

LITITZ BOROUGH COUNCIL  
Minutes of Meeting Held May 28, 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 May 28, 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, Todd Kauffman, Cory Rathman, Michael Wolgemuth, Nathan Laucks, Parth & Eddie Delvadia, Len Hohmann, Chaplain Michelle Deibler, Corey Salzano, and Laura Knowels of the Lititz Record Express. The meeting opened with an invocation by Chaplain Deibler followed by the pledge of allegiance led by the Mayor. On a motion by Greiner, with a second by Bear, the minutes of the April 30, 2019, Council meeting were unanimously approved.

CONDITIONAL USE HEARING:  
Delta-Par, LLC – Dunkin' Donuts, 737 S. Broad Street Demolition

The President recessed the regular meeting and called a Conditional Use Hearing for the demolition of one existing service bay at a former service station at 737 S. Broad Street. Weaver presented the protocol for the Conditional Use Hearing. Parth & Eddie Delvadia & Len Hohmann representing Delta-Par LLC have submitted an application for a Conditional Use Hearing for a demolition permit for one existing service bay at 737 S. Broad St. that faces north, to accommodate the necessary drive thru lane and bypass lane for the proposed Dunkin' Donuts, 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 (Borough Exhibit 1); 3) The property was posted on May 10, 2019, it was posted at Borough Hall; a notice was given to the applicant on this date. 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.

Developers Parth & Eddie Delvadia and Delta-Par, LLC representative Len Hohmann were sworn in and submitted testimony. They are requesting a demolition permit for one existing service bay (420 sq.ft.) at 737 S. Broad Street, that faces north to accommodate the necessary drive thru lane and bypass lane for the proposed Dunkin' Donuts. They plan a 430 sq.ft. addition to the front of the property which will bring the building closer to the road. There will be access to the alley to the rear of the property. A possible timeline was discussed. Architectural renderings were presented and discussed. Lee requested that they pay close attention to the Form Based Code architectural standards at the same time recognizing that Dunkin' Donuts is a national chain, and for them to work with Yearick to fine-tune the plan. The Planning Commission and Yearick agreed that it meets the demolition criteria in Section 322.E. Hearing no further questions, Weaver closed testimony.

Hain moved, Greiner seconded to grant Parth & Eddie Delvadia of Delta-Par, LLC, and representative Len Hohmann their conditional use request for a demolition permit for one existing service bay at 737 S. Broad Street, that faces north to accommodate the necessary drive thru lane and bypass lane for the proposed Dunkin' Donuts, 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:

There were no petitions, correspondence or questions from the public.

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:

- June 4, 2019 - Tuesday - Planning Commission Meeting - 7:00 P.M.
- \*\*\*\* June 11, 2019 – Tuesday – Council Meeting – If called by the President
- June 17, 2019 – Monday – Zoning Hearing Board Meeting – 7:00 P.M.
- \*\*\*\* June 25, 2019 – Tuesday – Council Meeting - 7:00 P.M.

Monthly Meeting Date Reminders (Cont)

Other Meetings, etc.:

May 27, 2019 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.  
May 28, 2019 – Tuesday – Wellhead Protection Committee – Warwick Twp – 3:00 P.M.  
May 28, 2019 – Tuesday – Lititz Run Watershed Alliance – Warwick Twp – 4:00 P.M.  
\*\*\*\* May 28, 2019 – Tuesday – Council Meeting – Council Chambers - 7:00 P.M.  
May 30, 2019 – Tuesday – Garage Expansion Committee –Conference Room – 2:00 PM  
May 30, 2019 – Tuesday – BMPs Walk Through – Blackberry/Evans – 3:30 P.M.  
June 3, 2019 – Monday – Lititz Public Library Board - Library 7:00 P.M.  
June 6, 2019 – Thursday – PPP Sub-Committee – Conference Room - 11:00 A.M.  
June 6, 2019 – Thursday – MEPP Sub-Committee – Conference Room - 12:00 Noon  
June 6, 2019 – Thursday – Safety Committee – Conference Room - 2:00 P.M.  
June 6, 2019 – Thursday – Shade Tree Committee – Conference Room - 4:00 PM  
June 7, 2019 – Friday – Managers Meeting with Legislators – 9:00 A.M. (cancelled)  
June 9, 2019 – Sunday – Veterans Honor Park Dedication – Kissel Hill Rd - 1:00 P.M.  
June 11, 2019 – Tuesday - MS4 Committee - Conference Room – 2:00 P.M.  
June 11, 2019 – Tuesday – Staff Meeting w/ Library Director Ryan McCrory – 3:00 P.M.  
June 12, 2019 – Wednesday – Venture Lititz – Conference Room – 7:30 A.M.  
June 12, 2019 – Wednesday – Lititz Reserve Development Team & Staff – 3:00 P.M.  
June 13, 2019 – Thursday – Skatepark Fundraiser – Per Diem – 5:00 P.M. - 8:00 P.M.  
June 17, 2019 – Monday - Parks Committee – Conference Room – 4:00 P.M.  
June 17, 2019 – Monday - HAAC – Conference Room - 6:00 P.M.  
June 18, 2019 – Tuesday – WRRRC Board Meeting – recCenter – 8:00 A.M.  
June 18, 2019 – Tuesday – Warwick School Board – District Office – 7:00 P.M.  
June 20, 2019 – Thursday – Regional Housing & Economic Development – Lititz – 7:30 A.M.  
June 24, 2019 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.  
\*\*\*\* All Council members should plan to be at these meetings.

REPORT OF THE PUBLIC WORKS FOREMAN & FACILITIES MANAGER:

Lititz Reserve Sewer Inceptor Relocation Agreement

There are several concerns the Borough Solicitor has with the Draft Lititz Reserve Sewer Inceptor Relocation Agreement. It is a high priority to coordinate this work with the Lancaster Evangelical Free Church's need for a water line. A meeting should be scheduled soon to set the terms of the agreement. If the parties cannot come to an agreement, the sewer line may have to remain where it is due to time constraints.

REPORT OF THE BOROUGH ENGINEER:

Walnut Street & Lock Up Lane Storm Sewer & Green Alley Improvement Project

A change order will be requested for the Walnut Street & Lock Up Lane Storm Sewer & Green Alley Improvement Project for a revision of the storm pipe location and manhole addition on Walnut Street; for removal of concrete encasement on pipe for inlet and manhole, and; relocation of a structure on Lock Up Lane due to a missed sewer lateral on the design. Upon presentation, Hain moved, Greiner seconded to approve Application for Payment No. 1, to Anrich, Inc. for Walnut Street & Lock Up Lane Storm Sewer & Green Alley Improvement Project @ \$94,703.60. Motion passed unanimously. The GIS will be updated to include the improvements once an as-built plan is received.

Storm Sewer Replacement in Front of Wilbur Redevelopment Site

Upon presentation, Hain moved, Greiner seconded to approve the replacement of a storm sewer pipe with 36" SLCP in N. Broad Street, due to a collapsed pipe in front of the Wilbur redevelopment site, per quote from B.R. Kreider, Inc., @ \$29,880, or NTE \$40,000, if rock is encountered. Motion passed unanimously.

REPORT OF THE MAYOR & CHIEF OF POLICE:

During the month of May the Mayor attended the Warwick Ministerium Meeting, an Eagle Scout Ceremony, and a Civics Class (along with the Chief and Weaver). He has a future Junior Council Person lined up.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Property owners have been voicing concerns with Comcast markings, flagging and digging for the installation of new services and Comcast is to follow through with repairing any damages that they make. The following projects are stated for 2021: PennDOT will be repaving E. Main Street and Water Street; the Cedar Street Bridge will be replaced; and the roundabouts at Woodcrest Avenue, Orange Street and Clay Road in Warwick Township will be installed. Traffic management will be a high priority that year. Rathman is to provide a cost estimate for replacing storm sewer on E. Main and Water Streets.

REPORT OF THE JUNIOR COUNCIL PERSON:

Junior Council Person Eva Hain provided an update on activities at Linden Hall: Finals were on May 20-22, 2019; Baccalaureate was held on May 23, 2019, and; Graduation was on May 24, 2019. Hain is looking at the Naval Academy, interning at the Manheim Community Library and traveling to Chicago and Washington, DC this summer.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

There are no reports back yet, following the two DEP inspections last month at the WTP and the WWTP. Pending projects for 2019 include Pump Station No.1 and air conditioning issues in the administration building.

Filter Media Replacement Project

Upon presentation and on a motion by Bear with a second by Greiner, the following bids for the Water Plant Filter Media Replacement Project were unanimously accepted, as follows:

- |                                |                |
|--------------------------------|----------------|
| • M2 Construction, LLC         | \$ 972,886.00  |
| • I.K. Stoltzfus Service Corp. | \$1,222,350.00 |

Upon presentation, Bear moved, Greiner seconded to award the contract for the Water Plant Filter Media Replacement Project to low bidder M2 Construction, LLC @ \$972,886.00. Motion passed unanimously.

Remaining Sewer Capacity Review

At Council's request, Entech has reviewed the remaining sewer capacity available since 2018 was a historically wet year that resulted in abnormal flows to the plant. Because of the wet year and the number of projects which have allocated capacity, Entech is encouraging the Borough to delay allocation of new sewer EDUs for any new projects until the results of the ongoing I & I repairs can be evaluated and the Act 537 Plan can be updated this fall. Also, the EDU calculation can be reviewed and adjustments made if needed. It was requested by Council that the Borough ask DEP for relief due to the unusually wet year.

SUB-COMMITTEE ON STREETS AND TRAFFIC:  
Rotary Club Craft Show Special Event Permit Application

Upon presentation, Lee moved, Hain seconded to approve a Special Event Permit Application to close E. Main Street from Broad Street to Locust Street, and Broad Street from Center Street to Front Street from 5:00 A.M. to 6:00 P.M., for the Rotary Club's Annual Craft Show, to be held on Saturday, August 10, 2019, needing six event staff with expected attendance of 30,000. Motion passed unanimously.

Jack and Meghan's Memorial Ride Special Event Permit Application

Upon presentation, Lee moved, Hain seconded to approve a Special Event Permit Application for Jack and Meghan's Memorial Ride on August 24, 2019, at 11:30 A.M. – 1:30 P.M. starting and ending at Iron Valley Harley Davidson, Manheim, and using Broad Street and W. Orange Street with expected attendance of 150 for the ride and 100 at Harley Davidson. It is a memorial/benefit for Jack Nicholson and Meghan Keeney, victims of the October 26, 2018, accident in front of the Warwick High School. Motion passed unanimously.

Neighborhood July 4<sup>th</sup> Celebration Activity Permit Application

Upon presentation, Lee moved, Hain seconded to approve an Activity Permit Application from Brian Adams, 418 Laurel Avenue, to close Stark Lane behind 416, 418 and 420 Laurel Avenue for a Neighborhood July 4<sup>th</sup> Celebration on July 6, 2019, 11:00 A.M. – 9:00 P.M. with expected attendance of 50-75. Motion passed unanimously.

Sunday in the Park Activity Permit Application

Upon presentation, Lee moved, Hain seconded to approve an Activity Permit Application from Lancaster Evangelical Free Church for the Annual Sunday in the Park, in the Lititz Springs Park, on June 2, 2019, from 10:30 A.M. - 3:00 P.M. with expected attendance of 1,500. Motion passed unanimously.

MELA Indian-American Fusion Community Festival 2019 Activity Permit Application

Upon presentation, Lee moved, Hain seconded to approve an Activity Permit Application from the Indian-American Fusion Group of Lancaster for the MELA Indian-American Fusion Community Fest 2019 in the Lititz Springs Park, on Saturday, June 29, 2019, from 2:00 P.M. – 8:00 P.M., with expected attendance of 500. Motion passed unanimously.

AMBUCS Crafts in the Park Activity Permit Application

Upon presentation, Lee moved, Hain seconded to approve an Activity Permit Application from AMBUCS for the Annual Crafts in the Park, in the Lititz Springs Park, on June 8, 2019, from 6:00 A.M. - 5:00 P.M. with expected attendance of 2,000 – 3,000. Motion passed unanimously.

Daniel Zerbe Memorial Ride Activity Permit Application

Upon presentation, Lee moved, Hain seconded to approve an Activity Permit Application for the Daniel Zerbe Memorial Ride sponsored by the Red Lion American Legion on June 6, 2019, at 11:30 A.M. – 4:00 P.M. with road closures on W. Lincoln Avenue to Broad Street to Rt. 772 East with expected attendance of 200 motorcycles. Motion passed unanimously.

SUB-COMMITTEE ON ZONING:

Request for Building Permit Fee Waiver for Lititz Springs Swimming Pool

Upon presentation, Hain moved, Greiner seconded to approve a waiver of the building permit fee @ ~\$13,515, for the Lititz Springs Swimming Pool Renovation Project. Motion passed unanimously.

SUB-COMMITTEE ON FLOOD CONTROL COMMITTEE/STORMWATER:

LCCD MOU

Upon presentation, Hain moved, Greiner seconded to approve a Memorandum of Understanding (MOU) between the Lancaster County Conservation District (LCCD) and the Borough which outlines the responsibilities between the two organizations. Motion passed unanimously.

REGIONAL COMMITTEE REPORTS:  
Regional Built & Natural Infrastructure Committee

During their May meeting, the Regional Built & Natural Infrastructure Committee had discussions on 2019 transportation projects, future transportation projects, water and sewer, and telecommunications. There is the need to discuss an update of the Official Map with the Planning Commission, particularly the future of the proposed N. Chestnut Street and Buch Avenue.

ORDINANCE NO. C-575:  
Left Turn Restrictions at N. Broad Street and Kleine Street

Greiner moved, Bear seconded to approve Ordinance No. C-575, left turn restrictions at N. Broad Street and Kleine Street. Motion passed unanimously.

AGREEMENT NO. 503:  
Ice House Lease Agreement

Hain moved, Greiner seconded to approve Agreement No. 503, Ice House Lease Agreement for housing police vehicles. Motion passed unanimously.

FINANCIAL STATEMENT/BILLS

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

ADJOURNMENT

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

Respectfully submitted,

  
Sue Ann Barry  
Secretary/Treasurer