIONS:** The Board received a copy of the February, 2013 edition of the Lancaster County Planning Commission's FYI publication.

**CONSIDER THE CONDITIONAL USE DECISION FOR TRADITIONS OF AMERICA LITITZ LAND, L.P. AND DISCUSSION ON REQUEST BY TRADITIONS OF AMERICA TO VACATE**

**A PORTION OF HESS LANE :**The Board reviewed the draft document. The draft decision grants the conditional use to permit an age-restricted moderate density development on the property subject to conditions. Flosdorf inquired whether the Applicant is agreeable to the proposed conditions. He stated that Appendix A references traffic improvements and a requirement to reach a written and binding agreement with the Heart of Lancaster Hospital for a connection to the Hospital's private drive by November 15, 2012. He inquired whether the date should be extended. Nathan Jameson, representing Traditions of America explained that the connection is contingent upon the vacating of Hess Lane. Jameson stated that he discussed the issue with the Solicitor. He explained two means exist for the vacating of Hess Lane. The first means is by agreement of all of the affected property owners(Buckwalter, ToA, Hospital, Lancellotti, Leeking). He stated that the property owner and he will be meeting with Dr. Lancellotti later this week, and Mr. Leeking is present this evening. If an agreement can not be reached by all parties by March 15, 2013, he respectfully requests that the Township begin a proceeding of vacating by Ordinance. This procedure would require review by the Warwick Township Planning Commission, Lancaster County Planning Commission and review and formal action by the Board of Supervisors. He explained that this would also require a public hearing. He noted that the proposal is to vacate only a portion of the roadway. The area that would continue to be a public roadway extends from the intersection of West Millport Road and Hess Lane to the northern most boundary of Dr. Lancellotti's property. The frontage of the property along the Leeking and Lancellotti properties would remain public along Hess Lane. The area north of the Lancellotti property to West Woods Drive would be vacated. Jameson stated that if the property owners all agree, the entire roadway could be vacated; however, his only concern is the area north of the Lancellotti property.

The Township Manager explained that primary access to the Traditions of America site is West Millport Road. The Chairman inquired whether Mr. Leeking has any comments regarding the proposal. Leeking stated that he is opposed to the vacating of Hess Lane. He noted that he does not live at the property, and expressed the opinion that West Woods Drive is safer than West Millport Road. He added that his property would not have access to the Hospital connection.

Jameson confirmed that the connection to the Hospital site with the Traditions of America site is not part of the agreement for the other affected property owners. Jameson explained that 10-12 of the proposed homes would be removed from the project area if the roadway is not vacated since the 16½' right-of-way portion of Hess Lane is calculated as part of the required rear buffer area. If the roadway remains public, this area is not available which affects the home layout. Flosdorf inquired whether a date of March 30, 2013 would be acceptable to reach an agreement with all property owners. Jameson stated that if an agreement is not reached by March 15<sup>th</sup> he would request the Township to begin the vacating process. The Township Manager stated that the vacating process can be requested by a property owner. Jameson stated he is agreeable to the March 30<sup>th</sup> deadline.

Dianne Cox, 12 LeHoy Forest Drive, stated that the Township is part of the United Nations Agenda 21 for sustainability due to its membership in ICLEI (International Council for Local Environmental Initiatives). She provided a book to each of the Board members entitled "Behind the Green Mask-U.N. Agenda 21". She also provided a copy of a Resolution passed by North Londonderry Township which opposes U.N. Agenda 21. Cox stated that Agenda 21 is a global dictatorship under the U.N. on a local level. She expressed the opinion that since Warwick Township is a member of ICLEI, the Township is assisting in the development of this global dictatorship. She stated that the term that highlights Agenda 21 is sustainability. The Township Manager explained that the Township became a member of the organization to obtain software to conduct a carbon study. Cox noted that ICLEI follows the guidelines of Agenda 21. She explained that this organization provides grants for consolidated housing and promotes eminent domain for bike paths which removes property owners rights. She said that the book outlines the U.N. plan to move individuals into city centers and tax those that do not live in the city and eliminate private property. Flosdorf inquired whether Traditions of America is a member of ICLEI. Jameson responded that they are not members of the organization.

Cox inquired whether they are receiving any federal grants for their project. Jameson responded that the project is not funded by any federal grants. Cox encouraged the Board to read the book and the North Londonderry Township Resolution. She noted that as part of Agenda 21, homes now have "smart meters" which are known to cause cancer. The Board members indicated that they will review the documents.

On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to approve the Conditional Use decision for Traditions of America with an amendment to Appendix A to adjust the date in paragraph A.2 to March 30, 2013.

**CONSIDER REQUEST FOR TIME EXTENSION FOR THE LITITZ RESERVE PRELIMINARY PLAN:** The Board reviewed the request. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to grant an extension of time until May 15, 2013 for the Lititz Reserve Preliminary Plan.

**CONTINUED DISCUSSION ON THE CURRENT CONDITIONS OF THE HAMMER CREEK:** The Township Manager stated that Township staff requested LandStudies to perform a brief analysis on the current condition of the lower Hammer Creek. He explained that the stream flows through and along Warwick, Elizabeth, Clay and Ephrata Townships. He stated that the municipalities are concerned over the increased sediment load to the stream. He explained that the municipalities have sponsored and participated in various stream clean-up events, and

significant work was done along the Hammer Creek to improve the stream. Due to the breach of the Speedwell Forge Dam, there has been significant increase in sediment to the stream, and since municipalities have been required to improve stream conditions, the affected municipalities do not want to be penalized for degradation of the stream. The four affected municipalities have agreed in concept to request a grant allocation for watershed restoration work and mediation work to reduce sediment since the dam is not proposed for reconstruction until 2016. He noted that the dam was breached to address a potential flooding hazard. The letter would further express concern that the breach caused a sediment load that is in violation of the Clean Water Act and should be addressed by the State. He added that a grant was recently awarded to the Speedwell Forge organization.

Cox stated that the dam breach is an example of Agenda 21 since dams are being removed for the rewildlands project. She explained that the dam removal is intended to return the land to the wild so individuals can not live on this land.

Chivinski inquired whether the Township would send the letter if the other three municipalities do not agree to sign the document. The Board members agreed to send the letter whether or not all of the other municipalities agree to sign. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to send a letter to PA DEP expressing concern over the sediment load in the Hammer Creek caused by the Speedwell Forge Dam breach.

**CONTINUED DISCUSSION ON THE REORGANIZATION OF WESA:** The Township Manager provided an outline of the reorganization of WESA. He explained that grant money is available through the Municipal Assistance Program grant. He noted that this program grant was used for the regionalization of the police department. He stated that a formation committee would be created as part of the reorganization. The Township Manager explained that a job description has been provided for the WESA Coordinator.

Cox stated that regionalization is also a big part of Agenda 21 to take the rights away from the local people and to ultimately form a North American Union similar to the European Union. She acknowledged that the Board is comprised of good individuals and she urged the Board members to review the Agenda 21 information to realize that each of these issues advances toward a global dictatorship. Flosdorf inquired whether Cox is part of a larger organization. She stated that she is not representing a specific organization; however several organizations exist that are concerned over Agenda 21. The Township Manager explained that the local emergency services are comprised of volunteers, and since there are less individuals willing to volunteer to assist the organizations, WESA was established to support to the emergency services organizations.

Flosdorf stated that the Board should provide a representative to serve on the WESA formation committee and he would agree to serve on the committee. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to appoint Flosdorf to the WESA formation committee.

**CONSIDER REQUEST BY RecCENTERS OF LANCASTER COUNTY TO SPONSOR THE METRIC BIKE EVENT:** The Board reviewed the request. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to authorize the Metric Bike Event on June 23rd.

**CONSIDER REQUEST BY R.W. SAUDER TO SPONSOR THE SAUDER EGG RUN:** The Board reviewed the request. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to authorize the Sauder Egg Run on April 13th.

**CONSIDER REQUEST BY LITITZ SPORTSMEN'S ASSOCIATION TO HOST THE ANNUAL FISHING DERBY:** The Board reviewed the request. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to authorize the Annual Fishing Derby on March 30<sup>th</sup>.

**ADJOURNMENT:** With no further business to come before the Board, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Daniel L. Zimmerman  
Township Manager