

Chairman Nelson Brenneman called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Rodney Shearer. Present on behalf of the Township: Manager Sharon Kerchner, Solicitor Andrew Miller. Also present: Recording Secretary and 11 citizens.

**I. Minutes**

**Motion** by Luckenbaugh, second by Brenneman, to approve the minutes of the meeting of July 18, 2017. Two members voted aye; *Shearer abstained*. Motion carried.

**II. Treasurer's Report**

A. **Motion** by Luckenbaugh, second by Shearer, to approve the Treasurer's Report for July 2017 as presented. All members voted aye; motion carried.

**III. General Public Comment**

A. Kate Sweeney, representing Glatfelter Memorial Library, was present with Anne Jones. Ms. Sweeney gave an overview of last year's library use and programs that are offered. Thanks for supporting the library in the past; and we hope you will continue with your generous donations in the future.

**IV. Police Report**

No one was present to give the report for July 2017.

**V. Fire Company Report**

Chief Tim Carr gave the fire company report for July 2017.

**VI. Permits, Plans, and Modules**

A. Philip K. and Melanie S. Martin – Final Subdivision Plan #L-5697, Codorus Township, Green Valley and Buffalo Valley Roads

John Runge (Gordon L. Brown) was present with Mr. Martin. This subdivision is primarily in Codorus Township. There had been some questions about the plan, which have since been corrected, Mr. Runge said. The lane will be located on Mr. Martin's property.

**Motion** by Shearer, second by Luckenbaugh, to approve the Final Subdivision Plan, #L-5697, of Philip and Melanie Martin, as presented. All members voted aye; motion carried.

B. Douglas Fish and Randen Patterson – Waiver request to the SALDO for food truck on the parking lot at Sonnewald Natural Foods – temporarily, but could become permanent

Both applicants were present on this waiver request, which involves a proposal to place a farm-to-table food truck on Sonnewald's parking lot. They buy all local produce, 80% organic, 100% pesticide-free, some of which comes from Sonnewald Natural Foods. The truck has restaurant equipment inside it, so it's all official. It's self-contained, meaning there will be no use of any Township facilities or resources. Mr. Patterson noted that Sonnewald is already licensed for food sales, so he feels that this would be essentially the same use. They also plan to offer educational resources and contacts for other business opportunities. They are interested in

developing a small-town business. The food truck business is legitimate and inspected and compliant. Attorney Miller checked the Zoning Ordinance to categorize this use. He noted that it's in a Residential Zone, which permits one principal use on each lot. The applicants would need a Variance to add another use to the lot. Mr. Patterson feels that this would just be an expansion of the current principal use. Frankly, he's not interested in investing a lot of money into a Zoning Hearing application and an attorney to be permitted to do what he and Mr. Fish want to do. He feels that they can't afford these extra expenses for this very small business with a small profit margin. Mr. Miller said unfortunately, the Township really has no provisions for this type of business yet. And of course, there's no guarantee that the ZHB will approve the use. Mr. Fish and Mr. Patterson were both disappointed that the Zoning Officer advised them to pay \$100 for a waiver request and appear before the Board of Supervisors to request the waiver instead of informing them of the "one principal use on each lot" requirement and directing them to the Zoning Hearing Board in the first place.

**Motion** by Luckenbaugh, second by Shearer, to *deny* the waiver request by Douglas Fish and Randen Patterson to place a food truck on Sonnewald's parking lot AND to refund the \$100 waiver request fee. All members voted aye; motion carried.

C. Thomas and Nancy Bartenfelder, waiver request from storm water management

Discussion was held on this request. The applicants are requesting permission to submit a simplified storm water management plan. Mr. Miller feels that with this submission, DEP approval is likely needed. He cautioned against setting a precedent. **Motion** by Shearer, second by Luckenbaugh, to *deny* the waiver request by Thomas and Nancy Bartenfelder. All members voted aye; motion carried.

## VII. Administrative Reports

### A. Supervisors' Reports

1. *Nelson Brenneman* – Nothing at this time.
2. *Dennis Luckenbaugh* – Inquiring on Mr. Grimm's property located on Glatfelter Station Rd. Apparently, the landscape work has not been completed.
3. *Rodney Shearer* – gave the updates on the road work that is being done. Tar and chip work will begin August 28.

### B. Manager's Report

1. Mrs. Kerchner noted that the Township purchased the parka and cap for EMA Coordinator Carldene Stough, from Witmer Safety Group, at a cost of \$292. Mr. Stough stopped by before the meeting, to show everyone how well it represents NCT/EMA.

2. Discussion was held on the Winter Agreement with PennDOT. **Motion** by Shearer, second by Brenneman, to re-new the PennDOT – Municipal 5-year Winter Svc Agreement. Two members voted aye; *Luckenbaugh opposed*.

**Motion** by Shearer, second by Brenneman, to adopt Resolution #06-08-2017 - Municipal 5-year Winter Service Agreement. Two members voted aye; *Luckenbaugh opposed*. Motion carried.

3. **Motion** by Shearer, second by Luckenbaugh, to approve the Klugh Animal Control Services Contract for 2018. All members voted aye; motion carried.

4. **Motion** by Luckenbaugh, second by Shearer, to approve repairing the damage to the PW storage building door by D. C. Door at a cost of \$298.00. All members voted aye; motion carried.

5. **Motion** by Luckenbaugh, second by Shearer, to approve the flushing and televising of approximately 13,850 linear feet of sanitary sewer lines at a cost of \$1.30 per LF, NTE \$18,100.00 (by Mr. Rehab, Inc.). All members voted aye; motion carried.

C. Engineer's Report

No discussion or questions on the report.

D. Solicitor's Report

1. Hayrick Road abandonment – Attorney Miller reported on his follow-up. He recommended that the Township file a Petition to Vacate the crossing with the PUC. That Petition will be assigned to an engineer who will meet with all interested parties at the site to inspect and discuss the situation. He noted that the Hearing was already held on vacating the road portion, but not the railroad crossing. **Motion** by Shearer, second by Luckenbaugh, to authorize Attorney Miller to proceed with the Petition to Vacate for the railroad crossing on Hayrick Road. All members voted aye; motion carried.

2. Mr. Miller reported that he received the HOA documents and the Declaration plan information for the Salem Overlook proposal. He's added information for everyone's benefit and is awaiting a response from the applicant/other party. Further on this project, discussion was held on the results of the traffic study that was conducted. Mr. Shearer's not totally pleased with the recommended placement of the stop sign. Mr. Miller suggested to Mr. Shearer, to contact Dan Thornton to discuss this recommendation and his suggestion.

VIII. **Old Business**

A. New Salem Borough, grease trap update – nothing new to report. No response from the Manager of NSB. Mrs. Kerchner will make another phone call.

B. Discussion on Section 195-8.D – clarification – Mr. Luckenbaugh requested that he be authorized to meet with Mrs. Kerchner and Mr. Miller to come to an agreement on this clarification and to present the final recommendation to the Board at a later meeting. Also, perhaps Mr. Miller could “look ahead” to future requests for the food truck-type business to modify the ordinance accordingly. **Motion** by Shearer, second by Brenneman, to authorize Mr. Luckenbaugh to meet with the Solicitor and the Manager to “straighten out our zoning.” All members voted aye; motion carried.

IX. **New Business**

Mr. Luckenbaugh inquired about line painting for Bentz Road. Mr. Luckenbaugh suggested a center line on at least part of that road.

X. **Announcements**

- A. Planning Commission meets August 22, 7 p.m.
- B. Rec Board meets on August 28, 7 p.m.
- C. Southwestern Regional Police Board meets September 13, 7 p.m., at police headquarters
- D. Board of Supervisors meeting September 19, 7 p.m.

At 8:26 p.m., the Board *recessed* to an Executive Session to discuss personnel.  
At 9:18 p.m., the Board *reconvened* from Executive Session-with no action taken.

**Motion** by Luckenbaugh, second by Shearer, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:19 p.m.

Respectfully submitted,

Sharon Kerchner,  
Township Secretary/Manager

Julie B. Maher,  
Recording Secretary