

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

In Attendance:

Chairman:	John Ford	Manager/Secretary:	Jenna Seesholtz
Vice Chairman:	Keith Kauffman	Roadmaster:	Neil Stoltzfus
Member:	Harold Keppley, Jr	Police Chief:	Chief Eric Higgins
Member:	David Thornton	Engineer:	Benjamin Craddock
Member:	Jennifer Prunoske	Solicitor:	Josele Cleary

Others present: Dale Peachey-136 Cornerstone Way, Brenden Curry-LNP, Edith & Richard Lorah-2105 Wheat Ridge Drive, Karen Stauffer-151 Pleasant Valley Road, Lee & Andrea Dienner-151 N Conestoga Lane, Cyran Shenberger-144 E Main Street, Ron Hershey-Hershey Surveying, Brian Spohn-138 E Main Street.

Call to Order

Chairman Ford called the June 26, 2023 regular meeting to order at 7:00 p.m.

Approval of Minutes

**June 12, 2023 Meeting minutes** – Moved by Member Thornton, second by Member Prunoske to approve the June 12, 2023 regular meeting minutes as presented. Motion approved unanimously.

Public Comment

**None**

Special Business

1. **Resolution 2023-23 Lifting temporary burn ban** – Moved by Member Kauffman, second by Member Thornton to adopt Resolution 2023-23 to lift the temporary burn ban. Motion approved unanimously.
2. **Resolution 2023-24 Disposal of Township Property** – Moved by Member Thornton, second by Member Keppley to adopt Resolution 2023-24 to dispose of Township property. Motion approved unanimously.
3. **Animal Ordinance revision advertisement** – To prohibit roosters in the R1 and R2 zoning districts. Moved by Member Thornton, second by Member Kauffman to advertise the Ordinance to revise Chapter 56: Animals to prohibit roosters in the R1 and R2 zoning districts. Motion approved unanimously.

Subdivision/Land Development

1. **James & Dorothy Martin Small Project Stormwater Agreement** – Moved by Member Keppley, second by Member Thornton to sign the small project stormwater management agreement for James & Dorothy King of 310 N Farmersville Road. Motion approved unanimously.
2. **Calumet Enterprises Financial Security Release** – Moved by Member Prunoske, second by Member Thornton to release the remaining Financial Security for Calumet Enterprises in the amount of \$896. Motion approved unanimously.
3. **Jonathan & Elva Martin, 81 N Farmersville Road** – Preliminary/Final Lot Add-On Plan.  
**Subdivision/Land Development Waiver Requests:**
  - **§155-9 Preliminary Plan** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of the preliminary plan processing requirements. Motion approved unanimously.
  - **§155-21.B Plan Scale** – Moved by Chairman Ford, second by Member Prunoske to grant a waiver of plan scale requirements. Motion approved unanimously.
  - **§155-21.C(8)(b) Property Boundary Line on remaining lands** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of surveying the property boundary lines on the remaining lands. Motion approved unanimously.
  - **§155-21.C(15) Distances and Bearings for existing right-of-way** – Moved by Member Prunoske, second by Member Thornton to grant a waiver showing distances and bearings for the existing right-of-way. Motion approved unanimously.

- **§155-23.A(1) & §155-23.C(1) Minimum Right-of-way & Street Widths** – Moved by Member Prunoske, second by Member Thornton to grant a waiver of minimum right-of-way and street widths along Covered Bridge Road and North Farmersville Road. Motion approved unanimously.
- **§155-32.A(1) Monuments** – Moved by Member Prunoske, second by Member Thornton to grant a waiver to set iron pins rather than concrete monuments at the existing right-of-way. Motion approved unanimously.
- **§155-32.D(1) Sidewalks** – Moved by Member Prunoske, second by Member Keppley to grant a waiver of the requirement to install sidewalks along Covered Bridge Road and North Farmersville Road. Motion approved unanimously.
- **Plan Approval** – Moved by Member Prunoske, second by Member Thornton to approve the plan for 81 N. Farmersville Road contingent upon the Township Engineer's letter dated June 15, 2023. Motion approved unanimously.

#### Old Business

None

#### New Business

1. **Sealed bid award for paver** – No bids were received.
2. **Eagle Contract Renewal or RFP** – Manager Seesholtz said that trash and recycling are still be missed each week. She said Township staff are receiving many phone calls every week from customers whose trash and recycling has not been picked up. Manager Seesholtz asked the Board if the Township should renew its contract with Eagle for another year or if RFPs should be sent out. Chairman Ford said he would like representatives from Eagle to come to the next meeting to discuss this. Manager Seesholtz will ask Eagle to come to the next meeting. Chairman Ford asked how billing is being handled for customers whose recycling and trash are not being picked up. Chairman Ford said he feels the customers should get a credit to their account if the trash and recycling are not picked up by Friday.
3. **Zoning Hearing applications discussion** – Bed & Breakfast special exception discussion. Manager Seesholtz said the Planning Commission reviewed 4 Bed & Breakfast special exception applications that were being used as short-term rentals. She said none of the applications matched the criteria for a Bed & Breakfast. She said two of the applicants have withdrawn their applications and will receive a refund of the application fee minus the cost of advertisements. Attorney Cleary short-term rentals and criteria for Bed & Breakfast approval. She asked the Board if they would like her to attend the July 5<sup>th</sup> zoning hearing. Discussion followed about unenforceable conditions that the Zoning Hearing Board approves. Chairman Ford said he is in favor of Attorney Cleary attending the July 5<sup>th</sup> hearing. One of the applicants, Lee Dienner, 151 N Conestoga Lane, addressed the Board. He stated he did not want to use his property for a Bed & Breakfast. Mr. Dienner asked why the Board is in opposition to short-term rentals. Chairman Ford stated that when there are always new occupants staying at the property they do not have the same investment in the community as a long term occupant would. Attorney Cleary discussed some of the UCC requirements for short-term rentals such as the use group, sprinkler system, and ADA provisions that would come into play for a short-term rentals. Moved by Chairman Ford, second by Member Thornton to direct the Township Manager and Township Attorney to attend the July 5<sup>th</sup> Zoning Hearing. Motion approved unanimously.  
Mr. Dienner said he would like to withdraw his application to the Zoning Hearing Board. Moved by Member Thornton, second by Chairman Ford to refund the Bed & Breakfast applicants' zoning hearing application fees minus the cost of advertisements. Motion approved unanimously.

#### Financials

1. **Payment of bills** – Moved by Member Thornton, second by Member Kauffman to pay the bills as presented. Motion approved unanimously.
2. **Budget vs. Actual** – Provided for the Board's review.
3. **Treasurer's Report** – Moved by Member Thornton, second by Member Prunoske to accept the Treasurer's Report. Motion approved unanimously.

Reports

1. **Zoning Officer's Report** – None
2. **Manager's Report** – Nothing additional to report.
3. **Code Enforcement Officer's Report** – Written report provided for the Board's review.
4. **Police Chief's Report** – In addition to his written report Chief Higgins reported that the Police Department has their mock accreditation assessment last Friday. He said the mock assessment went well. Chief Higgins said he will be out of the Country from June 30<sup>th</sup> until July 10<sup>th</sup>.
5. **Roadmaster's Report** – Nothing additional to report.

Public Comment

**None**

Supervisors' Comments

**John Ford** – Chairman Ford requested an executive session at the end of the regular meeting to discuss the collective bargaining agreement for the Police Department.

Action Items

- Contact Eagle Disposal and ask them to attend the next Supervisors' meeting.
- Attorney Cleary and Manager Seesholtz to attend the July 5<sup>th</sup> Zoning Hearing.

The Board took a brief recess and entered executive session at 8:19 p.m. to discuss collective bargaining items. The Board returned to their regular session at 8:44 p.m.

The Board will hold an executive session at 6:00 p.m. on July 10, 2023.

Adjournment

Moved by Member Prunoske, second by Member Thornton to adjourn the June 26, 2023 regular meeting at 8:44 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service  
Zoning Officer