

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held February 27, 2024
Council Chambers, 7 South Broad Street, Lititz, PA & Zoom

The February 27, 2024, Lititz Borough Council meeting was conducted as a hybrid meeting, in-person in Council Chambers and virtually utilizing Zoom. The meeting was called to order at 7:00 P.M. by President Lee with Councilmembers Carpenter, Mobley and Sensenich present. Councilmembers Meck and Gattis participated via Zoom. Others present were Mayor Snyder, Chief Kerry Nye, Detective Sergeant Stephen Detz, Sergeant Jared Hahn, Detective Peter Savage, Officer Jevon Miller, Officer Megan Blank, Officer John Stritch, Officer Tyler Weinoldt, Officer Sam Habbershon, Detective Deputy Fire Commissioner Mike Smith, Andy Garner, Elijah Yearick, Rob McFadden, Nathan Laucks, Zachary Pennepacker, Rich Motz, David Carson, Jim & Peggy Smith, Bev Hasler, Brad Bergman, Ron Roda, Chris Strayer, Andy Greiner, Todd Dickinson, Robyn Talley, Jason Burkholder, James Barr, Violet Weitzel, and the Reverend Tim King. Attending via Zoom were Karen Weibel, William DiClemente, Steve Stritch, Kim Barabas, Barb Mobley, Rachel Haverstick, Justin, Duane, Stephen, Kayla, and one unnamed attendee. Other officers and their family members attended the Award Presentation and left afterwards. The meeting opened with an invocation and hymn by Rev. King of St. Paul's Lutheran Church in Rothsville and the pledge of allegiance led by Mayor Snyder. The minutes of the January 30, 2024 Borough Council meeting minutes were approved on a motion by Mobley, seconded by Sensenich. President Lee then shared that Council had held two executive sessions on February 8th and 21st to discuss personnel matters.

PRESENTATIONS
Lititz PD Award Presentation

Chief Nye began by stating that while the actions of the Borough's officers are not motivated by recognition or reward, the Department's Command Team felt it appropriate to recognize length of service milestones and offer awards for notable service.

Chief Nye then recognized the following officers for their lengths of service:

- Officer Sam Habbershon – Five years
- Detective Sergeant Steve Detz – 20 years
- Detective Peter Savage – 20 years
- Sergeant Jared Hahn – 20 years
- Officer Jevon Miller – 20 years

Chief Nye then presented four service awards.

The first award was an Award of Merit presented to Officer Jevon Miller and Officer Sam Habbershon for their response to a residential structure fire on February 3, 2023. Upon verifying that all residents were safely out of the home, the officers were able to keep the fire in check by closing the front door until the Fire Company arrived. The Fire Company credited the officers' actions for minimizing damage to the home. Chief Nye cited both officers' membership and training with the Lititz Fire Company as being a benefit in their roles as officers.

The second award was an Award of Merit presented to Detective Sergeant Steve Detz who was dispatched to a vehicle crash on March 13, 2023. Chief Nye described that one of the vehicles in the crash had overturned, with the driver entrapped and suspended within. Detz entered the overturned vehicle and was able to safely extricate the driver from the vehicle. Chief Nye then read a statement from the driver commending Detz's actions.

The third award was a Life-Saving Award presented to Officer John Stritch and Officer Megan Blank who responded to a mental health crisis on July 22, 2023. Chief Nye described that upon arrival at the property, the officers encountered a man with a knife to his throat. They utilized de-escalation techniques until they were able to incapacitate the man and get him treatment for his mental health issue.

The fourth award was a Life-Saving Award presented to Officer Tyler Weinoldt for his response to a report of a woman experiencing trouble breathing on September 22, 2023. Chief Nye describe that shortly after arriving, the woman entered cardiac arrest and Officer Weinholt immediately administered life-saving measures. EMS were then able to respond and transport the woman to the hospital.

Chief Nye closed by stating that the officers recognized embody the mission and core values of the Department to safeguard the lives of the people they serve, but that it is also important to recognize the day-to-day efforts officers perform each day for the Lititz community.

Lee thanked the Lititz Police Department and expressed his gratitude for their service. He stated that he hoped to see all the officers be recognized for twenty-year service awards in the future, that the Department is another reason Lititz is special and unique. He thanked the officers' spouses and family members for supporting their service.

Runabout Line Presentation

Lee introduced the presentation, noting that the construction of the runabout line is part of the Borough's long-term efforts to extend the rail trail to Downtown. Yearick provided an overview of the project, describing the runabout line as a parallel track adjacent to Norfolk Southern's current line that would allow trains to switch further to the west of Broad Street. Currently, trains accessing the Kenvue site are required to enter North Broad Street to access the facility. Yearick stated that Norfolk Southern had indicated a willingness to negotiate for their right-of-way (ROW) east of Broad under the condition that the runabout line be constructed, permitting the Broad Street crossing to be abandoned.

Yearick then reported that it has been determined that approximately 0.6 Acres of land would be required to facilitate the construction coming from Lititz Springs Park, the RecCenter site, and the Middle School property. He stated that discussions with the Moravian Church, Park Board, and School District have been occurring for approximately a year. In order to acquire the required ROW, the Church and Park Board are requesting .536 Acres of the Borough's RecCenter property be swapped for the 0.255 acres needed for the runabout line as well as 0.281 acres of the RecCenter's parking lots that are a leased encroachment on the Park. Yearick then described other requested commitments which included the extension of Borough's planned stormwater facility onto the swapped land and existing park property, a small rain garden adjacent to Park Drive, the assistance of Borough staff in future grant applications to mitigate flooding in Lititz Springs Park, and the agreement to work with the Church and Park Board if the Borough acquires any ROW west of Broad Street.

Yearick concluded by reviewing overall project costs and funding, noting that the \$2.7 Million runabout line project is supported by a \$1.5 Million state grant, while the stormwater facility is estimated at ~\$200,000 with Borough staff currently investigating grants.

Gattis thanked Yearick for the presentation, and Lee stated that the runabout line is only the first step in extending the rail trail into downtown. Yearick then discussed the process by which the Borough would acquire the Norfolk Southern ROW. Lee requested questions from the audience. Rev. King asked what the timing

would be for the trail extension to which Yearick responded that ideally it would take around five years, but could take longer.

RESOLUTIONS

Res. 984 – Runabout Line Land Swap

Lee then presented that Resolution 984 and Agreement 563 are both needed to facilitate the land swap between the Borough and the Moravian Church/Lititz Springs Park. Mobley moved, Sensenich seconded to approve Resolution 984. Motion passed unanimously.

AGREEMENTS

Agree. 563 – Runabout Line Land Swap

Mobley then moved, Sensenich seconded to approve the Agreement 563 which Yearick had discussed during his presentation. Motion passed unanimously.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

Inframark Report

Mobley welcomed Laucks and asked him to share his report. Laucks began by sharing that initial sampling for forever chemicals indicated that for both targeted pollutants, the sampled wells were below the legal limits. Laucks noted that chemical and utility costs were increasing due to cold weather, and reported that while January expenses were under budget, year-end operation costs were over budget by \$36,926.85. Laucks reviewed monthly maintenance items, and discussed price quotes for a replacement to well pump #3 and light units at the water plants. Both quotes were within budgeted amounts. Mobley moved, Sensenich seconded to accept Inframark's report. Motion passed unanimously.

Sub-Committee Report

Mobley recognized that Inframark had won the Area-Wide Optimization Award (AWOP) for their filtration work at the water treatment plant for the seventh year in a row. Laucks added that the current effluent rating is 100 times lower than the legal limit, and that optimization of the plant is economical. Mobley thanked Laucks and Inframark for their work.

Mobley then shared that work on the Lincoln Ave. culvert had been completed and work would progress to the Cedar St. culvert once paving on Lincoln can be completed. An issue with a water service passing through another home was also discussed.

Gattis then reported on that staff was preparing a grant request for the regional stormwater bank for approximately \$210,000.

SUB-COMMITTEE ON STREETS AND TRAFFIC
2024 Paving Bid Award

Carpenter reviewed that the Borough had received nine bids for the 2024 paving project ranging from a high of \$1,028,328.09 to a low of \$721,530.00. Carpenter then moved to accept DMA's recommendation to award the paving contract to Schlouch Inc in the amount of \$721,530.00. Sensenich seconded the motion and it passed unanimously.

Leaman Street Parking Restrictions

Carpenter reported that a field meeting to discuss WESC's Leaman Street parking restriction request would be scheduled for late-March or early-April. Once a date has been set the neighbors would be notified.

Special Event – Memorial Day Parade

Carpenter reviewed the American Legion's Memorial Day Parade Application. She then asked the Chief to explain the Borough's event staff procedures for road closures. The Chief responded that the Borough pays event staff to oversee each intersection closure and the event organizer is billed the full amount of their cost. Carpenter then moved, Sensenich seconded to approve the American Legion's Memorial Day Parade on May 27, 2024. Motion passed unanimously.

Activity Permit – Lititz Pride Fest

Carpenter reviewed Lititz Chooses Love's application for the Lititz Pride Fest in Lititz Springs Park. Carpenter asked the Chief if the event would be providing its own security, which the Chief confirmed. Carpenter then moved, Sensenich seconded to accept the Activity Permit for the Lititz Pride Fest on June 29, 2024. Motion passed unanimously.

Activity Permit – Sunday in the Park

Upon presentation Carpenter moved, Sensenich seconded to accept Lancaster Evangelical Free Church's Activity Permit for Sunday in the Park on June 2, 2024. Motion passed unanimously.

Activity Permit – Camporee in the Park

Upon presentation Carpenter moved, Sensenich seconded to accept Lititz/Warwick Boy Scouts and Girl Scout's Activity Permit for 2024 Camporee in the Park from April 5 to April 7, 2024. Motion passed unanimously.

Handicap Parking Request

Upon presentation Carpenter moved, Mobley seconded to approve a handicap parking space on the 600 block of S. Cedar St. Motion passed unanimously.

Sub-Committee Report

Carpenter discussed a recent story in the Lititz Record featuring the Laurel Avenue Lights and their \$3,097 donation to the Lititz Fire Company. She continued to note that over the 11 years of the event \$22,000 had been donated to the Fire Company.

SUB-COMMITTEE ON FINANCES

Financial Statement/Bills

Mobley reviewed the monthly financial statement noting that expenses were exceeding revenues which is typical until real estate tax collection begins. He then reported that one place where revenues were exceeding budget was street opening permits due to several unforeseen UGI projects. Mobley then moved, Sensenich seconded to approve the February financial report and to pay the bills. Motion passed unanimously.

Sub-Committee Report

Mobley reported that the Sub-Committee and Borough Staff are working on a capital policy and has been working with department heads to develop a scorecard rating facilities, vehicles, and other capital assets to better plan for their replacement and budget accordingly. Mobley shared that the Sub-Committee is planning on sharing the scorecard with the rest of Council each February. Mobley then reported that the Sub-Committee had met with Ephrata National bank to review the Borough's sweep accounts and the potential to invest park funds in a CD. Finally, the Sub-Committee is planning a meeting with staff and the pension administrators to review the funds.

SUB-COMMITTEE ON PERSONNEL

Citizen Appointment to Warwick Emergency Services Commission

Meck shared that he would be nominating former Borough Councilman Andy Greiner to serve as the citizen representative to the Warwick Emergency Services Commission, noting his lengthy involvement as the Council representative. Meck said that Greiner's appointment would bring a great deal of institutional knowledge to WESC and moved to make the appointment. Sensenich seconded, and the motion passed unanimously.

Sub-Committee Report

Meck reported that Council will look at the appointments of the various committees, commissions, and boards with the ultimate goal to involve more citizens through these appointments. He stated that more information about this evaluation will be available in the future.

SUB-COMMITTEE ON PLANNING

Sub-Committee Report

Sensenich reported that the Planning Commission had received a request from downtown merchants to allow A-frame signs which are currently prohibited under the Zoning Ordinance. Sensenich shared that Council had recently received a letter from a resident opposed to allowing A-Frame signs and read a portion of the letter. In summary, the author shared that she had limited mobility and felt that the downtown sidewalks are already difficult to navigate with tree wells, light poles, and parking meters. Sandwich board signs would further

increase this difficulty and could lead to injury. The author stated she already felt her wheelchair inconvenienced people and would feel less welcome if A-frame signs were allowed downtown.

SUB-COMMITTEE ON BUILDING & GROUNDS
Advertise for Borough Hall HVAC Bids

Mobley reported that one of the HVAC units at Borough Hall is failing and has been budgeted at \$140,000 for replacement. Mobley then moved, Sensenich seconded to put the replacement out to bid. Motion passed unanimously.

REPORT OF THE ENGINEER

Carpenter asked for more information on the Borough's 2024 Green Light Go grant. Yearick responded that the grant is a state-run program targeting municipal-owned signals on state roads. He provided a brief overview of the 2024 project noting that it will be focusing on improvements at the Sixth & S. Broad and Second & S. Broad intersections. Council then reviewed previous grant funded projects with Yearick.

REPORT OF THE MAYOR AND CHIEF OF POLICE

Sensenich asked Chief Nye to discuss his feelings on the recent Fire & Ice event. Chief Nye responded that he likes the 10-day format of the event, that there were very few issues, and that they proactively alleviated traffic impacts experienced in previous years through the closure of the crosswalk across N. Broad St. at North Lane. Chief Nye continued to note that he had spoken with several merchants that shared the past two weekends were some of their best. He concluded by recommending Venture Lititz and the Borough continue with the 10-day format.

REPORT BY MANAGING DIRECTORS

McFadden shared that that the annual sewer report would be filed with PA DEP by the end of March, that the fieldwork for the 2023 audit has been completed and there were no major concerns. The DCED audit report would be submitted by the end of March, which the auditor would provide the audited statements and the joint sewer report in April or May. McFadden concluded by noting that the state had also conducted an audit of 2022 Liquid Fuels funding with no major problems but the exit interview has yet to be scheduled.

Yearick reported that beyond work on the runabout line project, he was working on the A-Frame sign draft, that the Historic Area Advisory Committee had hosted a training by the Pennsylvania Historical and Museum Commission, and that a new electronic zoning map had been posted to the website.

PETITIONS, CORRESPONDENCE, AND QUESTIONS
Public Comment

Rich Motz, 659 Laurel Ave., thanked Sensenich for her acknowledgement of his Christmas light show and said he appreciated the community and neighbor support. He mentioned he would host a scaled back show this year and would also be accepting donations for the Fire Company.

Todd Dickinson, 126 S. Spruce St., expressed his concerns with the Borough's wards noting that votes cast in the Third Ward were more than double the votes cast in the other two wards. Dickinson then read from the Borough Code regarding wards, noting that they should be compact, contiguous, and nearly equal in population as determined by the most recent census. Council and Dickinson discussed developments including Butterfly Acres and Warwick Woodlands and how wards had been set in the past. Lee committed to look into the issue.

Andy Greiner, 675 Laurel Ave., offered that Warwick Woodlands had not been entirely occupied when the 2020 Census occurred and that the Third Ward had approximately 1,000 votes when he was elected. Lee agreed noting that all of Warwick Woodlands would be in the Third Ward.

Gattis then asked if Dickinson was requesting additional wards or simply reapportionment. Dickinson replied that he was merely raising the issue. Lee requested Yearick look into the issue and present on it at a future Council meeting.

David Carson, 220 E. Sixth, asked whether the capital scorecard could be made available to the public and why the Borough required activity permits for events in Lititz Springs Park when it is a private entity. Mobley responded that he would be happy to share the scorecard when it was finalized and suggested it should be ready by the second quarter. Chief Nye then spoke to Carson's question about permits noting that the Borough considers two permits, special event and activity permits. The primary difference between the two is that special event permits require a public road closure. Regarding activity permits, Chief Nye stated that in the past the Park had hosted events with thousands of attendees and these permits serve to formally inform all parties that the event would be occurring. Nye also confirmed that the Borough requests an insurance waiver for each permit. Motz returned to the microphone and identified himself as the President of the Lititz Springs Park Board. He noted that while some Park events had grown large, and it was privately owned, it was still a public park. As such, the Park is glad to participate in the Borough's permitting. Dickinson then returned to the front and asked whether the permits allowed the police to respond if an approved event grew dramatically beyond its approved scope. Lee agreed, and offered that the permits also allow potential issues to be detected before they present an issue.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 P.M. on a motion by Sensenich with a second by Gattis.

Respectfully submitted,

Elijah Yearick
Secretary