

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**  
**MARCH 15, 2023**  
**7:00 P.M.**  
**WARWICK TOWNSHIP MUNICIPAL BUILDING**

Chairman, Ken Eshleman convened the March 15, 2023 meeting of the Warwick Township Board of Supervisors at 7:00 p.m. In attendance were supervisors Ken Eshleman, Ken Kauffman, Kelly Gutshall, and Jeff Tennis. Also in attendance was Brian Harris, Township Manager; Tom Zorbaugh, Zoning and Code Officer; Chuck Haley, Township Engineer; Duane Ober, WESC Fire Commissioner; Jason Minnich, Public Works Superintendent; Greg Young, Chief Rothsville Fire Company; Laura Knowles, Lititz Record Express; Sue Verdegem, United Zion Retirement Community; Mike Smith, Chief Lititz Fire Company; Charles Sweigart, Jr., 918-A Rabbit Hill Road, Lititz; and Penny Mason, 4 Whitcraft Drive, Lititz.

**WESC PRESENTATION: DUANE OBER FIRE COMMISSIONER:** D. Ober reviewed the fire companies and ambulance companies that encompass WESC. One thing that is very important to those services is recruitment and retention of members. New volunteers go through background checks, reference checks, and interviews. Ober also mentioned helping the companies maintain their financial stability through fund drives, grant opportunities, or coming to the municipalities to try to get support for them. Ober stated he is responsible for making sure there is sufficient apparatus and volunteer staffing for the fire companies and that the response times are up to par. Ober reviewed statistics for the fire companies and ambulance companies. Ober mentioned the order of a new ladder truck for Lititz Fire Company with an anticipated delivery of early 2024 with a price tag of \$1.1 million dollars. Ober reviewed the apparatus for each of the fire companies and ambulance companies. All fire companies and EMS agencies are financially stable. K. Eshleman asked Ober what he feels are the biggest challenges moving forward and what are some of their biggest accomplishments. Ober mentioned the stability of the volunteers as a big accomplishment. Between Ober and the three township companies they are working very well together and are making improvements in how they work operationally. K. Gutshall asked what they attribute their good recruiting to. Ober mentioned it helps when you can recruit friends and family.

**CONSENT AGENDA:** B. Harris mentioned that the strategic plan is progressing as anticipated. There will be a meeting with the core work group next week and a meeting with the steering committee on March 28, 2023 and then the kick-off meeting will be on April 13, 2023 at Appalachian Brewing Company. The website, Facebook page and QR code is up and running. Laura Knowles from the Lititz Record will be spotlighting each of the meetings in the paper. Next week on the Planning Commission agenda is 200 Rock Lititz, Owl Hill and we did receive a conditional use application for Compass Mill to take the mill down. Two West Newport Road never proceeded to land development and they will not be proceeding with the idea. Dr. Palasz was granted a time extension however those plans are now signed and will be recorded. Harris mentioned he has a meeting scheduled with Travis Rohrer in regards to 820 Woodcrest Avenue. Stream clean-up is Saturday, March 18, 2023 and we currently have approximately 90 volunteers. Harris noted that we are starting to see some of our real estate tax revenue come in.

T. Zorbaugh mentioned that the Lookout Lane hearing was a month ago and they never showed. The court awarded the Township money and within 20 days the residents appealed that decision and now the Township has 20 days to decide the next step. B. Harris did request that J. Cleary go ahead and start the process. Zorbaugh stated that he unintentionally ran into the owner so he did have the chance to talk to her. They appealed because they claim they never received anything though we have the signature that it was received. The owner may not have gotten the information but the information was dropped off at the home. The second case was for Windwood Place which was Monday and the owners did not show for that hearing. The downside to both cases is that it doesn't get the properties cleaned up. The township now has to go to

the next phase which is going to the Court of Common Pleas. The third case is for Orange Street which we gave an extension of time to clean up. That property has gotten worse rather than better. That case will be filed next week. Harris stated that the judgements were awarded to us but our intent is to get the properties cleaned up. Harris is not as concerned with the judgement as he is with getting the properties cleaned up. These cases have been going on for quite a long time. On a motion by K. Kauffman and seconded by K. Gutshall, the Board unanimously approved the consent agenda as submitted.

**CONSIDER TIME EXTENSION FOR THE CHRISTOPHER S. POJE SUBDIVISION PLAN:** B. Harris referred to the March 7, 2023 Diehm & Sons letter asking for another 90-day extension which would take the time for action to June 19, 2023. On a motion by K. Gutshall and seconded by K. Kauffman, the Board unanimously approved the time extension for the Christopher S. Poje subdivision plan.

**CONSIDER THE CONDITIONAL USE DECISION FOR UNITED ZION RETIREMENT COMMUNITY:** B. Harris mentioned the hearing being held last month and there is a draft decision in front of the Board. The decision was circulated amongst the board members as well as the applicant and the applicant's engineer. Harris did speak with Chris Venarchick and for the most part they were content with the decision. The only item the applicant wanted some consideration on was item #5 which was the sidewalks. The applicant wanted to know if the Board would consider rewording it to the sidewalks will be installed or deferred. Harris left the wording as it was presented and if for some reason something comes that they decide that they want a deferral to be considered it can be brought back to the Board. Sue Verdegem mentioned the sale of the property near them and not knowing what will happen with that property and how that might impact where the sidewalks make the most sense. On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved accepting and executing the decision for Case # 2023-1 for United Zion Retirement Community.

**ACKNOWLEDGE RECEIPT OF THE COMPASS MILL CONDITIONAL USE APPLICATION FOR 817 ROTHVILLE ROAD:** B. Harris stated there is no action needed. This application will be on the Planning Commission agenda next week and the hearing is scheduled for April 19, 2023 in front of the Board of Supervisors.

**CONSIDER CHANGE ORDER #9 FOR THE WARWICK WOODLANDS PROJECT:** B. Harris stated that this is the final application that will be seen for this project. It is a \$92.00 credit. In the payables you will notice a \$38,000.00 check to B.R. Kreider which was the final payment application. Once we receive all the checks the township will then proceed with the reimbursement through DCED and then give back Moravian Manor's portion that is owed. The other impact that will be seen in the payables is for the \$2,500.00 monthly fee that Moravian Manor pays for GMS will then go away once the project is closed out. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the authorization of Change Order #9 and ultimately close out the project when all the necessary documents are received.

**KEYSTONE COMMUNITIES GRANT UPDATE:** K. Eshleman stated this is an update on the grant process that was discussed in March 2023. B. Harris stated that invoice reimbursemenet is typically 4-6 weeks and that this time frame is acceptable.

**CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS:** B. Harris stated that the total bill list was \$248,618 of which approximately \$155,000.00 is from the general fund, the escrow fund about \$27,000.00. There are a handful of invoices that will be reimbursed through AMBUCS for the bike shed. G. Young did compile a list and it was sent to them. AMBUCS has agreed to pay for all the materials for the shed. On a motion by K. Gutshall and seconded by K. Kauffman, the Board unanimously approved the payment of bills as presented.

**CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT:** K. Eshleman mentioned the report looks good year-to-date noting the real estate transfer taxes, earned income taxes, zoning permit fees, and the lack of highway maintenance expenses. On the expense side the legal invoices are down. K. Gutshall asked if the township saw an increase in electricity. G. Young stated that we have not seen and increase because we are locked into a contract. B. Harris will look into that specific contract. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the Treasurer's Report as presented.

**CONSIDER REQUEST FOR FIRE POLICE FOR THE PENRYN MUD SALE ON 3/18/2023:** B. Harris stated that the Pennryn Mud will be held on 3/18/2023. On a motion by K. Kauffman and seconded by K. Gutshall, the Board unanimously approved the request for fire police attendance to the event on Saturday, March 18, 2023.

**CONSIDER PURCHASE OF A CAT 420XE BACKHOE PURSUANT TO THE 2023 BUDGET:** B. Harris stated that during the 2023 budget cycle one of the capital items to be purchased in 2023 was to replace the 2014 backhoe. The Township did get a credit from CAT for \$62,000.00. They allowed the township to put it on Municibid and if we got higher than the credit take it and if not they would give us the quoted price. The township ultimately took the CAT's trade-in amount and the remaining balance is \$94,580.00 of which 75% comes from the township's budget. The authority contributes 25% of the cost for use. Harris mentioned that this was budgeted in the 2023 liquid fuel allocation. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the authorization of the purchase of a CAT 420XE backhoe.

**CONSIDER RESOLUTION 03-15-23-01 FOR THE DCNR C2P2 GRANT APPLICATION:** B. Harris stated that Resolution 03-15-23-01 is for the DCNR C2P2 application. The next meeting the Board of Supervisors is the day of the grant application being due. Harris stated that we are still going through the application process. As part of DCNR's requirements you have to get 3 opinions of probable cost and we have only received one to date. Harris would like it to fall in the \$100,000.00 range which then 50% of that is funded through DCNR and then Lititz Borough, Elizabeth Township, and Warwick Township would then share the remainder. Harris is not sure if that is a reasonable number at this point. Once we receive the other 2 opinions of probable cost he will put it this item on the April 5, 2023 agenda. Harris stated that this is the actual comprehensive park, recreation, and open space plan.

**LETTER FROM SENATOR AUMENT REGARDING MUNICIPAL MEETING ON 4/4/2023:** B. Harris stated that the breakfast is April 4, 2023 and if any of the board members are interested in let him know so he can RSVP. It will be held at the Eden at 8:30 a.m. on April 4, 2023.

**SOLICITOR LETTER FOLLOW-UP ON PROPERTY MAINTENANCE VIOLATION:**

**REQUEST BY EAST PETERSBURG BOROUGH TO BE A CHARTER MEMBER OF NLCRPC:** B. Harris stated that we will have a resolution before the Board at some point. For the public, East Petersburg has been a contract member of NLCRPC but they are not a charter member. They were taken on as a contractual member to see how things went. Harris mentioned when you look at the breakdown of the responsibility of the municipalities in terms of what we pay to the commission it is not based on a per capita number it is the police patrol units. From a cost perspective we will not see any dramatic changes.

**NEXT MEETING: Wednesday, April 5, 2023 at 7:00 a.m. via Zoom.**

**ADJOURNMENT:** On a motion by J. Tennis and seconded by K. Kauffman, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Brian Harris  
Township Manager