

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:	Jennifer Prunoske	Police Chief:	Eric Higgins

Members David Thornton and Harold Keppley, Jr. were absent.

Others present: Dale Peachey-136 Cornerstone Way, Todd Shopf-Pioneer Management, Peter Wertz-McNees, Wallace & Nurick, Floyd Zook-328 Akron Road, Ephrata.

Call to Order

Chairman Ford called the September 11, 2023 regular meeting to order at 7:00 p.m.

Chairman Ford called for a moment of silence to remember all those who lost their lives on September 11, 2001.

Chairman Ford announced that the Board held an executive session prior to the regular meeting to discuss labor negotiations for the Police Department.

Approval of Minutes

August 28, 2023 Meeting minutes – Moved by Vice Chairman Kauffman, second by Member Prunoske to approve the August 28, 2023 regular meeting minutes as presented. Motion approved unanimously.

Public Comment

None

Special Business

1. **328 Akron, LLC** – Petition to amend the Zoning Ordinance and Zoning Map. Attorney Peter Wertz addressed the Board and presented an overview of the zoning ordinance amendment petition from Floyd Zook, owner of the property at 328 S. 7th Street, Akron. The property is 1.6 acres and is split zoned in the C-2 General Commercial and R-1 Low-density residential zoning districts. The petitioner is proposing to re-develop the property with a restaurant and retail store. The petitioner is requesting that the portion of the property that is zoned R-1 be re-zoned to C-2 to establish a uniform zoning classification for the property, and an amendment to Section 184-15.D(1) of the Zoning Ordinance to clarify that two principal uses within two semidetached buildings on the same lot are subject to a 35,000 square foot minimum lot area. The petitioner also proposes to amend Section 184-36.A(1)(a)[5] of the Zoning Ordinance to reduce the required off-street parking for retail stores from 1 space per 100 square feet of gross floor area to 1 space per 200 square feet of gross floor area. Attorney Wertz said he is asking the Board of Supervisors to acknowledge the petition and refer to the West Earl Planning Commission and to the Lancaster County Planning Commission for review. Moved by Vice Chairman Kauffman, second by Member Prunoske to acknowledge receipt of the Petition and refer it for review to the West Earl Planning Commission and to the Lancaster County Planning Commission following review by the West Earl Planning Commission. Motion approved unanimously.
2. **Brownstown Commons assignment of agreement for traffic study** – Moved by Member Prunoske, second by Vice Chairman Kauffman to approve the transfer of the traffic study agreement for Brownstown Commons to the new owner of the property. Motion approved unanimously.
3. **Resolution 2023-30 Compost Rules and Regulations** – Moved by Vice Chairman Kauffman, second by Member Prunoske to adopt Resolution 2023-30 Compost Rules and Regulations. Motion approved unanimously.

Subdivision/Land Development

1. **Earl Shirk Financial Security Reduction** – Moved by Member Prunoske, second by Chairman Ford to reduce the financial security for the Earl Shirk project to \$52,589. Motion approved unanimously.

2. **Brownstown Commons request for lot #1** – The current owner has requested that he be permitted to give the Township \$10,000 in lieu of installing the screening that's required by the recorded Land Development plan for lot #1 in Brownstown Commons and the adjacent property at 4126 Oregon Pike. After a brief discussion the Board agreed to table this matter and consider it at the next meeting. The Board would like the Township Engineer to investigate the matter.

Old Business

1. **Engine Brake Retarder Prohibition Ordinance Advertisement** – Moved by Vice Chairman Kauffman, second by Member Prunoske to advertise the Engine Brake Retarder Ordinance. Motion approved unanimously.

New Business

1. **Lions' Club Halloween Parade Fire Police Request** – Moved by Chairman Ford, second by Member Prunoske to approve the use of the Fire Police for the Lions' Club Halloween Parade on October 26, 2023. Motion approved unanimously. Manager Seesholtz reminded everyone that Trick-or-Treat is held on October 31st of every year.
2. **New Holland Fair Fire Police Request** – Moved by Vice Chairman Kauffman, second by Member Prunoske to approve the use of the Fire Police for the New Holland Fair on October 4, 2023 – October 7, 2023. Motion approved unanimously. A question about the Fire Police being needed for October 3rd was brought up. Manager Seesholtz will check with Dave Stoltzfus about the October 3rd date.
3. **25 Meadow View Drive civil complaint request** – The owner of 25 Meadow View Drive has complied with the zoning enforcement notice and changed the property from a short-term rental to a regular rent and has requested that the civil complaint that was filed be dismissed. Moved by Chairman Ford, second by Vice Chairman Kauffman to dismiss the civil complaint provided the defendant pay the filing fees and any other fees associated with the civil complaint. Motion approved unanimously.
4. **Quote for Peace Road Repair and Upgrade** – Moved by Chairman Ford, second by Member Prunoske to authorize \$7,250 for the repair and upgrade of Peace Road. Motion approved unanimously.

Financials

1. **Payment of Bills** – Moved by Vice Chairman Kauffman, second by Member Prunoske to pay the bills as presented. Motion approved unanimously.
2. **Budget vs. Actual** – For review only.
3. **Treasurer's Report** - None

Reports

1. **Zoning Officer's Report** – Will be provided at the next meeting.
2. **Code Enforcement Officer's Report** – Written report provided for the Board's review.
3. **Police Chief's Report**
 - a. The next liaison meeting is scheduled for Wednesday, September 13th at 6pm at the West Earl Township Office. Member Prunoske and Vice Chairman Kauffman will attend.
 - b. Written report provided for the Board's review.
4. **Roadmaster's Report** – Roadmaster Stoltzfus attended a pre-construction meeting with Ben Craddock for the Agriteer project. He said the project will be enhancing the drainage in the area.
5. **Manager's Report**
 - a. Manager Seesholtz thanked Township Staff for answering all the calls on missed trash/recycling pickup and for holding down the fort while she is attending her Leadership classes on Tuesdays through November.
 - b. RFPs for the trash/recycling contract were sent out. They are due back by October 9th.

Chief Higgins said he would like to get some potential dates to hold the presentation event after the Police Department has its accreditation meeting on October 26th. He said he's very proud of the accomplishments the Department has made. Chief Higgins will send out an email regarding dates for the presentation.

Labor attorney appointment – Moved by Chairman Ford, second by Vice Chairman Kauffman to appoint Joseph C. Rudolph from Clark, Hill PLC, as the labor attorney for the Township to assist with labor negotiations with the Police Department. Motion approved unanimously.

Public Comment

None

Supervisors' Comments

None

Action Items

Check with Dave Stoltzfus about the October 3rd date for the New Holland Fair.

Adjournment

Moved by Vice Chairman Kauffman, second by Member Prunoske to adjourn the September 11, 2023 regular meeting at 7:55 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service
Zoning Officer