

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held September 28, 2021
Council Chambers, 7 South Broad Street, Lititz, PA & Zoom

The regular September 28, 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 Greiner, Lee, Mobley, and Sensenich present. Brubaker was on Zoom. Others present were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Andy Garner, Jordan Garner, Rob McFadden, Nathan Laucks, Chris Armato, Jared Hahn, Steve Detz, Andrew Heise, Scott & Carter Hain, Charity Burkhart, John, Jim, Deborah, Steve, and Theresa Stritch, Jeff Rinehimer, Tim Strayer, Thomas Pearson, Rich Motz, David & Linda Carson, Chris Strayer, Todd Dickinson, Terry Duffin, Dave Erb, Brad Bergman, Ron Roda, Lisa Schneper, and Laura Knowels of the Lititz Record Express. In virtual attendance were Mary Gattis, Alyssa Strayer, Patrick Stritch, Sean McDermott, Sharon Cavanaugh, James Plummer, Jesse Wingate, Court Ewing, Chris Balson, Morgan Farnsworth, Ryan McRory, and Samantha Dickinson. The meeting opened with the pledge of allegiance led by the Mayor. On a motion by Greiner with a second by Mobley, the minutes of the August 31, 2021, Council meeting were unanimously approved as presented. The President acknowledged a donation in lieu of taxes from Lititz Mennonite Church.

PETITIONS, CORRESPONDENCE AND QUESTIONS:
Resignation of Officer Brass

Upon presentation, Greiner moved, Sensenich seconded to accept Officer Haylie Brass' letter of resignation effective September 10, 2021. Motion passed unanimously.

Swear In New Patrol Officer

After welcome and introductions, the Mayor administered the Oath of Office to John Stritch as Patrol Officer, effective October 4, 2021.

Swear In Junior Council Person

After introduction, Mayor Snyder administered the Loyalty Oath to Carter Hain as Junior Council Person for the 2021-2022 school year. He was welcomed by all.

Presentation from the Lititz Public Library

Lititz Public Library Executive Director Ryan McRory provided an update of the past 2-1/2 years of library operations. A recent survey generated over 500 responses. McRory reviewed the capital improvements made at the library and future planned improvements. They have worked to keep their resources up-to-date – offering WiFi hotspots and laptops for checkout, increased availability of e-resources, backyard performances and story walk installations. Of 34 peer libraries across the country, the Lititz Public Library ranks among the top in standard library metrics - checkouts, visits and program attendance. Upcoming ventures include mobile printing, increased self-checkout, expanded e-resource platforms, and increased technology for checkout. The Library Board is requesting that Council consider increasing their annual donation by \$1 to \$6 per capita for the coming year, which would still be less than the State comparison at \$6.38 per person. It was at this time that McRory announced his resignation and subsequent new position and that a search committee will be convened. He was thanked for his services.

Final Land Development Plan for 456 Golden Street Extension in Time

Upon presentation, Lee moved, Sensenich seconded to approve a request for a 90-day extension in time for the Preliminary/Final Subdivision and Lot Add-On Plan for 456 Golden Street, dated March 29, 2021, last revised August 25, 2021, for 24/25 single family detached units on 4.7 acres in the R-1 Zone. The extension is until January 23, 2022. Motion passed unanimously.

PRESENTATION BY THE PARKS COMMITTEE:
E. Sixth Street / Locust Street Park Concept

On behalf of the Lititz Parks Committee, Scott Hain presented the concept of a small park at the corner of E. Sixth Street and Locust Street on Borough-owned dedicated parkland associated with a 1991 subdivision. Referring to the other parks in the community, the Parks Committee saw a need for a walkable, neighborhood park in this quadrant of the Borough that would serve families with young children. They reached out to residents within one-third of a mile of the site and held two virtual listening sessions with folks who were for the park, against the park and neutral to the park. There were petitions submitted for and against the park concept. Understanding that there are traffic concerns, a fencing system is proposed for the park. Answers to questions from Council included the inclusion of a small pavilion, not having lighting, creating a delineation between the park and the roads and the bioswale, and data from the speed sentry shows 98% of motorists do not exceed the speed enforcement. The ideal time to purchase play equipment is during the end-of-year sales.

The floor was open to the public. Tim Strayer, 618 Kissel Hill Road, (who submitted a petition in favor of the park) said that his family is looking forward to having a park at that location and sees it as a way to meet neighbors. He said that parking is irrelevant as folks will walk to the park. Court Ewing, 310 E. Fourth Avenue, said that he would love to see the area utilized more and it would be a great way to meet people and socialize. He said that his family walks to other parks in the Borough, and it becomes quite a hike with a four-year old. Chris Balson, 330 Gochnauer Road, echoed Strayer's and Ewing's comments and feels that traffic will not be an issue as neighbors will walk to the park. His children are ages 6 and 9 and are looking forward to the park.

Linda Carson, 220 E. Sixth Street, said Council should not go by the number of signatures on the petitions. She and her husband could have gotten more signatures against the park than they did because Weaver had told them not to continue soliciting signatures. She stated her discouragement with the petition process asserting that is why the session was not transcribed, to which Yearick scoffed at and later apologized for. Carson, referring to a memo from the WSD, said that Kissel Hill Elementary School is in the Yellow Phase of COVID and students may not play on equipment. She stated that this is the fifth wave of COVID as it continues to be a pandemic for the unvaccinated. She does not feel that planning a park at this time is responsible. She urged that Council adhere to the CDC and Governor's guidelines. As her son is a doctor, he recommends against the park.

David Carson, 220 E. Sixth Street, stated that his family lives right across the street from the proposed park and has for 29 years. Along with his wife Linda, he is discouraged by the petition process and feels as though they have been treated with disrespect by Yearick. They believe Yearick gave a copy of the Carson's petition to Strayer because no one who signed the Carson petition signed the Strayer petition. Carson said that Weaver said that Council will not make a decision on the park until after a traffic study is done. He is also concerned about vandalism and safety with the swale there. He does not think that the Spruce Street Park and the New Street Park are comparable. He said his neighbor always takes their children to the New Street Park and there is no one there. He said that this is a bad location for a park. At \$30,000, he feels people would oppose the park because of the cost. Carson objected to the term used in the last letter sent to residents that the park has "overwhelming positive" support. Carson also, said that Yearick should be non-partial, to which Weaver disagreed, that as a professional planner and staff member, Yearick's opinion matters.

Thomas Pearson, 403 Sutter Place, as a resident who frequents both the Spruce Street Park and the New Street Park with his 2-1/2 year old, he stated that it would be nice to walk to a park at this location. Dave Erb, 147 Conway Drive, voiced in favor of the park at the location and suggested placing a 3-way stop intersection at E. Sixth Street and Locust Streets to slow traffic.

Ron Rhoda, 114 E. Sixth Street, is in favor of the park for kids to go somewhere. He trusts that there will be collaboration with Warwick Township to install traffic calming devices along E. Sixth Street when it is extended. Lisa Schaefer, 103 E. Sixth Street, asked about the timeframe for the Sixth Street extension (2023) and to wait until that is complete to make a decision on the park.

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

The following written comments were submitted and read by Weaver, as paraphrased here. Lin and Jim Roussel, 615 Kissel Hill Road, are in support of a safe and well planned outdoor play area at the location as it would be very convenient and beneficial for everyone living close by. They have spoken with many parents, with children newborn to 10 years old, who are very excited to have a park nearby and within walking distance.

Glen Naphin, 525 S. Locust Street, has a main concern regarding traffic and speeding. He asked for consideration of a roundabout at E. Sixth Street and Kissel Hill Road and 3-way stop intersections at E. Sixth Street and Locust Street and E. Sixth Street and Laurel Avenue.

Resident of Sixth Street Brenda Newburn had the following concerns – If the following information was provided to all residents that are in favor of the proposed park. 1) \$30,000 budget through taxpayer funds; 2) E. Sixth Street will be extended to Rt. 772 making it a major thoroughfare; 3) limited street parking; 4) average rate of speed appears to be 10-15 mph above the speed limit. She asked if both petitioners were provided the same timeframe for collecting signatures or was one informed to stop collecting signatures. The area is by a road that has congestion during peak travel times with large vehicles utilizing it. There are only three residents on E. Sixth Street that are in favor of the park. It seems as though the park fills a desire and not a need.

Melissa Underhill, 217 Swarthmore Drive, shared her strong opposition to the proposed park due to safety and cost. Safety – speeding, drivers not understanding that pedestrians have the right-of-way in crosswalks, distracted drivers, a near miss of a child hit in the crosswalk, the need to perform a full traffic study after the extension to Sixth Street is complete. Cost – the cost is an unnecessary use of funds and ineffective management of resources.

Chadd & Brenda Rohrer, 210 E. Sixth Street, wrote that along with most of her neighboring property owners, they strongly oppose a park at the location as they are directly impacted by the park, where others who are in favor of the park are not as close to it. The street has become increasingly burdensome with traffic and speeding. With the extension of Sixth Street, the current situation will become much worse and dangerous. A park will only add to the traffic and parking frustrations. They feel there are plenty of other parks in Lititz and there is no need for an additional one. The taxpayer funds could be put to better use.

Joanne Callahan, 666 Laurel Avenue, (phone call) has overwhelming concerns for the safety of families using the park because of the extension of the street and the swale through the property. If Council does move forward with the park concept, she asks that they consider the following – ensure universal design elements be incorporated into the play areas; increase the seating areas and accent them with garden plantings; extend the fencing along the swale for the length of the property; stripe parking spaces along Locust Street to encourage parking for the park there instead of on Sixth Street.

Megan Steber, 112 E. Sixth Street, is very supportive of a playground and thinks the proposed plan for the park would be a great addition to the street. Once she and her fiancé have children they would love to have a park within walking distance of their house and the opportunity to meet others in the neighborhood. They think it is a prime location with proximity to the library.

Lisa, Schneper, 103 E. Sixth Street, asked if the concerns voiced by the residents living the closest to the park were weighted differently than those living further away. She is concerned because of the unknown impact of the Sixth Street extension on traffic. She thought that a traffic study was going to be done before a decision was made on the park.

President of the Lititz Springs Park Jeffrey Rinehimer sees the park as a benefit; that the residents could use more parks in the community acknowledging how hard the Lititz Springs Park gets used. Weaver asked that Council take the next month to absorb all of the public comments.

AGREEMENT NO. 539:
Lititz Runaround Track with Bergmann Associates

Upon presentation, Sensenich moved, Mobley seconded to approve Agreement No. 539, Lititz Runaround Track with Bergmann Associates for engineering consulting services. Motion passed unanimously. Rich Motz, groundskeeper for the Lititz Springs Park, asked to be kept informed of the timeline and they would like to be included in the planning of the project. He is concerned that when the rail construction begins, drainage in the park will get worse. He asked for drainage consideration at the J&J property. The Borough just received a NFWF grant for designing a major stormwater plan.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:
Inframark Report

Laucks reviewed the most recent Inframark Report. A Notice of Violation was received from DEP for a form that was not submitted in 1995 when the zinc ortho-phosphate permit was finalized. On September 1, 2021, the region received 5.89 inches of rain during Tropical Storm Ida. The 24-hour totalized flow for the WWTP was 7.93 MGD with an instantaneous max of 11.2 MGD. The Water Plant Lead Operator remained on-site during the storm. SRBC performed a full inspection for potential raw water meter installation on Wells 1-7. An update on on-going and upcoming projects was provided. Annual Maintenance fee year-to-date columns have been added to the monthly report. Mobley moved, Sensenich seconded to accept the Inframark August 2021, Monthly Report. Motion passed unanimously.

Change Order No. 2 - Interceptor Relocation Project Phase II

Upon presentation, Mobley moved, Sensenich seconded to approve Change Order No. 2 from Barrasso Excavating, Inc., for the reconnection of the library's sewer lateral and installation of ADA compliant ramps on Sixth Street, for the Interceptor Relocation Project Phase II @ \$4,818.50. Motion passed unanimously.

Application for Payment No. 3 – Interceptor Relocation Project Phase II

Upon presentation, Mobley moved, Sensenich seconded to approve the Application for Payment No. 3 from Barrasso Excavating, Inc., for the Interceptor Relocation Project Phase II @ \$120,258.12. Motion passed unanimously.

Application for Payment No. 4-Final – Interceptor Relocation Project Phase II

Upon presentation, Mobley moved, Sensenich seconded to approve the Application for Payment No. 4-Final from Barrasso Excavating, Inc., for the Interceptor Relocation Project Phase II @ \$46,933.38. Motion passed unanimously.

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

Upon presentation, Sensenich moved, Greiner seconded to approve a Special Event Permit Application for the Lititz PorchWalk fine arts and craft show with ~30 artists on October 2, 2021, 9:00 A.M. - 4:00 P.M., with no road closures needed. Motion passed unanimously.

Christmas Light Display Activity Permit Application

Upon presentation, Sensenich moved, Mobley seconded to approve an Activity Permit Application for a drive-through Christmas light display at 659 Laurel Avenue, starting on November 27, 2021, through December 31, 2021, from 5:30 P.M. - 10:30 P.M. Motion passed unanimously.

Upgrade Downtown Parking Meters

Sensenich acknowledged a letter received from Venture Lititz with a request from downtown merchants to upgrade the downtown parking meters to be able to accept credit cards. Costs are being obtained and it will be a subject of discussion during the budget process.

SUB-COMMITTEE ON FINANCES:
Financial Statement/Bills

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

Annual Minimum Municipal Obligation

Upon presentation, Mobley moved, Sensenich seconded to accept the Minimum Municipal Obligation (MMO) for the Police Pension Plan and for the Non-Uniform Employees Pension Plan for Year 2022 budgeting purposes, as submitted. Motion passed unanimously. Act 205 funds from the State offset some of the costs of the plans.

Year 2022 Preliminary Sewer Fund Budget

Upon presentation, Mobley moved, Sensenich seconded to accept the Year 2022 Preliminary Sewer Fund Budget to submit to Warwick Township Municipal Authority. Motion passed unanimously.

SUB-COMMITTEE ON PLANNING:
Grinder Pump Ordinance

Upon presentation, Lee moved, Sensenich seconded to approve advertising an ordinance for grinder pump regulations. Motion passed unanimously.

Reduction in Financial Security for Cargill Parking Expansion

Upon the recommended by the Borough Engineer, Lee moved, Sensenich seconded to reduce the financial security for the Cargill Parking Expansion Project by \$43,287.83, to \$.00. Motion passed unanimously.

SUB-COMMITTEE ON BUILDINGS, AND GROUNDS:
Application for Payment No. 5 – Public Works Garage

Upon presentation, Lee moved, Greiner seconded to approve the Application for Payment No. 5 from Ondra-Huyett Associates, Inc. for the Public Works Garage Project @ \$334,035.33. 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. Many public meetings will be held live and/or web conferencing (hybrid).

Regular Monthly Meetings:

**** October 5, 2021 – Tuesday – Planning Commission Meeting – 7:00 P.M. (hybrid)
**** October 12, 2021 – Tuesday – Council Meeting – 7:00 PM (If called by the President)
October 18, 2021 – Monday – Zoning Hearing Board Meeting – 7:00 PM. - Chambers
**** October 26, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)

Monthly Meeting Date Reminders (Cont)

Other Meetings, etc.:

September 27, 2021 – Wed – PWD Negotiations – Personnel Committee – Chambers - 2:30 PM
September 27, 2021 – Monday – Lititz Fire Co. – Fire House – 7:00 P.M.
**** September 28, 2021 – Tuesday – Council Meeting – 7:00 P.M. (hybrid)
September 29, 2021 – Wednesday – LCBA – 6:00 P.M. (webconf)
**** September 30, 2021 – Thursday, Joint Meeting – Lititz, WT, ET, WSD - 7:00 P.M. (webconf)
October 4, 2021 – Monday – WESC – Brunnerville Fire Co. - 6:30 P.M.
October 4, 2021 – Monday – Lititz Public Library Board – Library - 7:00 P.M.
October 7, 2021 – Thursday – Safety Committee – Conference Room - 2:00 P.M.
October 12, 2021 – Tuesday – MS4 Committee – 3:30 P.M. (hybrid)
October 18, 2021 – Monday – Parks Committee – 4:00 P.M. (hybrid)
October 18, 2021 – Monday – HAAC Meeting – Conference Room - 6:00 P.M.
October 19, 2021 – Tuesday – WRRRC Board Meeting – recCenter - 8:00 A.M.
October 19, 2021 – Tuesday – Warwick School Board – 7:00 P.M.
October 21, 2021 – Thursday – Regional Coordinating Meeting – 7:30 A.M. (webconf)
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 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.
**** 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, will be paved next week. Leaf pickup begins October 11, 2021. The trees along New Street will be planted next fall. The paint manufacturer was on site to move forward with the filter rehab punch list.

REPORT OF THE MAYOR & CHIEF OF POLICE

The Chief commented on how successful the AMBUCS beer fest was and how well run it is.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

The Cedar Street Bridge Replacement Project has been further delayed until next spring. The survey for the Norfolk Southern Runabout Line Project has again been delayed because of geological investigation. A walk-through with JVI will take place on September 30, 2021. Yearick is in the early stages of investigating Act 50 of 2021, small wireless facilities deployment. A neighbor was disturbed that Woodstream erected a temporary dam to protect their loading dock from flood waters prior to Ida, however no problems were detected. Partial walls remain at the Dunkin Donuts site. The Warwick House Lititz, LLC, Project is moving forward.

OTHER BUSINESS:
Proposed Yard Sale Ordinance

The first draft of an ordinance regulating yard sales was distributed to Council. The impetus behind the proposed ordinance appears to address a property owner in the Borough who has a lot of questionable treasures in their front yard and has frequent popup yard sales. After discussing issuance of permits, enforcement, definitions, costs, warnings, violations, and other Boroughs that have similar regulations, Council tabled action on advertising the ordinance until further deliberation. Chris Strayer, 172 N. Oak Street, asked if such an ordinance should even be considered if there is only one problem property.

COVID and Borough Residents

Brubaker moved to urge all Borough citizens to get the COVID vaccine when they become eligible. The motion died from a lack of a second.

ADJOURNMENT

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sue Ann Barry". The signature is fluid and cursive, with the first name "Sue" and last name "Barry" being the most prominent parts.

Sue Ann Barry
Secretary/Treasurer