

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES
March 19, 2014

Chairman W. Logan Myers convened the March 19, 2014 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, Herbert Flosdorf, Anthony Chivinski, and Michael Vigunas. C. David Kramer was absent. In attendance were Township Manager Daniel Zimmerman, Roadmaster Dean Saylor, Zoning Officer Thomas Zorbaugh, Dean Ziegler, Brandon Ziegler, J. Tim Miller, Gary Myer, Nelson Peters, Stanley V. Rudy, Debbie Ayers, and Ron Ayers. Laura Knowles of Lancaster Newspapers, and Gary P. Klinger of the Lititz Record Express represented the press.

GUEST RECOGNITION: Tim Miller, 513 West Orange Street, stated that he would like to install a geothermal system on his property; however, he was advised by the Code and Zoning Officer that they would not be permitted to install the system. He expressed the opinion that there seems to be a misinterpretation of the rules. He stated that the PPL representative that he spoke with about the project has not heard of this type of regulation. He stated that timing is an issue since they would like to proceed with the geothermal system installation between the winter and summer months so they can replace their heating and air conditioning systems. He stated that they would also like to proceed in a timely manner since it affects a family health issue. Miller requested clarification of the restriction against a geothermal system on his property. The Township Manager explained that the property is located within zone 2 of the wellhead protection area. He added that the public water system depends on a shallow aquifer system and when the ordinance was enacted several years ago, there was a concern about installing geothermal systems within wellhead protection zones. He noted that Miller's property is located within a wellhead protection zone. He stated properties in other areas of the Township would be permitted to have this type of system. He explained that Miller contacted the Township regarding the installation this week and he followed-up with representatives of DEP. He stated that since a closed loop system is proposed, it is possible that the system could be permitted; however, staff will need to further review the provisions. He clarified that the Township does not prohibit geothermal systems except within a wellhead protection area. He added that since the time the Township established the wellhead protection area, which was approved by DEP to protect the public water supply, the design of geothermal systems as changed. He noted that any change to the geothermal provisions might require an ordinance amendment to be approved by the Board. The Code and Zoning Officer stated that in the interest of time, it could be quicker for Miller to request a Variance by the Zoning Hearing Board at their April meeting, although there is no guarantee of approval. He noted that DEP approved modified provisions for geothermal systems in 2011. The Township Manager explained that staff will work with Miller and his contractors to address the issue.

SWEARING IN OF RON AYERS AND DEBBIE AYERS AS FIRE POLICE FOR THE ROTHVILLE VOLUNTEER FIRE COMPANY: The Chairman recited the Oath of Office to Ron and Debbie Ayers. The Board commended the Ayers for their willingness to serve the community by volunteering to be fire police officers.

APPROVAL OF MINUTES: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the minutes of the February 19, 2014 meeting as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Vigunas, seconded by Chivinski, 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 \$55,071.12.

TOWNSHIP MANAGER'S REPORT: The Township Manager provided a status report on the Northern Lancaster County Regional Police Department (NLCRPD). He provided a copy of the 2013 audit report for the department.

The Township Manager provided a status report on the Warwick Emergency Services Commission. He explained that Larry Schultz has resigned as director of the organization and the commission is reviewing the next steps for WESC.

The Township Manager provided a status report on the stormwater management ordinance. He explained that the ordinance is scheduled for review at the Board's April 16, 2014 meeting.

The Township Manager provided a status report on an adaptive traffic system for the SR501 corridor. He explained that the Township is proceeding with the initiative and will have a draft of the maintenance agreement with Manheim Township by next month.

The Township Manager provided a status report on the MS4 permit. He explained that staff is currently preparing the 2013 report, although DEP has not issued a new permit due to current litigation between them and Penn Futures. He noted that the Township is coordinating two large projects relating to watershed improvements.

The Township Manager provided a status report on road projects. He explained that staff is working on three road projects and added that the SR501 bridge rehabilitation project in Elizabeth Township is being released by PennDOT.

The Board unanimously approved the Township Manager's Report.

TAX COLLECTOR'S REPORT: The Board reviewed the February, 2014 Tax Collector's report. On a motion by Vigunas, seconded by Chivinski, the Board unanimously approved the Tax Collector's February, 2014 report.

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster presented a report that outlines the activities of the Public Works Department during February, 2014. He explained that he will provide a full report on winter maintenance costs next month. He stated that double-ground mulch will be available for sale at the Township's Leaf and Woody Yard Waste Drop-off Site. He noted that the site will be staffed over the weekend and during weekdays periodically over the Spring season. He noted that street sweeping will begin during the first week in April. 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 February, 2014. The Board unanimously approved the Police Department Report.

ZONING OFFICER'S REPORT: The Zoning Officer provided a report that outlines the Zoning/Building permits issued in February, 2014. The report also outlines the cases heard at the Zoning Hearing Board's February 12, 2014 meeting.

COMMUNICATIONS: The Board received a copy of the February, 2014 edition of the PSATS News Bulletin publication.

The Board received a copy of a letter from Jacobs Telecommunications, Inc. advising that they will be working on upgrades to equipment and antennas for AT&T and New Cingular Wireless on the towers located at the municipal campus.

CONSIDER THE CONDITIONAL USE DECISION FOR COUNTRY HOME CATERING/ZIEGLER BARN: The Board reviewed the draft Conditional Use decision for Country Home Catering/Ziegler Barn. The decision would conditionally approve the request. The public hearing on the proposal was held at the Board's March 5th meeting. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to approve the draft decision as written.

DISCUSS DRAFT OF REVISING FEES FOR ADMINISTRATION OF THE TOWNSHIP'S CONSTRUCTION CODE: The Code and Zoning Officer explained that the fees are being addressed to more accurately reflect the costs of zoning review and inspections. Flosdorf requested that additional information be provided to clarify the provisions for zoning and building permits. The Zoning Officer explained that he will provide copies of the permit applications as well as the fee schedule that is provided to applicants when these permits are issued.

DISCUSS DRAFT OF SIDEWALK INSTALLATION AND MAINTENANCE ORDINANCE: The Township Manager explained that the Ordinance does not currently address the installation and maintenance of sidewalks. He stated that several projects are proposed with sidewalk links and this ordinance would address installation and maintenance requirements. He added that he would recommend proposing a 5' wide sidewalk rather than the current 4' wide sidewalk to meet ADA requirements except in areas where property owners can provide the pass-by areas as allowed by the ADA. The Board is agreeable to the provisions as written.

CONSIDER REQUEST BY LITITZ CHRISTIAN SCHOOL TO HOST LITITZ CHRISTIAN EAGLE RUN: The Board reviewed the request. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to authorize the Lititz Christian School to host the Lititz Christian Eagle Run on May 3, 2014 as requested.

CONSIDER REQUEST BY LITITZ SPORTSMAN'S ASSOCIATION TO HOST THE CHILDREN'S FISHING DERBY AND HANDICAPPED FISHING DERBY: The Board reviewed the requests. On a motion by Chivinski, seconded by Vigunas, the Board voted unanimously to authorize the Lititz Sportsman's Association to host the Children's Fishing Derby on March 29, and the Handicapped Fishing Derby on June 1, 2014 as requested.

CONSIDER REQUEST BY REC CENTERS OF LANCASTER TO UTILIZE THE MUNICIPAL CAMPUS FACILITIES: The Board reviewed the request. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to authorize the recCenters of Lancaster County to utilize the Municipal Campus pavilion for their bike ride event on June 22, 2014.

CONSIDER REQUEST BY JOHNSON & JOHNSON TO HOST THE 19TH ANNUAL FRESHBURST 5 MILE RUN: The Board reviewed the request. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to authorize Johnson & Johnson to host the 19th Annual Freshburst 5 Mile Run on July 12, 2014.

GUEST RECOGNITION: Nelson Peters, President of the Pebble Creek Homeowner's Association, commended the Warwick Township Public Works Department for their snow removal during this winter.

Peters explained that he spoke with the Zoning Officer about foreclosures in the Pebble Creek development. Specifically, one of the homes was vacant; however, the water was not shut off and a pipe burst which flooded the property and also the adjoining occupied home. He stated that he is concerned about the integrity of the fire wall since it was soaked with water, and is also concerned about resultant mold. He stated that State regulations limit the amount of information that is available about foreclosures.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager