

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

In Attendance:

Vice Chairman:	Harold Keppley, Jr.	Road Department:	Sylvan Fisher
Member:	Keith Kauffman	Interim Township Manager:	Penny Pollick
Member:	Dave Thornton	Code Enforcement Officer:	Brian Brandt
Acting Police Chief:	Scott Ruth	Zoning Officer:	Sara Service

Member Richard Stover and Chairman John Ford were absent.

Call to Order

Vice Chairman Keppley called the November 11, 2019 regular meeting to order at 7:00 p.m.

Vice Chairman announced that the Board held an executive session on November 6, 2019 to discuss hiring matters.

Approval of Minutes

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

Public Comment/Guests

**Brian Spohn, 138 E. Main Street** – Mr. Spohn asked if there is an update on the issues he's having getting packages delivered to his address on East Main Street. Zoning Officer Sara Service reported that she contacted Lancaster Countywide Communications about assigning addresses and was told that they rely on addresses assigned by the Township and do not use addresses from the Post Office. Ms. Service told Mr. Spohn that the Township can only assign physical addresses and not mailing addresses and that he would need to speak to the Ephrata Post office about this matter. Mr. Spohn expressed frustration in trying to get packages delivered to his home. He said he does have an RR2 mailing address but is still having a problem getting packages delivered. Vice Chairman Keppley said that as a Township resident he's had the same types of issues and that his packages often end up at a Church Street address in Ephrata.

Old Business

- **Eagleview Swing Set Installation** – The low bid was \$2,950 from Playworks. Moved by Member Thornton, second by Member Kauffman to accept the low bid of \$2,950 from Playworks for the installation of the swing set at the park in Eagleview Estates. Motion approved unanimously.
- **East Main Street Grant** – An email from Jim Caldwell was reviewed by the Board.
- **Trash/Recycling Contract Change Order #1** – The change order has been corrected to indicate that the hauler will be paying all tipping fees. Moved by Member Kauffman, second by Member Thornton to approve and sign the Trash/Recycling Contract Change Order #1 as amended. Motion approved unanimously.

New Business

- **Fairmount Homes Stormwater Management Agreement** – Moved by Member Thornton, second by Vice Chairman Keppley to approve the Fairmount Homes Stormwater Management Agreement in a form acceptable to the Township's Solicitor. Motion approved unanimously.

Code Enforcement Officer's Report

- **Advertise Ordinance to Amend the Property Maintenance Code** – Moved by Member Thornton, second by Vice Chairman Keppley to advertise the ordinance to amend the Property Maintenance Code. Motion approved unanimously.
- **Advertise Ordinance to Amend Enforcement Actions** – Moved by Member Thornton, second by Member Kauffman to advertise the Ordinance to amend enforcement actions. Motion approved unanimously.
- **Activity Summary Report Year-to-date** – Provided for the Board's review.

- **Handicapped parking space - Code** Enforcement Officer Brandt said he received a call from a resident who would like to obtain a handicapped parking spot in front of their house. He said the Township has nothing in place that would allow this. Mr. Brandt said that the PA Vehicle Code does allow for it and then the Township would be onboard with ADA regulation. He said the Township would have to either do it by Ordinance or by creating a policy that authorizes a public official who is given the authority to do it. Mr. Brandt said he can do some research and come up with a policy that would allow this. The Police Department would then enforce it. Moved by Vice Chairman Keppley, second by Member Kauffman to authorize Brian Brandt to draft a policy for establishing handicapped parking spaces for residents of the Township. Motion approved unanimously.

#### Zoning Officer's Report

- **Anglesea Stormwater Encroachment letters** – Ms. Service reported that letter were sent to 14 homeowners in the Anglesea Development who has fences, landscaping, trees, etc. in stormwater easements. She said she's heard from 8 residents who received the letters and they all prefer to keep their fences, landscaping, trees, etc. in the easements. Ms. Service said she mentioned to the residents about the possibility of entering into agreements since it was briefly mentioned at the prior Board meeting. She said all the residents she spoke to are will to work with the Township. Ms. Pollick told the Board that the Stormwater Management Agreement for Anglesea would have to be changed in order to enter into agreements with the residents. Vice Chairman Keppley asked Ms. Pollick to contact the Township's Solicitor to see what the Township's options are in this matter.
- **Zoning Officer's Monthly Reports** – September & October 2019. Ms. Service said she started to include Road Occupancy permits on the reports since there have been so many issued lately.

#### Manager's Report

- **Jennifer Seesholtz** – Moved by Vice Chairman Keppley, second by Member Thornton to add Jennifer Seesholtz ad an authorized signer on all Township accounts. Motion approved unanimously.
- **Cocalico Creek Project costs** – Ms. Pollick provided all the costs for the Cocalico Creek Project for the Board to review.
- **2020 Meeting Dates** – The Board reviewed the dates. Moved by Member Thornton, second by Member Kauffman to advertise the 2020 meeting dates. Motion approved unanimously.
- **Robert Buckwalter Resignation** – Member Thornton said this matter should be tabled. He said he spoke with Mr. Buckwalter and he might reconsider the resignation and stay with the Township.

#### Police Chief's Report

- **Beards for Brothers/No Shave November** – The Police Officers are growing beards for charity. The money will go to Emergency services and Make-a-wish foundation. Acting Chief Scott Ruth said everyone will be clean shaven again at the beginning of December.
- **24-hour service** – Acting Chief Ruth reported that the West Earl Police Department will return to 24-hour service on November 23<sup>rd</sup>. He said that the PA State Police have been notified.
- **Route 222 closure** – Acting Chief Ruth said that the construction on route 222 north is finished and it should be open mid-week.

#### Public Comment

**Matthew Hummer, 293 Robin Dale Drive** – Mr. Hummer was at the meeting to discuss the stormwater easement encroachment letter that he received. He said he's upset that the Township is telling him to remove his trees. He said that Keystone did not properly grade his property and it was getting swamped and when he put the tress in the water no longer swamped his property. Mr. Hummer said he's willing to move the wood pile but does not want to lose his trees. Vice Chairman Keppley discussed the punch list of items that Keystone needs to take care of before the Township takes dedication of the streets. He said that although the easement encroachments are part of that list the Township would not

hold up dedication due to stormwater easement encroachments. Vice Chairman Keppley said the letters were mailed out at the request of the Anglesea HOA and told Mr. Hummer that he can appreciate his argument; however, the stormwater ordinance does say that you can't encroach on a stormwater easement. Mr. Hummer said that he is appealing the letter that was sent to him and that he hopes that there will be a common sense solution. Vice Chairman Keppley said that the Board tries to do things that make common sense and will be discussing this matter with the Township's solicitor to get some option on how to proceed in this matter. The Township will be in contact with Mr. Hummer.

Payment of Bills

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

Supervisors' Comments

None

The Board took a brief recess at 7:53 p.m. and entered an Executive Session at 8:05 p.m. wherein personnel matters were discussed.

The Board reconvened the regular meeting at 8:15 p.m.

Adjournment

Moved by Member Thornton, second by Member Kauffman to adjourn the November 11, 2019 regular meeting at 8:16 p.m. Motion approved unanimously.

Respectfully Submitted by:



Sara Service  
Zoning Officer