

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

In Attendance:

Chairman:	David Thornton	Member:	Keith Kauffman
Vice Chairman:	John Ford	Manager/Secretary:	Jenna Seesholtz
Member:	Harold Keppley, Jr.	Roadmaster:	Neil Stoltzfus
Member:	Dale Wissler	Police Chief:	Eric Higgins

Others present: Jason Shaner-Impact Engineering, Josephine Tyndall-61 Eagle Drive, Michael Reinert-Technicon Enterprises, Jay David Stauffer-2409 E Harold St, Phila., Brenden Curry-LNP, Mervin L Zimmerman-29 W Farmersville Road, Cleason High-183 E Farmersville Road.

Call to Order

Chairman Thornton called the February 14, 2022 regular meeting to order at 7:00 p.m.

Approval of Minutes

January 24, 2022 Regular Meeting – Moved by Vice Chairman Ford, second by Member Kauffman to approve the January 24, 2022 regular meeting minutes as presented. Motion approved unanimously.

Public Comment

None

Special Business

1. **Resolution 2022-13** – Amendment to the Fee Schedule to add Highway Occupancy permit fees. Moved by Member Keppley, second by Member Wissler to adopt Resolution 2022-13. Motion approved unanimously.
2. **Resolution 2022-14** – Water rate and late fee update. Moved by Vice Chairman Ford, second by Member Keppley to adopt Resolution 2022-14. Motion approved unanimously.
3. **Technicon Enterprises** – Michael Reinert, VP of Technicon Enterprises, said he is interested in his company being added as a 3rd party building inspector for the Township. He provided the Board with information about his company. The Board did not take any action.
4. **Act 537** – Sewage Facilities Plan draft comments and approval. The Board had no comments. Moved by Vice Chairman Ford, second by Member Keppley to advance the Draft Act 537 Plan on to LASA with no comments. Motion approved unanimously.

Subdivision/Land Development Review

1. **Mahlon Martin Plan Time Extension** – Moved by Member Keppley, second by Member Wissler to approve the time extension for the Mahlon Martin Plan until May 18, 2022. Motion approved unanimously.
2. **Nolt's Produce Plan Time Extension** - Moved by Member Wissler, second by Member Kauffman to approve the time extension for the Nolt's Produce Plan until May 18, 2022. Motion approved unanimously.
3. **Blessings of Hope Event Discussion** - Manager Seesholtz said that Blessings of Hope is planning a 3-day, fundraising event for June 2022 and feels that Zoning Hearing Board approval as this event is not an approved use for the property. Discussion followed about what the Township has done in the past with similar events like auctions. Member Keppley said he believes the Zoning Ordinance needs to be clarified on this issue. Vice Chairman Ford said he would be comfortable asking them to go to the Zoning Hearing Board for approval. Manager Seesholtz said they would like know if the Board will oppose their application to the Zoning Hearing Board. There was a consensus among the Board members that they would not oppose Blessings of Hope's application to the Zoning Hearing Board.
4. **2021-10 Mark Martin Motors Preliminary/Final Land Development Plan:** 4126 Oregon Pike, Ephrata, 3.282 acres, zoned C-2. Proposes to construct a 50' x 76' building. Jason Shaner from Impact Engineering was at the meeting to present the plan to the Board and request several waivers and deferrals from the SALDO. Member Keppley mentioned the small stormwater project that Mark Martin Motors did in 2019 for 5,000 sq. ft. of new impervious area that was added to the parking lot. It was discovered after the fact that approximately 8,700 sq. ft. of new impervious was added. Member Keppley discussed the impact the stormwater runoff from this additional impervious is having on downstream properties. Discussion followed about ensuring that the current stormwater facility on the property is cleaned-out and working properly. Also discussed was bringing the property into

compliance before any approvals of the plan are made. Member Keppley said he can't in good conscience approve the plan, waivers or deferrals while the property is in violation of the Township's stormwater ordinance. Member Keppley asked the Manager what fees Mark Martin would have had to pay had the small project been presented as a large stormwater project as it should have been. Manager Seesholtz will get those costs to the Board at the next meeting. The Township's Engineer will meet with the property owner and Mr. Shaner on site to discuss this matter, inspect the current stormwater facility and report back to the Board. It was noted that a time extension will be needed for the plan review.

- Moved by Vice Chairman Ford, second by Member Keppley to add the Mark Martin Motors Plan review time extension to the agenda. Motion approved unanimously.
- Moved by Vice Chairman Ford, second by Member Kauffman to approve a 61-day time extension (until April 18, 2022) for the Mark Martin Motors Plan. Motion approved unanimously.
- Moved by Member Wissler, second by Member Keppley to table the Mark Martin Motors Plan. Motion approved unanimously.

Correspondence/Communications

1. **Lancaster Farmland Trust preserved farms map** – Provided for the Board's review.

Old Business

1. **2021 Audit Proposal** – Brown, Schultz, Sheridan & Fritz. Moved by Member Kauffman, second by Vice Chairman Ford to approve the 2021 Audit Proposal from Brown, Schultz, Sheridan & Fritz. Motion approved unanimously.

New Business

1. **Fire Company Event and Member Roster Approval (Act 108)** – West Earl Fire & Farmersville Fire Companies submitted their events and rosters per Act 108 for the Board's approval. Moved by Vice Chairman Ford, second by Member Keppley to acknowledge receipt of the Fire Companies' Rosters & event dates. Motion approved unanimously.
2. **Township Fire Company Contribution Discussion** – Cleason High from the Farmersville Fire Company was at the meeting to address the Board. Mr. High distributed packets to the Board members that contained information on the Fire Company's budget, number of calls, box alarms, etc. The Township would like to contribute \$250,000 to the Farmersville & West Earl Fire Companies. The contribution would come from the funds from the sale of the sewer system to LASA. Moved by Member Wissler, second by Member Kauffman to authorize the Township Manager to disperse \$250,000 to the Farmersville Fire Company and \$250,000 to the West Earl Fire Company. Motion approved unanimously. Chairman Ford and Vice Chairman Thornton asked the Manager to invite the Fire Companies to the next Board meeting to present them with the checks.
3. **West Earl Fire Company** – Road closure and Fire Police request for March 29, 2022 auction. Moved by Member Wissler, second by Member Keppley to approve the road closures and use of the fire police for the March 29, 2022 West Earl Fire Company auction. Motion approved unanimously.
4. **Lancaster Sunrise Rotary Club** – 18th Annual Bike Fundraiser on June 4, 2022. Moved by Vice Chairman Ford, second by Member Kauffman to approve the Lancaster Sunrise Rotary Club bike ride and authorize the use of the Fire Police if needed. Motion approved unanimously.
5. **2022 Lions' Club Halloween Parade** – Thursday, October 27, 2022. Moved by Member Kauffman, second by Member Wissler to approve the 2022 Lions' Club Halloween Parade and the associated road closures. Motion approved unanimously.
6. **Stormwater Management Ordinance Violation** – Red Dog Real Estate (Sterling Motorcar). Sterling Motorcar added impervious area to their parking lot without a permit and without submitting a stormwater management plan. Moved by Member Kauffman, second by Member Wissler to authorize issuing the Stormwater Management ordinance violation notice to Red Dog Real Estate. Motion approved unanimously.
7. **Water Tower Funding Request Approval** – Moved by Member Keppley, second by Member Wissler to approve the water tower funding request. Motion approved unanimously.
8. **Westgate Development paving** – Approval to advertise bid. Moved by Member Wissler, second by Chairman Thornton to approve advertising the Westgate paving project bid. Motion approved unanimously.
9. **Turtle Hill MS4 Project** – Approval to advertise bid. Moved by Vice Chairman Ford, second by Member Kauffman to approve advertising the Turtle Hill MS4 Project bid. Motion approved unanimously.
10. **Approval to sell Township property:** Roadmaster Stoltzfus presented the following list of items to sell or trade.
 - 2000 International Dump Truck plow and spreader

- 2006 GMC Pickup Truck and plow (old sewer truck)
- 1994 Haybuster Grinder (trade in on new grinder)
- 2006 John Deer Loader (trade in for new loader will be used as grant match)

Sell Township property on Municibid:

- Grader tire chains and tensioners
- Vintage creepers
- Old truck hood
- Auger bits
- Fender well inserts – 2018 GMC brand new in box

Moved Vice Chairman Ford, second by Member Kauffman to authorize the sale and trade of the list of items provided to the Board. Motion approved unanimously.

Financials

1. **Bills** – Moved by Vice Chairman Ford, second by Chairman Thornton to pay the bills as presented. Motion approved unanimously.
2. **Budget vs. Actual** – Provided for the Board's review.
3. **Treasurer's Report** – None

Reports

1. **Zoning Officer** – Written report provided. Nothing additional to report.
2. **Manager**
 - The new Township website is up and running.
 - Discussed sidewalk deferrals with the Township solicitor.
 - D&H property – restoration after the Rahal project. Member Keppley will call Mr. Eshelman from D&H to discuss this matter. The Manager noted that D&H should have contacted the Township or the project Engineer rather than hiring someone to do the restoration.
3. **Code Enforcement Officer** – Written report provided for the Board's review.
4. **Police Chief** – Chief Higgins reported the following:
 - The speed timing devices and new radios will be delivered by the end of February.
 - The body and vehicle cameras will be delivered Mid-March.
5. **Roadmaster**
 - Rental agreement for new grinder – Roadmaster Stoltzfus said the Company is allowing the Township to try the grinder for a week for free. The Township must enter into a rental agreement for the free trial. The Board reviewed the agreement. Moved by Vice Chairman Ford, second by Chairman Thornton to sign the rental agreement with paragraphs 15 and 16 struck from the agreement in entirety. Motion approved unanimously.
 - New grinder – The new grinder has air brakes and will require a truck with trailer air hookups. The Township's smaller dump trucks have the trailer air hookups but are too small to tow the grinder. It will cost \$800 to have trailer air hookups installed on the new, large Mack truck. Moved by Member Wissler, second by Member Kauffman to authorize spending \$800 to have the large Mack truck fitted with trailer air hookups. Motion approved unanimously.

Public Comment

None

Supervisors' Comments

David Thornton – Chairman Thornton requested an executive session at the end of the regular meeting to discuss personnel discipline matter.

The Board entered executive session at 9:33 p.m.

The Board returned to their regular session at 10:10 p.m. and announced that they discussed a personnel matter and a real estate matter.

Action Items

1. Contact Dwight Yoder to inform him that the Board will not oppose the Blessings of Hope Zoning Hearing application.
2. Calculate fees for what Mark Martin Motors should have submitted for what should have been a large stormwater plan.
3. Email PDF of the Lancaster Farmland Trust documents to the Board.
4. Invite Fire Companies to the next meeting to disperse the \$250,000 donation.
5. Formally request funds from WEWA to assist with painting the Akron Water Township.
6. Request Director of Finance to provide the check register in the same format that was submitted for the January 24th meeting.

Adjournment

Moved by Vice Chairman Ford, second by Member Kauffman to adjourn the February 14, 2022 regular meeting at 10:15 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service
Zoning Officer