

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	Chief of Police:	Eric Higgins
Member:	Harold Keppley, Jr.	Roadmaster:	Neil Stoltzfus
Member:	Keith Kauffman	Code Enforcement:	Brian Brandt

Member Dale Wissler was absent.

Others present: Dale Peachey-136 Cornerstone Way, Brenden Curry-LNP, Earl Good-217 E Farmersville Road, Nate Stoltzfus-50 Allen Road, Galen Fisher-177 E Farmersville Road, Mervin L Zimmerman-29 W Farmersville Road, Lamar Zimmerman-45 N Farmersville Road, Randy Zimmerman-106 Zooks Mill Road, Ben Voran-19 Charles Place, Phil Hursh-170 Chapel Lane, Cleason High-183 E Farmersville Road, Dave Mease-Diehm & Sons, Earl Shirk-1155 Short Road.

Call to Order

Chairman Thornton called the October 24, 2022 regular meeting to order at 7:01 p.m.

Approval of Minutes

1. **October 10, 2022 regular meeting** – Moved by Member Kauffman, second by Vice Chairman Ford to approve the October 10, 2022 regular meeting minutes as presented. Motion approved unanimously.
2. **October 12, 2022 budget meeting** – Moved by Vice Chairman Ford, second by Member Kauffman to approve the October 12, 2022 budget meeting minutes as presented. Motion approved unanimously.
3. **October 13, 2022 budget meeting** – Moved by Vice Chairman Ford, second by Member Keppley to approve the October 13, 2022 budget meeting minutes. Motion approved unanimously.

Public Comment

None

Special Business

None

Subdivision/Land Development Review

1. **Mark Martin Motors Financial Security Reduction #1** – Moved by Member Keppley, second by Member Kauffman to reduce the Mark Martin Motors Financial Security to \$4,421. Motion approved unanimously.
2. **Earl Shirk Major Stormwater Plan** – 1155 Short Road, New Holland. The proposed project includes the construction of an access drive, grading and related stormwater management facilities. A total of 24,500 sq. ft. of new impervious.
 - **Stormwater Waiver requested:**
§149-34.F Minimum Floor Elevation – Moved by Member Keppley, second by Member Kauffman to grant a waiver of §149-34.F Minimum Floor Elevation of the Stormwater Ordinance. Motion approved unanimously.
 - **Conditional approval** – Moved by Member Kauffman, second by Vice Chairman Ford to conditionally approve the Earl Shirk Stormwater Plan based on the Township Engineer's review letter dated October 20, 2022. Motion approved unanimously.

New Business

1. **Fire Department Discussion** – Members of the West Earl & Farmersville Fire Companies were present.
 - **Proposed Fire Tax** – Chairman Thornton explained that the Board has been discussing ways to improve funding for the Fire Companies by implementing an annual fire tax. Vice Chairman Ford said the funds could only be used for certain things such as maintaining and housing the apparatus, training, etc. Phil Hursh, treasurer for the West Earl Fire Company, stated that one of his concerns is the fundraising that they do each year. He said residents may be less likely to give if they are paying a fire tax and specifically mention the mail fund drive.

- **Current Fundraising** – Chairman Thornton asked what the percentage of return is for the mail fund drive. Mr. Hursh said West Earl Fire Co. has a 5-year rolling average of 30%. He said in 2021 they received approximately \$64,000 and believes they will receive approximately \$55,000 this year. Cleason High, Deputy Chief of the Farmersville Fire Company, said that Farmersville gets approximately 53% return from their mail fund drive. Manager Seesholtz said each Fire Company would receive approximately \$110,000 per year if the fire tax were implemented.
- **Comments and Concerns** – Mr. Hursh raised concerns about how the Fire Company's bills would be paid and whether they would still own their apparatus. Discussion followed about how the funds would be accounted for. Vice Chairman Ford recommended they contact other Fire Companies who have this fire tax. Chairman Thornton said the Board is having a budget meeting on Wednesday at 6:00 p.m. and asked the Fire Companies to discuss this and then attend the meeting.

Subdivision/Land Development Review – continued

1. **Sterling Motors Plan Time Extension** – Moved by Vice Chairman Ford, second by Member Kauffman to approve the time extension for the Sterling Motors Stormwater Plan. Motion approved unanimously.
2. **Lauber Road Plan Time Extension** – Moved by Vice Chairman Ford, second by Member Keppley to approve the 90-day time extension for the Lauber Road Plan. Motion approved unanimously.

Correspondence/Communications

None

Old Business

1. **LASA ARPA Funds Request** – Manager Seesholtz spoke with Mike Kyle at LASA about providing them with some of the ARPA funds the Township received. The ARPA funds would help to lower the costs to Township residents who will be required to connect to the sewer system as part of the recently updated Act 537 Plan.
2. **Zoning Updates and Revisions** – Code Enforcement Officer Brian Brandt presented the proposed Zoning Ordinance changes to the Board. Proposed changes included adding a definition for “Farm” with the gross income portion struck. Home Occupations – removed the section that allows only one home occupation on the property. Mr. Brandt suggested adding a list of home occupations that are not permitted. Accessory structures size – to address concerns about oversized garages on residential properties. Member Keppley said he would like to see the height limited to 15'. Maximum building coverage for accessory structures added. A definition for “immediate family member” has been added. Moved by Vice Chairman Ford, second by Member Kauffman to proceed with the changes to the Zoning Ordinance. Motion approved unanimously.
3. **Turtle Hill Streambank Restoration Payment Application #2** – Moved by Member Keppley, second by Member Kauffman to approve the Turtle Hill Streambank Restoration Project Payment Application #2. Motion approved unanimously.

New Business

1. **Waste Oil Heater Replacement** – Moved by Member Keppley, second by Vice Chairman Ford to authorize the purchase of a new waste oil heater. Motion approved unanimously.
2. **Township Audit Approval** – Moved by Vice Chairman Ford, second by Member Keppley to approve the Township Audit. Motion approved unanimously.

Financials

1. **Payment of Bills** – Moved by Member Keppley, 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** – Moved by Vice Chairman Ford, second by Chairman Thornton to accept the September Treasurer's Report. Motion approved unanimously.

Reports

1. **Zoning Officer's Report** – The Zoning Officer requested that Board approve the filing of a civil complaint for a zoning violation. The Board tabled the matter until the November 7, 2022 meeting.
2. **Manager's Report** – Nothing further to report.
3. **Code Enforcement Officer's Report** – Provided a written report for the Board's review.
4. **Police Chief's Report** – Chief Higgins reported that there will be a luncheon for Officer Fred Riccelli's retirement at noon on Friday, October 28th.
5. **Roadmaster's Report** – Nothing further to report.

Public Comment

None

Supervisors' Comments

John Ford – Vice Chairman Ford asked Member Kauffman if the Frontier meeting is tomorrow night. Member Kauffman stated yes.

Action Items

None

Adjournment

Moved by Vice Chairman Ford, second by Member Kauffman to adjourn the October 24, 2022 regular meeting at 8:47 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service
Zoning Officer