

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held November 26, 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 November 26, 2019, by President Weaver with Council members Greiner, Lee, Mobley, and Sensenich present. Others in attendance were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Andy Garner, Jordan Garner, Todd Kauffman, Cory Rathman, Nathan Laucks, David Brubaker, Sydney Brookmyer, David & Branson Hoglund, Jennifer Lee, Nancy Leed, Fanny Diamond, Sheila Mastropietro, Valentina Ross, Dennis Kready, Joyce Gerhart, Tom Gotwalt, Gary Gaissert, Jim Batterton, Sonya Widen, Sharon Engle, Ron Smith, Cindy & Larry Myers, Mary Ann Ambs, Pam Way, Dino Cesarini, Elizabeth Jurgen, Alex Piehl, Brenda Barnes, Ron Roda, Matthew Oathout, Mike LaSala, and Laura Knowels of the Lititz Record Express. The meeting opened with an invocation by Pastor Gotwalt followed by the pledge of allegiance led by the Mayor. On a motion by Sensenich, with a second by Mobley, the minutes of the October 29, 2019, and November 12, 2019, Council meetings were unanimously approved. The President acknowledged a donation in lieu of taxes from the Lititz United Methodist Church.

RESOLUTION NO. 908:
Filling a Vacancy in Elective Office

Upon presentation, Sensenich moved, Greiner seconded to nominate David Brubaker to a vacancy on Borough Council. Motion passed unanimously. Sensenich moved, Greiner seconded to approve Resolution No. 908, filling a vacancy in elective office by appointing David Brubaker to fill the office of Borough Council resulting by the resignation of Scott Hain, until December 31, 2019. Motion passed unanimously. Mayor Snyder administered the Loyalty Oath to Brubaker.

RESOLUTION NO. 908:
Refugee Resettlement

The Borough has been contacted by Church World Services (CWS) about the future of the refugee resettlement program in Lititz, seeking Council's consent to continue the partnership, as is now required under a new Executive Order (EO). On September 26, 2019, President Trump issued EO 13888[1], which requires local government's formal consent for continued refugee resettlement by December 20, 2019. Sheila Mastropietro of CWS explained their refugee resettlement program. CWS welcomes refugees, immigrants, asylum-seekers and other uprooted people within the USA, who are seeking safety and the opportunity to rebuild their lives. They work hand-in-hand with churches, organizations and individuals to provide homes to refugees and immigrants from all over the world and support their integration process through five years. She went on to explain their history in Lancaster County. Lancaster City received the designation as a Welcoming City by the National Welcoming America Initiative in September. She said that refugee resettlement has economically and culturally enriched local communities, and has brought substantial value through a public-private partnership. Valentina Ross, CWS Resettlement Program Coordinator, explained the positive experience she and her family has had with CWS.

In response to Council's questions, Mastropietro provided the following information: there are very few refugees in Lititz Borough; 90% of the refugees in the County are in Lancaster City; after resettlement, few move elsewhere; there was no explanation as to why the EO was issued. Nancy Leed, 504 N. Cedar Street, shared her experience with one family in Lititz as she tutored the young girls in the English language. The family was hard working and the girls made honor roll while holding part-time jobs. She believes the refugee resettlement program provides lessons in diversity and compassion and encouraged Council's consent.

Sydney Brookmyer of Lancaster provided her story of a rental experience with refugees. She thought the 22-year old father was not mature enough and made some bad decisions that cost him the use of his legs and then some, i.e., drag racing with no license and no insurance. She offered a suggestion for adoptive parents and grandparents to provide support. She said that by agreeing to accept refugees, local governments are agreeing that taxpayers pick up the financial burden and criticized the CWS. She questioned how many refugees are on welfare and encouraged Council to take care of vulnerable Americans first and the refugees who are already here.

Refugee Resettlement (Cont)

Larry Myers, 805 S. Cedar Street asked if this could be a referendum issue, but there is no time for that. Dennis Kready, 550 W. Second Avenue, stated that the refugees have been extremely well vetted in system. Speaking to his ancestry, Brubaker said this country has a long history of refugees. Upon no further discussion, Sensenich moved, Mobley seconded to approve Resolution No. 907, consenting to continuing refugee resettlement. Motion passed unanimously.

PETITIONS, CORRESPONDENCE AND QUESTIONS:
Cedar Street Bridge Final Design

Upon presentation by David Hoglund of Rettew Associates, Lee moved, Greiner seconded to approve the current scope and fee for the final design and right-of-way acquisition portion of the Cedar Street Bridge Replacement Project, of which the Borough is only responsible for 5% of the cost, @ NTE \$311,223.83. Motion passed unanimously.

Linden Hall Residence Hall Preliminary/Final Land Development Plan

Jennifer Lee of Derck & Edson Associates presented the Preliminary/Final Land Development Plan for Linden Hall Residence Hall, dated September 6, 2019, revised October 16, 2019, 212 E. Main Street, Lititz, PA, for a new residence hall and lounge/lobby space at the Honeycutt Hall portion of the demolition that was previously approved. Steve Lee recused himself from any discussion due to a conflict of interest. The bridge will be replaced with a new bridge structure and the portion of Horne Dorm demolished will be replaced with a new structure that will accommodate circulation, the infirmary and a small fitness room. Accessibility will be addressed. A green roof that was installed as part of the Steinman Arts Center's rehabilitation project in 2012 was removed due to a leak, as the administration was not aware of an agreement with the Borough. A rain garden can fill that void.

After discussion and on a motion by Greiner with a second by Mobley, the Preliminary/Final Land Development Plan for Linden Hall Residence Hall, dated September 6, 2019, revised October 16, 2019, 212 E. Main Street, Lititz, PA, for a new residence hall and lounge/lobby space at the Honeycutt Hall and dormitory was approved with Lee abstaining, with the following modifications and a condition that a rain garden be part of the project:

- §305 Preliminary Plan
- §402.C.3 – Existing Features within 200' of the subject tract
- §402.C.4.b & c – Existing Features – Features within the subject tract
- § 403.E.2.A Sewer Planning
- §405 Traffic Impact Study
- §406 Wetland Study
- §603.A.10 Bike Racks
- § 614 Lighting and Lighting Plans
- FBC 20.37 Bike Racks
- FBC 20.153 Porticos and
- FBC 20.162 Non-residential Building Recesses or Projections
- FBC 20.173 & 174
- SWM §Sections 301.T and 304.A Roof Drain and impervious area runoff
- SWM § 301.V and 304.C Stormwater flows onto adjacent properties
- SWM §302 Volume Control – requiring the project to not increase the post development total runoff volume for all storms up to and including the 2-year 24-hour storm event
- SWM § 303 Rate Control

Speeding on Sixth Street

Ron Roda, 114 E. Sixth Street, asked how long it might be until the connection is made of Sixth Street to Rt. 772 for the traffic study to be done, and that may be two years. He referred to all-way stops at other intersections in the area, i.e., Kissel Hill Road and Oak Street, Oxford Drive and Laurel Avenue. One was approved due to the number of accidents, the other was grandfathered in. He asked to have a stop intersection at Sixth Street and Locust Street. It will not meet the criteria. Two solar speed sentry signs are budgeted for next year. Wider yellow lines can be painted on the street, a school bus stop ahead sign is on the agenda for approval tonight and pedestrian crossing signs will be placed in the street. Roda said that he is just worried there will be a fatality and thanked Council for their efforts. Sensenich offered a suggestion that she found helpful as she walked her dogs, which is to stop and wave to the speeding motorists.

Pedestrian Safety

Brenda Barnes, 24 S. Spruce Street, is concerned with pedestrian safety on Broad Street in front of Wilbur, at the S. Broad and Orange Street intersection and at the E. Main and Cedar Street intersection. She requested having the traffic signals turn red on all corners to allow pedestrians enough time to cross the street, as she has seen elsewhere. All-red clearance intervals are not permitted by PennDOT. The Borough has received a grant for signal timing at Main & Broad Streets and Broad & Orange Streets and the crossings will be analyzed during that project.

REPORT OF THE BOROUGH ENGINEER:
Walnut Street and Lock Up Lane Project

Walnut Street and Lock Up Lane milling and paving will be completed within the next two weeks. Upon presentation, Lee moved, Sensenich seconded to approve Change Order No. 2 @ \$7,485.43, and Change Order No. 3 @ \$42,945.00, and Application for Payment No. 3 @ \$37,567.72, to Anrich, Inc. for Walnut Street & Lockup Lane Storm Sewer & Green Alley Improvement Project. Motion passed unanimously. Upon presentation, Lee moved, Greiner seconded to approve Amendment No. 1 for contract retainage adjustment to Anrich, Inc. for Walnut Street & Lockup Lane Storm Sewer & Green Alley Improvement Project. Motion passed unanimously.

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:

- December 3, 2019 - Tuesday - Planning Commission Meeting - 7:00 P.M.
- **** December 10, 2019 – Tuesday – Council Meeting – if called by the President
- December 16, 2019 – Monday – Zoning Hearing Board Meeting – 7:00 P.M.
- **** December 17, 2019 – Tuesday – Council Meeting - 7:00 P.M.

Other Meetings, etc.:

- November 25, 2019 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- **** November 26, 2019 – Tuesday – Council Meeting – Council Chambers - 7:00 P.M.
- November 26, 2019 – Tuesday – Lititz Sewer Authority – WWTP - 7:00 P.M.
- December 2, 2019 – Monday – Lititz Public Library Board - Library 7:00 P.M.
- December 6, 2019 – Friday – Managers Meeting with Legislators – 9:00 A.M.
- December 10, 2019 – Tuesday - MS4 Committee - Conference Room – 3:30 P.M.
- December 11, 2019 – Wednesday – Recognition Dinner – General Sutter Inn– 6:30 P.M.
- December 16, 2019 – Monday – Parks Committee – Conference Room – 4:00 P.M.
- December 16, 2019 – Monday - HAAC – Conference Room - 6:00 P.M.
- December 17, 2019 – Tuesday – Warwick School Board – District Office – 7:00 P.M.
- December 19, 2019 – Thursday – Regional Housing & Economic Development – Lititz– 7:30 A.M.
- December 30, 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 &
ENVIRONMENTAL COORDINATOR:**

Environmental Coordinator Garner is confirming the lots available in the event of a snow emergency.

REPORT OF THE MAYOR & CHIEF OF POLICE:

The Mayor spoke at the Lititz Regional Community Development Corporation (LECDC) presentation on November 14, 2019. Due to the new reporting system in the LBPd, the November and December reports will be combined and presented with the end-of-year report. The Chief attended the Warwick Strong giving back event that was held on November 25, 2019, celebrating the support given to the WSD students over the past year by the community.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Yearick is working with the Zoning Officer on short term rental regulations to no longer be allowed by right in residential districts. An elusive easement on Laurel Avenue was found by the resident for Comcast installation.

**REPORT OF THE FACILITIES MANAGER:
Act 537 Plan Schedule and T/AR Report**

Upon presentation, Greiner moved, Mobley seconded to proceed with the Act 537 Plan schedule and T/AR Report including flow monitoring. Motion passed unanimously.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

Laucks referred to the Inframark Monthly Report. The LSA authorized the replacement of the main drive VFD controller and the back drive VFD controller at the WWTP. Fredericksburg Sewer and Water Authority has agreed to purchase nitrogen and phosphorus credits. The 6" line valve and the check valve for Well #3 were replaced. PS-1 check valve was repaired and the 12" gate valve was replaced for Wet-well #3. Mobley moved, Greiner seconded to accept the monthly Inframark Report. Motion passed unanimously.

Application for Payment No. 3 – Filter Media Replacement Project

Upon presentation, Mobley moved, Greiner seconded to approve the Application for Payment No. 3 from M2 Construction for the Filter Media Replacement Project at the Water Plant @ \$202,050.00. Motion passed unanimously.

Advertise to Bid 1st Phase of the Interceptor Relocation

Upon presentation, Mobley moved, Sensenich seconded to advertise for bids for the first phase of the interceptor relocation at Lititz Reserve. Motion passed unanimously. The Borough Solicitor is still awaiting a response from the Lititz Reserve solicitor regarding raising the manholes.

**SUB-COMMITTEE ON STREETS AND TRAFFIC:
Lititz recCenter 6th Annual Adult Triathlon Special Event Permit Application**

Upon presentation, Sensenich moved, Greiner seconded to approve a Special Event Permit Application from the Lititz recCenter for the 6th Annual Adult Triathlon on Sunday, August 9, 2020, 8:00 A.M. - 11:00 A.M., per submitted route. Motion passed unanimously.

Annual Epiphany Service Burning Activity Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve an Activity Permit Application for St. Paul Evangelical Lutheran Church's Epiphany Service Burning of the Greens on January 5, 2020, 6:00 P.M. – 8:00 P.M. Motion passed unanimously.

School Bus Stop Ahead Signs

After review with the Chief, Garner, and the WSD and upon presentation, Mobley moved, Greiner seconded to approve the installation of new *School Bus Stop Ahead* signs for the curve on E. Sixth Street. Motion passed unanimously.

SUB-COMMITTEE ON PLANNING:
CCRC Amendment

For the past year, the Borough has been working with Luthercare in their desire to demolish existing cottages and replace them with apartments. This campus and the Moravian Manor campus are both nonconforming with the Zoning Ordinance. Over time, both retirement communities were permitted to grow as accessory uses to the nursing home to the point that independent living components have exceeded the scale of a typical accessory use. The Planning Commission believes that a text amendment allowing CCRCs within the R-1 District would be a remedy. Joyce Gerhart and Alex Piehl of RGS Associates believe that the scaled down accessory uses just for residents as proposed is too drastic. The Planning Commission will review the comments of the retirement homes and their engineers at the December 3, 2019, meeting. Pending a new recommendation, a vote to advertise the ordinance could then be held at the December 17, 2019, Council meeting.

SUB-COMMITTEE ON LITITZ recCenter BOARD/WRRRC:
Silver Sneaker Programs

After a financial analysis, effective January 1, 2020, the Lititz recCenter will no longer participate in the Silver Sneaker or Silver & Fit programs. These programs are third party for-profit businesses working with those providers to provide the benefit of gym membership. Members pay their health insurance premiums, then Silver Sneaker and Silver & Fit take a cut and pay the recCenter a discounted membership fee. The Lititz recCenter feels they can no longer subsidize that discount. This has led to provoke the ire of some senior citizens and a calm protest of this policy change took place today at the recCenter.

SUB-COMMITTEE ON BUILDINGS, GROUNDS AND SWIMMING POOL:
Public Works Garage Renovations

The most recent preliminary budget for the Public Works Garage renovations has come in considerably over budget. The committee is working through some of the major issues to bring the costs down.

Municipal Support for Norfolk Southern Project

Norfolk Southern offered their Letter of Support for the Borough's preparation of an application to PennDOT for a Multimodal Transportation Fund Grant to construct a runaround track west of Broad Street, which will allow the at-grade highway/railroad crossing at Broad Street to be removed. The grant application has been submitted. Both Warwick and Elizabeth Townships have offered to provide letters of support to see the project continue.

SUB-COMMITTEE ON FLOOD CONTROL COMMITTEE/STORMWATER:
Stormwater Update

The LSA passed a resolution expanding the powers of the LSA to include stormwater management and planning and projects, to change the name of the authority, submit the resolution to Council, and to authorize the execution and submission of articles of amendment. LandStudies will be developing a Rules & Guidance Manual.

Stormwater Update (Cont)

Mike LaSala of LandStudies presented the stormwater management ordinance, edited by the Borough Solicitor, creating and enacting the stormwater management fee, designating Lititz Borough Authority as the Borough's stormwater authority, delegating to the Lititz Borough Authority the responsibility for stormwater management planning and projects in the Borough, and amending Chapter 103 of the Code of the Borough of Lititz. Greiner moved, Sensenich seconded to advertise the stormwater management ordinance amendment. Meetings have been advertised and held for public questions. No members of the public were present. Motion passed unanimously.

SUB-COMMITTEE ON PERSONNEL:
Resignation as Tax Collector

Greiner moved, Sensenich seconded to accept the resignation of Cynthia J. Myers as Tax Collector for the 2020-2021 term. Motion passed unanimously.

RESOLUTION NO. 906:
Appoint Lancaster County as Tax Collector

Greiner moved, Mobley seconded to approve Resolution No. 906, appointing Lancaster County as Tax Collector for the 2020-2021 term. Motion passed unanimously.

Committee Reappointments

Greiner moved, Sensenich seconded to reappoint Matt Kofroth to the Flood Control Committee. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Karen Weibel and Jason Meyer to the Planning Commission. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Terry Duffin to the Civil Service Commission. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Maureen Westcott to the Zoning Hearing Board. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Jeffrey Chambers and Jeffrey Bowlby to the Lititz Sewer Authority. Motion passed unanimously.

SUB-COMMITTEE ON FINANCES:
Advertise Real Estate Taxes

Upon presentation, Mobley moved, Greiner seconded to advertise an ordinance for 2020 real estate tax at 2 mills. Motion passed unanimously.

Financial Statement/Bills

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

SUB-COMMITTEE ON FIRE SERVICES/WESC:
New Fire Chief

Greiner announced that Deputy Fire Chief Michael Smith has been voted in as the new Fire Chief of Lititz Fire Company No.1, effective January 1, 2020.

REGIONAL COMMITTEE REPORTS:
Venture Lititz Update

Sensenich reported that Venture Lititz has begun their annual fund drive. They would like to organize a volunteer appreciation gathering. She mentioned some shop changes downtown.

Regional Built & Natural Infrastructure Committee

The Regional Built & Natural Infrastructure Committee, at their last meeting, had discussions on the multimodal grant for the runaround line, NFWF grant, the Borough stormwater fee, and possible joint stormwater inspections that would be of more benefit to Warwick Township than the Borough.

RESOLUTION NO. 903:
Appoint Auditor

Greiner moved, Sensenich seconded to approve Resolution No. 903, appointing Trout, Ebersole & Groff as auditor for 2019. Motion passed unanimously.

RESOLUTION NO. 904:
2020 Earned Income Tax

Greiner moved, Sensenich seconded to approve Resolution No. 904, Earned Income Tax for 2020. Motion passed unanimously.

RESOLUTION NO. 905:
2020 Realty Transfer Tax

Greiner moved, Sensenich seconded to approve Resolution No. 905, Realty Transfer Tax for 2020. Motion passed unanimously

ADJOURNMENT

There being no further business, the meeting adjourned at 9:20 P.M. on a motion by Greiner with a second by Mobley.

Respectfully submitted,


Sue Ann Barry
Secretary/Treasurer