

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

In Attendance:

Chairman:	John Ford	Member:	Dave Thornton
Vice Chairman:	Harold Keppley	Manager/Secretary:	Candie Johnson
Member:	Richard Stover	Police Department:	Sgt Scott Ruth

Member Keith Kauffman was absent.

Call to Order

Chairman Ford called the February 13, 2017 regular meeting to order at 7:00 p.m.

Public Comment/Guests

John Ressler – Mr. Ressler was at the meeting to discuss the fence he installed for the homeowner at 13 Cedar Avenue. The homeowner received a letter from the zoning officer that said the fence was in violation of the zoning ordinance and should be taken down. Mr. Ressler said he spoke to the previous zoning officer and was given the “ok” to install the fence. He said he read the portion of the ordinance that was referenced in the letter and the phrase “along the street of address” was left out of the letter. He feels he could have installed a 3 foot fence along the front edge of the property along Cedar Avenue if he wanted. Mr. Ressler also mentioned that there are other fences in the Township that are in the right-of-way. Vice Chairman Keppley said he believes there is something in the Township Code that prohibits improvements in the right-of-way due to possible erosion. Chairman Ford said there doesn’t seem to be a clear site issue with the fence. Ms. Johnson said it’s up to the zoning officer to interpret the zoning ordinance and the letter represents the interpretation of the ordinance by the current zoning officer. Mr. Ressler asked if the homeowner is still bound by the 30-day deadline to remove the fence. Chairman Ford said that the deadline will be extended 90 days and asked Mr. Ressler to work on this issue with the Township Manager.

Tom Henry, Berkley Products property - Mr. Henry was at the meeting to discuss the property he owns at 405 S. 7th Street in Akron. One of his 4 tenants at the property would like to install a concrete wall. Mr. Henry said he thought the tenant had gotten approval but when they went to install the concrete block they were told to stop. Mr. Henry said he’s met with the Township Engineer and Manager to discuss this issue. He said the Engineer has concluded that installing the wall would require a land development plan, a land survey, and engineered drawings. Vice Chairman Keppley said that the Township had some concerns about the number of businesses operating on the property and the fact that the property is a DEP hazardous waste cleanup site. Ms. Johnson noted that the Engineer, via a review letter dated January 20, 2017, said that Becker would consider support for a land development waiver with conditions. Chairman Ford said that what the Engineer has laid out in the review letter makes sense and is consistent with what is normally done. Chairman Ford asked Mr. Henry to continue to work on this issue with the Township Manager.

Approval of Minutes

Member Stover noted that Member Keith Kauffman was at the meeting but wasn’t listed as in attendance. Chairman Ford noted that the Township Manager was not listed as attending the PSATS conference along with the Board members. Moved by Member Thornton, second by Member Stover to approve the January 23, 2017 meeting minutes as corrected. Motion approved unanimously.

New Business

1. **Noise Ordinance #236** – Chairman Ford noted that on page 3, item #3 & #7 are identical and under the penalties heading the sections are misnumbered. Ms. Johnson said that she will make the corrections. Moved by Chairman Ford, second by Vice Chairman Keppley to adopt Ordinance #236. Motion approved unanimously.
2. **Sunrise Rotary ride for literacy** – The ride will be held on May 13, 2017. Moved by Member Stover, second by Member Thornton to allow the use of Township roads for the Sunrise Rotary ride for literacy on May 13, 2017. Motion approved unanimously.
3. **Polling Place Agreement** – The agreement is with Lancaster County for the use of the Township building as a polling place. Moved by Vice Chairman Keppley, second by Member Thornton to sign the Polling Place Agreement. Motion approved unanimously.
4. **Resolution No. 2017-16** – Sexual Abuse and Molestation Prevention Policy. Moved by Member Stover, second by Vice Chairman Keppley to adopt Resolution No. 2017-16. Motion approved unanimously.
5. **LCPIAA Baseball Umpires association** – The Baseball Umpires association have requested the use of the small meeting room for their upcoming meetings in March, April & May. Moved by Vice Chairman Keppley, second by Member Thornton to allow the LCPIAA Baseball Umpires association to use the meeting room on the requested dates. Motion approved unanimously.
6. **Mothers' Day Convoy** – The Make-A-Wish Foundation has requested assistance from the West Earl Fire Police for their annual Mothers' Day Convoy on May 14, 2017. Moved by Vice Chairman Keppley, second by Member Stover to approve the request for assistance from the West Earl Fire Police for the May 14, 2017, Make-A-Wish Mothers' Day Convoy. Motion approved unanimously.
7. **Eli & Lucy Shirk stormwater management agreement** – Moved by Vice Chairman Keppley, second by Member Stover to sign the stormwater management agreement for Eli & Lucy Shirk, 360 W. Metzler Road. Motion approved unanimously.
8. **Lions' Club events** – The West Earl Lions' Club has requested assistance with traffic control from the West Earl Fire Police for their annual Easter Egg Hunt on April 15th and Chicken BBQ on June 23rd. Moved by Vice Chairman Keppley, second by Member Stover to approve the request from the Lions' Club for help with traffic control from the West Earl Fire Police for two upcoming events. Motion approved unanimously.
9. **Zoning Ordinance text amendment** – Advertise the Zoning Ordinance text amendment. Chairman Ford asked Ms. Johnson if she would be able to include any other ordinance amendments with this one. He said there could be a couple that wouldn't require a lot of work. Vice Chairman Keppley said he would like to see amendments to the Township Code prioritized to make some changes to fence regulations or property maintenance regulations. Ms. Johnson said she will try but doesn't feel there is enough time to have any other amendments ready to advertise along with this amendment. Moved by Chairman Ford, second by Vice Chairman Keppley to advertise the Zoning Ordinance text amendment for adoption on March 27, 2017.

Manager's Report

Training update – Ms. Johnson provided a summary of the course she took on January 20th.

Sidewalk grant – Penn Dot has appointed Project Managers for the grant money.

Lien request – A resident with a lien attached to their property has requested that the Board waive all fees for the lien and allow the resident to just pay the special hydrant tax amount of \$5.57. Vice Chairman Keppley said the Township incurs a cost while trying to collect this money and the full amount should be paid. Chairman Ford said he feels this matter requires no action from the Board.

Lien list – Ms. Johnson provided an updated lien list for the Board's review. She pointed out that over the last few years the total amount in liens has gone from approximately \$150,000 down to \$30,000. Chairman Ford said that is excellent work.

Roads report – Written report from Ashley Martin was provided for the Board's review.

Municipal bid – Ms. Johnson reported that the items sold for a total of \$3,727. She provided a list of 3 more items that Ashley would like to place on the Municibid website. Moved by Vice Chairman Keppley, second by Member Thornton to approve the list of 3 items to be sold on Municibid. Motion approved unanimously.

Payment of Bills

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

Public Comment**Sgt Scott Ruth**

- **New police car purchase** – Sgt Ruth said that the last time a new car was purchased he was able to find a last year leftover and saved a few hundred dollars. He would like to do that again.
- **Fire Police usage requests** – Asked the Board members to think about putting a policy in place for Fire Police requests to go from the Board to the Police Chief.

Supervisors' Comments

Harold Keppley – Will not be at the next meeting. Ms. Johnson said she also will not be at the next meeting.

John Ford – Requested an executive session at the end of the regular meeting to discuss a personnel matter.

The Board took a short recess and entered executive session at 8:35 p.m. The Board returned to their regular session at 8:43 p.m.

Adjournment

Moved by Chairman Ford, second by Member Thornton to adjourn the February 13, 2017 regular meeting at 8:45 p.m. Motion approved unanimously.