

The **meeting of the Earl Township Board of Supervisors**, held on **Monday April 1, 2019**, was called to order by Chairman Rick Kochel, at 7 p.m. The following were present: Rick Kochel, Ray Martin and Tom Plitt. Also present were Lee Zimmerman, Road Master, and Solicitor William Cassidy.

Ray made a **motion to approve the March 4th and March 21, 2019 minutes**, Rick seconded and all voted yes.

Police Report:

Chief Leighty presented the March 2019 police report.

Martindale Fire Co. Report:

Chief Groff presented the March 2019 fire report.

Garden Spot Fire Rescue:

The March 6, 2019 meeting minutes were reviewed and will be filed in the Township office.

ELANCO Library:

The February 2019 activity report was reviewed.

Bid opening:

2019 White Oak Road process of Cold in Place (CIR) bid was received as follows:

1. Recon Construction Services Inc.
 - a. 14,423 sq. yd at \$5.90 per unit \$ 85,095.70.
 - b. 28,846 gallons at \$2.34 per unit \$ 67,788.10.
- Total bid amount \$152,883.80.

Rick made a **motion to award the 2019 CIR bid to Recon Construction Services Inc., in the total amount of \$152,883.80**. Ray seconded the motion and all voted yes.

2019 Road Paving bid for White Oak Road was received as follows:

1. Pennsy Supply Inc.
 - a. 1,300 tons of 9.5 mm at \$99.50 per unit \$129,350.00.
- Total bid amount \$129,350.00.

Ray made a **motion to reject the bid because the Township is not moving forward with paying for the paving project**. Rick seconded the motion and all voted yes.

Subdivision and Land Development Plans:

Mark Hackenburg, RGS Associates, and Steve Lindsey, CEO, **Garden Spot Village (GSV)**, were present to discuss the **proposed Meadow View Memory Care Facility, 448 South Kinzer Avenue, West Campus Preliminary/Final Land Development Plan**. Mr. Hackenburg reported that the public water line from New Holland Borough Authority is being relocated. A temporary sewer extension is proposed, to pump the sewer flow to the existing GSV private Force Main line, by boring under South Kinzer Avenue. This temporary connection will require an agreement with the Township to allow the private line in the public roadway. As the West Campus is developed then a permanent gravity line will be constructed. Traffic impact was reviewed and turn lanes are not warranted, but the turn lanes will remain on South Kinzer Avenue. The sidewalk will be installed from the Memory Care facility intersection going south to Airport Road. The Planning Commission recommended that a Curb and Sidewalk Deferral Agreement be executed for the remaining road frontage north of the Memory Care facility along South Kinzer Avenue. The following actions were requested:

- a. Waiver request of SALDO Section 308 – The Preliminary Plan submission requirement. Ray made a **motion to grant approval waiving the Preliminary Plan submission requirement**, Tom seconded and all voted yes.
- b. Waiver request of SALDO Section 602.M – Curbing requirement. Ray made a **motion to grant conditional approval of the Curbing modification, contingent upon the review comments of the Township’s Engineer**. Tom seconded the motion and all voted yes.
- c. Waiver request of SALDO Section 602.N – Sidewalks requirement. Rick made a **motion to grant conditional approval of the Sidewalk modification, contingent upon the ADA ramp in the non-public area being constructed with asphalt and that a Sidewalk Deferral Agreement shall be executed for the remaining undeveloped road frontage of the property, as recommended in the Township’s Engineer review letter dated March 25, 2019**. Tom seconded the motion and all voted yes.
- d. Waiver request of SWMO Section 302.A.1 – Groundwater Recharge requirement. Tom made a **motion granting conditional approval of the Groundwater Recharge modification, contingent upon the review comments of the Township Engineer’s**. Ray seconded the motion and all voted yes.
- e. Conditional approval of the Final Land Development Plan. Rick made a **motion for conditional approval of the Pre/Final Land Development Plan, contingent upon a Note being added stating that a Traffic Impact Study and Master Plan be completed with the next submission as well as executing a Sidewalk Agreement and per the Township’s Engineer, Road Master, Zoning Officer’s and L.C.P.C., review comments**. Ray seconded the motion and all voted yes.

Kevin Varner, Diehm & Sons Inc., presented the **Allen and Anna Newswanger, 351 North Hoover Avenue, Preliminary/Final Subdivision Plan** and requested the following:

- a. Waiver request of SALDO Section 308 – The Preliminary Plan submission requirement. Rick made a **motion to grant waiving the Preliminary Plan submission requirement**, Ray seconded and all voted yes.
- b. Waiver request of SALDO Section 602.K.4 – The Improvements to existing streets requirement. Rick made a **motion to waive the Improvement to existing streets requirement**, Tom seconded and all voted yes.
- c. Approve the Secretary to sign the PA DEP Component II Sewage Planning Module. Rick made a **motion to approve Resolution 2019-03, and to sign the PA DEP Component II Sewage Planning Module**, Tom seconded and all voted yes.
- d. Conditional approval of the Preliminary/Final Subdivision Plan. Ray made a **motion to grant conditional approval of the Preliminary/Final Subdivision Plan, contingent upon the review comments of the Township’s Engineer, Road Master, Zoning Officer and L.C.P.C**. Rick seconded the motion and all voted yes.

Kevin Varner, Diehm & Sons Inc., presented the **Eby’s Garage, LLC, 425 White Oak Road, Preliminary/Final Land Development and Lot Add-On Plan** and requested the following:

- a. Waiver request of SALDO Section 308 – The Preliminary Plan submission requirement. Rick made a **motion to waive the Preliminary Plan submission requirement**, Ray seconded and all voted yes.
- b. Waiver request of SALDO Section 602.K.4 – The Improvements to existing streets requirement. Tom made a **motion to grant waiving the Improvement to existing streets requirement**, Ray seconded and all voted yes.
- c. Waiver request of SALDO Section 602.M – Curbing requirement. Ray made a **motion to grant the Curbing modification along the parking compound**. Tom seconded the motion and all voted yes.

- d. Waiver request of SWMO Section 17-306 – The Riparian Corridors requirement – Ray made a **motion to grant the Riparian Corridors modification and to accept the fee in lieu of contribution to the Earl Township MS4, Pollution Reduction Plan in the amount of Seven Hundred Fifty Dollars (\$750.00)**. Tom seconded the motion and all voted yes.
- e. Conditional approval of the Pre/Final Land Development Plan. Tom made a **motion to grant conditional approval of the Preliminary/Final Land Development and Lot Add-On Plan, contingent upon the review comments of the Township’s Engineer, Road Master, Zoning Officer and L.C.P.C.** Ray seconded the motion and all voted yes.

Rick made a **motion to approve the time extension for Lanco Sheds, Lot 9, 271 Commerce Drive, Preliminary/Final Land Development Plan to meet the conditions to record their Plan**. Tom seconded the motion and all voted yes. The Plan will now expire July 1, 2019.

Tom made a **motion to approve granting a time extension for the Eli & Barbara Stoltzfus, 372 Redwell Rd, Preliminary Minor Subdivision Plan, to meet the conditions to record their Plan**, Ray seconded and all voted yes. The Plan will now expire July 1, 2019.

Ray made a **motion to approve executing the Developer’s Agreement with Leroy Smucker, 125 Leacock Road, Gordonville**, Tom seconded and all voted yes.

Road Master's Report:

Tom made a **motion to approve and execute the Memorandum of Understanding (MOU) between Earl Township and New Enterprise Stone & Lime Company, Inc., (NELS) regarding road repair work on White Oak Road, in which NELS agrees to donate to repair a section of White Oak Road**. Ray seconded the motion and all voted yes.

Lee reported that storm water management improvements should be constructed on Redwell Road to fix storm water runoff and road icing conditions. The project may require one hundred feet (100’) of pipe and will require the property owners’ approvals. The Supervisors directed Lee to collect additional data and cost to present for approval.

Lee requested approval to modify the trucks by installing heating strips and wiper shakers to four of the trucks at a cost of approximately One Thousand Dollars (\$1,000.00). Rick made a **motion to approve the purchase of heating strips and wiper shakers at a cost not to exceed One Thousand Dollars (\$1,000.00)**. Ray seconded the motion and all voted yes.

Rick made a **motion to approve the Annual Maintenance Program for the GEO Thermal Split Units in the Township Office in the amount of One Thousand Four Hundred Thirty Three Dollars and Twenty Five Cents (\$1,433.25) with County Line Mechanical**. Tom seconded the motion and all voted yes.

Sewage Enforcement Officer’s Report:

The Supervisors reviewed the Sewage Enforcement Officer’s March 2019 report.

Solicitor’s Report:

Solicitor Cassidy presented the Amendment to the Land Development Agreement with SOCO Enterprises, LLC and Earl Township Partners, LLC, located on the southside of Airport Road. The Supervisors directed that the agreement as written be forwarded to the Developers for review and approval.

Rick made a **motion to advertise for adoption the Ordinance for Mandatory Connection to the Public Water System, according to the Second Class Township Code**, Ray seconded and all voted yes.

Solicitor Cassidy reported that Comcast Cable will be providing the executed agreement within ten (10) days along with the Four Thousand Dollars (\$4,000.00) grant money.

The Supervisors acknowledged the Lancaster County Planning Commission's (L.C.P.C.) review of the neighboring Municipalities Ordinance amendments as follows:

Leacock Township – Proposed rezoning of 52.31 acres from Rural Village to Limited Manufacturing-2 and Commercial (c-2).

Leacock Township – Proposed Zoning Ordinance amendment.

Brecknock Township – Proposed Zoning Ordinance amendment.

Receipts received in March were \$124,287.66 in the General Fund, and \$270.53 in the Waste and Recycling Fund.

Ray made a **motion** to pay the expenses in the General and the Payroll Funds (Checks #3005 – 3050 and #8557 - 8578) in the amount of \$160,964.49, and the payroll taxes electronically transferred in the amount of \$10,345.91. The Street Light (Check #437) in the amount of \$1,028.40, the Waste and Recycling (Checks #293 - 294) in the amount of \$15,497.23 and the Liquid Fuels (Check # 422 - 423) in the amount of \$1,785.11. Tom seconded the motion and all voted yes.

Meeting adjourned at 9:55 p.m.

Respectfully submitted, Brenda S Becker, Secretary