

WARWICK TOWNSHIP BOARD OF SUPERVISORS

September 17, 2014

Michael Vigunas convened the September 17, 2014 meeting of the Board of Supervisors at 7:00 P.M. Present were supervisors Michael Vigunas, Herbert Flosdorf, Anthony Chivinski, C. David Kramer, Daniel L. Zimmerman Township Manager, Dean Saylor Road Master, Thomas Zorbaugh Zoning Officer, Phillip Klinger of 205 Washington Ave., Ephrata, and Gary Klinger representing the press. Absent was Logan W. Myers.

APPROVAL OF MINUTES: On a motion by Kramer, seconded by Chivinski the Board unanimously approved the minutes from the August 20, 2014 meeting.

TREASURER'S REPORT: A Board Member inquired what the Interfund Operating Transfers account was for. It was explained by the Township Manager that this is for the stormwater management maintenance fund. He stated that a \$150,000.00 transfer is allocated out of the budget to this fund. The Township Manager noted he sees a strong fourth quarter for the Township. On a motion by Chivinski, seconded by Kramer the Board unanimously approved the Treasurer's report.

PAYMENT OF BILLS: On a motion by Chivinski, seconded by Flosdorf the Board unanimously approved the payment of the bills.

MANAGER'S REPORT: The Township Manager stated due to the fact that he was on vacation last week he didn't have a report to provide for tonight's meeting. However, he did want to update the Board on a response from an inquiry the Board had on rental properties. He brought to the Board's attention the six page letter from Josele Cleary, the Township's solicitor, which included the information requested of the Board. She did bring up some issues that the Board did not discuss such as a county tax. The Township Manager related that any rental of rooms is subject to the County tax hotel tax which has a broad definition. A Board Member commented that maybe it would be possible to emulate how another municipality addresses this issue since Pennsylvania does not have any criteria regarding this. An attendee at the meeting inquired what the current state was with the renter in question as to if he is in violation. The Zoning Officer explained the resident is not leasing his house until the Board comes to a decision.

TAX COLLECTOR'S REPORT: On a motion by Chivinski, seconded by Flosdorf the Board unanimously approved the Tax Collector's report.

PUBLIC WORKS REPORT: Dean Saylor, the Road Master, provided an update on W. Millport Road. He explained this has been a long project as there is a lot of work being done. He stated the gas main is currently being extended to Traditions of America and may possibly go to Rohrer's Quarry. The traffic is at this point just being shifted not going to a single lane. Saylor also noted that a cable line is going to be extended from Highlands to Traditions of America. This should be done as soon as the gas company has finished with their work. Saylor noted the final overlay of Traditions of America's portion and the Township's portion is scheduled for 2015.

Saylor explained there was a lot of road cracking and deterioration from this past winter and he is pleased with all the maintenance work including patching, spot sealing and spot paving that has been done thus far. Saylor stated as soon as this work is completed they will move right into fall crack sealing.

One more item Saylor wanted to address was St. Paul's Christian Early Learning Center is having a Touch A Truck Event. This is an event they have had for a number of years. It is a food drive that involves different contractors bringing equipment and children come with their parents. The Township participated last year and took a front end loader and this year will take a dump truck as long as the Board approves this. This event will be held on October 18, 2014.

A Board Member inquired as to the price of salt for this year. Saylor stated the price increased by \$10.00 a ton.

ZONING OFFICER'S REPORT: The Zoning Officer stated that regarding the building permits for Traditions of America, he received a question from the County. The County pulls semi-detached one at a time and it throws the numbers off.

Zorbaugh stated regarding the notice of concerns, for any properties with the response listed as "in process" these property owners have been contacted and are being worked through. These either had situations that he was willing to work with or they are in his hands to get back to them. A Board Member noted that there seems to be more notice of concerns than usual. Zorbaugh explained there are some with ongoing issues for years that people have finally decided to resolve. Zorbaugh stated himself and the Township Manager will be talking with the solicitor regarding some issues that were not addressed for many years and in the interim there are now complaints and action needs to be taken.

Zorbaugh stated that Traditions of America has an open house this weekend September 20, 2014. He indicated at this time he is issuing certificates of compliance that the houses are safe to occupy for filling but not to occupy for living.

CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR ROCK LITITZ: On a motion by Chivinski, seconded by Flosdorf the Board unanimously approved the partial release of the letter of credit for Rock Lititz.

CONSIDER RELEASE OF LETTER OF CREDIT FOR JOHN KING – WOODCREST AVENUE & 6TH STREET: On a motion by Chivinski, seconded by Flosdorf the Board unanimously approved to release the letter of credit for John King – Woodcrest Avenue & 6th Street.

CONSIDER RELEASE OF LETTER OF CREDIT FOR EMANUEL BEILER – 30 BEILER LANE: On a motion by Flosdorf, seconded by Chivinski the Board unanimously approved to release the letter of credit for Emanuel Beiler – 30 Beiler Lane.

CONSIDER RELEASE OF LETTER OF CREDIT FOR DOUGLAS SNAVELY – 285 SNAVELY MILL ROAD: On a motion by Flosdorf, seconded by Chivinski the Board unanimously approved to release the letter of credit for Douglas Snavely – 285 Snavely Mill Road.

CONSIDER RELEASE OF LETTER OF CREDIT FOR NEVIN MARTIN- 102 CHESTNUT STREET: On a motion by Flosdorf, seconded by Chivinski the Board unanimously approved to release the letter of credit for Nevin Martin – 102 Chestnut Street.

CONSIDER THE 2015 MMO FOR NON-UNIFORM PENSION: The Township Manager stated this does not require any action; the minutes just have to reflect that the Board has been advised of what the potential of the pension obligation for non-uniform is for the year 2015. A Board Member inquired what the Township's budget was for this this year. The Township Manager stated approximately \$48,000.00 is state covered so the Township would be responsible for approximately \$10,000.00.

CONSIDER THE ORDINANCE REVISING REGULATIONS RELATING TO FALSE ALARMS: This basically just changes the amount of the fine. A Board Member inquired as to where the monies of the fines go. The Township Manager stated the money goes to the municipality where the false alarm occurred. A Board Member addressed the wording in the ordinance "first offense shall be not less than \$50.00 and not more than \$600.00." He questioned who determines the amount of the fine. The Township Manager stated a police officer determines the amount and for a first offense the fine is \$50.00, a second offense is \$100.00 etc. The Board Member then inquired why the amount is determined by the police officer and not a judge or the Board of Supervisors. A Board Member proposed it be stated in the ordinance the fine can be more than the minimum as approved by the municipality. On a motion by Flosdorf, seconded by Chivinski the Board unanimously approved Ordinance #264 with the modification of anything over the minimum of \$50.00 would be with the approval of the municipality.

DISCUSSION ON 2015 BUDGET PROCESS: The Township Manager stated unless the Supervisors are looking for a different format there would still be a pre-budget meeting at the second meeting in November. A Board Member noted that in the past the Board had done a road trip and stopped at different areas in the Township where activity was going on that had been discussed at previous meetings. Afterwards the Board could then discuss the budget and he thought this was helpful.

A Board Member inquired of the Township Manager if there was any substantial change in the 2015 budget versus the 2014 budget. The Township Manager stated there will be a discussion about possibly some additional labor coverage in the Public Works Department.

ACKNOWLEDGE AGRICULTURAL SECURITY AREA PETITION FROM THE NANCY GRUBE FARM: The Township Manager stated this farm is located on E. Woods Drive. The owner is petitioning it to be preserved. The farm needs to be in the agricultural security area which is a prerequisite requirement. The Township Manager stated if the Board acts on this the Township would send out letters to some other farms and inquire if they are interested in also joining. There were a number of farmers who asked about preservation. If they are interested they would get their farm listed on the petition. A Board Member inquired about the land Ms. Grube owns across the street from this farm. The Township Manager stated this land will either be given or sold to the Township by the family. A Board Member inquired if the land is given to the Township will there conditions to it. The Township Manager replied negotiations have not gotten that far.

A Board Member inquired if there has been any thought to the long term future for campus industrial as far as where the Township is going next. He noted at one time there was discussion regarding land adjacent to the airport that it might be appropriate for this type of use. The Township Manager stated it depends on the objective. As far as a buffer from the airport industrial zone to that established residential zone then agriculture is appropriate. The Township Manager stated the Buckwalter Farm could be a candidate for expansion into the campus industrial zone.

The Township Manager stated there are two themes going on in the Township. In the south end there is a medical setting and on the north end there is more of a campus industrial type setting. A Board Member stated what has been good for the Township has been the campus industrial development. Based on this observation he questioned if keeping the block of land by the airport zoned as agriculture for a long period of time is good long term planning. Another Board Member stated that he feels this land is too much to the east and the topography is not conducive to someone building that type of operation. The concern is if this land is zoned agriculture for the next 100 years there would be no place for industrial growth in the future. The Township Manager stated he will get the Board a current inventory of the zoning. On a motion by Flosdorf, seconded by Chivinski the Board unanimously voted to table the acknowledgement of the agricultural security area petition from the Nancy Grube Farm until another meeting.

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OTHER BUSINESS TO COME BEFORE THE BOARD: The Township Manager shared with the Board a letter from the Lititz Public Library thanking the Public Works Department for the sealing of their parking lot.

The Township Manager provided an update on the Speedwell Forge dam.

A Board Member inquired about the trails that have been incorporated into our trail system notably the trail by the Heart of Lancaster Hospital. He stated there is a part of the trail on the Heart of Lancaster's campus that the asphalt is starting to break up. The Township Manager stated that in the Hospital's access agreement it is stated they are required to maintain this trail. The Township Manager stated he would call the Hospital and let them know the trail needs some maintenance work done and give some maintenance tips.

The Zoning officer informed the Board the workers at the Ziegler Barn were able to save the brick walls. All the bricks were sandblasted. The barn is gutted with two walls standing. Opening is scheduled for early Spring 2015.

Next Meeting: Wednesday, October 1, 2014.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Daniel L. Zimmerman,
Township Manager