

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

In Attendance:

Chairman:	John Ford	Member:	Jennifer Prunoske
Vice Chairman:	Keith Kauffman	Manager/Secretary:	Jenna Seesholtz
Member:	Harold Keppley, Jr	Roadmaster:	Neil Stoltzfus
Member:	David Thornton	Engineer:	Josh Brengal, Lanc. Civil

Others present: Dale Peachey-136 Cornerstone Way, John Stauffer-151 Pleasant Valley Road, Andrew Casey-Eagle Disposal, Michael Hartman-DH Enterprises, Cyrah Shenberger-144 E Main Street, Phil Savies-144 E Main Street, Brian Spohn-138 E Main Street, Lee Dienner-151 N Conestoga Lane.

Call to Order

Chairman Ford called the July 24, 2023 regular meeting to order at 7:03 p.m.

Chairman Ford announced that the Board held an executive session prior to the regular meeting from 6:00 p.m. until 7 p.m. to discuss labor negotiations for the Police Department.

Approval of Minutes

June 26, 2023 Meeting minutes – Moved by Member Thornton, second by Member Keppley to approve the June 26, 2023 regular meeting minutes as presented. Motion approved unanimously.

Public Comment

None

Special Business

1. **Eagle Disposal Representative** – Andrew Casey, Municipal Manager at Eagle Disposal, was at the meeting to answer questions about some of the issues that Eagle has been having. Mr. Casey said that Eagle recently held a job fair and hired 7 new drivers. The new drivers' training takes approximately 2 months. He said they have been bringing in workers from other parts of the Country, such as California and New York, to help. Chairman Ford asked how long they expect until the new drivers will be on the job. Mr. Casey said they should be starting in 2 weeks. Chairman Ford said the Township values the agreement it has with Eagle. He said it's a good cost for Township residents, but the Township wants to make sure that the residents are getting the service that they are paying for. Mr. Casey said that he will make sure that the service gets better.
2. **Resolution 2023-25 Sale of Ductile Iron Pipe** – Moved by Member Thornton, second by Member Prunoske to adopt Resolution 2023-25 and sell the ductile iron pipe. Motion approved unanimously.
3. **Ordinance 265** – Ordinance to amend Chapter 56 Animals to add a regulation prohibiting roosters in residential districts. Brian Spohn, 138 East Main Street, asked how many complaints the Township has received about roosters. Chairman Ford said the Township does have residents who have concerns about the noise from rooster. He said if the Township receives a complaint, the Code Enforcement Officer follows up. Mr. Spohn is not in favor of this amendment. Phil Savies & Cyrah Shenberger, 144 East Main Street, addressed the Board with their concerns about this amendment. They are not in favor of prohibiting roosters in residential areas. Discussion followed about how to identify a rooster. Member Keppley said he doesn't think he can support the language in the amendment and stated that it could be polished a bit. Moved by Member Thornton, second by Vice Chairman Kauffman to adopt Ordinance 265 amending Chapter 56 Animals to add a regulation prohibiting roosters in residential districts. Motion passed with a 3 to 2 vote with Members Prunoske and Keppley voting no.

Subdivision/Land Development

1. **Lauber Road Preliminary/Final Subdivision and Land Development Plan** – The Developer is proposing to subdivide the property into two lots and construct a single-family dwelling on each lot.

Requested Waivers & Deferrals:**SALDO**

- **§155-9 Preliminary Plan** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of the preliminary plan requirements. Motion approved unanimously.
- **§155-21.B Plan Scale** – Moved by Chairman Ford, second by Member Keppley to grant a waiver of the plan scale requirements. Motion approved unanimously.
- **§155-23.A(1) & §155-23.C(1) Minimum Right-of-Way & Street Widths** – Moved by Member Prunoske, second by Vice Chairman Kauffman to defer the widening of Lauber Road & S. Ninth Street and waive the widening of the right-of-way of Lauber Road. Motion approved unanimously.
- **§155-32.D(1) Sidewalks** – Moved by Member Prunoske, second by Member Thornton to defer the sidewalk requirements. Motion approved unanimously.

STORMWATER

- **§149-32.a(2)(c) Loading Ratios for Volume Control Facilities** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of loading ratios for volume control facilities. Motion approved unanimously.
- **§149-37.C(1)(a)[4] Minimum Pipe Diameter** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of the minimum pipe diameter requirements. Motion approved unanimously.

Plan Approval – Moved by Member Prunoske, second by Vice Chairman Kauffman to approve the Lauber Road Subdivision/Land Development Plan based on the June 14, 2023 review letter from the Township Engineer. Motion approved unanimously.

Old Business

None

New Business

None

Financials

1. **Payment of bills** – Moved by Member Keppley, second by Vice Chairman Kauffman 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's Report** – A written report was provided for the Board's review. Member Thornton asked about one of the building permits issued in June for a finished basement. The Zoning Officer has one additional item to bring to the Board regarding the property at 137 E. Main Street. The owners of the property, Lee & Andrea Dienner, are requesting permission to use it as a short-term rental for the remainder of the dates that it's been reserved.

Moved by Member Thornton, second by Member Keppley to add 137 E. Main Street short-term rental extension discussion to the agenda. Motion approved unanimously.

- **137 E. Main Street request** – The Zoning Officer explained that Mr. & Mrs. Dienner have requested that they be permitted to keep the remainder of the reservations that were made through Airbnb prior to receiving the zoning enforcement notice. Mr. Dienner said he has reservations through November and after this, he will be using the property as a regular rental. Member Thornton said he doesn't have a problem with it since mistakes were made relating to the zoning hearing. Chairman Ford asked Mr. Dienner if he could provide a list of reservation dates to the Zoning Officer. Mr. Dienner said he would. Moved by Vice Chairman Kauffman, second by Member Keppley to grant a grace period until November

30, 2023, provided that the owner gives a list of short-term rental reservation dates to the Zoning Officer by Friday, July 28, 2023. Motion approved with a 4 to 1 vote with Chairman Ford voting no.

2. **Code Enforcement Officer's Report** – A written report was provided for the Board's review.
3. **Police Chief's Report** – Chief Higgins is attending the PA Chiefs' seminar.
4. **Roadmaster's Report** – Roadmaster Stoltzfus said there will be a demonstration of an automated flagger system at the Township building on Tuesday, July 25th in the morning.
5. **Manager's Report**
 - There will be an update to the water meter reading software. The cost will be \$2,300 per year. The software will be compatible with all the water meters the Township has currently.
 - Pavilion rental – Manager Seesholtz said she is looking to change the process for renting the pavilion at the park on South State Street. The fee is currently \$50, and she is proposing to change the fee for non-residents to \$100. She said this is similar to the way other Municipalities handle the fees for their pavilion rentals. Manager Seesholtz would also like to start having renters sign a rental agreement prior to reserving the pavilion. There have been some issues with renters not cleaning up after their events.
 - A resident reported that the fish in their pond died after filling it with Township water.
 - The County has issued a drought watch and is asking everyone to voluntarily reduce their water consumption by 5%. This will be posted to the Township's website and Facebook page.

Public Comment

John Stauffer, 151 Pleasant Valley Road – Mr. Stauffer said there have been events held at 1850 Diamond Station Road and it looks like they are planning another event. He said that he saw tents being set up today and is concerned that the property is becoming an event center. Manager Seesholtz said she will speak to the Township's Attorney to see what can be done.

Supervisors' Comments

Keith Kauffman – Vice Chairman Kauffman asked the Manager if she found out how many hydrants the Township has. Manager Seesholtz said there are approximately 200 hydrants in the Township. The adapters for the hydrants cost approximately \$200 each. She said ARPA funds could cover the cost of the adapters. Inframark will be getting a price quote for the adapters.

David Thornton – Member Thornton reminded everyone that next Tuesday is National Night Out.

John Ford – Chairman Ford requested an executive session at the end of the regular meeting to discuss the Police Contract.

Action Items

- Check with the Attorney about 1850 Diamond Station Road
- Follow up with Inframark on the hydrant adapters.

The Board took a brief recess and entered executive session at 8:44 p.m. The Board returned to their regular session at 9:27 p.m.

Adjournment

Moved by Member Prunoske, second by Member Thornton to adjourn the July 24, 2023, regular meeting at 9:37 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service
Zoning Officer