

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

In Attendance:

Chairman:	David Thornton	Member:	Harold Keppley, Jr.
Vice Chairman:	John Ford – Via Zoom	Manager/Secretary:	Jenna Seesholtz
Member:	Dale Wissler	Code Enforcement:	Brian Brandt
Member:	Keith Kauffman	Roadmaster:	Neil Stoltzfus

Guests present: Ryan Monteleone-31 Oriole Drive, Kristin Carpio-483 Gun Club Road, Dawn Blessing-100 Blessing Lane, Rachael Campbel-Lancaster, Chantel Shumen-Lancaster, Steph & Valerie Hagee-Dallastown, James Dougherty-3 Newton Court, John Weiderhold-21 Kingston Road, Daryl Stoltzfus-300 S. State Street, Jordan Byrnes-West Earl PD, Mitch Rogers-West Earl PD, Ryan Blessing-West Earl PD, Fred Riccelli-West Earl PD, Joshua Mertz-West Earl PD, Joe Wehrer-West Earl PD, Karen Stauffer-151 Pleasant Valley Road.

Call to Order

Chairman Thornton called the May 10, 2021 regular meeting to order at 7:00 p.m.

Approval of Minutes

**April 26, 2021 regular meeting minutes** – Moved by Member Wissler, second by Member Kauffman to approve the April 26, 2021 regular meeting minutes with amendment. Motion approved unanimously.

Public Comment

**James Dougherty, 3 Newton Court** – Mr. Dougherty expressed concerns about food trucks setting up in his neighborhood and asked what protections the residents have. Manager Seesholtz explained that the Township became aware of the food trucks after receiving a call from a resident in the Westgate development. It was determined that the food trucks would require solicitation permits issued by the Police Department.

Special Business

1. **Swearing in of Officer Ryan Blessing** – West Earl Township Police Officer Ryan Blessing was sworn-in by Chairman Thornton.
2. **Resolution 2021-14** – Moved by Vice Chairman Ford, second by Member Kauffman to adopt Resolution 2021-14 authorizing the Township Manager to execute East Main Street documents relating to Phase 1 of the East Main Street Project on behalf of the Board of Supervisors. Motion approved unanimously.

Subdivision/Land Development

1. **Sam & Christina Ovalle** – Small project application and agreement approval. Moved by Member Keppley, second by Member Kauffman to sign the Sam & Christina Ovalle small project stormwater management agreement. Motion approved unanimously.
2. **Jacob & Mary Glick** – Small project application and agreement approval. Moved by Member Keppley, second by Member Wissler to sign the small project stormwater agreement for Jacob & Mary Glick. Motion approved unanimously.
3. **Thomas & Marie Hacker** – Anglesea Stormwater Agreement. Moved by Member Keppley, second by Chairman Thornton to sign the stormwater agreement for Thomas & Marie Hacker. Motion approved unanimously.
4. **Garrick Yahnke** – Anglesea Stormwater Agreement. Moved by Member Wissler, second by Member Kauffman to sign the stormwater agreement for Garrick Yahnke. Motion approved unanimously.

Old Business

1. **East Main Street Sidewalk Project Update** – Manager Seesholtz reported that she is received a little over 50% of the East Main Street agreements back. Rettew is working on the revised bump-out plan. A brief discussion of the placement of mailboxes followed.
2. **Letters of Intent**
  - Planning Commission – Moved by Chairman Thornton, second by Member Keppley to appoint Cameron Renahan to a term on the West Earl Planning Commission. Motion approved unanimously.
  - Zoning Hearing Board – Moved by Chairman Thornton, second by Member Wissler to appoint George McLaughlin to a term on the West Earl Zoning Hearing Board. Motion approved unanimously.

Chairman Thornton said he would like to see the Park & Recreation Board active again. Manager Seesholtz said there will be 2 vacancies on the Water Authority as well. Chairman Thornton asked the Manager to reach out to the remaining candidates and ask if they would be interested in serving on the Park & Recreation Board or the Water Authority. The Board asked the

Manager to reach out to other municipalities and ask how they handle their Park & Recreation Boards.

#### New Business

1. **Act 537 Sewage Facilities Program Revision** – The revision would include Farmersville, Turtle Hill Road, the Vo-Tech and the Conestoga Camp Association. Moved by Member Wissler, second by Member Kauffman to approve the Act 537 Sewage Facilities Program revision. Motion approved unanimously.
2. **Compost Yard Agreement with Upper Leacock Township** – Upper Leacock Township would like to enter into an agreement to allow their residents to use West Earl's compost yard at a reduced rate of \$5 per trip. Upper Leacock has also offered to help West Earl if there is ever an excess of material that needs to be moved. After a brief discussion there was a consensus among the Board members to enter into an agreement with Upper Leacock which would allow their residents to use the compost yard for \$10 per trip and ask them to help move excess material if needed.
3. **Eagle Disposal** – The Township was notified by Eagle Disposal that they will no longer be picking up yard waste because they do not have the staff to do it. Manager Seesholtz said they are in material breach of the contract. The Manager spoke with the Township's attorney and was told that as part of the contract the Township can charge Eagle Disposal \$20, plus the Township staff time spent for each bag that they do not pick up within 24 hours. The Manager said she is tried to contact the municipal representative at Eagle Disposal but has not heard back. Chairman Thornton said the Township should start charging them the \$20 per bag not picked up. Member Keppley said the representative from Eagle should be asked to attend the next meeting. Chairman Thornton asked the Manager to have the Township's attorney notify Eagle Disposal that they are in breach of the contract. Chairman Thornton also asked the Manager to reach out to the Lancaster County Solid Waste Management Authority to discuss this issue.
4. **American Rescue Plan Act of 2021** – The Township will be receiving some fund from the American Rescue Plan. There are limits to what the funds can be used for. The Manager said there were two items that were brought up. Building a new website that would allow the Township to better communicate with residents and a new audio/visual system for the meeting room which would help with any virtual meetings that might be needed in the future. Manager Seesholtz asked the Board members and has asked Township staff to present any ideas for the usage of the funds.

#### Financials

1. **Payment of bills** – Moved by Member Kauffman, second by Chairman Thornton to pay the bills as presented. Motion approved unanimously.
2. **Treasurer's Report** – Vice Chairman Ford asked the Manager to include the debt picture on future treasurer's reports. Moved by Vice Chairman Ford, second by Member Wissler to accept the Treasurer's Report. Motion approved unanimously.
3. **Budget versus Actual** – Presented for the Board's review.

#### Reports

1. **Zoning Officer's Report** – The Zoning Officer will submit this for the next meeting.
2. **Manager's Report** – Discussed previously during meeting.
3. **Code Enforcement Officer's Report**
  - Rose Hill Road issue has been resolved.
  - Turtle Hill Road property has similar property maintenance issues as the property on Rose Hill Road. Mr. Brandt is working on getting these issues resolved.
  - Brake retarders ordinance – A traffic study was done in 2003 & 2007 but the brake retarder ordinance was never adopted. Adopting this ordinance would validate the brake retarder signs that are already installed within the Township. The aspects of enforcing the signs were discussed. Moved by Member Wissler, second by Member Kauffman to advertise the Brake Retarder Ordinance for adoption. Motion approved unanimously.
4. **Police Chief's Report**
  - Written report submitted for the Board's review.
  - Chief Higgins reported that West Earl has been participating in a speed enforcement detail with the PA State Police.
  - Request to upfit a police cruiser – Chief Higgins reported that they were able to sell the Ford Explorer for \$7,700. Moved by Member Kauffman, second by Member Keppley to authorize the upfit of the police cruiser not to exceed \$7,700. Motion approved unanimously.
5. **Roadmaster's Report** – Written report submitted for the Board's review.

Public Comment

None

Supervisors' Comments

None

Action Items

- Reach out to other Municipalities to see how their Park & Recreation Boards are handled.
- Ask the attorney to draft a letter to Eagle Disposal about the breach of contract.
- Contact the Lancaster County Solid Waste Management Authority to discuss Eagle Disposal's breach of contract.
- Ask the Municipal Representative from Eagle Disposal to attend the next Supervisors' meeting on May 24, 2021.
- Ideas from Township staff and Board members for the use of the American Rescue Plan Act funds that the Township will receive.
- Include the debt picture in the Treasurer's Report.

Adjournment

Moved by Vice Chairman Ford, second by Chairman Thornton to adjourn the May 10, 2021 regular meeting at 9:10 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service  
Zoning Officer