

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, Jr.	Manager:	Candie Johnson
Member:	Richard Stover	Police Chief:	Scott Ruth
Member:	Keith Kauffman		

Call to Order

Chairman Ford called the June 24, 2019 regular meeting to order at 7:00 p.m.

Approval of Minutes

Member Thornton noted two omissions from the June 10, 2019 regular meeting minutes. The Board met in executive session to discuss a personnel matter and the word “chicken” should be changes to “chickens” under Benita Gauthier’s public comment. Moved by Member Kauffman, second by Member Thornton to approve the June 10, 2019 regular meeting minutes as corrected. Motion approved unanimously.

Public Comment/Guests

**Grace Phillips, owner of Hilltop Mobile Home Village** – Mrs. Phillips was at the meeting to get some clarification on a letter she received from the Township in 2008 relating to the impervious coverage and stormwater management in the Hilltop Mobile Home Village along Pleasant Hill Road. Mrs. Phillips said she was told back in 2008 that she could not add any impervious area and said that her tenant at 7 Pleasant Hill Avenue has installed a patio and shed. Vice Chairman Keppley asked the zoning officer if the tenant got a permit for the patio and shed. The zoning officer stated no. Vice Chairman Keppley said an enforcement notice should be sent if no permits were issued. The zoning officer will send an enforcement notice.

New Business

1. **MS4 Stormwater Program Update** – Sara Service, Stormwater Coordinator.

- **Minimum Control Measure 1 - Public Education**
  - Updated website with new stormwater articles throughout the year.
  - Mailed stormwater pollution prevention flyers to 15 local car sales & service facilities.
  - Stormwater articles published in newsletters 4 times this year.
  - 100+ “Only Rain Down the Drain” door hangers distributed in 2 developments.
  
- **Minimum Control Measure 2 - Public Participation**
  - Lititz Mennonite School trash-a-thon – students collect trash from along roads in the Township.
  - CV students participated in the earth day event at the park – Flowers were planted and a truck load of sticks and yard debris was collected.
  - Conestoga River Cleanup - sponsored by the Lancaster County Conservancy. Part of Lancaster Water Week. Volunteers gathered at different areas throughout the county to clean up garbage and debris from creeks and streams. Two of the areas included were the Lions’ Park and the Sylvan B. Fisher Park.
  - Eagle Scout drain marking project – marked 100+ storm drains in 2 developments with “Only Rain Down the Drain” plaques.

- **Minimum Control Measure 3 - Illicit Discharge Detection & Elimination**
  - 1/3 of outfalls screened for dry weather flows.
  - Outfalls, inlets, observation points, headwall/endwalls and BMPs have been mapped and numbered in CS Datum.
  - 1/3 of BMPs inspected (all in the Conestoga Creek watershed).
  - Stormwater runoff problem areas in the Township have been discussed at various meetings throughout the year and will be identified in CS Datum.
  - Prohibited discharge regulations will continue to be enforced.
  
- **Minimum Control Measure 4 - Construction Site Runoff**
  - Compliance with our NPDES permit is addressed by plan reviews and inspections done by the Lancaster County Conservation District.
  
- **Minimum Control Measure 5 - Post-construction Site Runoff**
  - Stormwater management ordinance is enforced for development.
  - Inventory of BMPs has been created dating back to 2003.
  - 3 year plan for initial inspections of BMPs.
  - Township enforces maintenance of BMPs through stormwater management agreements.
  
- **Minimum Control Measure 6 - Municipal Good Housekeeping & Training**
  - Working to repair aging stormwater infrastructure – repairs done on School Lane Avenue and Cocalico Creek Road.
  - Working to identify other problem areas of damaged stormwater pipes and catch basins.
  - Discussed MS4 topics at monthly staff meetings and other meetings with various Township staff throughout the year.
  - Formed MS4 Stormwater Committee in May 2019. Will be meeting once a month.
  - Stream Restoration Workshop – August 22, 2018.
  - MS4 Great Ideas – PSATS stormwater conference October 28, 2018.
  - Stormwater Facility Operation and Maintenance – LTAP April 25, 2019.
  - Advances in Stormwater Design – June 13, 2019.
  
- **Pollutant Reduction Plan**
  - The John Hoover project will begin later in 2019. The project had to be pushed back due to the emergency replacement of collapsed stormwater pipe along Cocalico Creek Road.
  
- **Moving Forward/Goals for next year**
  - Continue inspection of BMPs.
  - Educate residents about maintenance of BMPs located on their properties.
  - Address stormwater runoff problem areas.
  - Continue to address aging stormwater infrastructure.
  - Solicit more volunteers for the Adopt-a-Drain program.

Vice Chairman Keppley asked for more frequent updates on the MS4 program, specifically, when there are special projects going on. Ms. Service said she would provide more updates. Chairman Ford suggested trying to solicit volunteers for the Adopt-a-Drain program at the local schools.

2. **Lester Nolt lot add-on plan** – Roger Fry, Fry Surveying, review the Lester Nolt Lot Add-On Plan with the Board.
  - Moved by Member Stover, second by Vice Chairman Keppley to grant a waiver of Section 155-32.A.(1) of the Subdivision Ordinance and allow the installation of iron pins rather than concrete monuments at all intersections of the property boundaries and right-of-way lines. Motion approved unanimously.
  - Moved by Member Thornton, second by Vice Chairman Keppley to grant a waiver of the preliminary plan requirements contingent upon all items in the June 14, 2019 Lancaster Civil Engineering review letter being satisfied and a new deed being recorded for Lot #1 as enlarged by Parcel A on the Lester Nolt Lot Add-On Plan. Motion approved unanimously.
3. **19<sup>th</sup> Annual Lions' 5K Run/Walk** – The event will be held on September 13, 2019. Moved by Member Thornton, second by Member Kauffman to allow the use of Township roads for the Lions' 5K run/walk on September 13, 2019. Motion approved unanimously. Moved by Member Stover, second by Vice Chairman Keppley to approve the use of the Fire Police to help with traffic control for the Lions' 5K run/walk on September 13, 2019. Motion approved unanimously.
4. **90-day Time Extension for the Marlee Properties Plan** – Moved by Vice Chairman Keppley, second by Member Kauffman to accept the 90-day time extension for the Marlee plan. Motion approved unanimously.
5. **Termination of Plan Restriction for the Earl Hurst property** – Moved by Vice Chairman Keppley, second by Member Thornton to approve the agreement for the termination of plan restriction for the Earl Hurst property. Motion approved unanimously.
6. **MOU for Temporary Shelter & Reunification Facility** – Moved by Member Thornton, second by Member Kauffman to sign the Memorandum of Understanding with the Lancaster County Career and Technology Center to establish the Township building as a temporary shelter and reunification facility in case of an emergency. Motion approved unanimously.
7. **Trash exemption for 74 N. Church Street** – Vice Chairman Keppley said he will abstain from this vote because he owns the property. Moved by Member Thornton, second by Member Kauffman to approve the exemption from using a trash hauler for the property at 74 N. Church Street. Thornton-yes, Kauffman-yes, Stover-yes, Ford-no, Keppley-abstain. Motion passed with a 3-1 vote.
8. **PennDot Winter Services Agreement** – Ms. Johnson said the rates on this agreement are commensurate with the previous year's rates. Moved by Member Thornton, second by Member Stover to sign the PennDot Winter Services Agreement. Motion approved unanimously.

#### Manager's Report

- **PennDot Agility Agreement** – Ms. Johnson is waiting to hear back from PennDot.
- **Monthly zoning officer reports** – April and May provided for the Board's review.
- **Information on chickens for proposed change to zoning ordinance** – Ms. Johnson provided some information for the Board's review. Vice Chairman Keppley said that there was a sample ordinance from

PSATS relating to livestock and poultry. Ms. Johnson will find the ordinance and provide it to the Board. Also, it was noted that the proposed changes to the ordinance included a contradiction in the definition of livestock which included chickens and the prohibition of keeping livestock in the R-1 district but also allowing the keeping of chickens.

- **Tractor trailer parking** – The Township’s ordinance says that tractor trailers can park in residential areas for 24 hours and then they must move. Ms. Johnson did some research of regulations from other Municipalities. Penn Manor prohibits tractor trailers by weight. A discussion about prohibiting trucks by weights followed. Ms. Johnson will do some more research and report back to the Board.
- **Trash and recycling law** – Ms. Johnson reported that the law states that all trash in Lancaster County must be taken to the LCSWMA but does not require everyone to have a hauler.
- **Ephrata Borough** – Ephrata Borough would like to bring its residents’ yard waste to West Earl’s compost site. Member Thornton said he doesn’t think the Township could handle any additional yard waste at the compost site. Vice Chairman Keppley said he feels it’s the wrong move to open up the site to other municipalities.
- **Vic Leininger request** – Mr. Leininger has requested that two “Do Not Pass” signs on W. Metzler Road be moved. He is building a new home and he feels the signs will get in the way of mowing his yard. Mr. Leininger would like to move them 60’ east of his property at 122 W. Metzler Road. The Board briefly discussed the request. Vice Chairman Keppley said he doesn’t think the Township can just arbitrarily move street signs because there are certain criteria for where the signs must be place. Chairman Ford said that a traffic study would have to be done.
- **July 4<sup>th</sup> holiday** – Ms. Johnson reported that since July 4<sup>th</sup> is on a Thursday she’s had a lot of employees request Friday, July 5<sup>th</sup> off so the Township office will be closed on Friday, July 5<sup>th</sup>.

#### Payment of Bills

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

#### Police Chief’s Report

- **Applications for full-time police officer** – Chief Scott Ruth said that he will be going through the consortium to find a replacement for Officer Ebersole when he retires. Chief Ruth and the Board members also discussed placing an advertisement for the position. Chief Ruth requested an executive session at the end of the regular meeting to discuss a personnel matter.

#### Public Comment

**None**

#### Supervisors’ Comments

**Keith Kauffman** – Member Kauffman said that Comcast is coming through his development installing cables. Member Kauffman was concerned that they were tearing up the roads after they’ve been recently paved. Ms. Johnson said they will be working in the right-of-way and won’t be tearing up the roads.

**Butch Keppley** – Vice Chairman Keppley said he won’t be able to be involved in buying a car for the Code Enforcement Officer. Ms. Johnson said she will go elsewhere to purchase the car. Vice Chairman Keppley asked if the draft zoning ordinance was distributed yet. Ms. Johnson said she will upload the draft zoning ordinance to the Boards’ tablets.

**John Ford** – Chairman Ford asked about removing the “Except Right Turn” sign at Rosewood and Vanderbilt. Ms. Johnson will do some research to see if it’s possible to remove it.

**Butch Keppley** – Vice Chairman Keppley would like to see an itemized list of tools for the shop. Ms. Johnson said she is working with the auditor to create a list of assets.

The Board took a short recess at 8:39 p.m. and entered executive session at 8:44 p.m. to discuss a personnel matter.

The Board reconvened at 9:22 p.m.

Chairman Ford announced that he will not be at the July 8, 2019 supervisors' meeting.

Adjournment

Moved by Member Thornton, second by Vice Chairman Keppley to adjourn the June 24, 2019 regular meeting at 9:23 p.m. Motion approved unanimously.