

June 12, 1985

The Codorus Township Board of Supervisors met in regular session on June 12, 1985 at 7:30 P.M. in the Township office. Board members present were: Leroy Thoman, Charles Wehrly and Larry Luckenbaugh. Others present were Robert Sifleet, Marlene McLemore, George Williams, Anthony Dobrosky, Rev. Allan Wysocki, Glenn Smith, Robert Bolton, James Bailey, Danny Burton, Cornelius Thrift, Irvin Rappoldt, Mahlon Stambaugh and the following persons from the Hill Climb/Chestnut Ridge area: Dennis Wagner, E. W. Easterling, Betty Wagner, Shirley Diehl, Sandy Diehl, Lawrence Rossi, Robert Neal, Dee Kozlowski, Carol Breighner, Robert Breighner, Joyce Becker, Pat & Al Szczepanski, Ronald & Barbara Vain, Donald Ferguson, Janet Booz, Harvey Paul Kornstein, Charles T. Harbold, Keith A. Fishel, Joan Becker & Russ Becker.

Charles Wehrly, Chairman called the meeting to order.

The minutes were approved as read. The treasurer's report was presented to the Board.

Mrs. Raymond McLemore presented the 3-lot subdivision plan of their property which fronts along Sunny Slope Road. Leroy Thoman made a motion to approve the plan, seconded by Charles Wehrly. Larry Luckenbaugh voted to oppose the plan. The motion passed by majority vote and was signed by Charles Wehrly and Leroy Thoman.

Approximately 20 residents from the Hill Climb Road/Chestnut Ridge area were present concerning the fly problem in their neighborhoods. Carol Breighner stated that a serious problem with flies has plagued their properties for the past two years and the severity of the problem has been increasing and wondered if anything could be done by the Board of Supervisors to correct the problem. She also stated that she felt that a large part of the increase in flies is due to James Bailey's chicken operation, especially the holding pond, and wanted to know what Mr. Bailey could do to help get rid of the flies. Mrs. Breighner also stated that the problem of manure being used on farms in the area without any spraying for the flies is also increasing the amount of flies. She also stated that the holding pond on the Bailey farm is same as an open cesspool. Residents reported that flies are everywhere, making life miserable.

Mr. Bailey and the Board of supervisors told the residents that the holding pond had been discontinued by Mr. Bailey. The residents reported on the odor from the chicken operation, but said they could take the odor better than the flies.

George Williams, a Township resident and local businessman spoke. Mr. Williams stated that he realizes that there are problems in the country as well as in the city, and that people must learn to live with conditions caused by business and farming. Mr. Williams stated that Mr. Bailey is farming in an acceptable manner in an agricultural zone and that it is not possible for the odor to be controlled. Mr. Bailey, according to Mr. Williams, is doing the things the way he should in his chicken operation, and that high humidity causes more flies, this goes with the turf. Mr. Williams feels that trying to correct the fly problem by Mr. Bailey would only create another problem. Mr. Williams stated he doesn't know of any farmer that sprays for flies. Mrs. Breighner stated that out of the 12 years they have lived in the area the flies have been getting worse for the past 2½ years.

James Bailey stated that he does not have an open lagoon, that the pond is crystal clear and stocked with fish. Nothing except spring water goes into the pond.

One resident stated that Mr. Bailey has been dumping chicken manure because he couldn't get rid of it and that they have been using fly strips, sprays and screens, but the problem gets worse. Even their cars are full of flies. This resident stated that they shouldn't have to live with such conditions.

Anthony Dobrosky, York County Farm Extension Agent, reported that there is a problem

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with flies over the entire State of Pennsylvania and that this problem is not caused only by farm operations. One spray (LarvaDex) was taken off the market a year or more ago, and just three weeks ago was approved for use again. Mr. Bailey has been using this spray for the past two weeks. This spray is put in the chicken feed to control flies. Mr. Dobrosky also stated that grass clippings, garbage cans, horses, other animals, and many other things breed flies and that everyone should try to control the flies. Mr. Dobrosky reported that he made an inspection of the Bailey farm just before coming to the meeting and found only a few fly casings at the farm, and that he could find no violations by Mr. Bailey in his operation. According to the Pennsylvania Department of Environmental Resources, a farmer can spread 13 tons of manure per acre on their farms. The spray that Mr. Bailey uses costs him \$200 per week. Mr. Dobrosky stated that Mr. Bailey is 100% in abeyance with all recommendations that the County and State can recommend.

Mrs. Breighner wanted to know how Mr. Bailey gets rid of the manure from his chickens. Mr. Bailey answered that he spreads most of the manure on this farm and that last year manure was spread on the field in back of the residents homes (residents along Hill Climb Road). Last year the field was farmed by no till and this year the manure was plowed under. The residents complained about the consistency of the manure, and Mr. Bailey told them he takes the manure from the chicken houses by spreaders just as it comes out. Mr. Bailey also reported that while LarvaDex spray was off the market, he used another spray. The residents wanted to know if using LarvaDex again would help to control the flies.

Mr. Dobrosky told the residents that Shell Oil Company has a spray on the market known as Tru-Grit and that Mr. Bailey is also using this spray. He recommends that all the residents buy some of this spray to use on their properties. Mr. Dobrosky stated that some of the flies causing the problem could be woods flies or house flies and not flies that come from a farm operation. Flies breed in tall grasses as well as manure, and he recommends that the residents keep their grass cut. As for no-till farming, Mr. Dobrosky stated that the manure is put on top of the soil and causes a run-off of chemicals if spraying is done to no-till farming. No-till farming is done to prevent soil erosion.

George Williams stated that Mr. Bailey runs a good operation in an agricultural zone where he is supposed to operate.

Residents stated there was no problem with flies until Mr. Bailey started his chicken operation.

Supervisor Larry Luckenbaugh lives near Mr. Bailey's farm, and stated that he drives through manure every day and that he, too, must endure the odor from the chicken houses. He has spoken to Mr. Bailey about this, and knows that Mr. Bailey has tried to improve the problems. Mr. Luckenbaugh stated he has to live with the problem since Mr. Bailey operates the farming operation like he should.

Mr. Dobrosky told the residents that Tru-Grit is a bait material and comes in 5 - 10 gallon containers, and that it is safe for use but should be placed on window sills or some place high enough as to be out of the reach of children. He also stated that if spraying is done, it would not eliminate the problem since there is a constant problem with the fly eggs multiplying so fast and spraying would have to be done constantly to eliminate the problem. Also, Mr. Dobrosky feels that droppings from Gypsy Moths and Black Birds could be adding to the problem in the area. Also, he stated that York County has a high rate of fly problems and that residents must bear with the farmers until a solution is found. Perdue is working on something to alleviate the problem of odor and that he is sure, a solution will be found in the future.

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The residents wanted to know who monitors the Bailey operation and was told by Mr. Dobrosky that the Department of Environmental Resources is understaffed and that no one inspects the operation regularly, but that he had checked the operation on the spur of the moment unannounced and could find nothing wrong with the operation by Mr. Bailey. George Williams stated he spreads lime on Mr. Bailey's farm and that the operation is carried on like a farm operation should be.

Mr. Bailey stated that chickens are sensitive to flies and it would upset the production if his chicken house was full of flies and that his eggs must meet set standards, so he has to do all he can to prevent flies in his operation.

The residents present wanted to know what to do, or what the Township Supervisors can do to eliminate the serious fly problem. Mrs. Breighner stated she was upset by the article on flies which was passed around at the meeting. She is not interested in studies, only interested in having the problem corrected.

Mr. Dobrosky reported that Dr. Colson, an associate professor of entomology extension at Penn State University is an authority on flies and he would do a free study with a letter to the Township within 24 hours after his visit on what could be done about the fly problem. Mr. Colson would monitor the source of the flies. Some of the residents stated that they didn't believe in studies, since it could take up to six months and still nothing would be learned.

Supervisor Charles Wehrly made a motion to have Dr. Colson do a study of the fly problem in the area. Supervisor Thoman seconded this motion. This motion passed.

Supervisor Larry Luckenbaugh made a motion that the Board of Supervisors take action as deemed necessary by Dr. Colson's study to the fly problem. Supervisor Wehrly seconded this motion. The motion passed.

Supervisor Luckenbaugh told the residents that a logical approach must be taken, and that the study by Dr. Colson seems to be the best approach to follow. Keith Fishel stated that he appreciates the action the Board proposes to do.

The residents were told that after the results of the study, they will be notified and a meeting shall be arranged to discuss the study with them.

Robert Sifleet, a resident living along Bonnair Road had a complaint concerning 4 junked cars and 2 junked trucks on the Hazel Krout property. Mr. Sifleet says that more junked cars are being added all the time and they are now placed near his property and causing an eyesore.

Leroy Thoman made a motion that Solicitor Sechrist send a letter to the owner of the property: Hazel Krout, R.D. #3, Box 56-A, Glen Rock, PA 17327, asking that the junked cars be moved from her property. Charles Wehrly seconded this motion. This motion passed.

Rev. Wysocki, Robert Bolton and Glenn Smith were present concerning the private road (Martin Drive). They were asked to return to the July 10th meeting when the Solicitor is here. By that time the deeds of right-of-way should be ready for signing. The board also told the above that they could be assured that the Township will adopt and improve Martin Drive, even though a Block Grant is not available. The residents along Martin Drive will also pay for the pipe used on the road at the July meeting, or at a time agreed upon by the Supervisors.

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Cornelius Thrift wanted to know if the Township could do anything about his property along Rt. 851. He leased a corner lot to Arco in 1964 - the lease is for 99 years and Arco has the first option to buy his property. Rutters Farm Stores has a 25 year lease on the store property across the road from the lot that Arco has leased with a five-year option. Since the Thrift deed contains the store property, the lot leased to Arco, and the residence of the Thrifts, Mr. Thrift is concerned about what could happen. He was advised to be present at the meeting to be held July 10 to seek advice when the Township solicitor is present. Mr. Thrift would like to subdivide the residence from the balance of the property.

Mahlon Stambaugh gave the sewage permit report. He reported that he is still waiting to hear from Solicitor Sechrist before filing sewage permit ordinance violations against Larry White and Paul Hoffman.

Mr. Stambaugh also reported that he had a complaint concerning sewage running into an overflow from a spring on the Richard Saddler property. He inspected the property and feels that the septic system is malfunctioning. The tenant at the property reported the problem, (Mr. & Mrs. Fred Yakelewicz)

Charles Wehrly made a motion that Mahlon Stambaugh send a letter to the owners, Mr. & Mrs. Richard Saddler, informing them of the problem at their property. Leroy Thoman seconded this motion. The motion passed.

Larry Luckenbaugh made a motion to refund \$100.00 to David Keller for a percolation test he paid for. Charles Wehrly seconded this motion. This motion passed. Mahlon Stambaugh could not find a suitable place to do the test on the property.

Irvin Rappoldt gave the report of building permits issued during the month of May. Mr. Rappoldt wanted to know if he had any powers concerning the building codes. The Board told him that no building code exists in the Township and that he would have no authority to check buildings for construction deficiencies.

Also, it has been brought to the attention of the Supervisors that Scatcom has erected a satellite dish on the Gene Burton property for Cable TV purposes. No building permit had been issued for this dish. The Board asked Mr. Rappoldt to call the York County Assessment office to find out if satellite dishes are taxed. If a building permit is required, Mr. Rappoldt will contact Scatcom.

The bills were presented to the Board. Larry Luckenbaugh made a motion to pay the bills, seconded by Leroy Thoman. This motion passed.

The meeting adjourned at 10:30 P.M. on motion by Leroy Thoman and second by Larry Luckenbaugh.

Respectfully submitted,

Goldie Day
Goldie Day, Secretary