

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held October 24, 2017
7 S. Broad Street, Lititz, PA

The regular meeting of the Lititz Borough Council was called to order at 7:00 P.M. on October 24, 2017, by President Weibel with Council members Greiner, Hain, Sensenich, and Weaver present. Van Brookhoven was excused. Others in attendance were Mayor Snyder, Sue Ann Barry (Secretary/Treasurer), Chief Nye, Elijah Yearick, Andy Garner, Todd Kauffman, Peter Smith, Michael Wolgemuth, David Swartley, Alex Piehl, Kathy O'Hara, Anne Wallace-DiGarbo, Laurie Hess, Ellen Sloane, Richard Wit, Brenda Barnes, Jason Meyer, Deborah Hall, and Laura Knowles of the Lititz Record Express. 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 Weaver, the minutes of the September 26, 2017, Council meeting were unanimously approved.

PETITIONS, CORRESPONDENCE AND QUESTIONS:
Fair Districts PA Organization

A non-partisan group, the Fair Districts PA Organization, has created an independent commission to end gerrymandering in Pennsylvania. Kathy O'Hara, Anne Wallace-DiCarbo and Laurie Hess were present to request Council's support by passing a resolution in support of a citizen's commission for legislative and congressional redistricting following the 2020 census. They said that district lines are to be drawn to reflect community borders, to create an accurate depiction of the population, unlike the district line that encompasses the 16th District. Recent legislation has been introduced to reform the redistricting process (Senate Bill 22 and House Bill 722), which is now stuck in committee. Weibel stated that it is not Council's policy to make political and social statements in the form of a resolution. Resolutions in the Borough are used only for business purposes. However, if Council members feel strongly about changing the redistricting process, they can contact their local legislators.

Presentation of the LRCDC

John Bear of the Lititz Regional Community Development Corporation (LRCDC) was asked to give a report to Council as they request funding from the Borough for their non-profit organization. Bear explained that they formed in 2013 as a support mechanism for local government, to be creative in assisting the community keep existing businesses and attract new businesses. They are currently working on a business plan with their mission to be financially independent. Municipal donations so far have been applied to insurances. The Board is made up of a representative from Borough Council, Warwick Township Supervisors, Warwick School Board, and four members at-large.

Revised Phase 1 Final Plan for Warwick Woodlands

Alex Piehl of RGS Associates presented the Revised Phase 1 Final Subdivision and Land Development Plan No. 2010709-006, dated September 12, 2017, revised October 10, 2017, which includes an additional five cottages on Sixth Street and the maintenance building moved with access from Spring Avenue. They met with neighbors of Spring Avenue and addressed their concerns that the road will not be extended and Warwick Woodlands access will be gated. After brief discussion and on a motion by Hain with a second by Sensenich, the Revised Phase 1 Final Subdivision and Land Development Plan No. 2010709-006, dated September 12, 2017, revised October 10, 2017, was unanimously approved with the following conditions and modification:

Conditions:

- Director of Planning & Community Development's Memo of September 29, 2017, be addressed regarding landscape plan and crosswalk standard;
- Lighting Plan be reviewed and approved;
- Escrow be reviewed and adjusted;

Modification:

- §602.K.3 of the SLDO which requires the vertical curve of the access drive to conform with §602.B and §602.C.

Children's Corner at Moravian Manor Recognition

The Children's Corner at Moravian Manor has received national recognition as a Certified Nature Explore Classroom from the Nature Explore Program, which is a collaboration of Dimensions Educational Research Foundation and the Arbor Day Foundation.

Stormwater Management Program Update

Yearick provided an update on the status of the Borough's Stormwater Management Program (SWMP) and development and implementation of the MS4 Permit. He provided the status of the new and on-going SWMP goals: 1. create a comprehensive digital inventory of the MS4 System; 2. inventory the condition of the Borough's MS4 system, including BMPs; 3. establish watersheds for each system outfall (MS3); 4. work with Warwick and Manheim Townships to update the Lititz Run TMDL and the Chesapeake Bay Pollution Reduction Plan; 5. reach out to homeowners to ensure facilities are functioning as designed; and, 6. annually evaluate the program. This year, the focus was on Borough owned facilities to inspect and working to develop an educational guide for BMP owners. An annual report was submitted to DEP and the Borough was evaluated by DEP staff in September. Based on their review, the Borough's program was shown to be compliant.

All outfalls have been evaluated, focusing on a few suspect outfalls that may be experiencing periodic illicit discharges. Staff also enforces illicit discharge events. These can range from spill events, to improper saw cutting and pool discharges. The system is only designed to accommodate rainwater. Staff has been making efforts to educate residents through an insert in homeowners' water bill and an independent mailing to rental tenants. The letter was also run as a Letter to the Editor in the Lititz Record in September. To date, staff has issued fourteen Level 1 Enforcement Notices, one Level 2 Enforcement Notice and five educational letters.

These were Yearick's, Kauffman's and Garner's answers in response to questions from the public: 1) The lab data collected to date does not indicate there to be a significant amount of pesticide/herbicide in the stormwater. 2) The Borough is currently working with property owners where opportunities arise to create new buffers to improve water quality. 3) A Level 2 Enforcement Notice was given to a contractor who failed to protect a stormwater inlet from sediment wash down from a brick building. The contractor was previously advised to protect the inlet and was given a guidance pamphlet on steps to take. 4) The Borough received one phone call to report that a garbage truck was leaking leachate when it compacted a trash pickup. The Borough contacted the trash hauler and advised them to repair their trash compartment seal. 5) TMDL stands for Total Maximum Daily Load which is basically the allowable amount of a pollutant that can be discharged. BMP stands for Best Management Practice. This could refer to a something like a storm water detention basin or some sort of a protective action taken. 6) Car washing that results in wash water running down the street is not permitted as soap is a pollutant. 7) The salting of roads is acceptable. 8) Sweeping of leaves into the street is only permitted during the designated leaf pickup times. 9) Discharging of pool water to the street is only permitted if the pool water has been dechlorinated. Dechlorination tablets are commercially available and test strips could be used to confirm there is no chlorine present. An allowable alternative would be to discharge the pool water to the sanitary sewer through the lateral cleanout/vent cap. 10) Commercial properties with fire pumps should also dechlorinate the discharge water during any pump tests.

Highlights of upcoming (and current) permit year planned activities and focus areas include:

- Ongoing characterization of system discharges – Pathogens is one of the primary pollutants of concern;
- Focus on contractor education, proper landscape waste disposal, BMP maintenance & inspections, continue implementing grant funded stormwater projects –
 - Oak Street Floodplain Restoration;
 - 4 Low Volume Road Grants;
 - Locust to Front floodplain restoration;
 - Continue to work with our regional partners.

Planned or known activities, events, etc. the public may participate in or attend (i.e. stream or street clean-up, local fair, etc.). LRWA Stream Cleanup Day is in March and Watershed Day is in May.

PUBLIC HEARING:
Ordinance No. C-560 – Shade Tree Commission

President Weibel recessed the regular meeting and opened a Public Hearing to receive public comments on an ordinance to establish the Shade Tree Commission in accordance with §2721 of the PA Borough Code and to promote and protect the public health, safety and general welfare by providing for the regulation of planting, maintenance and removal of shade trees within the Borough. There were no comments from the public. Weibel closed the Public Hearing. Hain moved, Weaver seconded to adopt Ordinance No. C-560, Shade Tree Commission. 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:

- November 7, 2017 - Tuesday - Planning Commission Meeting - 7:00 P.M.
- **** November 14, 2017 – Tuesday – Council Meeting - 5:30 P.M. – Annual Budget Meeting
- November 20, 2017 – Monday – Zoning Hearing Board Meeting – 7:00 P.M.
- **** November 28, 2017 – Tuesday – Council Meeting – 7:00 P.M.

Other Meetings, etc.:

- October 23, 2017 – Tuesday – Public Works Negotiations – 3:00 P.M.
- October 24, 2017 – Tuesday – Forge the Future Committee – WT – 2:00 P.M.
- **** October 24, 2017 – Tuesday – Council Meeting – 7:00 P.M.
- October 30, 2017 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- November 1, 2017 – Wednesday – The Woods Apartments Ground Breaking – 3:30 P.M.
- November 2, 2017 – Thursday – Safety Committee Meeting – 1:30 P.M.
- November 2, 2017 – Thursday – WESC Regional Exercise – 7:00 – 9:00 P.M.
- November 6, 2017 – Monday – Lititz Public Library Board of Director-Library 7:00 P.M.
- November 8, 2017 – Wednesday – Mayors Assn – Council Chambers – 12:00 Noon
- November 8, 2017 – Wednesday – Venture Lititz – Conference Room – 7:30 A.M.
- November 14, 2017 – Tuesday – MS4 Committee - Conference Room – 3:30 P.M.
- November 16, 2017 – Thursday – LCPC Places 2040 – Ephrata Borough – 7:30 A.M.
- **** November 16, 2017 – Thursday, Joint Meeting – Lititz, WT, ET, WSD – WT – 7:00 P.M.
- November 20, 2017 – Monday - Parks Committee – Conference Room – 4:00 P.M.
- November 20, 2017 – Monday - HAAC – Conference Room - 6:00 P.M.
- November 21, 2017 – Tuesday – WRRRC Partners Meeting – WSD – 12:00 Noon
- November 21, 2017 – Tuesday – Flood Control Committee – Conference Room – 3:30 P.M.
- November 21, 2017 – Tuesday – Warwick School Board – District Office – 7:00 P.M.
- November 22, 2017 – Wednesday – Regional Rail Trail – Warwick Township – 7:30 A.M.
- November 27, 2017 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- **** All Council members should plan to be at these meetings.

Right-to-Know Requests – Data Mining

Weibel expressed her frustration with Right-to-Know requests from organizations that are data mining for business, i.e. a request received from BuildZoom of San Francisco, CA, for all building report information from the last ten years and on-going monthly requests for residential and commercial permit information.

REPORT OF THE PUBLIC WORKS DIRECTOR AND FACILITIES MANAGER:

The split rail fence was installed at the Spruce Street Park. Leaf collection is underway. Additional sewer main lining on W. Orange Street is needed due to cracks. The routine hydrant flushing was performed, repairs were necessary and boil water advisory was issued to approximately ten customers. The Borough's insurance will

REPORT OF THE PUBLIC WORKS DIRECTOR AND FACILITIES MANAGER (Cont):

cover the vandalism to the Bonfield well house after the deductible has been met. The concrete base at the cell tower at the Water Plant was repaired, however, the repairs to the damaged paved walkway and parking lot remain to be completed. Hain was perplexed by the one-sided iron fence at the Water Plant that has a lock on it and pickets that appear to have been pulled apart.

REPORT OF THE MAYOR & CHIEF OF POLICE:

Lititz Action for Substance Abuse Prevention (ASAP) is hosting a presentation by professionals about opioids in the workplace at Rock Lititz Pod 2 on November 2, 2017, at 7:00 A.M. The Police Department is hosting a series of training events at the Lititz Fire Co. There were ~200 in attendance at the East Side Movie Night on Front Street on September 30, 2017. The Police Department's Pink Patch Project, part of a national public awareness campaign designed to bring attention to the fight against breast cancer, raised ~ \$2,800 for the Lancaster General Health Foundation's Suzanne H. Arnold Center for Breast Health. The sign to restrict parking to twenty minutes in the Load/Unload Zone in front of the General Sutter Inn has been ordered but not yet received. A question from Greiner initiated discussion on the new trend in live scan fingerprinting which NLCRPD has and Nye has used. Nye stated that he feels that Lancaster County should have Central Booking for better efficiency.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING:

Yearick reviewed his Director of Community Planning monthly report and continuing activities. The Preliminary/Final Wilbur Redevelopment Land Development Plan will be before Planning Commission on November 7, 2017. The sublease of the Triangle parking lot has been executed. Two issues remain unresolved with the Locust Street Bridge Project – the repaving and the ADA curb cuts adjacent to the Yerger property. St. Paul's Evangelical Lutheran Church has placed the Habitat Project on hold, as they research other adaptations.

REPORT OF THE JUNIOR COUNCIL PERSON:

Junior Council Person Tabitha Delmont provided a report on activities at Warwick High School. Homecoming is Saturday, October 28, 2017. *Arsenic and Old Lace* is the Fall Play, running November 3-5, 2017.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:

Sewer Trent Report

Smith reviewed his report and fielded questions. Noteworthy events were discussed. The WWTP SCADA is being upgraded. The HVAC upgrades at the WWTP has begun. Another draft of the NPDES permit arrived and is under review.

SUB-COMMITTEE ON STREETS AND TRAFFIC:

Fire & Ice Festival Special Event Permit Application

Upon presentation, Sensenich moved, Weaver seconded to approve a Special Event Permit Application for the Lititz Fire & Ice Festival, co-sponsored by Venture Lititz and the Lititz Lion's Club, on February 16-19, 2017, closing E. Main Street from Broad to Cedar Street and Broad Street from Orange to Front Street on February 16, 2017, 5:00 P.M. - 9:00 P.M. for a block party. Motion passed unanimously.

Merry Lititz Christmas Special Event Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve a Special Event Permit Application for a Merry Lititz Christmas event on December 2, 2017, from 10:00 A.M. - 3:00 P.M., at the Lititz Elementary School, in conjunction with Venture Lititz and AMBUCS, as submitted. Motion passed unanimously.

Christmas in the Park Activity Event Permit Application

Upon presentation, Sensenich moved, Greiner seconded to approve an Activity Event Permit Application for the Lititz Springs Park Board for the annual Christmas in the Park, tree lighting and community choral sing, in the Lititz Springs Park from 6:00 P.M. to 7:30 P.M. on December 1, 2017. Motion passed unanimously.

Handicapped Parking Space

Upon presentation, Sensenich moved, Greiner seconded to approve a request for a handicapped parking space for Bert M. Concklin, 209 E. Main Street. Motion passed unanimously.

Kissel Hill Elementary School Flashing Zones

Council concurred with installing another set of school flashing lights at Landis Valley Road and Brubaker Valley Road at the Kissel Hill Elementary School, a three-way cost share with Lititz Borough, Warwick Township and Warwick School District.

SUB-COMMITTEE ON ZONING:
Zoning Hearings

Hain provided a recap of the three cases that were before the Zoning Hearing Board on October 16, 2017. Testimony was closed and the decision was to deny a request for a variance for garage setbacks. A request for a variance was approved for terms defined, accessory apartments within accessory building, height of accessory buildings, and form based codes required garage setbacks. A Special Exception was approved for an expansion partially within the floodplain.

SUB-COMMITTEE ON BUILDINGS, GROUNDS/PARKS AND SWIMMING POOL:

WRRC is working on pricing and phasing for the Lititz Springs Pool. The toddler swing at the Spruce Street Park is out of compliance and needs to be replaced.

SUB-COMMITTEE ON FLOOD CONTROL COMMITTEE/STORMWATER:

The Exelon Grant Project for watershed improvements at the Haas site is almost completed. There will be some plantings in the spring. The Oak Street Local Stormwater BMP Implementation Grant Project at the Garman property has received an extension until December, 2018.

SUB-COMMITTEE ON EMPLOYEE BENEFITS & INSURANCE:
Workers Compensation Report Card

According to the Susquehanna Municipal Trust Risk Management Report Card for 2016, the Borough scored 93%.

Health Insurance Renewal Rates

Employee health insurance renewal rates came in at 4.7% increase for 2018, slightly less than the overall ICC increase.

Amendment to the Non-Uniform Employees Pension Plan

Upon presentation, Weaver moved, Hain seconded to advertise an ordinance to amend the Non-Uniform Employees Pension Plan to change the death benefits section of the plan regarding the survivor election form, effective January 1, 2017. Motion passed unanimously.

SUB-COMMITTEE ON FINANCE:
LST Refund Requests

Weaver moved, Sensenich seconded to approve a 2016 LST refund request from Amber Kindler @ \$42, as she did not earn the minimum required amount. Motion passed unanimously. Weaver moved, Sensenich seconded to approve a 2016 LST refund request from Josh Henry-Ruhl @ \$53, as he did not earn the minimum required amount. Motion passed unanimously.

Outsourcing Bookkeeping Duties

After careful review and upon presentation, Weaver moved, Greiner seconded to outsource the bookkeeping duties on a part-time basis to Walz Group to save on time, increase efficiencies and strengthen level of service. It is anticipated that as staff works with this firm and uncovers the support needs that will be required using existing staff, that a part-time administrative assistant will need to be hired to provide more segregation of duties for better internal control. Motion passed unanimously.

2018 Budget Meeting

Council was reminded of the annual budget meeting to be held on Tuesday, November 14, 2017, 5:30 P.M., in Council Chambers.

SUB-COMMITTEE ON FIRE SERVICES/WESC:
WESC 2018 Meetings

The WESC Board is considering having quarterly meetings in 2018 instead of every other month.

REGIONAL COMMITTEE REPORTS:
Venture Lititz

Weibel provided a report on Venture Lititz. The gala was extremely well attended. In conjunction with ABC, VL is co-sponsoring a 5K race on October 28, 2017. VL will take over the Fire & Ice Event in 2018. They are working with merchants to buy greens in bulk for holiday decorating. There is a ribbon cutting ceremony for the opening of Stoll & Wolfe Distillery, 35 N. Cedar Street, on October 25, 2017, at 5:00 P.M. Small Business Saturday is November 25, 2017. The ExtraOrdinary Give is on November 17, 2017. The Holiday Shopping Cards will be available in early November. The movie marquee is in disrepair and if not all of it can be saved, the front piece will be saved.

Regional Comprehensive Plan – Forge the Future 2022 Draft Strategies

Yearick reported on the Forge the Future 2022 committee meeting earlier on this date when strategies, goals and maps were reviewed. It will be a subject of the Joint Meeting on November 16, 2017, at Warwick Township. A final draft will be distributed at the end of the year or in January, 2018.

RESOLUTION NO. 864:
Moravian Manor Financing

Moravian Manor is pursuing financing and the local municipality has to pass a resolution in support. It does not obligate the municipality to anything, however. Greiner moved, Weaver seconded to approve Resolution No. 864, for the Moravian Manor financing. Motion passed unanimously.

AGREEMENT NO. 496:

Donation between Stone Creek Holdings and the Borough

Upon presentation, Greiner moved, Hain seconded to approve Agreement No. 496, the land donation between Stone Creek Holdings (Garman) and the Borough as associated with Oak Street Local Stormwater BMP Implementation Grant Project. Motion passed unanimously.

FINANCIAL STATEMENT/BILLS

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

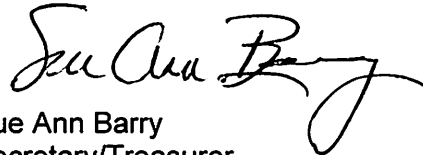
OTHER BUSINESS:

The President of the LCBA is retiring at the end of the year. LCBA is opposing HB 1620, for wireless systems in the rights-of-way. A course for newly elected municipal officials is being held at the Eden Resort, Lancaster, on February 2 & 3, 2018.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:00 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 a large, stylized "B" at the end.

Sue Ann Barry
Secretary/Treasurer