

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held November 30, 2021
Council Chambers, 7 South Broad Street, Lititz, PA & Zoom

The regular November 30, 2021, Lititz Borough Council meeting was conducted as a hybrid meeting, in person in Council Chambers and virtually utilizing Zoom, which is a cloud-based platform for remote video and audio conferencing. The meeting was called to order at 7:00 P.M. by President Weaver with Council members Brubaker, Greiner, Lee, Mobley, and Sensenich present. Others present were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Andy Garner, Jordan Garner, Rob McFadden, Scott & Carter Hain, Nathan Laucks, Doug Westover, Steve Gergely, Todd Dickinson, Marc Will, Michael Gallion, and Chris Strayer. In virtual attendance were Dave Carson, Scott Burkey, Sam Drake-Dickinson, and Laura Knowles of the Lititz Record Express. The meeting opened with the pledge of allegiance led by the Mayor. The President announced the addition of two items to the agenda. On a motion by Sensenich with a second by Mobley the addition of a Norfolk Southern Rail Crossing Resolution and an Application for Payment No. 3 from JVI for the Main Street/Water Street Stormwater, Water Line, Curb, ADA Replacement Project were unanimously added to the November 30, 2021, Council agenda. On a motion by Greiner with a second by Hain, the minutes of the October 26, 2021, Council meeting were unanimously approved as amended. On a motion by Greiner with a second by Sensenich, the minutes of the November 9, 2021, Council meeting were approved.

PRESENTATIONS:
456 Golden Street Preliminary Final Subdivision and Lot Add-On Plan

Steve Gergely of Harbor Engineering presented the Preliminary/Final Subdivision and Lot Add-On Plan No. 19698-002, dated March 29, 2021, last revised November 30, 2021, for 456 Golden Street, demolishing the existing residential building at 456 Golden Street, subdividing the existing 6.1 acre lot into 31 separate lots and constructing 30 single family detached dwelling units. Conditional Use approval has been granted for the demolition of the structures and for 25 units. The stormwater will be managed by altering the adjacent existing Borough-owned detention basin by adding two water quality forebays. Administrative matters and modifications were reviewed.

On a motion by Lee with a second by Greiner, the Preliminary/Final Subdivision and Lot Add-On Plan No. 19698-002, dated March 29, 2021, last revised November 30, 2021, for 456 Golden Street, 31 lots for 30 single family detached dwelling units (an increase from 25 units per Conditional Use approval), 6.1 acres, R-1 Residential-Medium, was unanimously approved with the following conditions and modifications:

Conditions –

- Financial guarantee in the amount of \$1,136,340;
- Fee in lieu of parkland in the amount of \$137,500;
- HOA and private street declarations to be approved by the Borough Solicitor;
- Dates and conditions of approval listed on the cover sheet.

Subdivision and Land Development Ordinance Modifications –

- § 305 – Preliminary Plan;
- § 403.C, 402.C.3 – Existing features within 200’;
- § 602.A.7 – Streets constructed according to specifications;
- § 602.F.7 – A 75’ clear sight triangle be provided;
- § 602.I, 602.A.14 – Private streets meet design standards of public streets;
- § 602.B.2 – Centerline of cartway corresponding with centerline of right-of-way;
- § 602.B.5 – Centerline radii at 150’;
- § 602.F.5 – A 35’ radii for streets;
- § 602.H.1.c – A 34’ cartway and 54’ right-of-way;
- § 607.A – Monuments along the right-of-way;
- § 609.B.1 – Buffers be provided.

Stormwater Management Ordinance Modifications -

- § 302.A.1 – Volume controls;
- § 307.C.1.a.3 – Pipe cover within public right-of-way.

Hometown Heros Banners

Michael Gallion, Commander of the American Legion Squad 56, has been meeting with the Council Sub-Committee on Streets and Traffic is to analyze information about Hometown Heros Banners in an attempt to provide a recommendation on the number of and the placement of the banners. PPL will not allow the banners to hang over the roadway due to truck clearance but 18" X 36" banners can hang over the sidewalks (preferred) or horizontally. The American Legion would like to restrict the banners to recognizing only Lititz Borough veterans on Broad Street from Lincoln Avenue to Second Avenue. Lee was hesitant to have them hang in the historical district. However, Gallion said, if the idea is to hang them over sidewalks for foot traffic to notice them, most of the foot traffic is in the downtown historic district. Brubaker suggested there may be other ways to bring recognition to the veterans given the constraints with the banners. Gallion referred to the memorial walls of the past. Thoughts will be given to other ideas, e.g. along the future trail, etc. In the meantime, the Borough will plot the PPL permitted locations for the banners on Broad Street.

RESOLUTION NO. 938:
Appoint Auditor

Mobley moved, Sensenich seconded to approve Resolution No. 938, appointing Trout CPA as auditor for 2021. Motion passed unanimously.

RESOLUTION NO. 939:
2022 Earned Income Tax

Sensenich moved, Mobley seconded to approve Resolution No. 939, Earned Income Tax for 2022. Motion passed unanimously.

RESOLUTION NO. 940:
2022 Realty Transfer Tax

Sensenich moved, Mobley seconded to approve Resolution No. 940, Realty Transfer Tax for 2022. Motion passed unanimously

RESOLUTION NO. 941:
Appoint Lancaster County as Tax Collector

With the resignation of newly elected tax collector Mary Lynn Lavender, Mobley moved, Sensenich seconded to approve Resolution No. 941, appointing Lancaster County as Tax Collector for 2022. Motion passed unanimously.

RESOLUTION NO. 942:
Norfolk Southern Rail Crossing

Lee moved, Mobley seconded to approve Resolution No. 942, eliminating the Norfolk Southern railroad crossings at Cedar Street and Water Street. Motion passed unanimously.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:
Inframark Report

Laucks reviewed the most recent Inframark Report and, with the increase in delivery time for chemicals, they wish to have more in stock. Fairview Township North Plant in Mechanicsburg has purchased 5,440 nitrogen nutrient credits @ \$19,040. Plant flows for the month were at a 28.4% decrease from the previous month. The Genie scissor lift control unit is obsolete and will need to be replaced next year. Digester tank cleaning has been put on hold until the warmer weather. Doug Westover has accepted another position in environmental engineering and he thanked the Council for their working relationship. Mobley moved, Sensenich seconded to accept the Inframark October 2021, Monthly Report. Motion passed unanimously.

Toxic Reduction Evaluation (TRE) Status

PADEP has notified Inframark and Entech that the results of the WET Toxicity Reduction testing data from the laboratory had a math error in the reporting. The laboratory disagrees. If the test did fail, the Borough will have to implement Phase II TRE which is an expensive undertaking. A strategy to appeal the decision is being developed.

Quarterly User Fee Update

Upon presentation, Mobley moved, Sensenich seconded to advertise an ordinance to amend language in the water and sewer fee ordinance to clearly state that the quarterly fee be applied for each additional EDU or part thereof serviced by the same meter and to change the term dwelling unit to EDU. Motion passed unanimously.

Application for Payment No. 3 – JVI Group

Upon presentation, Mobley moved, Sensenich seconded to approve Application for Payment No. 3 from JVI Group, Inc., for the Main Street/Water Street Stormwater, Water Line, Curb, ADA Replacement Project @ \$152,932.50, conditional on PennDOT approval. Motion passed unanimously.

SUB-COMMITTEE ON STREETS AND TRAFFIC:
Lititz Pretzel Fest Special Event Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve a Special Event Permit Application from the Local Kawanis Club for the Lititz Pretzel Fest on April 30, 2022, 11:00 A.M. - 4:00 P.M., in and around the shops of Lititz, adhering to any COVID-19 restrictions and to have the parking meters bagged during the event, reimbursing the Borough \$100.00, for the loss of revenue from the meters for courtesy parking. Motion passed unanimously.

Curb and Sidewalk Ordinance Update

Upon presentation, Sensenich moved, Greiner seconded to advertise an ordinance amending the curb and sidewalk ordinance to include the provision that the Borough pay for curb replacement from the stormwater fees. 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.

Advertise Real Estate Taxes

Upon presentation, Mobley moved, Sensenich seconded to advertise an ordinance for the 2022 real estate tax at 2 mills. Motion passed unanimously.

Year 2022 Proposed Budget

Mobley moved, Sensenich seconded to advertise the 2022 Budget as amended for public display. It may be further amended if TRE Phase II testing for the sewer plant is deemed necessary @ \$65,000. Motion passed unanimously.

SUB-COMMITTEE ON PLANNING:
Reduction in Financial Security for Warwick Woodlands Phase 2B

Upon the recommended by the Borough Engineer, Lee moved, Mobley seconded to reduce the financial security for Warwick Woodlands Phase 2B by \$176,693.28, to \$2,121,726.87. Motion passed unanimously.

SUB-COMMITTEE ON BUILDINGS, AND GROUNDS:
Change Order No. 30 - Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve Change Order No. 30, from Ondra-Huyett Associates, Inc., for revised grading changes for the Public Works Garage Project, @ \$5,022.00. Motion passed unanimously.

Application for Payment No. 8 – Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve the Application for Payment No. 8 from Ondra-Huyett Associates, Inc. for the Public Works Garage Project @ \$294,868.98. Motion passed unanimously.

SUB-COMMITTEE ON PERSONNEL:
Committee Reappointments

Greiner moved, Sensenich seconded to reappoint Mike Smith, Kyle Stauffer and Elijah Yearick (as Alternate) to the Planning Commission. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Harold Eberly and Timothy York to the Zoning Hearing Board. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Roxanne Slovak and Pricilla Stoner to the Historical Area Advisory Committee. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Jennifer Lee and Seth Hiller to the Shade Tree Commission. Motion passed unanimously. Greiner moved, Sensenich seconded to reappoint Charis Pankratz to the Parks Committee. Motion passed unanimously. Council would like to thank Jerry McDonald for his time served as Alternate on the Zoning Hearing Board, as he does not wish to seek reappointment. A Citizen Member on the Warwick Regional Recreation Commission is also needed.

REPORT OF THE BOROUGH MANAGER:
Monthly Meeting Date Reminders

The Borough Manager reminded Council of the following meeting dates, per submitted report & update. Many public meetings will be held live and/or web conferencing (hybrid).

Regular Monthly Meetings:

- December 7, 2021 – Tuesday – Planning Commission Meeting – 7:00 P.M. (hybrid)
- **** December 14, 2021 – Tuesday – Council Meeting – (if called by the President)
- December 20, 2021 – Monday – Zoning Hearing Board Meeting – 7:00 PM. - Chambers
- **** December 28, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)

Other Meetings, etc.:

- November 29, 2021 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M..
- **** November 30, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)
- December 1, 2021 – Tuesday – PWD Union Contract – 10:00 A.M. (webconf)
- December 6, 2021 – Monday – WESC – Brickerville Fire Co. - 6:30 P.M.
- December 6, 2021 – Monday – Lititz Public Library Board – Library - 7:00 P.M.
- December 8, 2021 – Wednesday – Recognition Dinner – Lititz Springs Inn – 6:30 P.M.
- December 14, 2021 – Tuesday - MS4 Committee – 3:30 P.M. (hybrid)
- December 14, 2021- Tuesday – Police Interviews – Council Chambers - 6:00 P.M.
- December 16, 2021 – Thursday – Reg Housing & Econ Develop't – 7:30 A.M. (webconf)
- December 20, 2021 – Monday - Parks Committee – 4:00 P.M. (hybrid)
- December 20, 2021 – Monday - HAAC Meeting – Conference Room - 6:00 P.M.
- December 21, 2021 – Tuesday – Warwick School Board – 7:00 P.M.
- December 27, 2021 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.

- **** All Council members should plan to be at these meetings

REPORT OF THE JUNIOR COUNCIL PERSON

Junior Council Person Carter Hain reported that the Warwick Marching Band brought home the bronze medal from a competition in Hershey. Occupational Ready Skills were featured at the Fall Fest. The Environmental Action Club is new this year. The Diary of Anne Frank show of the Warwick Performing Arts was successful.

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

Leaf pick up will probably continue until the third week in December. A temporary occupancy permit was received for the Borough Garage and there may be an Open House sometime in January.

REPORT OF THE MAYOR & CHIEF OF POLICE

At a County Mayor's meeting, the Mayor learned of long wait times for EMS at the Penn Medicine Lancaster General Health Hospital due to staff shortages. He attended the Community Thanksgiving Celebration at St. James Catholic Church and a meeting with Congressman Smucker where COVID effects on small businesses in Lititz were discussed.

The Chief reported that there are two applicants for the police officer position opened by Justin Miller's time going into the Drug Task Force. He went on to say that there are not as many folks wanting to be police officers as there once was and that Boroughs are unfairly penalized by having to go through the Civil Service process for hiring.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Yearick stated that RFPs for professional services for the design of the Sixth Street Park are due on December 10, 2021. A survey is taking place for the Norfolk Southern runaround line. Subdivision Plans for the 102-104 S. Broad Street Project, currently the Toy Soldier Restaurant and Apartments, should be before the Planning Commission in February.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:35 P.M. on a motion by Mobley with a second by Sensenich.

Respectfully submitted,


Sue Ann Barry
Secretary/Treasurer