

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES
April 16, 2014

Chairman W. Logan Myers convened the April 16, 2014 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, Herbert Flosdorf, Anthony Chivinski, and, C. David Kramer. Michael Vigunas was absent. In attendance were Township Manager Daniel Zimmerman, Roadmaster Dean Saylor, Zoning Officer Thomas Zorbaugh, J. Tim Miller and Nathan Jameson. Laura Knowles of Lancaster Newspapers represented the press.

GUEST RECOGNITION: Tim Miller is present to discuss his request for a zoning variance regarding a geothermal system. He presented to the Zoning Hearing Board on April 9, 2014. His complaint is that he was given new information just prior to the Zoning Hearing meeting which was not the information he was originally given. Miller stated he requested the variance based on the information he obtained prior to the Zoning Hearing meeting. He shared this information with the contractors so it would meet their specifications. One item that stood out from this new information was that a closed loop system has to be used. Since he was given this new information, Miller has discovered it would take ½ mile of piping to make the geothermal system run efficiently. Miller is requesting the \$400.00 dollars required for the variance be returned on the basis that if he had this information previously, he never would have paid the \$400.00 had he known the expense involved. The Township Manager explained to Miller why the new information was given to him when it was. Two options were given to Miller, one being that the Township would have to make an amendment to the Zoning Ordinance which could take 30 days. The other option given was if he wanted consideration sooner he could go before the Zoning Hearing Board. This variance was also sent out to a contractor who designs these systems, Moore Engineering, and also to the DEP and the Pennsylvania Water Association. Lititz has a very shallow water zone, 75 to 100', which makes it very susceptible to contamination. The Township Manager did agree that the first draft was changed prior to the Zoning Hearing Board because a finished draft was not completed. Regarding the legal basis, the request was based on a hardship plus they didn't want to base it on the proposed ordinance. A Board member made the comment that Miller was led to believe that at the Zoning Hearing Board, the Board was going to be able to help him based on a future action that didn't work. The Township manager stated that the Board itself did not have all the information either prior to the meeting. A Board member stated that there was no intention to mislead Miller with regards to any of the information. On a motion made by Chivinski, and seconded by Flosdorf, the Board unanimously voted to refund the \$400.00 fee for Mr. Miller.

APPROVAL OF MINUTES: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the minutes of the March 5 and March 19, 2014 meetings as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to approve the Treasurer's Report as submitted.

PAYMENT OF BILLS: The Board reviewed the list of bills submitted for payment. On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved the payment of bills from the General Fund in the amount of \$63,695.68.

TOWNSHIP MANAGER'S REPORT: The Township Manager provided a status report on the Northern Lancaster County Regional Police Department (NLCRPD).

The Township Manager provided a status report on the Warwick Emergency Services Commission. The Township has agreed to use Larry Schultz as an independent contractor. A decision whether to replace the coordinator position will be brought up at the next meeting. The meeting will be held at Rothsville Fire Company at 6:00 pm, April 21, 2014.

The Township manager discussed the amendment to the alternate energy ordinance. The Township went to Moore Engineering and under their recommendation, went to DEP and Pennsylvania Water Association. There are no standards. The degree of protection is up to the Board of Supervisors. SRBC came and did a water analysis which pointed out it has had susceptibility with surface influence. The degree of protection is up to the Township. No one at DEP or Pennsylvania Water Association said this was a bad idea. A half mile of pipe can be put in because it is a series of wells.

It is several holes, 300 to 400 feet deep, and this is the requirement to eliminate antifreeze in the system requiring you to go deeper. This is the cost factor, but provides the ultimate protection. A Board member raised the question if the DEP has a regulatory standard. The Township Manager stated that most states do, but Pennsylvania does not. He noted that the State is working toward this. The Board is agreeable to the amendment to the alternate energy ordinance since it would be safer for the water supply.

The Township Manager provided a status report on an adaptive traffic system for the SR501 corridor.

The Township Manager provided a status report on the MS4 permit. The Township Manager is requesting a written confirmation that the township does not need to file its own report, since he received only a verbal confirmation. A Board member stated if the Township did not receive a new permit, then a report should be filed. Once the Township receives confirmation of a new date, that starts a new permit, but a report is still required. The Township Manager stated this is conflicting information at this time, and the Township will submit a report.

The Township Manager provided a status report on road projects. He explained that in addition to working with Traditions of America on Millport Road, he is also getting more information on the Newport Road curb extension at the apartment complex.

The Township Manager explained that the Rails to Trails is close to completing the easement agreement on the Wenger Farm.

TAX COLLECTOR'S REPORT: The Board reviewed the March, 2014 Tax Collector's report. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the Tax Collector's March, 2014 report.

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster explained how doubling the use of salt, equipment parts, maintenance, overtime hours, and tire chains was due to weather conditions over the winter, which had an impact on the budget. Moving forward he feels condition of roads such as extensive crack sealing and patching will also be a concern in the upcoming months with the budget. He explained that he and the Township Manager have been talking about how the budget issues can be addressed.

The Roadmaster explained that sink holes are also of concern. In the past month, the Department has repaired four sink holes and there are three that they are looking at now. This is double what usually occurs; most are on streets and right of ways.

There is a high volume at the leaf site due to the ice storm and branches falling down. The Department has been able to have staff there over the weekend for the last four weeks and have already taken in over 50% of total revenue from last year. This has made a difference with regard to the honor system.

The Department is getting ready to do some Spring repair work. The Roadmaster explained that a firm will be demonstrating a piece of equipment with a spray type patching machine to be used on pot holes which makes a more permanent fix. Next week the Department will be meeting with the other municipalities to get trained on this machine.

NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT: The Police Chief provided a report that outlines the activities of the Police Department during March, 2014. The Board unanimously approved the Police Department Report.

ZONING OFFICER'S REPORT: The Zoning Officer provided a report that outlines the Zoning/Building permits issued in March, 2014. The report also outlines the case heard at the Zoning Hearing Board's March 12, 2014 meeting. He added that requests for building permits are up. The Zoning Officer noted that case #803 for Russel & Barbara Dicks variance was denied.

COMMUNICATIONS: The Board received a letter from Lancaster Farmland Trust identifying the farms in Warwick Township that have been preserved.

CONSIDER THE TRADITIONS OF AMERICA PHASE II FINAL SUBDIVISION/LOT ADD-ON PLAN, PREPARED BY RGS ASSOCIATES, DATED 2/5/2014: Chris Venarchick from RGS and Nathan Jameson from Traditions Of America are present to discuss phase II final plans. Their purpose for being here tonight is to request approval for Phase II. The Planning Commission has made a recommendation for approval and the Municipal Authority has approved the public sewer and water utilities. They have the NPDES permit for the project.

This phase of the development would provide 4.1 units per acre and 47% impervious coverage.

Venarchick mentioned that the widening installation of a turn lane at Millport Road will be done with phase I. Also the connection to the hospital will be completed with phase I. The vacating of Hess Lane will also be completed with phase I. Recreation improvements including walking trail, community center, pool, tennis courts installation will all occur with phase I. An individual inquired if a temporary pedestrian turn-around could be installed at the end of the trail in this phase, similar to Newport Square. The representatives indicated that this will be shown on the plan.

Storm water management will all be installed in phase I. The majority of the site will be drained towards Millport Road so the facilities under construction right now are under a temporary control and eventually will be converted to a final condition. Venarchick stated that if for some reason the future phases never move forward, the storm water management would be accommodated.

Jameson stated that they laid the first foundation today and are on track for construction. At this point phase I is 90% sold with 66 available lots and phase II is 40% sold.

On a motion by Kramer, seconded by Chivinski, the Board unanimously approved Traditions Of America Phase II Final Subdivision/Lot Add-On Plan based on the contingencies listed on the cover letter dated April 16, 2014.

CONSIDER THE REDUCTION OF LETTER OF CREDIT FOR LITITZ RESERVE PROJECT: The Board reviewed the request. The Township Engineer commented that based on their observation of construction progress at the site, they recommend the Township release \$99,000.00 from the Letter of Credit. On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved a reduction in the Letter of Credit for Lititz Reserve Project.

CONSIDER THE REDUCTION OF LETTER OF CREDIT FOR THE LEON OBERHOLTZER PROJECT: The Board reviewed the request. The Township Engineer commented that based on their observation of construction at the site, they recommend the Township full release the Letter of Credit in the amount of \$3,000.00. On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the release of the Letter of Credit for the Leon Oberholtzer Project.

CONSIDER REQUEST FOR EXTENSION OF TIME EISEMANN/RETTEW & MUMMA LOT ADD-ON PLAN: A request has been made for a 30 day time extension. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the 30 day extension.

CONSIDER RESOLUTION 04-16-14-01 APPROVING INSTALLATION OF ADAPTIVE TRAFFIC SIGNALS: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved resolution 04-16-14-01 for the installation of Adaptive Traffic Signals.

CONSIDER EXECUTION OF COOPERATIVE MEMORANDUM OF AGREEMENT FOR ADAPTIVE SIGNAL SYSTEM: This agreement is between Manheim Township and Warwick Township. The Manheim Township Board of Commissioners approved the agreement on April 14th. The Township Manager stated that the two municipalities will have to work together since this is now a closed system. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the Cooperative Memorandum of Agreement for Adaptive Signal System.

CONSIDER ORDINANCE #262 AMENDING IN ENTIRETY THE WARWICK TOWNSHIP STORM WATER MANAGEMENT ORDINANCE: The Township Manager stated that this is the final draft; he noted that Warwick Township completed the technical upgrades in 2007. The small projects permit is a separate issue, and would not require an Ordinance amendment if an adjustment is needed in the future. The Township Manager explained a resolution with a different fee schedule is proposed which will accommodate this new ordinance. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved Ordinance 262 Amending in entirety the Warwick Township Stormwater Management Ordinance.

CONSIDER RESOLUTION 04-16-14-02 ESTABLISHING FEE SCHEDULE FOR SUBMITTAL OF SUBDIVISION AND LAND

DEVELOPMENT PROJECTS AND STORM WATER FEE SCHEDULE: On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved Resolution 04-16-14-02 establishing a fee schedule for submittal of subdivision and land development projects and storm water fee schedule.

CONSIDER THE BIDS SUBMITTED FOR ROAD MATERIALS, CONCRETE AND PAVING MATERIALS: The Roadmaster stated that the bid numbers are comparable with previous budgets. The low bidders are Rohrer's Quarry, Highway Materials, and Martin Paving. The Roadmaster explained that 13 municipalities participated in the joint bidding. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the bids for road materials, concrete and paving materials as submitted.

CONSIDER REQUEST FOR THE 2014 PEDAL TO PRESERVE BY LANCASTER FARMLAND TRUST: The Township Manager is making the request for use of the pavilion as a water stop for the Lancaster Farmland Trust as they usually make this request themselves. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the request for the 2014 Pedal to Preserve by Lancaster Farmland Trust.

CONSIDER PROPOSAL FOR INSPECTION OF BRIDGE OVER COCALICO CREEK - WILSON CONSULTING (SPLIT COST BETWEEN WARWICK TWP/EPHRATA TWP.): The Township Manager is anticipating only doing deck replacement, and putting up a preventative fence. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the proposal for inspection of the bridge over the Cocalico Creek by Wilson Consulting (split cost between Warwick Twp/Ephrata Twp).

CONSIDER THE MAKE A WISH REQUEST FOR CONVOY ON MAY 11, 2014: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the Make A Wish request for Convoy on May 11, 2014.

REQUEST BY EVANGELICAL FREE CHURCH FOR USE OF FIRE POLICE FOR EASTER SUNDAY: On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the request by Evangelical Free Church for use of Fire Police for Easter Sunday.

OTHER BUSINESS TO COME BEFORE THE BOARD: A Board Member expressed appreciation of the employees of the Township for their quick response to concerns.

The Township Manager explained that the police commission discussed the potential to extend the Charter. The Charter expires in 2016 and the commission members indicated that they would like to extend this for another five years, until 2021. The Board is agreeable to the proposal.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager