

**LITITZ BOROUGH COUNCIL**  
**Minutes of Meeting Held October 26, 2021**  
**Council Chambers, 7 South Broad Street, Lititz, PA & Zoom**

The regular October 26, 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, Nathan Laucks, Doug Westover, Charis Pankratz, David & Linda Carson, Laura Knowels of the Lititz Record Express, and Scott & Carter Hain and Charity Burkhart arriving later. In virtual attendance were Mary Gattis, Chris Strayer, Tim & Alyssa Strayer, Court Ewing, Bill & Lisa Schneper, and Mandi Fischer. The meeting opened with the pledge of allegiance led by the Mayor. On a motion by Greiner with a second by Sensenich, the minutes of the September 28, 2021, Council meeting were unanimously approved as amended. There were no petitions, comments or questions concerning items other than agenda items.

**ORDINANCE NO. C-595:**  
**Grinder Pump Regulations**

Upon presentation, Lee moved, Mobley seconded to approve Ordinance No. C-595, Grinder Pump Regulations. Motion passed unanimously

**RESOLUTION NO. 937:**  
**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, Sensenich seconded to approve Resolution No. 937, for the Moravian Manor financing. Motion passed unanimously.

**SUB-COMMITTEE ON SEWER AND WATER SERVICES:**  
**Inframark Report**

Inframark has partnered with ESG Operations in a merger and will further enhance water and wastewater needs to municipal clients and others. Laucks reviewed the most recent Inframark Report and reiterated details from tropical storm Ida on September 1, 2021. They have seen an increase in delivery time for chemicals and adjusted their ordering process. The Eastern PA Water Pollution Control Operator Association (EPWPCOA) has recognized the Lititz WTP with their 2021 Plant Operations and Maintenance Award for > a 2MGD plant. The LBA has nitrogen and phosphorus credits to sell. Doug Westover highlighted flow trends from the past 7-years: 1) Despite growth in both municipalities over the past 7 years, the overall flow has been held fairly consistent suggesting the increased paid-for flow has been offset by reductions in I&I; 2) The spike early in the year that corresponds with the spring thaw has been reduced over time, suggesting infiltration of ground water has been reduced; 3) The Ida rainfall last month was the largest rain event in the past 7 years, yet the peak flow was lower than similar 2018 rain events; 4) Following the 2018 flooding, the flow remained prone to big swings until mid-2019, when the fluctuations tightened back up. Mobley moved, Sensenich seconded to accept the Inframark September 2021, Monthly Report. Motion passed unanimously.

**SUB-COMMITTEE ON STREETS AND TRAFFIC:**  
**Christmas in the Park Activity Permit Application**

Upon presentation, Sensenich moved, Mobley seconded to approve an Activity Permit Application for the Lititz Springs Park Board to hold the annual Christmas in the Park, tree lighting and community choral sing, in the band shell of the Lititz Springs Park from 6:00 P.M. to 9:00 P.M., on December 3, 2021, with 200-300 guests. Motion passed unanimously.

Lititz Historical Foundation Annual Christmas Carol Sing Activity Permit Application

Upon presentation, Sensenich moved, Mobley seconded to approve an Activity Permit Application from the Lititz Historical Foundation for the Annual Christmas Carol Sing on December 9, 2021, from 7:00 P.M. - 9:00 P.M., at Moravian Church Square with the closing of Church Lane. Motion passed unanimously.

Warwick Bands Food Truck Festival Activity Permit Application

Upon presentation, Sensenich moved, Mobley seconded to approve an Activity Permit Application from the Warwick Band Parent Organization for the Warwick Bands Food Truck Festival with music on Sunday, May 22, 2022, 9:00 A.M. - 5:00 P.M., in the Lititz Springs Park, open to the public with ~ 15 food trucks and closed to vehicle traffic. Motion passed unanimously.

Activity Permit Application for Simply Christmas

Upon presentation, Sensenich moved, Mobley seconded to approve an Activity Permit Application for the 10<sup>th</sup> Annual Simply Christmas, a drive-through event at the Lititz United Methodist Church, 201 Market Street, on December 12, 2021, 4:00 P.M. - 7:30 P.M. Motion passed unanimously.

Handicapped Parking Spaces

Upon presentation, Sensenich moved, Mobley seconded to approve a request for a handicapped parking space for Joseph Mueller, 221 N. Liberty Street. 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. Council's annual budget meeting will be held Tuesday, November 9, 2021, 5:30 P.M.

SUB-COMMITTEE ON PLANNING:  
Southern Gateway

Planning Consultant Thomas Comitta is beginning to work on implementing the results of the Southern Gateway Study.

SUB-COMMITTEE ON BUILDINGS, AND GROUNDS:  
E. Sixth Street / Locust Street Park Concept

Lee provided a recap of the Parks Committee recommendation for a small park at the corner of E. Sixth Street and Locust Street on Borough-owned dedicated parkland associated with a 1991 subdivision to serve a portion of the community that does not have a public park. There were petitions submitted for and against the park concept. There were public listening sessions and an opportunity to address Council at the September 28, 2021 meeting. Linda Carson, 220 E. Sixth Street, who lives across the street from the site, thinks the area is beautiful the way it is. She and her husband David distributed a memo and information on why the park should not be approved. She said that many of the folks who signed the petition for the park were not aware of the reasons there is opposition, e.g., Sixth Street extension, speeding, parking, cost, etc., so she does not feel that petition is relevant. She referred to Borough staff predictions of over 5,700 cars using Sixth Street every day and 15% of motorists going over 35 MPH. She challenged Scott Hain's former comment that the swale at the location is similar to the creek at the New Street Park. She has done some research on the karst topography of the area making the critical aquafer a natural hazard with the potential for sinkholes, fissures, and depressions; attracting kids to it. She said that a one or two rail fence will not keep kids away from the swale. She showed a geological map of five depressions at the site. She would like to see an independent analysis of the Sixth Street thoroughway when it is completed. She added COVID and West Nile virus to the list of risks.

E. Sixth Street / Locust Street Park Concept (Cont)

David Carson, 220 E. Sixth Street, asked why even discuss a park at that location before Sixth Street goes through. He said that traffic is bad now and speeding is excessive. He said his wife Linda spoke with folks at the State that said that Butterfly Acres is known for mosquitoes and West Nile virus. He asked why take the risk as there are other opportunities for children to play. Weaver explained that when the Borough staff heard there were concerns about West Nile virus there, they reached out to the State Disease Control Program Coordinator and learned that they have been monitoring this area for quite some time and found one case this year and that the area is not particularly a concern. Referring to the comment that 15% of motorists are going over 35 MPH, Weaver stated that data was from 2019 and more recent data collected indicated that it is 1.3% of motorists traveling over 35 MPH. Lee indicated that this region of Lancaster is known for its karst topography and this is not an anomaly. Carson feels that Scott Hain being on the Parks Committee, as the Borough Engineer, is a conflict of interest. Brubaker stated that Hain is also a Borough citizen and he can participate on a committee as a citizen. Brubaker also thought the COVID risk to be invalid as by the time the park is developed, COVID should not be a factor. The ideal time to purchase play equipment for parks is at the end of the year to realize 10%-40% savings and freight at no charge. Brubaker seemed to feel that there is an underlying reason the Carson's do not want the park there. Carson replied that their reason is safety. Young families that do not live adjacent to the land in question are in favor of it. Mobley felt that the Council has an obligation of added value to future families.

Member of the Park Board Scott Hain presented a memo from the Park Board addressing that the proposed park will not generate increased traffic and parking as it is meant to attract residents within walking distance. The spread of COVID is not a viable issue as by the time the park is built children will have full access to the vaccine. He quoted an emergency physician and professor of health policy and management at the George Washington University Milken Institute School of Public Health who stated that outdoor playgrounds are actually very safe. Published data states that there is a great health risk concern of inactivity among children. He does not see West Nile virus as a problem. Hain stated that karst topography starts at Rt. 322 in the northern part of Lancaster County and runs through the entire County; that everyone here has a home built on karst topography. The Park Board is requesting that Council take their recommendation and approve the park to see residents in this area of the Borough represented with a public park. He added that it was disheartening to listen to his integrity as an engineer being questioned. Weaver is not concerned about a conflict of interest at all that Hain's work with the Park Committee has been all volunteer work. Referring to the January 26, 2021, Borough Council minutes, Carson read, "Upon presentation by Weaver, Greiner moved, Sensenich seconded to appoint David Miller/Associates as Borough Engineer, having offered many years of pro bono service playing a role in the decision." Weaver stated that Hain's volunteer service is how Council discovered his and his firm's abilities and capabilities and then discovered that their pricing was also a significant discount. Also, the Borough's stormwater engineer took a position at David Miller/Associates. Carson acknowledged those as valid points; but Carson reiterated his position there is a conflict of interest with Hain being member/employee of the Borough's paid engineering firm and also serving on the Parks Committee. Lee stated that residents are very fortunate to have a lot of great professionals that live in the Borough, to not allow them to serve on committees as volunteers would be devaluing what is here to offer. Carson stated that, though not threatening, all they care about is doing the right thing for the Borough residents even if it means taking legal action.

The conceptual plan for the park that was presented by the Park Board can be tweaked and Council discussed further planning with other opportunities that are out there, e.g. butterfly garden, open space, dog park, community gardens, etc. The Park Board tries to stretch their funds by buying at the end of the year that the funds are allocated over the course of a couple of years. Court Ewing, 310 E. Fourth Avenue, as one of the people involved in getting signatures on the petition in favor of the park wanted to speak to their methodology of attempting to get signatures. They were not trying to "sell" the park; they answered questions; they did not try to convince anyone to sign the petition. He stated that some of the folks who are in favor of the park live within 200' of the park and he being a 4 minute walk from the site considers himself a part of the neighborhood. As for the safety concerns, he feels that a lot of professionals have looked at this and he would feel safe to send his child to this park.

E. Sixth Street / Locust Street Park Concept (Cont)

Tim Strayer, 618 Kissel Hill Road, stated that traffic alone does not make a park unsafe. It is not just those area residents that have small children that want the park, it is all demographics. The park would only take up a small section of the space that is there, that there will still be open space. He repeated Hain's comments about the entire region being karst. He stated that this is a perfect way to get people outside and get to know their neighbors. Lisa Schneper, 103 E. Sixth Street, thanked Council for their discussion particularly that consideration will be given to other features to the park that would benefit adults and not just children.

Mary Gattis, 27 S. Cedar Street, offered an observation about the process. She understands that the Parks Committee has been looking at this land for quite some time. However, the Borough is part of a regional Comprehensive Plan which charts the region for a period of five years, currently 2017-2022. In reviewing the plan, she sees that this park is not indicted as a proposed park on the Parks and Open Space Map nor is it indicted as recreational space on the Future Land Use Map. Her recommendation is that this issue be tabled and be reconsidered with the update to the Comprehensive Plan as part of a broader discussion regarding the future of the Borough including traffic, safety, recreation, and other critical issues. She thanked all of the members of the community who came out and shared their passion for the community. (Secretary's Note: The park does show up on the Official Map which is a part of the Comprehensive Plan.)

Bill Schneper, 103 E. Sixth Street, was impressed that consideration would be given to other features for the park. He was part of the task force (listening sessions) initially and found that to be very constructive. He did not feel there was enough community input into what the park would look like. From the initial sketches, he did not find it to be a particularly attractive park. He asked as Council goes forward, if they would consider a task force of residents for input into what would be in the park. He does not think the idea of going about it piecemeal is the right way to look at it. He supports the consideration of other amenities, e.g. a butterfly garden. Council discussed the next steps in the process, e.g. hiring a consultant for design, having a task force, having a park for all ages. Lee moved, Sensenich seconded to proceed with developing the tract of land at the northeast corner of Sixth and Locust Street as a park, to create a volunteer task force and hire a consultant to facilitate and assist in planning. Motion passed unanimously. Carson asked if he could be considered for the task force.

Change Order No. 26 - Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve Change Order No. 26 Revised, from Ondra-Huyett Associates, Inc., for installing main garage interior piping with exterior exit of building set at 14" above finished floor for the Public Works Garage Project, @ \$3,337.00. Motion passed unanimously.

Change Order No. 27 - Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve Change Order No. 27, from Ondra-Huyett Associates, Inc., for milling and full depth paving at main garage front for the Public Works Garage Project, @ \$4,551.00. Motion passed unanimously.

Change Order No. 28 - Public Works Garage

Upon presentation, Lee moved, Sensenich seconded to approve Change Order No.28, from Ondra-Huyett Associates, Inc., for installing soils exchange and geo-grid for the Public Works Garage Project, @ \$9,634.00. Motion passed unanimously.

Change Order No. 29 - Public Works Garage

Upon presentation, Lee moved, Sensenich seconded to approve Change Order No.29, from Ondra-Huyett Associates, Inc., for installing ice maker and sink for the Public Works Garage Project, @ \$2,384.73. Motion passed unanimously.

Application for Payment No. 6 – Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve the Application for Payment No. 6 from Ondra-Huyett Associates, Inc. for the Public Works Garage Project @ \$245,518.08. Motion passed unanimously.

Application for Payment No. 7 – Public Works Garage

Upon presentation, Lee moved, Mobley seconded to approve the Application for Payment No. 7 from Ondra-Huyett Associates, Inc. for the Public Works Garage Project @ \$59,953.53. Motion passed unanimously.

REPORT OF THE BOROUGH ENGINEER:

A final walkthrough for the Main Street & Water Street Project will be during the week of November 1, 2021.

MS4 Annual Stormwater Report

Charity Burkhart of David Miller/Associates presented the Annual MS4 Stormwater Report, a report on the status of the 2021 MS4 Program and the Borough's Stormwater Management Plan (SWMP). Burkhart provided the status of the SWMP goals, highlights of the latest SWMP Review/Assessment and Annual Report, summary of IDDE efforts and investigations, highlights of upcoming permit year and focus activities, and planned/known activities that the public may participate in. The activities scheduled for 2022 are Water Week activities, monthly Lititz Run Watershed Alliance meetings and ongoing Lititz Run Watershed Alliance public activities

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:

- November 2, 2021 – Tuesday – Planning Commission Meeting – 7:00 P.M. (hybrid)
- \*\*\*\* November 9, 2021 – Tuesday – Council Meeting – 5:30 PM (Annual Budget Meeting)
- November 15, 2021 – Monday – Zoning Hearing Board Meeting – 7:00 PM. - Chambers
- \*\*\*\* November 30, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)

Other Meetings, etc.:

- October 25, 2021 – Monday – Lions Halloween Parade – Main Street – 7:00 P.M.
- October 25, 2021 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
- October 26, 2021 – Tuesday – Sub-Committee on Streets & Traffic – Conference – 9:00 A.M.
- \*\*\*\* October 26, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)
- October 27, 2021 – Wednesday – WERT – 8:00 A.M. (Zoom)
- October 28, 2021 – Thursday – Finance Committee – Budget – Chambers– 1:00 P.M.
- October 28, 2021 – Thursday – Lititz Borough Authority – Chambers - 7:00 P.M.
- October 29, 2021 – Friday – County-wide Trick-or-Treat – 6:00 - 8:00 P.M.
- October 30, 2021 – Saturday – Touch-A-Truck – Grace Church – Noon – 4:00 P.M.
- November 1, 2021 – Monday – Lititz Public Library Board – Library - 7:00 P.M.
- November 9, 2021 – Tuesday – MS4 Committee – 3:30 P.M. (hybrid)
- November 10, 2021 – Wednesday – Dan Zimmerman Retirement Drop-in– 4:00-7:00 P.M.
- November 15, 2021 – Monday - Parks Committee – 4:00 P.M. (cancelled)
- November 15, 2021 – Monday - HAAC Meeting – Conference Room - 6:00 P.M.
- November 16, 2021 – Tuesday – Warwick School Board – 7:00 P.M.
- November 18, 2021 – Thursday – LRCDC Next Chapter – Listrak – 7:30 A.M.
- November 18, 2021 – Thursday – Regional Built/Natural Infrastructure–7:30 A.M. (cancelled)
- November 29, 2021 – 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:

New Street, as part of the resurfacing project this year, was paved earlier this month with tree plantings planned for next fall. Leaf pickup season is in full force. An arborist detected a possible bacterial leaf scorch to several red maple trees on E. Main Street and will prepare a plan. The security audit that was conducted showed no critical issues; minor issues are being budgeted for next year. The filter rehab project has a warranty through 2025.

REPORT OF THE MAYOR & CHIEF OF POLICE

The Chief reported that the last three officers have completed their Crisis Intervention Training (CIT).

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Yearick is awaiting legal input on three proposed ordinances: 1) addressing the passage of Act 50 for small wireless facility requirements; 2) eliminating the need for front porch additions to come before the Zoning Hearing Board, and; 3) codifying the restriction of one driveway per property in residential districts. New Holland Coffee Company is negotiating with Fluid Conditioning Controls for the possibility of closing Pine Lane for a month for the work being done on the property. The Council Sub-Committee on Streets and Traffic is continuing to meet to analyze the information about Hometown Heroes banners to provide a recommendation on the number and the placement of the banners. A geological study is planned to be conducted at the Norfolk Southern rail relocation site. The Warwick Street Storage Project is moving along, however slowly.

REPORT OF THE JUNIOR COUNCIL PERSON

Junior Council Person Carter Hain reported that the Homecoming Dance was held outside on September 25, 2021. There were the National Honor Society inductions. The fall show of the Warwick Performing Arts presents the Diary of Anne Frank.

UNFINISHED BUSINESS:  
Proposed Yard Sale Ordinance

The proposed draft of an ordinance regulating yard sales was tabled Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:30 P.M. on a motion by Greiner with a second by Sensenich.

Respectfully submitted,



Sue Ann Barry  
Secretary/Treasurer