

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

In Attendance:

Chairman:	John Ford	Acting Police Chief:	Scott Ruth
Vice Chairman:	Harold Keppley, Jr.	Acting Roadmaster:	Jerry Howe
Member:	Keith Kauffman	Road Department:	Sylvan Fisher
Member:	Dave Thornton	Township Engineer:	Ben Craddock
Member:	Richard Stover		

Call to Order

Chairman Ford called the September 23, 2019 regular meeting to order at 7:00 p.m.

Approval of Minutes

Moved by Member Kauffman, second by Member Thornton to approve the September 9, 2019 regular meeting minutes as presented. Motion approved unanimously.

Public Comment/Guests

Phil Hursh – Phil Hursh, treasurer for the West Earl Fire Company, along with some members from the Farmersville Fire Company were at the meeting to discuss funding levels for the two fire companies. Mr. Hursh asked the Board members to consider reinstating the funding levels for the Fire Companies to the 2018 levels. Mr. Hursh said it's been a hardship to have the funding lowered in 2019. Mr. Hursh said 2018 funding levels were \$7,500 for West Earl and \$6,500 for Farmersville. Discussion followed relating to LST funds and new businesses coming into the Township such as Bobby Rahal Lexus. Chairman Ford suggested that the Fire Companies attend the upcoming Township budget meetings. Township staff will notify the Fire Companies when the budget meetings are scheduled.

Sylvan Fisher – Mr. Fisher said that the bridge that PennDot rebuilt at Turtle Hill and W. Farmersville Roads has had its guard rail smashed in by a truck that couldn't make the turn onto the bridge. Vice Chairman Keppley said that he spoke to Representative Greiner and told him that the turning radius on the bridge is not good. Chairman Ford asked if the Township should send a formal letter to PennDot about the issue. Vice Chairman Keppley said the turning radius of the bridge should be reviewed. Mr. Craddock said he will reach out to his traffic engineer to discuss this.

Old Business

Bobby Rahal plan – Vice Chairman Keppley said that conditional approval has been received from PennDot for the highway occupancy permit for this project. The Board will sign the Bobby Rahal plan.

Marlee Plan – The Board did not take action on the Marlee plan because there are too many outstanding items.

New Business

1. **Agreement with McNees, Wallace & Nurick LLC** – Consideration to appoint Penny Pollick as the Township Manager Consultant. Moved by Member Thornton, second by Member Kauffman to sign the agreement with McNees, Wallace & Nurick LLC and appoint Penny Pollick as the Township Manager Consultant. Motion approved unanimously.
2. **Caleb Strausser plan** – Cameron Renehan from Team AG presented an overview of the project. Mr. Strausser proposes to construct and 80' x 125' building, access drives and stormwater facilities on his property at 160 Wissler Road. The project will also require an NPDES permit. Discussion followed relating to a plan for this property in 2015 that showed the establishment of 50' rights-of-way for Wissler

and S. Fairmount Roads. Mr. Craddock said it's unclear whether these rights-of-way were ever dedicated to the Township. Vice Chairman Keppley said with these types of plans out in the country it makes sense for the Township to take ownership of the right-of-way. He said it may never be needed but if it is then it's in place.

- **Land Development waiver request** - Moved by Member Thornton, second by Vice Chairman Keppley to approve a waiver of the land development plan process requirements for the Caleb Strausser plan, to accept the rights-of-way shown on the 2015 subdivision plan at document #2015-0026-J and to defer the widening of Wissler and S. Fairmount Roads. Motion approved unanimously.
 - **Stormwater Management plan modification request** – Moved by Member Kauffman, second by Member Thornton to approve the stormwater management plan modification and allow for slightly high loading ratios. Motion approved unanimously.
 - **Plan Approval** – Moved by Chairman Ford, second by Vice Chairman Keppley to grant approval of the Caleb Strausser plan contingent upon all items on the September 13, 2019 review letter from Lancaster Civil Engineering being satisfied. Motion approved unanimously.
3. **Resolution 2019-17** – Eli Beiler sewage planning module. Moved by Vice Chairman Keppley, second by Member Kauffman to adopt Resolution 2019-17 and sign the sewage planning module for the Eli Beiler plan. Motion approved unanimously.
 4. **Paul & Katie Zook Stormwater Management Agreement** – Moved by Vice Chairman Keppley, second by Member Stover to sign the Paul & Katie Zook stormwater management agreement. Motion approved unanimously.
 5. **U-Gro & Brownstown Commons** – Member Thornton explained to the Board that there was some confusion and it was thought that the U-Gro project had been cancelled because Robert Brandt requested that escrow money be returned to him. However, it was not the U-Gro project that had been cancelled but was the project on lot #2 of the Brownstown Commons property that was cancelled. Mr. Brandt requested that his \$10,000 escrow for lot #2 be released. Moved by Member Thornton, second by Vice Chairman Keppley to release the \$10,000 escrow for lot #2 of Brownstown Commons contingent upon confirming the amount with Becker Engineering. Motion approved unanimously.
 6. **September 16th Workshop Minutes** – The Board of Supervisors and the Planning Commission had a workshop on September 16, 2019 to discuss areas where the Township would like new sewer system developments to be concentrated. Moved by Chairman Ford, second by Member Kauffman to approve the September 16, 2019 workshop meeting minutes. Moved by Chairman Ford, second by Member Kauffman to designate the following areas as priorities for sewer system expansion: Farmersville and Fairmount Homes, Center Square Road area, Route 772 corridor south of Talmage, Southeast corner of the Township along Route 23, Houses along W. Farmersville Road, Turtle Hill Road “bungalows”, Brownstown Campus of Lancaster County Career & Technology Center and immediate vicinity. Motion approved unanimously.

Manager's Report

- **Lancaster County Convention** – The Lancaster County Convention will be held at Yoder's Restaurant on Monday, November 4, 2019 from 8 a.m. until 4:30 p.m.
- **Cocalico Creek pipe repairs** – Sylvan Fisher said he got quotes for the Cocalico Creek Road pipe repairs and the lowest was \$19,000 from Usner Excavating. He said they could get started in the next couple weeks. Discussion followed about the budget. Member Thornton said this is a safety issue and

should be done. Moved by Chairman Ford, second by Member Thornton to accept the \$19,000 bid from Usner Excavating and ask them to start the work as soon as possible. Motion approved unanimously.

- **Road Crew Hire** – Moved by Member Thornton, second by Vice Chairman Keppley to extend an offer of \$20 per hour for the Road Crew position to Beu Mellinger contingent upon him passing the background check. If Mr. Mellinger does not accept then the offer will be extended to Steve Kauffman with the same conditions. Motion approved unanimously.
- **Water Plant** – Member Thornton said that he spoke to Water Operator, Todd Heidelbaugh. Mr. Heidelbaugh would like to purchase a dehumidifier for the water plant. The cost would be \$4,000. Member Thornton said he asked Mr. Heidelbaugh to get a smaller one. Discussion followed relating to the sudden need for the dehumidifier. Member Thornton said he will follow up with Mr. Heidelbaugh.
- **Trash/Recycling bids** – Two bids were received. The contract was bid two ways, one with the tipping fees included and one without the tipping fees. Eagle Disposal was the lowest bid. Eagle Disposal has requested that the contract be modified so customers must get their recycle bins directly from Eagle Disposal. Moved by Vice Chairman Keppley, second by Chairman Ford to accept Eagle Disposal's alternate bid and not modify the contract as requested by Eagle Disposal. Motion approved unanimously.
- **Assessment appeal for 164 Butter Road** – Provided for the Board's review.
- **Water Department truck** – Todd Heidelbaugh requested that he be permitted to take his water department truck home in case of any emergencies that may happen during the night. Mr. Heidelbaugh feels he could respond to the emergencies quicker if he had his work truck at home. The Board briefly discussed the request and by general consensus, decided they were not in favor of allowing Mr. Heidelbaugh to take his water department truck home.
- **Pensions** – In August the Board approved the MMOs for the uniform and non-uniform pensions. Chairman Ford said the next step would be to deposit the funds. Member Thornton will talk to Penny Pollick about this.
- **Zoning Officer's report** - The August report was provided for the Board's review.

Police Chief's Report

Acting Police Chief Scott Ruth reported the following:

- **Trash-a-Thon** – The Lititz Area Mennonite School's annual Trash-a-Thon will be held on October 7, 2019.
- **Josh Mertz** – Acting Chief Ruth expects Mr. Mertz to begin working in the Police Department the first week of October.
- **Halloween Parade** – Vice Chairman Keppley asked if Jeff Zimmerman has gotten his approvals for the Halloween Parade. Acting Chief Ruth will contact Mr. Zimmerman about the parade.
- **Public Service** – A resident of the Township is required to perform some public service. The resident would like to detail the Police Department's vehicles.

Payment of Bills

Three additional bills were added. Moved by Member Thornton, second by Vice Chairman Keppley to pay the bills as presented including the three additional bills that were added. Motion approved unanimously.

Supervisors' Comments

Dave Thornton – Member Thornton said he would like to recognize all the Township staff that have helped during this time. Member Thornton said there will be a staff meeting on Wednesday, September 25, 2019 at 7:30 a.m. to introduce Penny Pollick to the Township Staff.

Keith Kauffman – Mr. Kauffman emailed the representative from Comcast that he's been communicating with. Representatives from Comcast will hold another meeting at the Township building. Tuesday, October 8, 2019 at 6:30 p.m. to answer questions from residents.

Harold Keppley, Jr. – Vice Chairman Keppley said that the Township’s Attorney received a deed of dedication for the Creek Hill development’s streets. He said this would not make it in time for the liquid fuels tax. Chairman Ford said that if the Township would take the roads after the liquid fuels deadline then the Township would not receive liquid fuels funds in 2020. The Board did not take any action on this matter.

John Ford – Chairman Ford requested an executive session after the regular meeting to discuss a hiring matter.

The Board took a brief recess at 8:39 p.m. and entered executive session at 8:50 p.m. The Board reconvened at 9:26 p.m.

Moved by Vice Chairman Keppley, second by Member Thornton to authorize Chairman Ford and Member Thornton to negotiate an employment agreement with Police Chief candidate Higgins. Motion approved unanimously.

Public Comment

None

Adjournment

Moved by Member Kauffman, second by Member Thornton to adjourn the September 23, 2019 regular meeting at 9:29 p.m. Motion approved unanimously.