

August 11, 1999

The Codorus Township Board of Supervisors met in regular session on August 11, 1999 at 7:30 P.M. in the Township building. Board members present were Lamar Glatfelter, Brian Baer and Goldie Day. Others present were Solicitor John Herrold, Irvin Rappoldt, Cecile Fetters, Wayne Lehr, Deborah Slawson, Rick Sechrist, Leland Snyder, Attorney Glenn Vaughn, Gordon & Romaine Snyder, Robert Finke & Jami Van Scoyoc. Joining the meeting late were Richard Masimore, Richard Swaim & Doug Truax of Brillhart Insurance.

Chairman Glatfelter opened the meeting with the Pledge.

The minutes of the August 5<sup>th</sup> meeting were approved as written.

Two ordinances had been duly advertised for adoption. Solicitor Herrold highlighted the contents of Ordinance 99-2 known as the Codorus Township Parking Ordinance.

Goldie Day made a motion to adopt Ordinance 99-2, seconded by Brian Baer. This motion carried. Vote 3-0.

Solicitor Herrold also explained Ordinance 99-3 known as the Building Code of Codorus Township. This ordinance will apply only to multi-family homes; single family detached homes are exempt.

Leland Snyder asked how this ordinance would be enforced. Chairman Glatfelter told him that Zoning Officer Rappoldt would enforce the ordinance unless the work becomes too much for one person, then someone would be hired to help.

Lamar Glatfelter made a motion to adopt Ordinance 99-3, seconded by Goldie Day. Motion carried. Vote 3-0.

There were no public comments at this time. Cecile Fetters said she would have comments later.

Chairman Glatfelter reported that he had talked with Solicitor Herrold regarding the procedures for selecting a sewage treatment plant. Solicitor Herrold had talked with Engineer, David Davidson. Dave Davidson stated that there has to be an Act 537 Plan. Then the Board of Supervisors makes the decision and anyone aggrieved can appeal to the Environmental Quality Board. The Board decides on the location and if the developer is not willing to donate the land for the plant, then the land would have to be acquired through condemnation. The Township would need to file a Declaration of Taking and just compensation would be paid to the developer by the Township. The compensation would be set by a Board of View. The Township could bring witnesses (usually real estate appraisers) to review amount of compensation. If anyone is aggrieved by the decision, an appeal can be made to the Courts.

Deborah Slawson had a question about how the value of land is established. She was told that the zoning would be the determining factor in arriving at the highest value.

Cecile Feters stated that the sewer committee had met for six months. The developers should have attended these meetings to let the committee know the site preferred by them. She hopes the Board doesn't make a decision tonight, she wants the Board to do what is best for the Township.

Deborah Slawson reported that an Act 537 Plan does not specify the location of a plant. This would be determined at public meetings held on the Act 537 Plan.

Leland Snyder's counsel, Attorney Glenn Vaughn stated that they are not talking about a municipal plan, but a private one. The Township passed a Resolution on July 8, 1998 with a map showing the location of the proposed plant at the Buffalo Valley Road location. He said that the Department of Environmental Protection wants to know where the location is. Jefferson Borough has agreed and okayed this location. He stated that no one has given a valid reason why the site chosen by the developers should not be approved.

Chairman Glatfelter said that the only thing he hears is infrastructure. He wants to know if the Township engineer agrees with the two engineers for the developers.

Deborah Slawson said she feels this is a social issue, not an engineering issue. She wanted to know if the Township could have an agreement with a private plant developer that the plant could not be expanded. She was told "yes" this would be possible.

Leland Snyder stated that if the Borough of Jefferson and Codorus Township wanted to come on board developers would be agreeable.

Attorney Vaughn said that the developers would limit the proposed plant to three developments and the Borough of Jefferson.

Leland said that Deborah's remark about this being a social issue instead of a zoning one does not hold up.

Cecile Feters asked if Goldie Day should be disqualified from voting on this issue because she is a neighbor of the Snyders. Solicitor Herrold said this should not disqualify her from voting according to the State Ethics Law.

Deborah Slawson stated that there may be a flood plain conflict with the site chosen by the Township.

Deborah also read some excerpts from different publications that referred to infrastructure and how this could open up the area for development. She also said the Township Planning Commission never voted on this proposed site by the sewer committee. She requests that the Board wait to make a decision until the Act 537 Plan is completed. When Leland was asked if they were in a hurry for a decision, he stated that Linwood Gray is in a hurry and would like to get started on the construction, but he is not in a hurry himself. He & Gray will work together on the site.



Attorney Vaughn said the Township approved a resolution on July 8, 1998, approving the site agreeable to the developers, and now they would like to have some say where the location is to be.

Leland said the Township & developers should work together instead of having more than one plant. The Township cannot plan for 20 years down the road.

Jami Van Scoyoc stated that much thought should be given to this decision since the outcome will affect the entire Township.

Gordon Snyder thinks that the engineers should be listened to. They are much more qualified to give opinions than lay persons.

Irvin Rappoldt said he thinks it's wonderful what Snyder wants to do for the Township.

Lamar Glatfelter asked Leland if the Board holds off and has the Township Planning Commission again take a look at this proposed location, would this be agreeable to him. Leland said he doesn't think he should be expected to bring his engineer and legal counsel to more meetings. He feels that the longer the decision is delayed, the more confusing it gets.

Attorney Vaughn said a delay is a victory for no one. All the engineers have said that the lower location is better.

Leland Snyder said that the sewer committee knew at one of their meetings held in Jefferson which location the developers wanted. He wants the Planning Commission to look at the entire Township and see that the best place for the treatment plant is in the corner.

Lamar Glatfelter made a motion to delay the decision one more time so the Planning Commission and Township engineer can take another look. Goldie Day seconded this motion. The motion carried. Vote 3-0.

Solicitor Herrold was asked to attend the September 2<sup>nd</sup> meeting. Leland was told that it is up to him if he wishes to be represented at these meeting by his engineer or legal counsel.

The Secretary had the new road construction completion report ready to send to PennDot.

Brian Baer made a motion to approve this report, seconded by Lamar Glatfelter. This motion carried and the report was signed by the Chairman. Vote 3-0.

Irvin Rappoldt reported that he issued 13 building permits during the month of July.

Chairman Glatfelter asked Irvin what is happening to the Tom Divan fence that was to be removed.

Irvin said he didn't think there is a violation since fences are allowed and wanted to know under what section of the Zoning Ordinance was being violated. He was not given the Section of the Ordinance being violated.

Irvin reported that he checked the recreational vehicle at the Jerry Lucabaugh property. Someone is living in the camper on the weekends only. He doesn't see any problem.

Irvin has not checked on the building on the Billy Davis property. It is possible that someone is living in the building.

Also he has not checked on the large motor home on the Russell Dean property, but will soon.

He reported that Harry Forry got a building permit for both a mobile home and storage building. This is legal.

Jami Van Scoyoc was present with two concerns about the Fireworks Productions, Inc. property. She said the use of the property is classified as a storage facility. She has concerns that it is no longer a storage facility but a business. She wanted to know what she can do to convince the Township that this is a business. She asked if the Board would give her a list of characteristics of a business. She says she knows that a business is being conducted at the property, there is constant noise every day. They have no peace and quiet.

Richard Swaim asked for the definition between a home occupation and a business.

Jami also wanted to know why the two trailers are still on the property. These trailers are near Greenmount Church Road.


Chairman Glatfelter told Jami that the storage of fireworks is a permitted use in the Ag district and that this matter with Fireworks Productions was settled long ago.

Doug Traux of Brillhart Insurance was here to review the Township's insurance coverage on buildings, equipment, vehicles, etc. Some pieces of equipment are to be deleted, some reduced in value and some increases in coverage for the main building and umbrella insurance.

The bills were presented to the Board. Brian Baer made a motion to pay the bills, seconded by Lamar Glatfelter. Motion carried. Vote 3-0.

Lamar Glatfelter made a motion to adjourn the meeting at 10:00 P.M. seconded by Goldie Day.

Respectfully submitted,

  
Goldie Day, Secretary