

WARWICK TOWNSHIP BOARD OF SUPERVISORS

February 17, 2021

7:00 p.m.

Due to COVID-19 this meeting was held virtually.

Chairman Kenneth Eshleman convened the February 17, 2021 meeting of the Warwick Township Board of Supervisors at 7:02 p.m. In attendance were Supervisors Kenneth Eshleman, Logan Myers, Jeffrey Tennis, Kelly Gutshall, and Herbert Flosdorf. Also in attendance were Daniel L. Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Tom Zorbaugh, Code and Zoning Officer; Chuck Haley from ELA Group; Mark Will; Ken Phillips; Donna Kreiser; Randy Dautrich; Tim Lester with Entech; Shawn Loose from ELA Group; Laura Knowles from the Lititz Record Express; and Kurt Harnish.

CONSIDER AUTHORIZING TEMPORARY HOLDING TANK AGREEMENT FOR AMOS SMUCKER, 48 W.

NEWPORT ROAD: D. Zimmerman stated the Smucker's are awaiting the DEP sewer module permit. Staff gave the Smucker's eight months in which to obtain the permit.

On a motion by H. Flosdorf, seconded by L. Myers, the Board unanimously approved the temporary holding tank agreement for Amos Smucker, 48 W. Newport Road; in addition Staff has authorization to use the form for these agreements in the future where appropriate.

CONSIDER THE MARK WILL FINAL SUBDIVISION PLAN AT 1213 ORCHARD ROAD: Randy Dautrich was present to review the plan with the Board. The proposal is for the Mark Will Tract 1 to remain as the main residency. The plan is for Parcel "A" to be subdivided off of "Mark Will Tract 1" and Parcel "C" will be added to "Mark Will Tract 1". "Mark Will Tract 2" will be added to Parcel "A" to create a lot and "Gassert Tract 1" will be subdivided off of Parcel "B" and added to Parcel "A" and "Mark Will Tract 2" to create one lot with access out to Pine Hill Road. No buildings, sewer or water are being proposed.

The following waivers are being requested:
Section 285-11: Preliminary Plan Submission
Section 285-11.C(5): Existing Features

On a motion by K. Gutshall, seconded by J. Tennis, the Board unanimously approved the Mark Will Final Subdivision Plan at 1213 Orchard Road and approved the two waivers, Section 285-11 Preliminary Plan Submission and Section 285-11.C(5) Existing Features.

CONSIDER TIME EXTENSION REQUEST FOR THE W. WOODS SUBDIVISION: On a motion by L. Myers, seconded by J. Tennis, the Board unanimously approved the Time Extension for the W. Woods Subdivision.

CONSIDER RESOLUTION 02-17-21-01 REVISING FEES CHARGED FOR ADMINISTRATION OF THE ZONING ORDINANCE: D. Zimmerman stated the fees are related to applications to the Zoning Hearing Board. The request is being made to raise the fee from \$400.00 to \$500.00.

On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously adopted Resolution 02-17-21-01 Revising Fees for Administration of the Zoning Ordinance.

CONSIDER RESOLUTION 02-17-21-02 TO ADOPT AN UPDATE TO THE WARWICK TOWNSHIP OFFICIAL SEWAGE FACILITY PLAN: Tim Lester from Entech was present to review the plan with the Board. T. Lester stated Act 537 was enacted by PA Legislature in 1966. It requires every municipality in the state to develop and maintain a sewage facility plan. It is recommended the plan be updated every ten years. The main purpose of the plan is to protect the health, safety and welfare of the citizens of the municipality. The second purpose is to prevent sewage disposal problems from occurring and lastly is to provide protection for ground and surface water. The joint plan between Lititz Borough and Warwick Township was previously updated in 2007. It was most recently updated in 2020 and it was concluded that the present capacity of the wastewater plant is sufficient for the anticipated additional growth. Hydraulic modeling was done which showed some limiting sections which will be addressed through inflow and infiltration programs which are currently underway. In addition, there are two pumping stations in the Township, Pumping Station #1 and Pumping Station #13 that are slated for upgrade. The update was reviewed by the Township Planning Commission, the Lititz Borough Planning Commission and the Lancaster County Planning Commission. After adoption by both the Township and the Borough, it will be submitted to DEP. K. Gutshall inquired if there were any package systems within the Township and if so were they included in the final report. T. Lester stated there are two package systems within the Township and they were included in the plan. D. Zimmerman stated these systems are inspected yearly and have a separate maintenance agreement with the Township.

D. Zimmerman stated the Authority acquired 420,000 additional gallons of capacity along with Lititz Borough this year as part of this process and this is a positive step for the region as a whole.

On a motion by L. Myers, seconded by J. Tennis, the Board unanimously adopted Resolution 02-17-21-02 to Adopt an Update to the Warwick Township Official Sewage Facility Plan.

CONSIDER ORDINANCE 295 AUTHORIZING THE INCURRENCE OF DEBT TO REFUND THE WTMA SEWER BOND: D. Zimmerman stated the Authority had certain goals in looking at alternative funding. First, could the indenture on the bond issue be gotten rid of. Secondly, the Authority desired to reduce their overhead cost for operation. Third, they wanted to place money into refinancing for the work that needs to be completed on Station #13. If rates can be obtained low enough, some savings can then be created for this project.

Ken Phillips with RBC was present to discuss the loan. He stated there were four bids for the loan with the lowest bid coming from Key Bank in Buffalo with a rate of .0923%. K. Phillips stated the proposal was reviewed by both Bill Crosswell, the Township's Attorney and Donna Kreiser, Bond Council. K. Phillips stated this will take the Authority's annual rate from approximately 840,000 down to approximately 625,000. The debt will be extended two years however it gives the relief needed to do the projects and there is a savings of approximately \$40,000. Subject to approval, settlement would take place March 23rd and the Authority would be out of the indenture. Any other funds that Fulton Bank is holding in the indenture would be sent to the Township.

Donna Keiser with McNess Wallace & Nurick reviewed the ordinance which authorizes the Township to issue the note for purchase by Key Bank. The proceeds of the note will refund the outstanding debt of the Authority and will discharge them of the indenture. The ordinance authorizes the Township to enter into a subsidy agreement with the Authority and states the Authority will pay to the Township an amount equal to the debt surface on the note. Therefore, even though the Township is issuing the debt it will not be reflected on the debt statement of the Township because of the subsidy agreement. It also authorizes the Township to take all action that is necessary in order to proceed toward closing in the borrowing.

D. Zimmerman stated the Authority approved the package at their meeting last night and recommended consideration by the Board.

On a motion by J. Tennis, seconded by H. Flosdorf, the Board unanimously voted to adopt Ordinance 295 Authorizing the Incurrence of Debt to Refund the WTMA Sewer Bond.

REVIEW OF THE SEIGRIST ROAD FARM PROJECT: D. Zimmerman stated the plan is to get the bid out by the end of March. The portion of Sixth Street from the fourth leg of the roundabout at Clay Road and 772 has been started. The portion from the roundabout to the intersection at Seigrist Farm Road will be built this year. The Township's responsibility is the connection between Pierson Road and Sixth Street and is under the CFA funding. The Township did get a second year extension on the CFA grant. The right-of-way dedication is still in the process of being finalized and will occur next week. The bid package will have to be submitted to the state through GMS for approval before it can be released. An award would then be anticipated sometime in April or May with construction beginning during the summer.

Shawn Loose with ELA was present to review the design plan with the Board. H. Flosdorf inquired what the grade was between Pierson Road and Sixth Street as he had concerns about road conditions in the winter and cars being able to come to a stop at the T-intersection. S. Loose said the grading would be looked at again to determine if a change could be made with the current design but the design meets the criteria. D. Zimmerman stated there is some utility work that will be done as is part of this project for Warwick Crossing however it will be under the Developer's responsibility. H. Flosdorf inquired what the justification was for the cost of building the slip lane instead of having a T intersection at Siegrist Farm Road and Pierson Road. S. Loose stated the traditional T intersection was looked at and based on the cut that needs to be done to the left it was driving the existing section of Pierson Road down to where the grading would be going significantly into the adjoining properties to the south. The thought was if this could be pulled away from the existing embankment and do the slip lane it would reduce the impact to the adjoining property owners as far as grading into their properties. H. Flosdorf inquired if retaining walls would be an option to make it more manageable for the property owners. S. Loose felt a retaining wall would be difficult however some type of seed mixture that is low maintenance but stable would be a better option.

S. Loose stated the bid package will be sent out next week to Amy at GM5 for review prior to being sent to the state for review. D. Zimmerman stated PennDOT does not need to approve this project as it is a local road. CFA does however require the project be bid like a PennDOT project. S. Loose stated there will be a detour put in place during the duration of the project. The approximate time frame for the detour is two months and will utilize the same route as was used for the roundabout at Clay Road and 772.

CONSIDER AUTHORIZING PROPOSAL FROM THE NORTH GROUP FOR THE MANAGER SELECTION

PROCESS: D. Zimmerman stated if the proposal is approved The North Group would anticipate starting the selection process at the end of April or the beginning of May with the hope of having someone in place by the beginning of September.

On a motion by H. Flosdorf, seconded by L. Myers, the Board unanimously approved the proposal from The North Group for the Manager Selection Process.

CONSIDER REQUEST BY SUNRISE ROTARY FOR THE 17TH ANNUAL BIKE RIDE ON 5/8/2021: D. Zimmerman stated there is a limited area in the Township the ride goes through and the Applicant agrees to adhere to current COVID protocol.

On a motion by J. Tennis, seconded by L. Myers, the Board unanimously approved the request by Sunrise Rotary for the 17th Annual Bike Ride on May 8, 2021.

ACCEPT BRENT SCHROCK'S RESIGNATION LETTER FROM THE ZONING HEARING BOARD: On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously accepted Brent Schrock's resignation letter from the Zoning Hearing Board.

APPOINT BRETT NOLT TO THE ZONING HEARING BOARD: On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved the appointment of Brett Nolt to the Zoning Hearing Board.

ROTHSVILLE FIRE COMPANY: The Board reviewed the January 2021 report.

APPROVAL OF MINUTES: On a motion by L. Myers, seconded by J. Tennis, the Board unanimously approved the January 4, 2021 and January 20, 2021 minutes as submitted.

TREASURER'S REPORT: On a motion by J. Tennis, seconded by L. Myers, the Board unanimously approved the Treasurer's Report.

PAYMENT OF THE BILLS: On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved the Payment of the Bills.

MANAGER'S REPORT: Financial Outlook- Revenue is coming in from both Blue Ridge and Comcast, with 95% coming from Blue Ridge and 5% coming from Comcast.

6th Street Project/Roundabout Project- The Township is still awaiting confirmation from CMS when the project will be completed. This will most likely occur in April.

Stormwater fee evaluation- Some new options will be presented at the March 3rd meeting.

Station 13 Project- The layout and how this will impact the Saylor Park frontage area on Market Street will be presented to the Board at the March 3rd meeting.

Development Update- Currently in review are Lititz Bend Phase 2, Orchard Road Phase 1 and the Walton Hill Conditional Use Application is anticipated to be coming in soon.

COVID Issues- No staff issues at this time.

Carpenter Road- The Township received confirmation that PennDOT has awarded the Lincoln Road Project. The start of this project is anticipated in early spring.

TAX COLLECTOR'S REPORT: The Board reviewed the report provided.

PUBLIC WORKS REPORT: The Board reviewed J. Minnich's report.

POLICE DEPARTMENT REPORT: The Board reviewed the January 2021 Report to the Commission.

ZONING OFFICER'S REPORT: T. Zorbaugh reviewed his report with the Board.

WESC/EMC REPORT: The Board reviewed the January 2021 WESC Fire Commissioner Report. D. Zimmerman noted that Elizabeth Township and Lititz Borough have signed off on the Inter-municipal Agreement and the service contract was received from the Lititz Fire Company, the Rothsville Fire Company, and Brunnerville Fire Company and it is anticipated one from Warwick Ambulance and Rothsville Ambulance will come soon as well. D. Zimmerman also noted that the budget will allow for a part-time assistant for D. Ober and this position is currently being advertised.

OTHER BUSINESS TO COME BEFORE THE BOARD: K. Eshleman wanted to discuss with the Board how they wanted to hold future meetings. K. Eshleman stated he would be in favor of a hybrid situation in which the first meeting of the month is held virtually and the second meeting of the month is held in person. The rest of the Board Members were in agreement with this as long as the COVID numbers continue to decrease. It was decided this type

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of format schedule will start in April. D. Zimmerman stated the Zoning Hearing Board requested they be allowed to return to in person meetings in March should they have any cases. The Board was ok with this request.

ADJOURNMENT: On a motion by J. Tennis, seconded by K. Gutshall, the meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager