

LITITZ BOROUGH COUNCIL  
Minutes of Meeting Held July 30, 2019  
7 S. Broad Street, Lititz, PA

The regular meeting of the Lititz Borough Council was called to order at 7:00 P.M. on July 30, 2019, by President Weaver with Council members Bear, Greiner, Hain, and Lee present. Sensenich was excused. Others in attendance were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Andy Garner, Jordan Garner, Todd Kauffman, Cory Rathman, Nathan Laucks, Kendrick Mobley, Mike & Cindy Brubaker, Deana & David Good, Mae Wolfe, Brenda Dooley, Ben Hartranft, Ron Roda, and Laura Knowels of the Lititz Record Express. Grateful for being able to serve, John Bear presented his resignation from Council due to his move from the Borough and Council accepted it. Bear left at this time. The meeting opened with a moment of silence followed by the pledge of allegiance led by the Mayor. On a motion by Greiner, with a second by Hain, the minutes of the June 25, 2019, Council meeting were unanimously approved. The President recognized donations in lieu of taxes from Word of Life Mennonite Church and the Tiger's Eye.

CONDITIONAL USE HEARING:  
Demolition of a Historic Accessory Structure at 40 S. Broad Street

The President recessed the regular meeting and called a Conditional Use Hearing for the demolition of a historic accessory structure to the rear of 40 S. Broad Street. Weaver presented the protocol for the Conditional Use Hearing. Mike and Cindy Brubaker have submitted an application for a Conditional Use Hearing for a demolition permit for an existing historic accessory structure at 40 S. Broad Street to be replaced with a proposed garage on the site, in accordance with Section 322 of the Borough's Zoning Ordinance. Administrative matters were taken care of: 1) Swore in Elijah Yearick as Director of Planning and Community Development; 2) Proof of Publication; 3) The property was posted and it was posted at Borough Hall; a notice was emailed to the property owners. Council took administrative notice. Weaver asked if there was anyone in the room who wanted party status, having a unique interest. No one requested party status.

Mike Brubaker was sworn in and submitted testimony. The Brubaker's are requesting a demolition permit for an existing historic accessory structure to the rear of 40 S. Broad Street on the edge of Pine Lane and rebuilding a garage, having an eight foot (8') setback to adjacent properties. According to submissions from Joe Duff of Duff Builders and Tom Zug of Zug & Associates, the structural integrity of the building is poor and to save it would require extensive reworking, engineering and cost. Greiner asked Mike Brubaker if he contributed to the deterioration of the structure and he did not. The Planning Commission and Yearick agreed that it meets the demolition criteria in Section 322.E. Hearing no further questions, Weaver closed testimony.

Greiner moved, Lee seconded to grant Mike & Cindy Brubaker their conditional use request for a demolition permit for one existing historic accessory structure to the rear of 40 S. Broad Street to rebuild a code compliant garage, as per testimony provided and in accordance with Section 322 of the Borough's Zoning Ordinance. Motion passed unanimously. Weaver concluded the hearing and resumed the regular Council meeting.

PETITIONS, CORRESPONDENCE AND QUESTIONS:  
Speeding on S. Oak Street

David Good, 126 S. Oak Street, requested additional safety measures regarding speed and traffic on S. Oak Street, recognizing that there has been Speed Sentry signs installed and more of a police presence recently. Weaver stated that whatever is done must comply with PennDOT criteria. Good and his neighbors were encouraged to contact their legislators to pass a bill that will allow for local use of radar. Motorists tend to fly over speed bumps or slow down just to speed right up again. Chief Nye noted the few number of accidents on S. Oak in the last three years. He did, however, recommend painting a yellow line from Plum Street to Kissel Hill Road and possibly a crosswalk at Plum Street. Council agreed with painting a yellow line down S. Oak Street. Ben Hartranft, 122 S. Oak Street, thanked Council for agreeing to have a line painted and gave his own account of speeding on the road. He asked Council not to lose sight of installing crosswalks, also. Ron Roda, E. Sixth Street, witnessed what could have been an accident involving toddlers and does not understand criteria vs. a life. The line will be painted on S. Oak Street when Landis Valley Road is painted this summer.

**REPORT OF THE BOROUGH MANAGER:**  
**Monthly Meeting Date Reminders**

The Borough Manager reminded Council of the following meeting dates, per submitted report & update:

**Regular Monthly Meetings:**

- August 6, 2019 - Tuesday - Planning Commission Meeting - 7:00 P.M.
- \*\*\*\* August 13, 2019 – Tuesday – Council Meeting – If called by the President
- August 19, 2019 – Monday – Zoning Hearing Board Meeting – 7:00 P.M.
- \*\*\*\* August 27, 2019 – Tuesday – Council Meeting - 7:00 P.M.

**Other Meetings, etc.:**

- July 29, 2019 – Monday – Comcast/Cable Services – Conference Room – 9:00 A.M.
- July 29, 2019 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- July 30, 2019 – Tuesday – Norfolk Southern/Oak Tree – Conference Room– 9:00 AM
- \*\*\*\* July 30, 2019 – Tuesday – Council Meeting – Council Chambers - 7:00 P.M.
- July 31, 2019 – Wednesday – LCBA – Funk's Brewing – E-town – 6:00 P.M.
- August 1, 2019 – Thursday – Safety Committee – Conference Room - 2:00 P.M.
- August 5, 2019 – Monday – Lititz Public Library Board - Library 7:00 P.M.
- August 13, 2019 – Tuesday - MS4 Committee - Conference Room – 3:30 P.M.
- August 15, 2019 – Thursday – Regional Built & Natural Infrastructure – E-Twp– 7:30 AM
- August 16, 2019 – Friday – Pool DCNR Conference Call – Lititz recCenter – 10:00 A.M.
- August 19, 2019 – Monday - Parks Committee – Conference Room – 4:00 P.M.
- August 19, 2019 – Monday - HAAC – Conference Room - 6:00 P.M.
- August 20, 2019 – Tuesday – Warwick School Board – District Office – 7:00 P.M.
- August 26, 2019 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- August 28, 2019 – Wednesday – WERT Committee – Warwick Township – 7:30 A.M.
- \*\*\*\* All Council members should plan to be at these meetings

**REPORT OF THE BOROUGH ENGINEER:**

All improvements to the North Lane Project have been installed except for the signage. A construction cost opinion will be prepared for the Main Street and Water Street stormwater pipe and curb replacement.

**REPORT OF THE PUBLIC WORKS FOREMAN & FACILITIES MANAGER:**

The Main Street sewer lines were televised and being reviewed by Entech. The stormwater pipes should be televised, too. Hain reported that the Juniper Lane inlet at Sturgis Lane is deteriorating. PPL street light outages that have been called in but not repaired for months will be followed up. Hain suggested that PPL give the Borough the lights and DPW replace them. The kick-off meeting for updating the Lititz-Warwick Joint Act 537 Plan is scheduled for July 31, 2019.

**Application for Payment No. 2 Handicapped Ramps & Curb Construction**

Upon presentation, Hain moved, Greiner seconded to approve Application for Payment No. 2 from Heim Construction Co. for handicapped ramps and curb construction associated with the W. Orange Street, W. Second Avenue and Woodcrest Avenue Project @ \$83,451.47. Motion passed unanimously.

**REPORT OF THE MAYOR & CHIEF OF POLICE:**

The Lititz PD cited nine folks for using illegal fireworks on the Fourth of July. Upon recommendation by Chief Nye, Greiner moved, Lee seconded to appoint Police Officer Claud Neer as a permanent officer in the Police Department following his one year probation, effective August 6, 2019. Motion passed unanimously.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Weekly meetings are taking place with Comcast contractors on remediation plans for homeowners and an extension was granted for damages, per the agreement. Spotted Lanternflies have been located at four places in the Borough and the LCCD is reimbursing the Borough for mitigation.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

Laucks referred to the Inframark Monthly Report. SRBC Compliance Specialists performed the routine site inspection for Well #7. Two salt brine solution tanks are being inspected and cleaned as they may have been contaminated with a cement powdery substance by the salt hauling company.

Arrowhead Drive Meter Pit Replacement Project

Upon presentation and after discussion, Greiner moved, Hain seconded to approve an Entech Proposal for engineering services associated with the Arrowhead Drive Meter Pit Replacement Project @ ~ \$18,000. Motion passed unanimously.

SUB-COMMITTEE ON STREETS AND TRAFFIC:

Lititz Outdoor Fine Art Show Special Event Permit Application

Upon presentation, Lee moved, Greiner seconded to approve an Activity Permit Application from the Village Art Assn. for the Annual Lititz Outdoor Fine Art Show in the Lititz Springs Park on July 27, 2019, 7:00 A.M. – 7:00 P.M. The show runs from 9:00 A.M. – 5:00 P.M., with no road closures needed. Motion passed unanimously.

SUB-COMMITTEE ON PLANNING:

Warwick Street Storage Preliminary/Final Land Development Plan Time Extension

Upon presentation, Lee moved, Greiner seconded to approve an extension in time until October 30, 2019, for the Warwick Street Storage Preliminary/Final Land Development Plan Project No. 2016E03-001, dated May 13, 2019, revised July 12, 2019, for the construction of three 2-story mini storage buildings and a single-story vehicle storage building on a 3.81 acre site at 150 Warwick Street, zoned Industrial. Motion passed unanimously.

SUB-COMMITTEE ON ZONING:

Request for Zoning Permit Fee Waiver for Lititz Fire Co. No. 1

Upon presentation, Hain moved, Lee seconded to approve a waiver of the zoning permit fee @ \$130.00, for the Lititz Fire Co. paving the private alley behind the station from Pine Lane to S. Spruce Street. Motion passed unanimously.

Reappointment & Appointment to Warwick Area Appeals Board

Upon presentation, Hain moved, Lee seconded to reappoint Mike Enck to serve as the Borough's representative and Gary Cassady to serve as the Borough's alternate representative on the Warwick Area Appeals Board which was formed in 2004 with Warwick Township and Elizabeth Township to hear appeals and render determinations under the Uniform Construction Code. Motion passed unanimously.

SUB-COMMITTEE ON FLOOD CONTROL COMMITTEE/STORMWATER:

Stormwater Utility Fee

The MS4 Committee is working with LandStudies on implementing a stormwater utility fee to be effective next year that will be equitable to all properties in the Borough. This fee is a method of financing the administration, planning, implementation, and maintenance of stormwater infrastructure and management programs. The next step is to meet with the larger industrial, commercial and institutional entities to explain the fee. Ken Mobley, 305 Front Street, asked what the average residential cost will be and it is preliminarily estimated at \$60.00/yr.

**SUB-COMMITTEE ON PERSONNEL:**  
**Appointment as Alternate on the Planning Commission**

Upon presentation, Greiner moved, Hain seconded to appoint Elijah Yearick as Alternate on the Planning Commission. Motion passed unanimously.

**Candidate to Fill Vacancy on Council**

Ken Mobley, 305 Front Street, was present at the meeting and is interested in filling the vacancy on Council that John Bear left by resigning due to a move out of the Borough. Mobley will complete a Borough Questionnaire and return it.

**SUB-COMMITTEE ON EMPLOYEE BENEFITS AND INSURANCE:**  
**PPP & MEPP Auditor General Compliance Audit**

Upon presentation, Greiner moved, Hain seconded to accept the four-year Police Pension Fund and Municipal Employees Pension Plan Auditor General Compliance Audit. Motion passed unanimously.

**REGIONAL COMMITTEE REPORTS:**  
**Regional Coordinating Committee**

The Regional Coordinating Committee heard updates at their last meeting that include future transportation projects that will all impact the 2020-2021 construction season.

**NEW BUSINESS:**  
**Collection of Contract Waste and Recyclable Materials**

Upon presentation, Greiner moved, Lee seconded to advertise for bids for Collection of Contract Waste and Recyclable Materials to be effective January 1, 2020. Motion passed unanimously.

**RESOLUTION NO. 897:**  
**Ban Video Gaming Terminals**

Greiner moved, Hain seconded to accept Resolution No. 897, Banning Video Gaming Terminals. Motion passed unanimously.

**AGREEMENT NO. 505:**  
**Riparian Planting Habitat Restoration Agreement**

Hain moved, Lee seconded to approve Agreement No. 505, Riparian Planting Habitat Restoration Agreement with the Lititz Run Watershed Association. Motion passed unanimously.

**AGREEMENT NO. 506:**  
**Amendment to the Term of the Lititz recCenter Lease**

Hain moved, Lee seconded to approve Agreement No. 506, Amendment to the Term of the Lititz recCenter Lease. Motion passed unanimously.

**FINANCIAL STATEMENT/BILLS**

Hain moved, Greiner seconded to approve the Financial Statement and pay the bills. Motion passed unanimously.

OTHER BUSINESS:  
MOU with K-9 Handler

A Draft MOU with the Borough's K-9 Handler has been distributed for Council to review and act on by the end of the year.

ADJOURNMENT

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sue Ann Barry". The signature is fluid and cursive, with the first name "Sue" and last name "Barry" being the most prominent parts.

Sue Ann Barry  
Secretary/Treasurer