

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held March 30, 2021
Zoom Remote Video and Audio Conferencing

Due to the coronavirus (COVID-19) pandemic and the Governor's social distancing measures, the March 30, 2021, Lititz Borough Council meeting was conducted virtually utilizing Zoom, which is a cloud-based platform for remote video and audio conferencing. The Borough Hall was not open for this meeting. The general public could join the meeting at no cost by utilizing the information posted on the front door and on the Borough website. The meeting was called to order at 7:00 P.M. by President Weaver with Council members Brubaker, Greiner, Lee, Mobley, and Sensenich present virtually. Others in virtual attendance were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Todd Kauffman, Andy Garner, Rob McFadden, Jordan Garner, Scott Hain, Lisa Miller, Steve Gergely, Mark Evans, John O'Conner, Bill & Lisa Schneper, Jeff Rinehimer, Kelly Martin, Mark Will, Holly DeKarske, David Carson, Mary Gattis, Todd Dickinson, and Laura Knowels of the Lititz Record Express. In order to accommodate public comments at this meeting, the Borough accepted comments via email and written submission. On a motion by Greiner, with a second by Sensenich, the minutes of the February 23, 2021, and March 9, 2021, Council meetings were unanimously approved as presented.

CONDITIONAL USE APPLICATION:
Demolition at 456 Golden Street

The President recessed the regular meeting and called a Conditional Use Hearing for an application for the demolition of a single-family dwelling, an outbuilding and a shed at 456 Golden Street, by WPE Partners, LLC., with Mark Will as equitable owner. The applicant wishes to develop 456 Golden Street, into a 25-lot subdivision for single family dwellings on a ±6.1-acre parcel within the R-1 District. Weaver presented the protocol for the Conditional Use Hearing. Administrative matters were taken care of: 1) Elijah Yearick, as Director of Planning and Community Development, was sworn in; 2) Proof of Publication for advertisement on March 15, 2021 and March 22, 2021, was shown; 3) The property was posted on March 10, 2021, and it was posted at Borough Hall; 4) a notice was emailed to Mark Will; 4) the draft minutes from the Planning Commission meeting on March 2, 2021, recommend approval; 5) a memo to Planning Commission from Elijah Yearick dated February 23, 2021, recommends approval. Council took administrative notice. Weaver asked if there was anyone on the Zoom meeting who wanted party status, having a unique interest. No one requested party status. Mary Gattis, 27 S. Cedar Street, had a procedural question that she had an opportunity to address later.

Steve Gergely of Harbor Engineering presented the case for the demolition. The dwelling is a two story, four-bedroom, two bath home with approximately 1,276 square feet of living space. The home was built in the early 1800's, with an addition added in 1930. There are active roof leaks, water damage to plaster and water damage under several windows. The porch and outside steps have settled, causing large cracks and shifting to both the front and side porch. Additionally, there is bowing of the south west porch column. There are holes in the exterior and the siding is in poor condition. Uncontrolled vines have penetrated the exterior. The basement has evidence of wood destroying pests, as well as water, visible mold growing on the insulation and unsafe steps. In addition, the home is functionally obsolete with low ceilings, low door jambs and a non-complaint staircase to the second floor. There is no ductwork for a modern HVAC system, dated electrical wiring and there is no garage. The home has deteriorated to a point that it is no longer financially feasible to rehabilitate based on its current condition.

The outbuilding is a one-story wooden structure, approximately 1,500 square feet and at the end of its useful life, in very poor condition. It is more than 80 years old, the roof leaks and is severely sagging, windows have been broken and/or missing for many years and portions of the floor are missing. The shed is a one-story wooden structure approximately 100 square feet, which is at the end of its useful life and in very poor condition. It is approximately 40 years old, the roof leaks and needs replaced and wood is rotting in several locations. The Planning Commission and Yearick agreed that it meets the demolition criteria in Section 322.E. In response to a question from Todd Dickinson, 415 Hensley Street, to Planning Commission at their meeting, Gergely verified that the demolition equipment will come off General Sutter Avenue, not Hensley Street. This application was submitted prior to Council passing the requirement that historical significant reviews be conducted for any principal structure that is a subject to a Conditional Use Application for a request for demolition. There were no other questions from Council.

Demolition at 456 Golden Street (Cont)

Weaver opened the hearing up to questions from the public. Mary Gattis, 27 S. Cedar Street, asked if the applicant complied with the submission date requirements and if the application was processed properly prior to coming before the Planning Commission. There was additional information and clarification requested of the Applicant after they made the original submission, which is typical and did not require a new application. Hearing that the Planning Commission had ample time to review the application and follow up, Weaver was satisfied to proceed with the hearing. There were no other questions from the public. On a motion by Lee with a second by Sensenich, the Conditional Use Application for the demolition of a single family dwelling, outbuilding and shed located at 456 Golden Street, was unanimously approved thereby, subdivision plans may be developed for submission for 25 single family dwellings, as per testimony provided. Weaver concluded the hearing and resumed the regular Council meeting.

RESOLUTION NO. 927:

Arbor Day

Mobley moved, Sensenich seconded to adopt Resolution No. 927, observing April 30, 2021, as Arbor Day in Lititz. Motion passed unanimously.

AGREEMENT NO. 524:

Gibbel Agreement of Sale

Upon presentation, Lee moved, Sensenich seconded to approve Agreement No. 524, for the purchase of 0.110 acre unimproved portion of the northwest corner of the Gibbel tract, as depicted on page 3 of the Final Land Development and Lot Add-On Plan for the redevelopment and expansion of the Public Works facility at 117 Lincoln Avenue, dated December 14, 2020. Motion passed unanimously.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

Inframark Report

End of year regulatory reports are being finished up. The Toxicity Reduction Evaluation (TRE) work plan has been submitted. Mobley moved, Sensenich seconded to accept the Inframark February 2021, Monthly Report. Motion passed unanimously.

Change Order No. 2 – M2 Construction

Upon presentation and on a motion by Mobley with a second by Sensenich, Change Order No. 2 from M2 Construction for the Filter Media Replacement Project was unanimously approved @ \$23,796.55, for the following reasons: 1) demobilization/remobilization for the suspension of work due to COVID; 2) lost time and material due to inadvertent overflow of Filter No. 2 while working on Filter No.1; and, 3) removal of calcified gravel support bed at the bottom of Ion Exchange Unit No. 1. The project should be completed by mid-May.

Application for Payment No. 13 – Filter Media Replacement Project

Upon presentation, Mobley moved, Sensenich seconded to approve the Application for Payment No. 13 from M2 Construction for the Filter Media Replacement Project at the Water Plant @ \$23,796.55. Motion passed unanimously.

SUB-COMMITTEE ON STREETS AND TRAFFIC:

Lititz Chocolate Walk Special Event Permit Application

Upon presentation, Sensenich moved, Mosley seconded to approve a Special Event Permit Application from the Local Kawanis Club for the 20th Annual Chocolate Walk in the same format it was pre-COVID, to be held on Saturday, October 9, 2021, from 10:00 A.M. to 4:00 P.M., and to bag the downtown parking meters during the event, reimbursing the Borough for the loss of revenue from the meters for the one day of courtesy parking. Motion passed unanimously.

Fourth of July Celebration Special Event Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve a Special Event Permit Application and fireworks application from the Lititz Springs Park Board for the Fourth of July Celebration with activities in the Lititz Springs Park on Saturday July 3, 2021, rain date July 5, 2021, 12:00 Noon - 11:30 P.M., needing seven special event staff, and closing Maple Street, with the following COVID provisions:

- contingent on outdoor venues in PA having a maximum allowance of 40% or greater;
- allowing 10,000 guests maximum including participants, children and volunteers;
- all ticket sales would be pre-sale online only;
- staggered entrancing and social distancing;
- food trucks will be spaced out throughout the entire grounds and there will be additional trucks in the parking lot of the Lititz recCenter;
- number of people in restrooms will be limited;
- mask wearing will be implemented according to the State requirements;
- other safety measures include hand sanitizing stations, visible signage for best practices, social distancing markers at queue lines.

Brubaker expressed caution for stricter safety practices, e.g., more stringent mask regulations, however the Council consensus was that the CDC regulations should continue to be the guidelines, not overriding them at the local level. Brubaker implored the park board to be firm in addressing social distancing guidelines. Jeff Rinehimer, President of the Lititz Springs Park and Kelly Martin, Chair of the Fourth of July Committee for the park agreed and plan to have the social distancing guidelines well thought out and well-coordinated. Mobley asked how they plan to social distance folks when leaving the event; they can be dismissed according to sections. Mary Gattis, 27 S. Cedar Street, encouraged Council to adhere to mask wearing recommendations. Brubaker appreciated Rinehimer's and Martin's consideration. Motion then passed unanimously.

Queen of Candles Special Event Permit Application

Upon presentation and motion by Sensenich with a second by Mobley the Special Event Permit Application from the Lititz Springs Park Board for the Queen of Candles Program to be held in the Lititz Springs Park on Friday July 2, 2021, 7:00 P.M. - 10:00 P.M., was unanimously approved with the following modifications and COVID provisions:

- the 4th of July Committee will organize the July 2nd entertainment in the band shell for 2021 only;
- musical performance will be at ~7:00 P.M. with intermission at ~8:00 P.M. at which time the Queen of Candles program will take place;
- at the conclusion of the program, the candles will be lit down the stream;
- the band would resume for a second set and the evening would conclude by 10:30 P.M.;
- the candles will not be lit on July 3, 2021, the night of the fireworks;
- the event will allow 2,000 guests;
- while the event is still free, all guests must obtain an entrance ticket online;
- tickets will be set aside for the families of the participants;
- there will be some food trucks present;
- a short procession for the Queen of Candles participants will be organized prior to the music.

Taste of Lititz Activity Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve an Activity Permit Application for the Venture Lititz Taste of Lititz, to use music and marketing to encourage folks to shop and dine downtown Lititz from June 4, 2021 – June 15, 2021, as COVID regulations would make it difficult to do a street festival. Motion passed unanimously.

2nd Fridays 2021 Activity Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve a request from Venture Lititz for all 2nd Friday events in 2021 in downtown Lititz along Main and Broad Streets with the option to close N. Sturgis Lane between E. Main Street and North Lane and close Juniper Lane between S. Broad Street the Lititz Springs Inn and Spa driveway. Merchants will be open in the evenings offering special promotions. Motion passed unanimously.

Annual Pretzel Twist Special Event Permit Application

Upon presentation, Sensenich moved, Mosley seconded to approve a Special Event Permit Application from the Lititz recCenter for the 44th Annual Lititz Pretzel Twist on Saturday, September 18, 2021, from 8:00 A.M. – 11:00 A.M., per submitted race course having the need for four special event staff positions. Motion passed unanimously.

Lititz Outdoor Fine Art Show Special Event Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve an Activity Permit Application from the Lititz Art Assn. for the Annual Lititz Outdoor Fine Art Show in the Lititz Springs Park on July 31, 2021, 6:00 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.

Change Orders 1, 2, 3, & 4 – Doug Lamb Construction

Upon presentation and on a motion by Sensenich with a second by Mobley, the following change orders from Doug Lamb Construction for sidewalk replacement associated with the 1st Block of East Main Street Sidewalk Replacement Project were unanimously approved:

- Change Order No. 1 – construction of concrete apron at BB&T, 9 E. Main Street @ \$12,320.00;
- Change Order No. 2 – concrete replacement at Tiger's Eye, 49 E. Main Street @ \$726.00;
- Change Order No. 3 – concrete replacement at the Alden House B&B, 62 E. Main Street @ \$1,065.00;
- Change Order No. 4 – water meter pit lids at Tiger's Eye, 49 E. Main Street @ \$3,440.00.

Bids for 2021 Paving Project

Upon recommendation from the Borough Engineer and after presentation, on a motion by Sensenich with a second by Mobley, the following 2021 Paving Project bids were unanimously accepted and the contract unanimously awarded to Highway Materials @ \$217,201.89:

• Highway Materials, Inc.	\$217,201.89
• Berg Construction, LLC	\$221,612.43
• JVI Group, Inc.	\$244,144.33
• H&K Group, Inc.	\$267,112.80

Agreement No. 525 – WSD Traffic Signal Easement

Upon presentation, Sensenich moved, Mobley seconded to approve Agreement No. 525, with Warwick School District and Warwick Township for an easement for the traffic signal on W. Orange Street for Warwick Woodlands. Motion passed unanimously.

SUB-COMMITTEE ON FINANCES:
Financial Statement/Bills

Mobley moved, Sensenich seconded to approve the Financial Statement and pay the bills. Motion passed unanimously. The Finance Committee continues to track EIT with positive outcome.

LST Refund Request

Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Robin Rudy @ \$39.00, as she did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Michelle Simmons @ \$14.00, as she did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Aaron Mentzer @ \$27.00, as he did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Michael Stephan @ \$41.00, as he did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Susan Geibe @ \$41.00, as she did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Susan Janoski @ \$46.00, as she did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Patricia Ketner @ \$28.60, as she had multiple employers. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Kirsten Wenger @ \$52.00, as she did not earn the minimum required amount. Motion passed unanimously. Mobley moved, Sensenich seconded to approve a 2020 LST refund request from Lynne Grube @ \$44.00, as she did not earn the minimum required amount. Motion passed unanimously.

2020 Annual Audit Report

Upon presentation, Mobley moved, Sensenich seconded to accept and advertise the 2020 Audit Report as prepared by Trout CPA. Motion passed unanimously. The Sub-Committee on Finance will work on updating the Emergency Contingency Plan incorporating measures that worked with the COVID pandemic.

SUB-COMMITTEE ON BUILDINGS, AND GROUNDS:
PWD and PD Garage Observation Services

Upon presentation Lee moved, Sensenich seconded to approve the proposal from Intertex PSI for construction materials testing and observation services for the Lititz Borough Public Works Garage Addition and Renovations Project @ not-to-exceed \$17,098.00. Motion passed unanimously.

PWD and PD Garage Change Order #1

Upon presentation Lee moved, Sensenich seconded to approve Change Order #1, eliminating Alternate #5, the security system at entrance doors for the Lititz Borough Public Works Garage Addition and Renovations Project @ \$4,765.00. Motion passed unanimously.

Recommendation from Parks Committee – Sixth Street Park Phase 1

Lee presented a recommendation from the Parks Committee for Phase 1 of a new park to be located on Borough-owned land at the northeast corner of E. Sixth Street and Locust Street, in an attempt to fill a recreation void in the southeast quadrant of the Borough. Of 500 letters sent out regarding input into the proposed E. Sixth Street Park, there were 28 responses – Positive (15), Negative (7), Neutral (6), with more responses anticipated. A petition reflecting almost unanimous opposition to the proposed park was received on this date with 17 households' signatures and comments, from most of whom reside in the neighborhood.

Lisa Schneper, 103 E. Sixth Street, had concerns about stormwater drainage, reduction in property values, noise, the extension of Sixth Street, the possible signalized intersection at Sixth Street and Kissel Hill Road, etc. Mary Gattis, 27 S. Cedar Street, thought the proposed park should be part of the update to the Comprehensive Plan. Weaver explained that a traffic study is planned when Sixth Street is extended to Rt. 772. Council concurred that a working group of Parks Committee members meet with representatives both for and against the proposed Sixth Street Park to arrive at a consensus.

REPORT OF THE BOROUGH MANAGER:
Monthly Meeting Date Reminders

The Borough Manager reminded Council of the following meeting dates, per submitted report & update. Many meetings will continue to be Zoom meetings until further notice, due to COVID-19.

Regular Monthly Meetings:

- April 6, 2021 – Tuesday – Planning Commission Meeting – 7:00 P.M. (webconf)
- **** April 13, 2021 – Tuesday – Council Meeting – 7:00 P.M. (If called by the President)
- April 19, 2021 – Monday – Zoning Hearing Board Meeting – 7:00 P.M. (webconf)
- **** April 27, 2021 – Tuesday – Council Meeting – 7:00 P.M. (webconf)

Other Meetings, etc.:

- March 29, 2021 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- **** March 30, 2021 – Tuesday – Council Meeting – 7:00 P.M. (webconf)
- March 31, 2021 – Wednesday – LCBA – 7:00 P.M. – (webconf)
- April 5, 2021 – Monday – WESC – 6:30 P.M. (webconf)
- April 5, 2021 – Monday – Lititz Public Library Board – Library - 7:00 P.M. (tbd)
- April 13, 2021 – Tuesday – MS4 Committee - 3:30 P.M. (webconf)
- April 14, 2021 – Wednesday – Police Interviews – Personnel Committee – 7:00 PM Chambers
- April 15, 2021 – Thursday – Regional Coordinating Meeting – 7:30 A.M. (webconf)
- April 19, 2021 – Monday – Parks Committee – 4:00 P.M. (webconf)
- April 19, 2021 – Monday – HAAC – 6:00 P.M. (webconf)
- April 20, 2021 – Wednesday – Flood Control Committee – 3:30 PM (webconf) (cancelled)
- April 20, 2021 – Tuesday – Warwick School Board – 7:00 P.M. (webconf)
- April 22, 2021 – Thursday – Lititz Borough Authority - 7:00 P.M. (webconf)
- April 28, 2021 – Wednesday – WERT Committee – 7:30 A.M. (webconf)
- **** April 29, 2021 – Thursday, Joint Meeting – Lititz, WT, ET, WSD - 7:00 P.M. (webconf)
- **** All Council members should plan to be at these meetings

**REPORT OF THE PUBLIC WORKS FOREMAN, FACILITIES MANAGER &
ENVIRONMENTAL COORDINATOR:**

The PWD garage is prepped and ready for the remodel and the first job meeting will be held on March 31, 2021. Work on Phase 2 of the Interceptor Relocation Project will begin in late May or early June. Mr. Rehab will begin work on lining the laterals in E. Main Street after the sidewalk project is complete. A plan review pre-construction meeting for the water main on Water Street was held on this date. The Main Street Silva Cell Tree Project is complete.

REPORT OF THE MAYOR & CHIEF OF POLICE

The Mayor said that he is trying to keep the morale up with the downtown merchants. The Chief reported that three officers are off duty under COVID quarantine and all officers are eligible to receive the vaccine although it cannot be made mandatory.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING
Sink Holes at 456 Golden Street

John O'Connor, 438 Woodcrest Avenue, submitted a letter to Council asking what preventive steps will be taken and what testing will be made available to determine how sinkholes will be addressed on the 456 Golden Street property and adjacent to the property as it becomes developed. The Borough and the developer of the property are aware of the predisposition for sinkholes in that area and it will be addressed with the developer and the Borough Engineer.

Fee Structure Review

Yearick has completed his assessment of fee structure comparisons for zoning and planning submissions, etc. and it appears that the Borough's fees are at the lower end of the range. This will be taken under consideration.

NFWF Grant – Stormwater Banking Planning

The National Fish and Wildlife Foundation's (NFWF) Small Watershed Planning and Technical Assistance Grant could provide up to \$50,000, with no required match to plan and design urban stormwater and water quality projects in the Chesapeake Bay watershed. As planning begins on the Norfolk-Southern runaround line project, the drainage of the area to be impacted adjacent to the line is coming into focus along with the ongoing discussion about siting a regional stormwater bank on Borough-owned land immediately north of the recCenter. The grant could be used to supplement funds already committed for these efforts while possibly expanding the scope of design to be able to provide concepts to both the WSD and Lititz Springs Park for future buy-in. Council is in support of the grant for this project.

Temporary Parking for Pick-Up

Todd Dickinson, 415 Hensley Street and owner of Aaron's Books, 35 E. Main Street, thanked Council for continuing to provide temporary parking at various places downtown for folks to use to pick up merchandise and food. He acknowledged that the local restaurants appreciate it, too.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:00 P.M. on a motion by Greiner with a second by Sensenich.

Respectfully submitted,



Sue Ann Barry
Secretary/Treasurer