

## WARWICK TOWNSHIP

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

### WARWICK TOWNSHIP BOARD OF SUPERVISORS AUGUST 17, 2022

Chairman Kenneth Eshleman convened the August 17, 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; Pat Barrett, Assistant Township Manager; Chuck Haley, Township Engineer; Greg Young, Warwick Township; and Laura Knowles, Lititz Record.

#### **PUBLIC HEARING TO CONSIDER AN AMENDMENT TO WARWICK TOWNSHIP'S STORM WATER MANAGEMENT ORDINANCE (CHAPTER 270) RELATING TO MS4 REVISIONS AND AN UPDATE TO ADMINISTRATIVE PROVISIONS:**

B. Harris stated that the first hearing is to consider an amendment to the Warwick Township Storm Water Management Ordinance relating to MS4 revision and administrative provisions. At the July 20, 2022 Board of Supervisors meeting the Board authorized advertising. The ordinance was duly advertised along with the Brake Retarder Ordinance. It was on file at the Warwick Township office for 30 days. We did not receive any public comments. There is no one from the public present to comment on the ordinance. Once the ordinance is adopted Harris will take care of sending it to DEP as part of our annual filing.

On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the adoption of Ordinance #298 – An Amendment to Warwick Township's Storm Water Relating to MS4 Revisions and an Update to Administrative Provisions.

#### **PUBLIC HEARING TO CONSIDER AN AMENDMENT TO WARWICK TOWNSHIP'S VEHICLES AND TRAFFIC ORDINANCE (CHAPTER 210) TO ADD A NEW ARTICLE XI, ENGINE BRAKE RETARDERS:**

This hearing is to consider an amendment to Warwick Township's Vehicle and Traffic Ordinance, adding a section in regards to engine brake retarders. It would cover a portion of Newport Road. This hearing was properly advertised and on inspection for the necessary 30 days and we did not receive any public input. Upon adoption of the ordinance the Township would then adequately sign the areas that are restricted and enforcement as necessary could begin.

On a motion by K. Kauffman and seconded by J. Strathmeyer, the Board unanimously approved the adoption of Ordinance #299 – Amendment to Warwick Township's Vehicles and Traffic – to add a new Article XI, Engine Brake Retarders.

**CONSENT AGENDA:** B. Harris noted that Greg Young is in attendance tonight. Greg is the Township's new accountant. Harris mentioned the IBEW contract negotiations continue with J. Tennis, D. Engle and Harris meeting for another round of negotiations today. The next scheduled meeting is in September. John Enck was hired by the authority and things are going well. There are two items on the agenda for the next Planning Commission meeting on August 24, 2022. One of those is Abner King at 619 W. Lincoln Avenue which is an agricultural parcel that they want to build a second structure on which would ultimately be a conditional use in front of the Board. The second agenda item is John King at 743 E. Millport Road which is the parcel across from Millport Conservancy. Mr. King is proposing to subdivide his property into 3 separate lots, one 2 acre residential lot, and two 20 acre agricultural lots but has no immediate plans for physical improvements. As part of the subdivision we want to make sure we identify the easement area on Lititz Run. There will not be a storm water plan filed with the subdivision plan. We are starting to think about the 2023 budget with a draft planned for October, bring it before the board for consideration in November to advertise and then adoption would be December. Harris mentioned that there was a pre-construction meeting for Walton Hill and there is a pre-construction meeting scheduled with Orchard Road for August 18, 2022 at 1:00 p.m. There is an action item on the agenda for tonight to approve an extension of time to record the plan. We will





receive our second tranche of ARPA money in August which will be \$1.1 million dollars. Harris also stated that we did receive notification from Penn Township that they received the Transportation Infrastructure Investment Funds (TIIF) for the relocation of Lititz Road which bisects Rohrer's Quarry. The proposal will be to take Lititz Road to the south from Erb's Quarry Road through the old Erb's Nursery property. There is a meeting scheduled for August 19, 2022 with Dan Zimmerman and Rick Kane to get Rick up to speed since he is relatively new at Manheim Township. B. Harris noted that Rohrer's Quarry did go before the Planning Commission regarding the demolition of 820 Woodcrest Avenue. The Planning Commission does want a full architectural review to determine historically what is left. Right now the property is a Class II rating which means it is to be looked at for further consideration. The Class I structures are truly historic. The home was built in 1795. K. Kauffman asked about Compass Mill being on the agenda for September. B. Harris stated that he did meet with Compass Mill regarding their sketch plan. B. Kornman had a few ideas on how to improve some of the layout as parking was proposed to be right out front. It was recommended to have some landscape items between the parking and roadway. Mark Will was agreeable to the placement of landscaping. On the Tax Collector's report we collected 98% of our real estate tax to date.

On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved the Consent Agenda as submitted.

**CONSIDER REQUEST FOR AN EXTENSION OF TIME TO RECORD THE ORCHARD ROAD, PHASE 1 PLAN:** B. Harris stated the current deadline is August 18, 2022 to record the plan. The developer is requesting a two month extension to satisfy all the outstanding conditions.

On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the extension of time to record the Orchard Road, Phase 1 plan.

**CONSIDER REQUEST TO RELEASE THE LETTER OF CREDIT FOR 1508 E. NEWPORT ROAD:** Currently, there is \$15,512.00 outstanding. Based on ELA's August 4, 2022 letter, they did recommend the release. One of the conditions was the permanent inlet filter being installed which has not been installed yet. The builder has that installation on the schedule for next week. Harris recommends the Board approve the release conditioned on the builder/property owner satisfying all conditions in ELA's August 4, 2022 letter.

On a motion by K. Gutshall and seconded by J. Tennis, the Board unanimously approved the release of letter of credit for 1508 E. Newport Road based on the outline contingency.

**CONSIDER REQUEST TO RELEASE THE LETTER OF CREDIT FOR THE ROCK LITITZ HOTEL:** B. Harris stated that there is \$8,489.25 that is outstanding for the hotel project. The recommendation letter is conditioned on them providing an indemnification. Harris asked B. Crosswell to review the indemnification for Mickey's Black Box, he went ahead and prepared the indemnification for Rock Lititz as well. We have received the indemnifications for Rock Lititz, but are still waiting on Mickey's.

On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the release of the letter of credit for the Rock Lititz Hotel based on the July 15, 2022 ELA letter.

**CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS:** B. Harris stated that the total bill list for the period is \$1,326,644.23 and out of that \$460,000.00 is attributed to the general fund with a fifth installment to Northern Lancaster County Regional Police Department. We also had made a payment to the LRCDC. The highway aid fund saw a couple big payments this period totaling \$187,000.00 which were to predominantly Highway Materials for the work they did on Disston View and then Martin's Paving for oil and chip on roads. One of the invoices was to C.M. High was for \$845.00 which we are seeking reimbursement for. That was a traffic accident in which the head pole was hit at Peters Road and Route 501. K. Gutshall asked if oil and chipping is a way to extend the life of the wearing course. C. Haley stated it is a different way of putting an overlay on that is cheaper and extends the wear. He also noted that the new pavement dries out quickly so adding that oil to it really helps extend the life of it. B. Harris broke down the Highway Materials invoices and what funds were used for the Board. Harris also clarified what services Highway Materials and Martins Paving performed.

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 mentioned that the Township collected 67% of our revenue to date which is roughly \$51,000.00 higher than where we were last year. Our real estate transfer taxes are still lagging. Our July distribution was around \$75,000.00. The Earned Income Tax is up approximately \$215,000.00 which we have collected 63% to date. Harris is not sure if that is due to higher wage earnings or if more people added to employment roster. Harris stated we expended 69% of our budget with our expenditures about \$231,000.00 higher than the prior year. When you look at the contract police service it is \$466,000.00 high than last year. We did not make our 5<sup>th</sup> payment to the police commission until after the August meeting. K. Eshleman asked about the contracted inspection and review fees which are twice as high as last year and also our worker's compensation is also higher than last year. He wanted to know if there is anything specific for this increase. T. Zorbaugh stated that the inspection and review fees are up because there is more work being done. Zorbaugh also stated that third party inspectors covered for Tom while he was off with surgery. Zorbaugh did share that 99% of those charges are covered by fees. B. Harris stated he would check into the workers compensation and e-mail the board with further information.

On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the Treasurer's Report as submitted.

**CONSIDER REQUEST BY HANDS-ON HOUSE TO HOSE A ½ MARATHON AND 5/10 K EVENT ON 09/24/2022:** B. Harris stated that the Hands-On House would like to host a ½ marathon and a 5/10 K event on 09/24/2022.

On a motion by K. Kauffman and seconded by K. Gutshall, the Board unanimously approved the Hands-On House ½ marathon and 5/10 K event on 09/24/2022.

**CONSIDER REQUEST BY LANCASTER BICYCLE CLUB TO HOST THE 2022 COVERED BRIDGE CLASSIC EVENT ON 08/21/2022:** B. Harris stated that the Lancaster Bicycle Club would like to host the 2022 Covered Bridge Classic on 08/21/2022. That route is the same as in the past. There are a 100 mile, 65 mile, and a 35 mile route scattered throughout the county.

On a motion by J. Strathmeyer and seconded by J. Tennis, the Board unanimously approved the Lancaster Bicycle Club 2022 Covered Bridge Classic on 08/21/2022 conditioned on no permanent marking of any of our roadways.

**CONSIDER REQUEST BY AMBUCS TO OFFER AMTRYKES AT THE BIKE SHELTER FOR INDIVIDUALS WITH DISABILITIES:** B. Harris stated that he spoke with a representative from AMBUCS to offer Amtrykes at our bike shelter. They have the tricycles or amtrykes that they use for people who have disabilities. Often times the bikes are donated back to AMBUCS once a child grows up or they change sizes. They have approached the Township about our willingness to possibly offer them here at the Municipal Campus to be able to take them on the paved portion of the trail. The question was if they provide us with the material costs and pay for everything would the Township consider extending our bike shelter. After examining the shelter, we would lose 2 parking spots and would relocate the horse tie, it should be a relatively easy project. AMBUCS would look to Lititz Bike Works as to how to operate the rental system. There would be no charge for the rental but there will need to be some type of sign-out. K. Gutshall asked if Lititz Bike Works provides us with a report on how often the bikes are used. B. Harris will reach out to them for that information. J. Strathmeyer mentioned the lack of parking especially when there are baseball games being held. There is no alternative parking available immediately adjacent to the municipal campus. Harris stated that this issue has been discussed with R. Stief from the Rec Center. They Rec Center knows our meeting schedule and they are not supposed to book all three fields on a given night. Harris tries to remind R. Stief of upcoming meetings and the need for ample parking.

On a motion by J. Strathmeyer and seconded by K. Gutshall, the Board unanimously approved the request to offer Amtrykes at the bike shelter for individuals with disabilities.

**CONSIDER LRCDC ECONOMIC DEVELOPMENT GRANT FUNDING FOR VETERAN'S HONOR PARK OF LANCASTER COUNTY:** B. Harris stated that he did complete the Capital Improvement & Economic Development Grant Fund Application

and the \$10,000.00 that would be awarded to Warwick Township would be used for the marketing of Veteran's Honor Park to get the word out on the park. They looked at the demographic of who is buying the bricks at the facility. One of the goals that B. Kornman and D. Kramer had was to expand who is buying the memorial bricks. We are going to engage Tower Marketing to help us out. Dave and Bob would be in charge of creating the promotional material and then we would rely on Tower in terms of distribution and public service announcements. There was a kick-off meeting held with Tower Marketing and there is another meeting scheduled for next Thursday. The Township would be the custodian of the funds, therefore Harris feels it is important that the Board vet the application. K. Eshleman stated that the LRCDC for many years did not have a lot of funds. Now the LRCDC has started to build up some funds because of the RCAP and some of the other funds that are distributed by the state that they collect 2%. The LRCDC would like to put that money back into the community through a grant program. The idea was to get the 3 municipalities involved to kick it off and then they will talk about the projects in November when they have their annual event. Lititz Borough is using their \$10,000.00 grant for a mural and Elizabeth Township is going to use the money to update some of their rec facilities. K. Gutshall asked what audience would be targeted for the Veteran's Park promotion. Harris stated that is where they are looking to Tower Marketing for guidance. There was a discussion on the Veteran's Honor Park being for the entire county, not just Lititz.

On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the LRCDC Economic Development Grant Funding for Veteran's Honor Park of Lancaster County.

**CONSIDER REQUEST TO ADOPT REGULATIONS REQUIRING OWNERS TO REMOVE DOG WASTE FROM ANY PUBLIC OR PRIVATE PROPERTY:** B. Harris stated that the Township has received a request from a resident of Hummingbird Lane. The Township does regulate dogs and dog waste in our public parks but we do not have anything from an ordinance perspective on private property. We do have the property maintenance code which gives the Township some leverage. In the case of the individual on Hummingbird, he was upset because individuals would be walking their dogs and just let them go to the bathroom. The resident did install signs on his property. Harris did mention that the surrounding municipalities do have something in writing but he questions the enforcement of such ordinances. Harris suggests reminding the public through our newsletter to clean up after their pets. There was a discussion in regards to the enforcement of an ordinance. Harris stated that he and T. Zorbaugh will work on a recommendation to present to the Board at a later date.

#### **PSATS NEWSBULLETIN PUBLICATION – AUGUST 2022**

#### **DCED LETTER REGARDING REALIGNMENT OF LITITZ ROAD**

**NEXT MEETING** – Wednesday, September 7, 2022 at 7:00 a.m. (via Zoom)

**ADJOURNMENT** – On a motion by J. Tennis and seconded by J. Strathmeyer, the meeting was adjourned at 7:49 p.m.

Respectfully submitted,



Brian Harris,  
Township Manager