

## WARWICK TOWNSHIP

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

### WARWICK TOWNSHIP BOARD OF SUPERVISORS

June 15, 2022

7:00 p.m.

### WARWICK TOWNSHIP MUNICIPAL BUILDING

Chairman Kenneth Eshleman convened the June 15, 2022, meeting of the Warwick Township Board of Supervisors at 7:00 p.m. Those in attendance were Supervisors Ken Eshleman, Jeff Tennis, Jeremy Strathmeyer, Kelly Gutshall, and Ken Kauffman. Also in attendance were Brian Harris, Township Manager; Tom Zorbaugh, Code & Zoning Officer; Duane Ober, Warwick Emergency Services Commission; Chuck Haley, Township Engineer; Michael & Dale Keeney, Warwick Township; and Laura Knowles, Lititz Record.

**CONSENT AGENDA:** B. Harris stated that the Township did have their IBEW kick-off meeting for the contract and got their list of demands. A draft response is being prepared and they will meet again in July. Harris also noted that next week will be the rate study presentation on the authority side. The pump station #13 bid was awarded to Fidelity Contracting with a cost of \$1.2 million and Garden Spot was the electrical contractor with a cost of \$122,000.00 which will be covered by the tourism funding. The Public Works and Authority interviews have begun and will continue until candidates are found. The Grube preservation was held on June 14<sup>th</sup> and is one farm over from the Buckwalter Farm. The Township has been working on this preservation since 2014 and the hope is that the King farm next to the Grube Farm will follow. Harris also stated that K. Gutshall and K. Eshleman were part of the Buckhill planning charrette, with them coming back in again to discuss some ideas. The concept was not much different from their September 2021 presentation with a lot of the discussion revolving around architectural items. C. Kimmel was very clear that the Planning Commission's main concern is the preservation of agricultural land. Harris stated that it was a good discussion and that the Buckhill parcel is not within the township's urban growth area. The plan is for them to come back and meet with K. Eshleman, K. Gutshall, C. Kimmel, and T. Zug in a couple months. K. Gutshall asked if TOA was finalized, Harris stated that he had a final meeting with TOA with C. Haley and ELA preparing the final punch list letter. The final punch list consists of mostly conservation district items and closeout will be conditioned on the Notice of Termination being issued by the Conservation District. Harris noted that our land development agreement does expire at the end of June, 2022. C. Haley stated that most of items on the punch list are small items. Haley also noted that a lot of areas along the path have been fixed and the whole path has been resealed. He also stated that the roadways in phase 5 look good. There are some areas where seed did not come up yet and they reseeded their basins. A representative from ELA went out independent of the Conservation District and he provided an extensive list with pictures of each comment. Haley stated that phases 1-4 have been transferred to the HOA. B. Harris stated that most of the comments from the Conservation District are seeding issues with 70% of the seeding not being achieved in some areas. K. Kauffman asked T. Zorbaugh about the applications for alternative energy. Zorbaugh stated he is receiving applications for solar. There was a brief discussion on solar and where the township stands on the issue. J. Strathmeyer asked about staffing for EMS over the summer months. D. Ober gave a brief update on EMS activities. D. Ober did mention that WTMA has done a great job of painting fire hydrants and doing hydrant maintenance throughout the township. On a motion by J. Strathmeyer and seconded by K. Kauffman, the Board unanimously approved the consent agenda items as presented.

**CONSIDER REQUEST FOR A 63-DAY EXTENSION OF TIME TO RECORD THE WALTON HILL FINAL PLAN:** B. Harris stated that the extension would be through 09/21/2022 which would give them time should they need to request





an extension at the September 21, 2022 Board Meeting. The applicant did receive their approvals and they are working through all the conditions of approval (the HOA documents, the open space management plan, the riparian buffer easement agreement, etc.) On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved the extension of time to record the Walton Hill final plan.

**CONSIDER REQUEST FOR A 30-DAY EXTENSION OF TIME TO RECORD THE WEST WOODS DRIVE PLAN:** B. Harris stated the applicant would like a 30-day extension which would take them through July 20, 2022. Harris did have a meeting with Mark Will and he believes this will be the last extension they ask for. On a motion by K. Gutshall and seconded by J. Strathmeyer, the Board unanimously approved the 30-day extension of time to record the West Woods Drive plan.

**CONSIDER REQUEST FOR A RELEASE OF THE LETTER OF CREDIT FOR ROCK LITITZ POD 2 – PHASE 1C;**

**CONSIDER REQUEST FOR A RELEASE OF THE LETTER OF CREDIT FOR TOLL GATE IMPROVEMENTS – ROCK LITITZ PROPERTIES CAMPUS IMPROVEMENTS;**

**CONSIDER REQUEST FOR A RELEASE OF THE LETTER OF CREDIT FOR POD 1 STUDIO 2 – ROCK LITITZ PROPERTIES CAMPUS IMPROVEMENTS:**

B. Harris stated that ELA prepared a letter dated June 9, 2022 regarding R. Breneman's request for 3 different letter of credits that are outstanding. The first one which is on Pod 2 – Phase 1C we are currently holding \$8,250.00. The recommendation is that it can be released in totality. Toll Gate improvements – Rock Lititz properties campus improvements is \$31,191.33. That letter of credit is conditioned on installing a do not enter sign within the pork chop as part of Mickeys Black Box improvements. The third is Rock Lititz Pod 1 – Studio 2 which we are currently holding \$200,076.33. C. Haley did note the continued efforts to permanently establish grass in all the remaining areas of disturbance and it is noted that a portion of the parking spaces behind Studio 2 are not all delineated due to it being utilized as a truck loading area. C. Haley stated that there are other phases that have existing letter of credits in place. K. Kauffman asked if Haley was concerned with the grass items. Haley stated that for Rock Lititz their aesthetics is important to them and the campus so they are more proactive than most. K. Gutshall asked about what looks like a workshop on the north side of the campus. T. Zorbaugh stated that he is not sure what that area is and that it will be discussed when Rock Lititz representatives come in to discuss the next project on the campus. Zorbaugh believes it may be a lunchroom but it is not shown on their plans. Gutshall asked about the stockpile of soil on the Rock Lititz site and whether they are keeping it in case they need it for the future phases. Zorbaugh stated that currently Hench Construction works out of there and they are doing all the work for Rock Lititz. They are not ready to unload all that soil. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the release of all three letters of credit as requested.

**CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS:** B. Harris stated that the total bill register is \$763,087.55 of which \$514,000.00 is attributed to the general fund, \$51,000.00 to the agriculture easement fund, and the Balmer BMP is \$173,000.00. A large portion of the general fund payments are standard payments to Northern Lancaster Regional Police, a contribution to the library, a contribution to the pool, and a contribution to the LRC. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the payment of bills as presented.

**CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT:** B. Harris stated that the township revenue is at 52%. When you look at our real estate transfer tax, they are down which is due to timing. According to L. Reapsome we are probably realistically only off by about \$8,000.00 in transfer tax right now compared to where we were last year. Last month our gap was about \$225,000.00 which is down to about \$150,000.00 so that shrunk a bit. On the expense side we are at 53%. Our gap is about \$600,000.00 which the gap predominantly is from us making the payments to the police force. We are in a very similar spot on the expense side as to where we were last month. B. Harris stated that he really likes how Becky prepares a summary sheet for the regional police and he thinks he would like to do that



for the board meetings. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the Treasurer's report as presented.

**CONSIDER RESOLUTION 06-15-22-01 FOR A GROWING GREENER III GRANT APPLICATION FOR A LITITZ RUN TRIBUTARY STUDY:** B. Harris stated the Growing Greener III application is open right now and we had discussed applying for the Lititz Run tributary study asking for a grant amount of \$70,000.00 with a match coming from the watershed action plan update that we did last year. We had applied for this through the Susquehanna River Basin Commission through their consumptive use mitigation program. We were not awarded the funding so the thought process was to apply for Growing Greener to see if we could get the funding. On a motion by Tennis and seconded by J. Strathmeyer, the Board approved Resolution 06-15-22-01. K. Gutshall recused herself from voting.

**CONSIDER RESOLUTION 06-15-22-02 FOR A GROWING GREENER III APPLICATION FOR AN ENGINEERING AND DESIGN TO REALIGN A TRIBUTARY AFFECTING PUMP STATION #18 FORCE MAIN:** Harris stated that this application is to do engineering and design to realign the tributary near pump station #18 which is over off of Rothsville Road where the trail almost terminates at Cocalico Creek. The stream has meandered over the years and has exposed the force main. We are proposing to apply for money to do the engineering and design to realign that stretch and then once that design and permitting is done we would then seek the construction funding. The Growing Greener match is 15% which is \$11,250.00. We will know in late fall if we get this funding. It would then be incorporated into the 2023 budget, taking money out of the storm water fund, capital fund, or ARPA fund. The grant is due on June 21, 2022. The force main is a 4 inch sewer line. J. Tennis asked why WTMA isn't dealing with this issue. Harris stated that WTMA could be approached to kick in the \$11,250.00 if we get the funding. There was a brief discussion on WTMA's involvement in this project. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board approved Resolution 06-15-22-02. K. Gutshall recused herself from voting.

**CONSIDER REOLUTION 06-15-22-03 FOR A LANCASTER MPO APPLICATION FOR THE SIGNALIZATION OF HIGHLANDS DRIVE AND PETERS DRIVE:** B. Harris stated this is a resolution authorizing an application to the Lancaster County Transportation Coordinating Committee as part of their connects2040 program for traffic improvements. The resolution asks for a grant award of \$225,000.00 with a \$75,000.00 match from the township. This is for signalization improvements at Peters Road and Highlands Drive intersection. We have done a couple different traffic counts unsuccessfully over the years with the last one finally meeting the warrants for it. We had to submit a notice of intent forms to the county back in May 2022 and as part of that the original estimate was to apply for \$250,000.00 with an ask of \$175,000.00. Harris asked Mark Henise and Shawn Loose from ELA to come up with some new numbers and we think it is smart to ask for \$225,000.00 with a \$75,000.00 match based on the estimate. There is a portion for contingency in that estimate. There is a pre-application meeting scheduled with the county. On a motion by K. Kauffman and seconded by K. Gutshall, the Board unanimously approved Resolution 06-15-22-03 as submitted.

**INVITATION TO LCATS GOLF OUTING ON JULY 28, 2022:** B. Harris stated that July 28, 2022 is the annual outing at Four Seasons Golf Course. There are 3 supervisors that are able to attend and 2 that are not attending. Harris will send out a friendly reminder closer to the event.

Mike Keeney stated that last month there was a short conversation in regards to a meeting of different municipalities at the state level and a discussion about what some other municipalities do in regards to how they hold their meetings. There was a brief conversation in regards to trying to limit open discussion and the time frame associated with it. Keeney shared his concern with that conversation.

The Board of Supervisors will now hold an executive session to consult with its attorney concerning information in connection with land use litigation relating to the property located at 500 Becker Road owned by Blessings of Hope. The Land Use Appeal pertaining to this matter is docketed to Case No. CI-21-02031 in the Court of Common Pleas of Lancaster County. The Board exited executive session at 8:30 p.m.

Board of Supervisors  
June 15, 2022

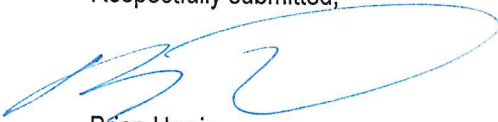
I, J. Tennis, move that the Board of Supervisors approve the Settlement Agreement between Warwick Township, the Warwick Township Zoning Hearing Board, and Blessings of Hope in the land use appeal filed by Blessings of Hope and docketed at Case No. CI-21-02031 in the form and content presented at this meeting. The proper officials of the Township are authorized to execute the Settlement Agreement. This motion was seconded by K. Kauffman and the Board unanimously approved the Settlement Agreement.

The motion will be ratified the motion at the next Board of Supervisors meeting.

**NEXT MEETING** – Wednesday, July 20, 2022 at 7:00 p.m. (no morning meetings July or August)

**ADJOURNMENT** – On a motion by J. Strathmeyer and seconded by J. Tennis, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,



Brian Harris,  
Township Manager