

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

In Attendance:

Chairman:	David Thornton	Manager/Secretary:	Jenna Seesholtz
Vice Chairman:	John Ford	Roadmaster:	Neil Stoltzfus
Member:	Keith Kauffman	Township Engineer:	Ben Craddock
Member:	Dale Wissler	Water Operator:	John Enck

Member Harold Keppley, Jr. was absent.

Others present: John Stauffer-151 Pleasant Valley Road, Brenden Curry-LNP, Roger Fry-Fry Surveying, Mike Lehman-LASA, Dan Becker-Becker Engineering, Jennifer Prunoske-131 East Main Street.

Call to Order

Chairman Thornton called the May 23, 2022 regular meeting to order at 7:00 p.m.

Chairman Thornton announced that the Board of Supervisors met in executive session to discuss a legal matter with the Township's Attorney on May 13, 2022.

Approval of Minutes

**May 9, 2022 Meeting Minutes** – Moved by Vice Chairman Ford, second by Member Wissler to approve the May 9, 2022 meeting minutes. Motion approved unanimously.

Public Comment

None

Roadmaster's Report

**East Main Street project update**

- Curbs are complete
- 600' of sidewalks have been poured – anticipate finishing by the end of the week.
- The Roadmaster asked if 2 or 3 Board members could walk the area of the project with him and provide input on several items.

Special Business

1. **Act 537 Sewage Facilities Plan** – Dan Becker from Becker Engineering and Mike Lehman from LASA were present to provide the Board with an update on the new Act 537 Plan. The Plan was presented for the Board's review. The Board will review the plan and will have an answer at the next meeting.
2. **Resolution 2022-21** – Manager's spending authority. Moved by Member Wissler, second by Member Kauffman to adopt Resolution 2022-21. Motion approved unanimously.
3. **Resolution 2022-22** – West Earl Police Department Police Department Policy & Procedures. Moved by Member Wissler, second by Vice Chairman Ford to adopt Resolution 2022-22. Motion approved unanimously.
4. **Turtle Hill Streambank Restoration Project bid award** – The lowest bidder was Flyway Excavating, Inc. Moved by Member Wissler, second by Member Kauffman to award the bid to Flyway Excavating, Inc in the amount of \$244,525. Motion approved unanimously.

Subdivision/Land Development Review

1. **MM Weaver Land Development Plan Extension** – Moved by Vice Chairman Ford, second by Member Wissler to accept the MM Weaver Land Development Plan extension. Motion approved unanimously.
2. **Glenn Rissler Land Development Plan Extension** – Moved by Vice Chairman Ford, second by Member Kauffman to accept the Glenn Rissler Land Development Plan extension. Motion approved unanimously.
3. **2021-6 Nolt's Produce Plan (Marcus Nolt)** - 138-151 E. Farmersville Road, Ephrata, 23.056 acres. Zoned R-2 and Ag. Proposes 39,424 sq ft addition.

**Waivers & Deferments Requested:**

- **§155-9 Preliminary Plan waiver** – Moved by Vice Chairman Ford, second by Member Kauffman to grant a waiver of the preliminary plan process. Motion approved unanimously.

- **§155.32.C(2) Curbs in Parking Compound waiver** – Moved by Member Kauffman, second by Vice Chairman Ford to approve a waiver of curb requirements with the condition that concrete curb stops/bumper blocks be installed for parking spaces facing East Farmersville Road. Motion approved unanimously.
- **§155.32.D.(1) Sidewalks deferment** – Moved by Vice Chairman Ford, second by Member Wissler to grant a deferment of the sidewalk requirements provided that the applicant sign a deferral agreement drafted by the Township's Solicitor. Motion approved unanimously.
- **Plan Approval** – Moved by Chairman Thornton, second by Vice Chairman Ford to approval the Nolt's Produce Land Development Plan contingent upon all items in the Township Engineer's review letter dated May 16, 2022 being satisfied. Motion approved unanimously.

#### Correspondence/Communications

1. **Adrian Shelley** – Letter requesting support for naming waterway. Ms. Shelley, a resident of Akron Borough, is proposing to name an unnamed tributary to the Conestoga River and is requesting support from the Board of Supervisors. Moved by Member Wissler, second by Member Kauffman to support naming the unnamed tributary to Warbler Run. Motion approved unanimously.
2. **Lancaster Bicycle Club** – Covered Bridge Classic Ride. Moved by Member Wissler, second by Member Kauffman to approve the Lancaster Bicycle Club Covered Bridge Classic Ride contingent upon the receipt of a certificate of insurance. Motion approved unanimously.

#### New Business

1. **Water Department Update – John Enck, Water Operator**
  - Well update – DEP has asked the water department to take samples for nitrates. DEP would also like a land use study done. It would cost \$7,500 for Entech to do the study and \$2,500 for the permit from DEP. Discussion followed about taking away the nitrate system.
  - Water meter replacements and software – The cost to replace all water meters and get new software would be approximately \$600,000.
  - Akron Hill Tank update – The backup generator has been hooked up.
  - Hilltop Tank – An inspection on the tank will be done in 2023.
  - DS Waters update – Mr. Enck has a meeting scheduled with DS Waters and LASA to discuss water usage.
  - East Main Street update – Will be working on replacing the water main.
  - Green Acres Mobile Home Park – Will be hooking up to West Earl's water system. Member Wissler suggested discussing this with Akron Borough.
2. **Trash Contract** – LCSMA declined to attend the Board of Supervisors meeting. Chairman Thornton said he would like to see the Township get out of the trash business as painlessly as possible for the Township residents. Manager Seesholtz said the Township can register haulers. She said she will put together a list of registered haulers.
3. **Debt Service Discussion** – Manager Seesholtz asked the Board members if the Township's portion of the debt service should be paid off. Vice Chairman Ford said it's worth getting a payoff number from the Bank.
4. **Zoning Hearing Board Decision** – Moved by Vice Chairman Ford, second by Member Wissler to direct the Solicitor to draft an appeal to zoning hearing case number 2022-05. Motion approved unanimously. The Board discussed the recent Bed & Breakfast zoning hearing decision. Vice Chairman Ford asked the Manager to have the Solicitor draft an appeal to the Bed & Breakfast zoning hearing decision for the Board to review at the next meeting.
5. **Advertise bid for grinder** – Moved by Chairman Thornton, second by Member Kauffman to add to the agenda the advertising of bidding for the grinder. Motion approved unanimously. Moved by Chairman Thornton, second by Member Kauffman to authorize advertising bid for the new grinder. Motion approved unanimously.

Financials

1. **Payment of Bills** – Moved by Member Wissler, 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 Vice Chairman Ford, second by Member Wissler to acknowledge receipt of the Treasurer's Report.

Reports

1. **Zoning Officer's Report** – The Zoning Officer gave an update on two zoning enforcement issues.
2. **Manager's Report** – Nothing additional to report.

Public Comment

**John Stauffer, 151 Pleasant Valley Road** – Mr. Stauffer said Blessings of Hope set up for their fundraiser on the property next to his. He is concerned about the noise.

**Jennifer Prunoske, 131 E. Main Street** – Ms. Prunoske said that North Conestoga Lane has been getting narrower each time it's paved. Ms. Prunoske said she was hoping to talk to the Roadmaster about it.

Supervisors' Comments

**Dale Wissler** – Asked if a thank you letter was sent to Benchmark Construction. Manager Seesholtz said she will send a thank you letter to Benchmark.

Action Items

- Have the Act 537 plan for the Board's review at the June 13<sup>th</sup> meeting.
- Advertise the joint Board of Supervisors and Water Authority meeting.
- Get a list of registered trash haulers.
- Ask the Solicitor to draft the zoning hearing appeals.
- Send a thank you letter to Benchmark Construction.

Adjournment

Moved by Vice Chairman Ford, second by Member Wissler to adjourn the May 23, 2022 regular meeting at 9:09 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service  
Zoning Officer