

WARWICK TOWNSHIP

315 Clay Road
P.O. Box 308
Lititz, PA 17543-0308
(Lancaster County)

WARWICK TOWNSHIP BOARD OF SUPERVISORS

December 15, 2021

7:00 p.m.

WARWICK TOWNSHIP MUNICIPAL BUILDING

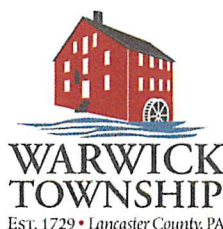
Chairman Kenneth Eshleman convened the December 15, 2021 meeting of the Warwick Township Board of Supervisors at 7:00 p.m. In attendance were Supervisors Ken Eshleman, Logan Myers, Ken Kauffman, Jeff Tennis, and Kelly Gutshall. Also in attendance were Brian Harris, Township Manager; Patrick Barrett, Assistant Township Manager, Billy Clauser, Township Planner; Tom Zorbaugh, Code and Zoning Officer; Dan Zimmerman, Warwick Township; Jeremy Strathmeyer, 18 Royal Drive; Laura Knowles, Lititz Record; Allen Martin, Lititz; Brian Miller, ELA Group; Carolyn & Ryan Staszak; Lynn Myers; Bunnie Buckwalter, 1011 Lititz Pike; Rick Jackson, ELA Group, Jason Best, ELA Group, Grant Hummer; and Michael Keeney, 1414 Brunnerville Road.

ELA PRESENTATION TO D. ZIMMERMAN: Rick Jackson, Vice-President of Landscape Architecture with ELA Group, Inc. along with current and former ELA staff members presented D. Zimmerman with a gift in honor of his retirement.

PRESENTATION OF ANNUAL MS4 REPORT: Billy Clauser, Township Planner, gave an overview of the Annual MS4 Report. He highlighted the 2021 accomplishments of the program and some of the 2022 goals. He noted the National Fish and Wildlife Foundation Grant for \$49,000 that was received. The grant was used to update the Lititz Run Watershed Action Plan which was initially created in 1998, and create a watershed map that goes into detail in regards to accomplishments and the vision for the next 20 years for Lititz Run. Additionally, the grant covers proposed watershed-based permit language. This would hopefully get DEP approval, allowing them to put 5-6 projects under one permit, rather than a permit for each individual project. The DEP Exelon Grant was received for the stream restoration project along Lititz Run right off of 772 between the Compass Mill Project and the David King property. That project included stream bank stabilization, a fish habitat, and a riparian buffer. After the project was completed, volunteers planted 225 trees in that project area. Clauser noted that they have been working with Shoppes of Kissel Village and UPMC Lititz to do inspections and education regarding their responsibilities for their storm water facilities. They have also been working with Traditions of America, Lititz Reserve, Farmington Way, and Newport Square to inspect and educate the Home Owners Associations.

Stream monitoring continues on a monthly basis. That program began in 1996, and there is approximately 25 years of data. In partnership with Millersville University, the data was analyzed and they have provided a draft analysis, which is being reviewed. Some of the goals for 2022 include the annual stream clean-up day and the 5th grade watershed day, which were cancelled the last two years due to Covid. The plan is to continue to inspect and educate the large commercial facilities and Home Owners Associations throughout the Township.

Another goal is MS3 mapping, in partnership with ELA Group and Landstudies, to verify the drainage areas that ultimately feed our waterways throughout the township. In 2022, the plan is to work with ELA and Landstudies to update the Township's storm water management ordinance to meet DEP's model ordinance requirements. Some of the projects being considered in 2022 are the Millport Conservancy, in partnership with Fish and Wildlife, and stream restoration at Lititz Run Road to the Riparian Park, both of which funding is being sought. With a National Fish and Wildlife Foundation grant of \$50,000, they will be working with Landstudies to create a floodplain restoration design for the Santo Domingo Creek. This will be in the area between Rock Lititz and 501 where the Marathon Gas Station is located.



CONSIDER EXTENSION OF TIME FOR THE WALTON HILL PLAN: B. Harris stated that the Walton Hill applicant is requesting a time extension until February 16, 2022. They are on the December 22, 2021 Planning Commission Agenda. There is a chance that they may receive recommendation at that meeting. The Board can expect to see this plan either in January or February. On a motion by J. Tennis and seconded by K. Eshleman, the Board unanimously approved the time extension for the Walton Hill Plan until February 16, 2022.

CONSIDER EXTENSION OF TIME FOR THE WEST WOODS DRIVE PLAN: B. Harris noted that this is a 7 lot subdivision off of West Woods Drive. The Board is familiar with this plan and approved it conditioned on certain requirements that the applicant could not satisfy. They will also be on the December 22, 2021, Planning Commission agenda. The applicant is requesting an extension of time until February 16, 2022, to get through the Planning Commission and ultimately in front of the Board of Supervisors. On a motion by K. Gutshall and seconded by K. Kauffman, the Board unanimously approved the time extension for the final subdivision plan for West Wood Drive subdivision.

RATIFY ROCK LITITZ – 400 ROCK LITITZ BOULEVARD PLAN APPROVAL FROM 11/17/21: B. Harris stated that this plan was approved in November, however, there were challenges with Board members who had to abstain due to conflicts. The Board is now in a position where they can ratify the plan. He did add that the summary documentation for Rock Lititz was provided. In November the Board asked for the as-builts for the previous plans prior to recording this plan. On a motion by J. Tennis and seconded by K. Eshlemen, the Board approved ratifying the preliminary final plan for 400 Rock Lititz Boulevard. K. Gutshall recused herself.

CONSIDER ACCEPTANCE OF OFFER OF DEDICATION AND/OR REQUEST FOR CONDITIONAL RELEASE OF LETTER OF CREDIT FOR THE WALTER TRACT (SHOBER LANE): B. Harris stated that this item can be tabled. B. Crosswell, Solicitor, recommended that this item be put on the agenda as well as the dedication for Lititz Reserve Phases 1-7, however, in both cases, the applicant has not delivered the necessary documentation for the dedication. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously voted to table the item.

CONSIDER REQUEST FOR REDUCTION OF LETTER OF CREDIT FOR LITITZ BEND, PHASE 2: B. Harris noted that the Board is in receipt of a letter from ELA dated 12/10/2021 regarding a letter of credit reduction for Lititz Bend, Phase 2. The applicant constructed \$518,000 worth of improvements, and based on ELA's letter dated 12/10/2021, they are recommending that we hold a letter of credit in the amount of \$210,948.73. The bulk of that is paving followed by some storm water controls and landscaping. On a motion by K. Eshleman and seconded by K. Kauffman, the Board unanimously approved the reduction of letter of credit for the Buckwalter Tract in the amount of \$518,875.37, per the ELA letter dated 12/10/2021.

DISUCSSION ON BUCK HILL FARM MASTER PLAN: The applicant was not present and indicated that the plan will be revisited in 2022.

CONSIDER MOTION TO APPROVE AND ADOPT THE 2022 FISCAL BUDGET: B. Harris mentioned that the budget was advertised and on display at the Township for any residents wishing to come and review it. The millage rate will remain the same as it has been since 1990. The revenues and expenses are \$5,578,860.18. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the adoption of the 2022 fiscal budget.

CONSIDER AND AWARD BID FOR THE SALE OF 60 TDR'S FROM WARWICK TOWNSHIP: B. Harris stated that Rock Lititz is interested in acquiring 60 TDR's from Warwick Township. Rock Lititz was the only bidder and the price per TDR that they bid was \$3,000.00. As part of their bid submission, they did post the required 10%, which was \$18,000, with the balance to be paid in installments. K. Eshleman moved that the Township accept the bid of Rock Lititz Properties, LP for the purchase of sixty (60) Transferable Development Rights for a purchase price of \$180,000.00 and that the TDRs be permanently attached to the Rock Lititz Properties, LP property which is being developed by Rock Lititz Properties, LP and located on the south side of West Newport Road in accordance with the provisions of the Warwick Township Zoning Ordinance. The proper Township officials are hereby authorized and directed to execute, acknowledge, endorse, record, and deliver a Deed of Transferable Development Rights to Rock Lititz Properties, LP for 60 TDRs awarded for the property at this meeting. The motion was seconded by J. Tennis, and the Board approved the bid in a 4-0 vote. K. Gutshall recused herself.

REVIEW 2022 DRAFT REORGANIZATION: B. Harris stated that this is not an action item that the Board needs to consider tonight. Harris' intent in providing the draft reorganization is so the Board has an idea of some of the vacancies that need to be filled. Pursuant to the second-class township code, the Board needs to reorganize the first Monday of the new year, which will be January 3, 2022. On the draft, highlighted in red, are some of the possible vacancies that exist and potential candidates that could fill them as well as the void that will be left by L. Myers and H. Florsdorf in the roles that they served. He suggested finalizing this draft for the January 3, 2022 meeting. He also noted that J. Strathmeyer was going to transition into the representative to the Northern Lancaster County Regional Police Commission. Harris will prepare a final draft for the January 3, 2022 reorganization, which he will give to the Board ahead of time. L. Myers stated there is one Board in particular that he is going off of that does require an elected official to serve in that capacity. That vacancy is on the WRRRC Board. K. Kauffman asked about the vacancy board. Harris stated that the vacancy board exists if the Board cannot come to terms with appointing a candidate to fill a vacant seat.

CONSIDER ACCEPTANCE OF OFFER OF DEDICATION FOR STREETS LOCATED WITHIN PHASES 1 TO 7 OF LITITZ

RESERVE: B. Harris noted that this will be tabled until the Township Solicitor has the requisite information to accept the dedication of Phases 1-7 in totality.

CONSIDER RESOLUTION 12-15-21-01 VACATING CARPENTER ROAD: B. Harris stated that Carpenter Road was brought to the Boards attention in October and November. This resolution authorizes the vacation of Carpenter Road from Clay Road to Lincoln Road. Essentially, the Township is relinquishing its right of way and its right to it. The road is roughly $\frac{3}{4}$ of a mile in length, with 3 property owners, with residents in Warwick Township (the Weavers), residents in Clay Township (the Zimmermans), and residents in Ephrata Township (the Martins). Based on the last bridge study, the bridge on Carpenter Road had many deficiencies and there are necessary road improvements that need to be made. Management decided that vacating the road was a much better option financially. The Township is agreeing to pay the Weavers \$51,695.00 to relocate and repave their driveway and \$8,000 to the Martins. The payment to the Martins is 50% of a total \$16,000 maintenance payment with Clay and Ephrata Townships each paying \$4,000. The resolution authorizes the signing of the agreement which authorizes the vacating of the road. The total cost to Warwick Township to vacate Carpenter Road is roughly \$60,000. P. Barret stated that all three property owners were met with and their concerns have been addressed through the agreement. All three landowners have already signed off on the agreement. On a motion by J. Tennis and seconded by K. Eshleman, the Board unanimously approved the adoption of Resolution 12-15-21-01 authorizing signature of the agreement and vacating Carpenter Road.

CONSIDER RESOLUTION 12-15-21-02 ESTABLISHING THE MILLAGE RATE FOR 2022: B. Harris stated that the millage rate will remain the same that it has been since 1990. The millage rate is .2325 mills, which equates to less than $\frac{1}{4}$ of a mill, which comes to \$23.35 for a property that is assessed at \$100,000. This is the general millage tax that funds police, fire, public works, and recreation. On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved the adoption of Resolution 12-15-21-02 Establishing the Millage Rate for 2022.

CONSIDER RESOLUTION 12-15-21-03 RATIFYING TDR PAYMENT FOR SHENK FARM PRESERVATION: B. Harris stated that last week the Township had settlement on two parcels, the Baum Farm, and the Shenk Farm. In the case of the Shenk Farm, the Township purchased 17 of the available 18 TDRs that were associated with that farm. The Resolution that the Supervisors adopted earlier in the year for the Shenk Farm had a \$35,000 contribution going to the Ag Preservation Board. That number was subsequently increased to \$50,000. This Resolution reflects the \$50,000 contribution for the TDRs that we acquired. On a motion by K. Eshleman and seconded by K. Gutshall, the Board unanimously approved the adoption of Resolution 12-15-21-03 Ratifying TDR Payment for the Shenk Farm.

CONSIDER RESOLUTION 12-15-21-04 AMENDING 2021 FISCAL BUDGET FOR FUND TRANSFERS: B. Harris stated that this is \$198,000 from capital reserve fund to the 6th Street Fund for the Seigrist Farm Road improvements that were made. As part of that project, Warwick Township was responsible for 30% of that project, and that memorializes our contribution that will be towards the project. The Capital Reserve Fund is at \$1.9 million dollars. Once we make this transfer, the Township will be ending the year with Capital Reserve Funds at somewhere around \$1.75 million dollars. D. Zimmerman stated that the Township had a figure in the beginning of the budget for 2021 that was an estimate because the Township did not have the contracts in. The project came in under

budget and the Township should be able to recoup some additional monies because we did come in under the overall grant amount. On a motion by J. Tennis and seconded by K. Eshleman, the Board unanimously approved the adoption of Resolution 12-15-21-04 Amending the 2021 Fiscal Budget for Fund Transfers.

DENNIS GROFF RETIREMENT INVITATION: B. Harris stated that Dennis Groff of Paradise Township is ending his tenure as a Board Member. There is a retirement celebration for him on Wednesday, December 29, 2021 from 4 p.m. to 6 p.m. if anyone is interested in attending. L. Myers stated that Dennis has served for 30 years in Paradise Township.

PSATS NEWS BULLETIN: Harris noted that the most recent PSATS Bulletin has the resolutions that were considered in 2021.

L. Myers stated that he did do some research on things that Townships can and cannot do and what is permissible. He noted that there is an individual in attendance that may be fitting to fulfill a special position. He stated that this individual has been very attentive to the Township, visits quite often, knows the staff very well, and in general is just very friendly. Myers asked K. Eshleman to further clarify what the Board can and cannot do and how we can have this individual be recognized by the Township. K. Eshleman stated that most of those in attendance know Holton from visiting and getting his treats and Eshleman thought it would be a good idea if Holton would become the official mascot for Warwick Township. On a motion by K. Eshleman and seconded by K. Gutshall the Board unanimously approved the acceptance of Holton as the official mascot of Warwick Township.

APPROVAL OF MINUTES: On a motion by K. Gutshall and seconded by J. Tennis, the Board unanimously approved the Board of Supervisors minutes from the November 3, 2021 and November 17, 2021 meetings as submitted.

TREASURER'S REPORT: B. Harris noted the Township revenue to date is in excess of \$6 million. That includes the CARES money the Township received, as well as a refund from the prior years' expenses, which is the reason that the number is much higher than the budgeted revenue amount for 2021. Expenses to date are roughly \$5.8 million and this includes roughly \$900,000 in fund transfers, whether it be to the storm/sewer fund, the capital fund, or the fire departments. Harris states the Township is on par for where we would expect to be this time of year. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the Treasurer's Report as submitted.

PAYMENT OF BILLS: B. Harris stated the total bill list is \$299,000, of which roughly \$161,000 is coming out of the general fund, \$77,000 out of the ag easement fund with \$75,000 of that towards the two settlements last week. The Baum settlement totaled \$25,000 and \$50,000 went towards the Shenk settlement. The Township had approximately \$41,000 pertaining to the 6th Street round-a-bout, between ELA and B.R. Kreider. Some of the larger bills that are included out of the general fund were the Township's 4th quarter contribution to the Library, the 4th quarter contribution to the Rec Center, as well as the healthcare payment for the month. J. Tennis asked about the \$10,781.92 for the 2012 Ford F-450 repairs. Harris stated that one of the public works employees was involved in an accident approximately 2 months prior, the Township truck was hit by a motorcyclist which resulted in a fatality. The Township has been reimbursed by the insurance company for all but the deductible. The invoice in question is for the repairs to the truck. L. Bowman stated that the Township insurance company paid the expense for the truck and they will subrogate against the motorcyclist's insurance to try and recover that money. On a motion by J. Tennis and seconded by K. Eshleman, the Board unanimously approved the payment of the bills.

MANAGER'S REPORT: B Harris referred the Board to his written report included in the meeting packet.

TAX COLLECTOR'S REPORT: B. Harris stated that L. Reapsome's collection rate is higher than what most tax collectors collect. Roughly 102% of our tax revenue has been collected to date. On a motion by J. Tennis and seconded by K. Eshleman, the Board unanimously approved the Tax Collector's Report as submitted.

PUBLIC WORKS REPORT: B Harris referred the Board to the Public Works Superintendent's report in the meeting packet.

POLICE DEPARTMENT REPORT: B. Harris stated that the police department report is enclosed. He also mentioned that Chief Steffen is being considered to serve on the Susquehanna Municipal Trust which is the Township's workers compensation insurance

Board of Supervisors
December 15, 2021

provider. The current make-up of the Municipal Trust Board is typically all managers. From a workers compensation perspective, the bulk of all claims that we see on the board are all police related. It would be a great addition to have Chief Steffen serve on that Board.

ZONING OFFICER'S REPORT: T. Zorbaugh stated that for the month of November there were 36 zoning and building permits, which is actually up from the last couple of years. He noted the difficulty finding building supplies.

WESC/EMC REPORT: B. Harris did mention that at the WESC meeting on December 6, 2021, Duane did a very nice presentation that looked at the volunteers that have served in each of the fire companies from 2017 to 2021. That data will help to determine what is happening with our volunteers in terms of volunteer retention. Harris will be following up with D. Ober and that information will be provided to the Board of Supervisors in the January packet. D. Zimmerman stated that the information was an analysis of new volunteers and the study focused on all recruits from 2017 to 2021. Well over 100 people were brought in between the 4 fire companies and the ambulance association. The program has been pretty successful with over 50% of the new recruits being retained and trained. They also analyzed the orientation program, are recruits getting acclimated into the culture of individual emergency service organizations. J. Tennis noted that WESC is also starting the process of strategic planning and succession planning for the companies and the North Group is assisting in the process. This is important moving forward.

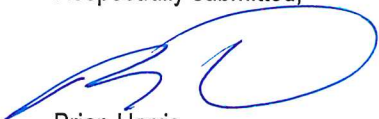
K. Eshleman, on behalf of Mike Vigunas presented D. Zimmerman with the first 3 star ornaments created and sold by the Lititz Regional Community Development Corporation. The stars are a token of appreciation for the formation of the Lititz Regional Community Development Corporation which resulted from the 2013 Strategic Plan.

K. Eshleman presented L. Myers with a proclamation acknowledging his outstanding service in restoring the Lititz Run Creek. In recognition of Logan's outstanding service to the Township and the environment, the Board is going to rename the Warwick Township Riparian Park to the W. Logan Myers Park. On behalf of the Board, Eshleman thanked L. Myers for all his years of service.

NEXT MEETING: Monday, January 3, 2022 at 7 p.m.

ADJOURNMENT: Meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Brian Harris
Township Manager