

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

In Attendance:

Chairman:	David Thornton	Manager/Secretary:	Jenna Seesholtz
Vice Chairman:	John Ford – Via Zoom	Police Chief:	Eric Higgins
Member:	Harold Keppley, Jr.	Roadmaster:	Neil Stoltzfus
Member:	Dale Wissler	Zoning Officer:	Sara Service
Member:	Keith Kauffman – Via Zoom		

Guests present: John Friel, LNP (Via Zoom), Elvin Hoover-222 Conestoga Creek Rd., Frank Hoover-471 N. Farmersville Rd., John, Karen & Joseph Stauffer-151 Pleasant Valley Rd., Harold Stauffer-1870 Diamond Station Rd., Wes Stauffer-23 Pleasant Valley Rd., Larry Zimmerman-11 W. Farmersville Rd., David Hoglund-Rettew Associates, Ben Brubacher-67 Ledgebrook Rd., Mohnton, Lisa Martin-4097 Oregon Pike, Curtis Miller-111 E. Main St., Tony Stauffer-133 Briarhill Lane

Call to Order

Chairman Thornton called the March 8, 2021 regular meeting to order at 7:01 p.m.

Approval of Minutes

**February 22, 2021 regular meeting minutes** – Chairman Thornton noted that #2 under New Business the motion was made by Chairman Thornton. Member Keppley noted under the Supervisors' Comments that he said the Board should take a comprehensive look at the zoning of the entire Township and not 1850 Diamond Station Rd. Moved by Member Keppley, second by Chairman Thornton to approve the February 22, 2021 regular meeting minutes as corrected. Motion approved unanimously.

Public Comment

**1850 Diamond Station Road** - Township residents were in attendance to voice their opposition to rezoning 1850 Diamond Station Road from AG to R2. Some of their concerns included their desire to preserve farmland, increased traffic, the rich soil in Lancaster County and preserving heritage. The residents who spoke included Karen Stauffer, 151 Pleasant Valley Road, Joseph Stauffer, son of Karen Stauffer, Elvin Hoover, 222 Conestoga Creek Road, Wes Stauffer, 23 Pleasant Valley Road, Harold Stauffer, 1870 Diamond Station Road and Tony Stauffer, 133 Briarhill Lane.

Board members assured the residents that no approvals to re-zone the property have been made by the Board. Member Keppley asked the residents not to make any assumptions and that the Board has not investigated any possibilities yet and no decision has been made. The Board thanked the residents for attending the meeting and sharing their concerns.

Subdivision/Land Development

1. **Noah Z. Shirk** – Moved by Member Keppley, second by Member Wissler to release financial security in the amount of \$24,652.00 and retain a balance of \$3,227.16 for the Noah Z. Shirk Project. Motion approved with a 4 to 1 vote with Vice Chairman Ford voting nay.

Old Business

1. **East Main Street Project update** – Dave Hoglund from Rettew Associates updated the Board on the East Main Street Project. The Highway Occupancy Permit has been submitted to PennDot. The utility poles on the east side of the street will not have to be relocated. The residents on the Eastern end of East Main still need to sign easements for the construction. The Township was told by PennDot that it cannot acquire the sidewalk rights-of-way as was discussed at a previous Board meeting. The Township would have to have the lands appraised and assign a value to them to create permanent pedestrian easements. Manager Seesholtz said if the Township did the work the appraisals would not have to be done. Member Keppley said he would like to know the total cost the Township has incurred since the beginning of this project 11 years ago. Member Keppley would also like a legal opinion on whether the sidewalk ordinance can be enforced if the sidewalk is not in the public right-of-way. Member Keppley suggested getting Representative Greiner and Senator Aument involved and a trip to PennDot should be made.
2. **CARES Funding update** – The Township was notified that it will receive \$110,285.00 in CARES funding.
3. **201 Rose Hill Road appeal update** – Mr. Brandt updated the Board on the 201 Rose Hill Road appeal. He said he saw a large load of lumber show up at the property which shows that the tenant could progress on cleaning up the property. Mr. Brandt is asking the Board to decide at the next meeting as to whether what is on the property is rubbish or not.
4. **Township Code Update** – Mr. Brandt explained the updates that need to be made. No parking at 205 & 207 E. Main Street, Brownstown in association with a Highway Occupancy Permit from PennDot and the solid waste ordinance needs to be updated so it can be enforced. The Board authorized Mr. Brandt to make the updates.

New Business

1. **Chief Higgins Employment contract revisions** – Moved by Vice Chairman Ford, second by Member Keppley to sign Police Chief Eric Higgins revised employment contract. Motion approved unanimously.
2. **Police Cruiser Purchase** – Moved by Member Kauffman, second by Vice Chairman Ford to authorize the purchase of the new police cruiser. Motion approved unanimously.
3. **Fire Police Request** – The Lions' Club has requested the help of the fire police for traffic control during their drive-thru East Egg Hunt. Moved by Member Wissler, second by Member Keppley to authorize the fire police to help with traffic control during the Lions' Club Drive-Thru Easter Egg Hunt on April 3, 2021. Motion approved unanimously.
4. **Engine Brake enforcement** – Manager Seesholtz said there are signs prohibiting the use of engine brakes in areas of the Township but no Ordinance to make them enforceable. The Board authorized the Manager to draft an Ordinance.
5. **Fire Service hook-up fees** – Manager Seesholtz requested that the Board allow a separate bank account to be opened for depositing the fire service fees. The fire service fees and how they are calculated was discussed and it was suggested by Member Keppley that the Manager ask Bob Brandt about the fees. Moved by Vice Chairman Ford, second by Member Keppley to authorize the Manager to open a new bank account for the fire service fees. Motion approved unanimously.
6. **Jon Balson Zoning Hearing Board member** – Manager Seesholtz said that Jon Balson returns his paycheck every year that he is served on the zoning hearing board. The Manager suggested a letter of thanks be sent to Mr. Balson. The Board agreed and asked the Manager to send the letter.

Financials

1. **Payment of bills** – Moved by Member Keppley, second by Member Kauffman to pay the bills as presented. Motion approved unanimously.
2. **Budget vs. Actual** – For the Board's review.

Reports

1. **Zoning Officer's Report** – The Zoning Officer submitted her February report for the Board's review.
2. **Manager's Report**
  - Zoning Hearing Board and the Planning Commission both have 1 vacancy.
  - Transportation Improvement Program (TIP)– The County has asked the Township to identify areas for potential funding that can be placed on the TIP. Manager Seesholtz identified the intersection at Burkholder Drive and Newport Road and asked the Board if they would like this intersection placed on the TIP. The Board agreed that the Burkholder/Newport intersection should be added to the TIP.
3. **Police Chief's Report**
  - Police records have been merged.
  - Working on bring the evidence inventory from Akron Borough to West Earl.
  - West Earl has received the title for the last Akron Borough vehicle.
  - The first liaison meeting went well.
  - Chairman Thornton requested that the Chief show a breakdown of the call statistics for West Earl and Akron.
  - Chief Higgins asked that the Board to consider drafting a Resolution to support the bill to allow radar to be used the PA Police Officers. He said that Pennsylvania is the only state in the Nation that does not allow local police to use radar.
4. **Roadmaster's Report**
  - Roadmaster Stoltzfus submitted a list of surplus equipment that he would like to sell on Muncibid. Moved by Member Wissler, second by Member Keppley to authorize the Roadmaster to place the surplus equipment on Muncibid. Motion approved unanimously.
  - Purchase bucket truck from Earl Township – Moved by Member Kauffman, second by Member Keppley to authorize the purchase of the bucket truck from Earl Township. Motion approved unanimously.

Supervisors' Comments

**Keith Kauffman** – Mentioned that he attended the swearing-in of the Fire Police.

Action Items

- Look for the sewer agreement.
- How much has been spent on the East Main Street Project so far.
- Add the Rose Hill Road appeal to next meeting's agenda.
- Engine brake ordinance.
- Call Bob Brandt about the fire service fees.
- Send Jon Balson a thank-you letter.

Adjournment

Moved by Vice Chairman Ford, second by Member Wissler to adjourn the March 8, 2021 regular meeting at 9:20 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service  
Zoning Officer