

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	Roadmaster:	Neil Stoltzfus
Member:	Dale Wissler – Via Zoom	Police Chief:	Eric Higgins
Member:	Keith Kauffman	Township Solicitor:	Josele Cleary, Esq.

Member Harold Keppley was absent.

Others present: Benjamin Brubacher-67 Ledgerock Rd, Mohnton, Sheila O'Rourke-Gibble, Kraybill & Hess, David Lapp-Blessings of Hope, Steve Lapp-Blessings of Hope, Jacob Lapp-Blessings of Hope, Aaron Fisher-Blessings of Hope, Ernest Schreiber, 126 Bentley Ln, Lancaster, Matthew Crème-Nikolaus & Hohenadel, LLP, Russell Pugh-11 Fox Hollow Dr, Lancaster, Jay Stauffer-1870 Diamond Station Road, Elvin Hoover-222 Conestoga Creek Road, Elvin High-1820 Diamond Station Road, Jonas Shirk-459 Peach Road, John Stauffer-151 Pleasant Valley Road, Dean Weinhold-426 N Farmersville Road, Richard Lorah-2105 Wheat Ridge Drive.

#### Call to Order

Chairman Thornton called the October 11, 2021 regular meeting to order at 7:00 p.m.

#### Approval of Minutes

**September 27, 2021 regular meeting minutes** – Vice Chairman Ford noted two changes on page two. Under New Business, #1 Member Kauffman made the motion, and #2 Member Wissler made the motion. Moved by Vice Chairman Ford, second by Member Kauffman to approve the September 27, 2021 regular meeting minutes as corrected. Motion approved unanimously.

#### Public Comment

None

#### Special Business

1. **Blessings of Hope** – Zoning Ordinance text amendment petition. Sheila O'Rourke from Gibble, Kraybill & Hess, presented the text amendment petition to the Board of Supervisors on behalf of Blessings of Hope, 1850 Diamond Station Road, Ephrata. Ms. O'Rourke said she was there representing Blessings of Hope and asked the Board to transmit the petition for review by the Planning Commission and LCPC. Township Solicitor Josele Cleary told the Board that they are under no time limits for dealing with this petition. Solicitor Cleary stated if the Board authorizes the petition to transmit the petition for review the West Earl Planning Commission and the Lancaster County Planning Commission will have 45 days to review and provide comments. Attorney Matthew Crème requested that he be permitted to make public comment. Attorney Crème stated he was at the meeting representing the Stauffer Family who is opposed to the text amendment. Attorney Crème asked the Board to consider whether they even want to authorize the transmission of the petition for review. Vice Chairman Ford said he feels the Township has a responsibility to hear the petition and get comments from the Township Planning Commission and the County Planning Commission. Moved by Vice Chairman Ford, second by Chairman Thornton to receive the petition and transmit it to only the West Earl Planning Commission at this time for their review and comments. Motion approved unanimously.
2. **Ordinance 261** – Terminate the West Earl Sewer Authority and transfer its assets. Moved by Vice Chairman Ford, second by Member Kauffman to adopt Ordinance 261. Motion approved unanimously.
3. **Certificate of Dissolution of West Earl Sewer Authority** – Moved by Member Wissler, second by Member Kauffman to approve the Certificate of Dissolution of the West Earl Sewer Authority. Motion approved unanimously.
4. **Resolution 2021-20** – Add Pershing LLC as a Financial Depository. Moved by Vice Chairman Ford, second by Member Kauffman to adopt Resolution 2021-20. Motion approved unanimously.

Subdivision/Land Development Review

1. **Small Project Stormwater Management Agreement** – Moved by Member Kauffman, second by Member Wissler to approve the Small Project Stormwater Management Agreement for Lloyd & Mary Hoover. Motion approved unanimously.

Old Business

1. **Cooke Financial structured CD** – Vice Chairman Ford said he told Mr. Cooke to attend the October 25<sup>th</sup> meeting and asked the Manager to add him to the agenda for that date.
2. **Compost Intermunicipal Agreements and fee schedule** – Roadmaster Stoltzfus said he adjusted the fee schedule for the compost site and is submitting it for the Board's consideration. Mr. Stoltzfus is proposing the following changes:
  - Curbside yard waste pickups from other Municipalities would be charged \$35 per ton instead of the \$50 per trip fee.
  - Municipalities who wish to enter into agreements with West Earl would get a reduced rate for their residents. Additionally, they would be asked to pay a fee of \$2 per resident to help offset the reduced rate for their residents.
  - West Earl residents' rate would be increased from \$1.50 per trip to \$2 per trip.Moved by Member Kauffman, second by Vice Chairman Ford to approve the new fee schedule and to authorize the Township Manager to negotiate the Compost Intermunicipal Agreements with neighboring municipalities. Motion approved unanimously.
3. **Police Building Discussion** – Moved by Vice Chairman Ford, second by Member Wissler to table the Police building discussion until the end of the meeting where the Board will enter executive session to discuss possible real estate acquisition. Motion approved unanimously.

New Business

1. **Akron Borough Pension Unfunded Liability Contract Revision** – Moved by Vice Chairman Ford, second by Member Kauffman to add the Akron Borough Pension Unfunded Liability contract revision to the agenda. Motion approved unanimously. Moved by Vice Chairman Ford, second by Member Kauffman to amend the Akron Borough Pension Unfunded Liability Contract revision to reflect the total of \$257,841. Motion approved unanimously.

Financials

1. **Payment of Bills** – Moved by Member Wissler, second by Member Kauffman to pay the bills as presented. Motion approved unanimously.
2. **Treasurer's Report** – None
3. **Budget vs. Actual** – Provided for the Board's review.

Reports

1. **Zoning Officer's Report** – Nothing additional to report.
2. **Manager's Report** – Nothing additional to report.
3. **Code Enforcement Officer's Report** – Written report provided for the Board's review.
4. **Police Chief's Report** – The new camera system was installed last week and is up and running.
5. **Roadmaster's Report** – The thermo painting has been pushed to October 24<sup>th</sup> and will take 3 nights to complete.

Supervisors' Comments

**Dave Thornton** – Chairman Thornton requested an executive session at the end of the regular meeting to discuss personnel compensation.

Action Items

1. Add the Blessings of Hope text amendment petition to the October 19, 2021 Planning Commission agenda.
2. Contact Scott Kramer's firm.

The Board took a brief recess at 7:53 p.m. and entered executive session at 8:01 p.m. to discuss the possible acquisition of real estate and to discuss personnel compensation.

The Board reconvened at 8:45 p.m.

Moved by Member Wissler, second by Member Kauffman to approve allocation of ARPA funds in the amount of \$25,000 (maximum authorized) to Manager, Jenna Seesholtz as a “Critical Employee” per ARPA guidelines. Motion approved unanimously.

Adjournment

Moved by Chairman Ford, second by Member Kauffman to adjourn the October 11, 2021 regular meeting at 8:47 p.m. Motion approved unanimously.

Respectfully Submitted by:

Sara Service  
Zoning Officer