

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

In Attendance:

Chairman:	John Ford	Member:	Dave Thornton
Vice Chairman:	Harold Keppley	Member:	Keith Kauffman
Member:	Richard Stover	Police Chief:	Brian Brandt

Manager Candie Johnson was absent.

Call to Order

Chairman Ford called the February 25, 2019 regular meeting to order at 7:00 p.m.

Approval of Minutes

Moved by Member Thornton, second by Member Kauffman to approve the January 28, 2019 regular meeting minutes as presented. Motion approved unanimously.

Public Comment/Guests

New Holland and Leola Ambulance – Darrell Fisher, EMS Chief for the New Holland and Leola Ambulance Associations, was at the meeting to present information about these agencies to the Board. Mr. Fisher said that in 2018 they responded to 1,185 calls and logged 24,000 on-call hours. Mr. Fisher also discussed the finances for the both associations with the Board and said they rely mostly on donations and have been losing money. He said New Holland and Leola plan to merge in order to provide a higher level of service to the community. Chairman Ford thanked Mr. Fisher for coming to the meeting.

New Business

1. **Curvin Weaver Stormwater Plan** – Moved by Vice Chairman Keppley, second by Member Stover to approve the Curvin Weaver Stormwater Plan subject to the conditions listed on the February 20, 2019 Becker review letter. Motion approved unanimously.
2. **Brownstown Commons Lot 2** – Chris Venarchick, RGS Associates explained that the applicant is requesting a waiver of the current stormwater management regulations for Lot#2. Attorney Cleary explained that the plan for this lot was recorded in 2009 under the previous stormwater ordinance and the stormwater management facilities have already been construction assuming a higher amount of impervious area than what's being proposed. Moved by Chairman Ford, second by Member Thornton to waive the requirements of the current stormwater management ordinance to obtain approval of and record the stormwater management plan relating to the preliminary/final land development plan for Brownstown Commons Lot #2 recorded at book J-236 page 47 in the office of the Lancaster Recorder of Deeds and as set forth in the Benchmark Construction request letter dated February 1, 2019. Motion approved unanimously.
3. **Brownstown Commons Lots 4 & 5** – The applicant is requesting conditional plan approval. Moved by Chairman Ford, second by Member Thornton to grant final approval of the Preliminary/Final Land Development Plan for Brownstown Commons – Lots 4 & 5, prepared by RGS Associates, Drawing No. 2018558-009, dated October 15, 2018, last revised December 19, 2018, together with requested waivers of Subdivision and Land Development Ordinance Sections 155-9 requiring submission of a preliminary plan, 155-21.B, concerning plan scale, and 155-30.C(1) concerning placement of structures in utility easements and Storm Water Management Ordinance Section 149-32 concerning volume control as described in the letter from the Township Engineer dated January 9, 2019, all subject to the following conditions:
 1. Applicant shall address all technical issues set forth in the review letter of the Township Engineer dated January 9, 2019.

2. Prior to the release of the plan for recording, Applicant shall execute, and shall have all parties other than the Township execute, all of the following documents related to the plan and improvements associated with the plan:
 - A. Storm Water Management Agreement and Declaration of Easement between GB Brownstown LLC and the Township.
 - B. Storm Water Management Agreement and Declaration of Easement between Robert A. Brandt, Jr., Family Limited Partnership and the Township.
 - C. Declaration of Access Easement by Robert A. Brandt, Jr., Family Limited Partnership.
 - D. Cross-Easement Declaration and Agreement between GB Brownstown LLC and Robert A. Brandt, Jr., Family Limited Partnership.
 - E. Agreement between GB Brownstown LLC and the Township relating to a fence and underground pipe to be placed within an existing storm water management easement.
3. Prior to the release of the plan for recording, Applicant shall present evidence that Applicant has met all requirements of West Earl Sewer Authority and has posted any required financial security with West Earl Sewer Authority relating to sanitary sewer facilities proposed by the plan.
4. Prior to the release of the plan for recording, Applicant shall present evidence that Applicant has met all requirements of West Earl Water Authority and has posted any required financial security with West Earl Water Authority relating to water facilities proposed by the plan.
5. Prior to the release of the plan for recording, Applicant shall provide evidence of approval from the Lancaster County Conservation District for the erosion and sedimentation control plan.
6. Prior to the release of the plan for recording, Applicant shall provide evidence of compliance with all applicable federal and state permitting requirements including, but not limited to, approval by the Pennsylvania Department of Transportation for the storm water management facilities to be installed within the right-of-way of Route 222 (SR 0222) and an NPDES permit for the earth disturbance associated with the proposed improvements.
7. Prior to the release of the plan for recording, Applicant shall furnish financial security of the type and in the amount required by the MPC. The form of the financial security shall be acceptable to the Township Solicitor. Applicant shall also, if required by PennDOT, post any financial security which PennDOT requires for the installation of storm water management facilities within the right-of-way of Route 222.
8. Prior to the release of the plan for recording, Robert A. Brandt, Jr., Family Limited Partnership and the Township shall enter into an agreement, in a form acceptable to the Township Solicitor, providing for a post-construction and occupancy study to be completed to determine if a traffic signal is warranted at the intersection of Oregon Pike (SR 0272) and Barrett Boulevard (south) in accordance with the recommendations of Robert A. Brandt, Jr., Family Limited Partnership's engineer Transportation Research Group. Such agreement shall also provide that if such post-construction and occupancy study determines that a traffic signal is warranted, Robert A. Brandt, Jr., Family Limited Partnership shall prepare all documentation necessary for an application to PennDOT for a traffic signal permit and, if PennDOT issues a traffic signal permit, Robert A. Brandt, Jr., Family Limited Partnership shall install the traffic signal at the intersection.

9. Applicant shall provide the Township with a written acceptance of all conditions on the granting of approval of the plan within five days of the date of the written decision of the Board of Supervisors.
10. Applicant shall reimburse the Township, West Earl Sewer Authority, and West Earl Water Authority for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances or resolutions, review or preparation of documentation required in connection with the development, review and approval of financial security and other documents, inspection of improvements, and other costs as set forth in this conditions within 30 days after receipt of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of a written invoice for such costs, Applicant shall be in violation of this condition.

Motion approved unanimously.

4. **Laverne Hoover Holding Tank Agreement** – Moved by Vice Chairman Keppley, second by Member Kauffman to sign the holding tank agreement for Laverne Hoover. Motion approved unanimously.
5. **Transition to Community agreements** – Rob Weatherholtz was at the meeting representing the Transition to Community project. Mr. Weatherholtz discussed some sewer authority items that are outstanding for the Transition to Community project. He asked if they could get their building permits before the sewer authority items are addressed. Attorney Cleary stated that the plan is not recorded, the financial security has not been posted and it sounds as though the sewer authority is not satisfied yet so a building permit cannot be issued. Chairman Ford told Mr. Weatherholtz that there is a sequence to follow and they aren't quite to the point where permits can be issued yet but the agreements can be taken care of tonight. Moved by Member Thornton, second by Member Stover to sign the Stormwater Management Agreement, Riparian Buffer Agreement and the Land Development Plan Agreement for the Transition to Community project. Motion approved unanimously.
6. **Exemption from using a trash/recycling hauler** – 314 Brethren Church Road. The Board would like additional information about this request. Moved by Member Thornton, second by member Kauffman to table this matter until the next meeting. Motion approved unanimously.
7. **Exemption from using a trash/recycling hauler** – 317 Willow Dell Lane. The Board would like additional information about this request.
8. **Resolution 2019-12 Disposal of records** – Attorney Cleary noted several typographical errors on the resolution and recommended that they be corrected before the resolution is adopted. The Manager will be notified of this when she is back in the office.
9. **Jerre Martin Financial Security Release** – Moved by Member Kauffman, second by Member Thornton to release the financial security for the Jerre Martin project in the amount of \$12,961. Motion approved unanimously.
10. **Rescind the Stone Barn Place Plan** – The Board acknowledged the receipt of a letter from applicant rescinding the Stone Barn Place subdivision plan.

Manager's Report

- **Eagleview Park** – The Eagleview HOA has requested that the Township help install the playground equipment at the Eagleview Park. Manager Johnson has suggested that the Township not subject itself to that liability but to instead pay half of what it will cost to have it installed. The HOA provided a quote from Mar-Allen Concrete for \$11,212. Board members questioned why the quote is so high and said they would like to see some more bids.
- **Zoning Officer's report for January** – Vice Chairman Keppley asked the zoning officer about 152 Zook's Mill Road and how long the homeowner has to clean up the property. The Zoning Officer stated that the homeowner has until the end of the March to clean up the property.

- **Township Engineer** – The Township’s Engineer will be leaving Becker Engineering to work for a different Engineering firm. Becker Engineering will no longer be focusing on municipal engineering. The Manager had four engineering firms on a list for the Board to consider. Chairman Ford would like the Manager to send out some RFPs to engineering firms.

Police Chief’s Report

- **Farmersville Fire Police request** – Moved by Member Stover, second by Vice Chairman Keppley to allow the Farmersville Fire Police to help with traffic control for the annual mud sale at the Farmersville Fire Company on March 22, 2019. Motion approved unanimously.

Payment of Bills

Moved by Member Thornton, second by Member Kauffman to pay the bills as presented. Motion approved unanimously.

Treasurer’s Report

Moved by Chairman Ford, second by Vice Chairman Keppley to accept the treasurer’s report. Motion approved unanimously.

Supervisors’ Comments

LCATS Spring Seminar – Members Thornton, Kauffman and Stover will attend. Vice Chairman Keppley is unsure and Chairman Ford cannot attend.

John Ford - Chairman Ford requested an executive session at the end of the regular meeting to discuss a personnel matter.

Harold Keppley – Vice Chairman Keppley asked if they should start meeting quarterly with the Fire Companies again. Chairman Ford said that he would like to start doing that again.

The Board took a short recess at 8:25 p.m. and entered executive session at 8:30 p.m.

The Board reconvened at 9:25 p.m.

Moved by Chairman Ford, second by Vice Chairman Keppley to sign the agreement with the PA Chiefs of Police Association. Motion approved unanimously.

Adjournment

Moved by Member Thornton, second by Member Kauffman to adjourn the February 25, 2019 regular meeting at 9:26 p.m. Motion approved unanimously.