

West Earl Township Board of Supervisors, 157 West Metzler Road, Brownstown, PA 17508

**In Attendance:**

Chairman:	Harold Keppley, Jr.	Member:	Russell Ressler, Jr.
Vice Chairman:	John Ford	Interim Secretary/Manager:	Steve Gabriel
Member:	Richard Stover		

Dale Wissler was absent.

Call to Order

Chairman Keppley called the July 17, 2009, meeting to order at 7:02 p.m.

Public Comment

**Locust Street Residents** – Several residents who are affected by the new, no-parking regulation were at the meeting to express their concerns regarding the regulation. Bob Smith of 17 Locust Street said that he doesn't have sufficient off-street parking for his 3 vehicles and would have no place for visitors to park. All the residents in attendance expressed concerns about either not having sufficient off-street parking or having none at all. Chairman Keppley explained that the Township has been receiving complaints for the past several years regarding the Locust Street parking. Complaints about the unsafe conditions in that area have come from joggers, bicycle riders, walkers, handicapped person and a mother pushing a baby stroller. Chairman Keppley also spoke about the state regulations for parking. According to State regulations, Locust Street is not wide enough to allow parking. The residents asked the Board for some extra time before the signs are posted. Vice Chairman Ford said that he is ok with giving some extra time and suggested that the residents come to the next Board meeting with some ideas and suggestions for the Board to consider. Chairman Keppley said that the Board is open to their ideas. The Board put a stay on this issue until the next meeting on August 10, 2009.

Approval of Minutes

Moved by Vice Chairman Ford, second by Member Stover to approve the July 13, 2009, regular meeting minutes as presented. Motion approved unanimously.

Old Business

**Leon Stoltzfus Mylar Signatures** – Moved by Member Stover, second by Member Ressler to sign the Leon Stoltzfus mylars. Motion approved unanimously.

**Warren Nolt Mylar Signatures** – Moved by Member Ressler, second by Vice Chairman Ford to sign the Warren Nolt mylars. Motion approved unanimously.

**Resolution No. 2009-16** – Water meter fees. Vice Chairman Ford noted that on page 2, Section 1, under letter H, the word "percent" should be added after "fifteen". Moved by Vice Chairman, second by Chairman Keppley to adopt Resolution No. 2009-16 as corrected. Motion approved unanimously.

**LGH Zoning Ordinance Amendment Petition Update** – Caroline Hoffer updated the Board on the progress of the LGH zoning ordinance amendment petition. The Planning Commission has reviewed the petition and is deliberating until their August meeting. Upper Leacock Township reviewed the petition and decided that it was consistent with the comprehensive plan. East Lampeter is in the process of reviewing the document. Jerome Skrincosky has recommended several changes which are editorial in nature. Josele Cleary suggested several changes to the conditional use standards. The document given to the Board reflects Mr. Skrincosky's changes and this is the version of the document that will be advertised. The Lancaster County Planning Commission will be reviewing and commenting on the document at their August meeting.

**Hurst Brothers public hearing date** – The public hearing date for the Hurst Brothers zoning amendment petition has been set for September 28, 2009 at 7p.m. along with the LGH petition.

**Whispering Hope East Subdivision Plan** – 60-day extension to satisfy all conditions of conditional plan approval

granted April 27, 2009. Moved by Vice Chairman Ford, second by Chairman Keppley to grant an extension for the Whispering Hope East Subdivision Plan until October 26, 2009. Motion approved unanimously.

#### New Business

**Riverview School, 224 S. State Street** – Tom Ridder, representative for the Amish/Mennonite School Board is requesting a waiver of land development plan requirements and storm water management requirements for the Riverview School located at 224 S. State Street. The Board reviewed the plans for the school. In recognizing that the criteria for exemption of the storm water management requirements have been met by the school it was Moved by Vice Chairman Ford, second by Member Ressler to grant a waiver of the land development plan requirements for the Riverview School. Motion approved unanimously.

A holding tank and pumping agreement for the school will be reviewed by the Board once it is in proper order and has been reviewed by the Township Solicitor, Josele Cleary.

**Farmersville Flashing Lights** – Charles A. Higgins is the apparent low bidder for the flashing lights. Moved by Member Ressler, second by Member Stover to award the Farmersville flashing lights bid to Charles A. Higgins. Motion approved unanimously.

**Stone Quarry Park Pond** – Chairman Keppley feels that the Township's Park and Recreation Board should convene and this issue should be placed on their agenda along with the park at Eagleview Estates. The Board agreed that they would like the Park and Rec Board's recommendation on this issue. Mr. Gabriel will contact the Park and Rec Board's Chairman, Mel Ressler.

#### Public Works Director Report

- Public Works will be doing some work on Church Street.
- Mr. Houser has not heard back from CM High yet regarding the annual traffic signal maintenance agreement.
- Star Transport meter test – the meter was tested and is working 100% correctly.
- Mr. Houser gave copies of this year's liquid fuels budget to the Board for their review. He pointed out that the costs for road work this year have come in under budget and Mr. Houser would like to spend approximately \$40,000 from the liquid fuels budget for some additional work on East Metzler Road. This work would have been placed into next year's budget but with the available funds in the budget this year and the lower price of materials Mr. Houser would like to do the work this year. The project would have to be put out to bid

Chairman Keppley called for a short recess at 9:17p.m. The meeting reconvened at 9:20p.m.

- Vice Chairman Ford said he doesn't have any objections. Chairman Keppley asked what the next step would be. Mr. Gabriel said that \$10,000 would be required to go to bid for this project, plus the cost for Attorney and Engineering fees. Vice Chairman Ford is reluctant to take the \$10,000 from the General Fund. Mr. Houser and Mr. Gabriel will find out where the funding for the bid will come from and report back to the Board on August 10, 2009.

#### Manager's Report

- Comcast sent the cable franchise agreement back to Jerene Zimmerman. They changed their mind on several items. They want a 30-day time frame in order to respond to customer complaints. Currently the time frame is 15 days. The Board is not in favor of any further changes to the agreement. The agreement was approved at the last meeting and the Board members do not want to change anything.
- Mr. Houser and Mr. Gabriel attended the scheduled interview for the Township's Urban Enhancement Fund Grant application. They presented the Township's proposal to the 10-person committee. A decision on the awarding of the grant money should come by the end of August. Chairman Keppley said that it might be cheaper for the Township to purchase a piece of property from the Farmer that lives next to the park and build a bathroom there instead of dealing with the flood plain in the park. Mr. Gabriel will mention that idea to Brian Kauffman and Yves Pollart.
- Earned Income Tax Collection – more information about this topic will be coming from the County. Also,

Vice Chairman Ford spoke to Ralph Hutchinson, East Lampeter's Township Manager, and he is receptive to the idea of Township cooperation in this issue.

- The Township received correspondence from the Lancaster County Barr Association. They will be holding a 1-hour seminar on August 13, 2009 about the collection of earned income tax.
- Mr. Gabriel reported that the tipping fees for the Township are \$68/ton and that there are approximately 5 small commercial customers being served through the Township contract. Chairman Keppley said that he is concerned that dumpsters from commercial establishments may be getting collected by the hauler on the same day as the residential trash and the Township might be paying the tipping fees for those dumpsters. Chairman Keppley would like to know if there has been a noticeable change in the tipping fees since April.
- The Lancaster County Association of Township Supervisors will hold their summer meeting on August 27, 2009 at 5:30p.m.
- Mr. Gabriel contacted Pennsy Supply about the construction entrance to the ball field being constructed on the Hoover Farm. There is currently a dirt entrance but they will construct a stone entrance in a week or so.
- Mr. Gabriel reported that the Jarecki's contract requires a floor and carpet cleaning once a year.
- There is not a standard form letter that gets sent to anyone who is being banned from using the Township's compost site for dumping their trash. The Board agreed that Josele Cleary should draft a letter to this individual. Member Stover suggested that the Township ask Ms. Cleary for a form letter for future use.
- The County is still looking for a representative from Region 5 to serve on the Lancaster County Planning Commission.
- Mr. Gabriel had a conversation with the manager at East Hempfield Township who had a lot of experience with the humane league. It costs the humane league \$106 per animal plus vet costs. The 60 cents per capita that the humane league is requesting next year will be just under what it costs them to take in an animal.
- Mr. Gabriel will be meeting with Pat Barrett next Monday to fill him in on all the important issues over the past 2 months. The Board thanked Mr. Gabriel for filling in for Mr. Barrett and also said that it was a pleasure to work with him.

#### Payment of Bills

Moved by Member Stover, second by Member Ressler to pay the bills as presented. Motion approved unanimously.

#### Supervisors' Comments

**Richard Stover** – Member Stover attended a meeting at Upper Leacock Township. The topic discussed was the Comprehensive Plan. Several items discussed – East Lampeter would like West Earl's ok on several definitions, does West Earl have campgrounds or junk yards, power generating facility. Also, will LGH have a methadone clinic in their proposed facility. The next meeting is scheduled for August 27, 2009 at 2:30p.m. Member Stover mentioned the intention of LGH to make a donation to the Township in lieu of paying taxes. Member Stover believes the Township should have that in writing along with a specific amount before agreeing to it. Vice Chairman Ford agrees, the Township should have a written promise from LGH.

**John Ford** – Mr. DeSantiago has an appointment with Tabor on July 23, 2009. They should be able to provide some financial counseling for her and provide her with some solutions such as a reverse mortgage. Vice Chairman Ford suggested a slight change in the order of the meetings. LGH sat for about an hour while the residents from Locust Street were talking. LGH has to pay attorneys by the hour.

**Russell Ressler, Jr.** – Member Ressler asked about the electric procurement proposal that was heard by the Board several weeks ago. Mr. Gabriel will request an updated price from Constellation New Energy and will bring that information to the next meeting.

**Harold Keppley, Jr.** – Chairman Keppley asked if the Township has distributed the LST money for the second quarter to the fire companies yet. He said that the report from the Farmersville Fire Company is difficult to read and that the fire companies should be preparing these reports themselves.

Adjournment

Moved by Vice Chairman Ford, second by Member Ressler to adjourn the July 27, 2009, regular meeting at 10:46p.m.