

**Chanceford Township, York County  
Board of Supervisors Regular Meeting**

**MEETING DAY AND TIME:** March 14, 2011

Eric Bacon opened the meeting of the Chanceford Township Board of Supervisors at 7:00 p.m. in the Community Bldg., 51 Muddy Creek Forks Rd., Brogue, PA. He led those in attendance in the pledge to the flag.

Members present: Chairman Eric Bacon, Vice-chairman Bradley Smith and Member Kent Heffner.

Others present: Solicitor Timothy Bupp, Engineer Casey Deller, Zoning Officer Jeffrey Koons and Secretary-Treasurer Brenda Gohn.

**APPROVAL OF MINUTES:**

Bradley Smith made the motion to approve the minutes of 2/28/11 as written. Seconded by Kent Heffner, motion carried.

**NEW BRIDGEVILLE FIRE CO.:**

Ron Witmer reported that there were twelve calls in February. He also informed the Board that Shenk's Ferry Road was closed on Friday night due to the rainfall.

Daryl Miller presented the Board with the 2011 Relief Budget. They are going to be purchasing tools to retain their rescue truck certification at an estimated cost of \$12,000.00. Hose will be tested this year which may result in having to purchase new hose. Other rescue tools are going to be replaced due to age.

**FELTON FIRE CO.:**

John McDonald reported that there were four calls in February. John also submitted the 2011 in house training schedule along with account transactions.

**BROGUE AMBULANCE INC.:**

Kraig Herman reported that there were thirty-seven calls in February and 102 for the year. Brogue Ambulance met with Lower Chanceford and presented their budget report as was done at the Chanceford Township meeting. Lower Chanceford stated they would like until the next meeting to review the information. They were made aware that Brogue Ambulance will not be asking Chanceford Township for any additional funding should they decide not to contribute.

Eric Bacon announced that prior to the meeting the solicitor and board members met on a site in the township regarding pending litigation.

**PUBLIC COMMENT:**

A group of residents from Gum Tree Rd. were present to discuss the deplorable condition of the neighboring .42 acre property located at 12420 Gum Tree Road. It was stated that there is approximately fifty poultry from which the manure is running onto one

of the adjoining properties. Other adjoining/nearby property owners are complaining about rats and possible well contamination. In addition, there is other debris on the property that is blowing onto the properties in the area. It was stated that the landowner has been approached several times but with no resulting relief from the situation.

Jeff Koons was directed to contact the tenant and set up a meeting for Saturday regarding this nuisance violation.

Cuff's Run Pumped Storage Project – A group of concerned residents were present to discuss this proposed project.

John Baltzer stated that he is very concerned and would like to know the position of Chanceford Township. Eric Bacon stated that it has been only four days since he became aware of this and is still sifting through the information. Mr. Bacon further stated that the township is looking to this group for background information since they are the most educated as to what is going on. Mr. Baltzer stated that what he remembers is that it was a bad idea based on science and what they are doing is taking away our homes and there is something fundamentally wrong with that.

Terry Heidler asked the rhetorical question of do we want another Muddy Run in this township with a recreational park open at their convenience.

Randall Patterson encouraged the township as well as everyone in attendance to go on the internet and file the letter of intervention. He stated that this project will use more power than it will produce, jobs will be destroyed by the taking of land and it will produce carbon monoxide.

Jane Conover stated that the group is present to urge the township to find out what can be done in order to help them in the process.

Dave Imhoff commented that he was involved in the Citizens Against Cuff's Run project and intervened the last time and has decided to intervene again under Cuff's Run Alliance. He stated that there are agricultural interests, recreation interests with the river, home owners and a lot of environmental implications as well as economic interests at stake. He further stated that it is going to take a lot of money to develop this project none of which will end up benefiting our community. The group would like to have an outreach within the next couple of weeks for educational purposes to explain how this project works and what the implications will be.

Jake Horton stated that he is getting ready to start a greenhouse/nursery business that will be affected by this project.

Michael Helfrich, the Lower Susquehanna Riverkeeper, made the township aware that they have until the middle of April to comment. Intervention comes after this period.

He offered his assistance to the township and presented a map of the affected areas for the board's review. He read a list of potential effects from the 1991 proposed project and they are as follows:

- Relocations of approximately 25 families.
- Relocation of the Camp Echo Trail
- Potential loss of 300+ acres of farmland in ASA (prime soil)
- Construction traffic may cause congestion and safety hazards
- Increased demand for municipal, county and educational services

- Need for additional homes and service establishments
- Need for additional recreational facilities
- Need for protection of historical sites and need of study of Indian burial grounds
- Potential effects on atrium (fish would be killed)
- Disturbance of Bald Eagles
- Possible pollution of well water by river water
- Possible contamination of river water because of the change in temperature or dissolved oxygen
- Possible adverse effects on air quality due to greater discharges from plants generating off peak energy

Mr. Helfrich further stated that involvement needs to take place before it reaches the licensing stage.

Guy Aulsensor, attorney helping with the FERC process, stated that there is a five year time line and it is at the pre project approval stage. This is the first opportunity for the township and residents to have initial input. After this point, it becomes an official project and will have a document number assigned by the federal agency and that is the point at which the project will move forward. Therefore, it is best for the township to voice their comments in a concise and cohesive manner very soon. Mr. Aulsensor let the township know that if they are interested in collaborating and would like advice from their organization, they would be happy to provide it.

Eric Bacon asked Atty. Aulsensor to explain the timeline. Mr. Aulsensor stated that the initial pre project approval came out on February 25. It is the initial sixty day comment period and they are soliciting comments from anyone who wishes to comment. After this period, FERC makes an official determination (no set time). If it makes it out of the pre project phase and becomes an official project, then this is when the five year timeline begins.

Michael Helfrich explained the five year timeline in detail as follows:

- First Year – process of commenting on what kind of things they have to study as far as impacts
- Second Year – studies will be performed
- Third Year – follow up studies relative to the first year
- Fourth Year – contention of seeing who opposes the project after the studies
- Fifth Year – getting the license

Attorney Aulsensor stated that the federal agency has the discretion to administratively extend each period of time. They have the ultimate discretion to hold back a timeline or make it flexible with no say from anyone and as the clock ticks, it is more likely that they will bend and listen to the multimillion dollar investment and less likely they are going to listen to townships or citizens.

Randall Patterson commented that the potential for jobs for local residents for this project are slim due to the skill that is required.

Steven Izzo commented that the project wouldn't actually produce any additional power; it simply alters the available power during the day. He feels a lot of ecological

damage will be done as well as residents losing their land and homes. He sees nothing about the project that warrants it moving forward and the idea of a strong resistance immediately is absolutely essential.

Michael Helfrich stated that Pennsylvania has five hydroelectric facilities, two nuclear plants, one coal burning plant and two natural gas plants that are all within a fifty mile area that includes Chanceford Township. Pennsylvania has one of the highest concentrations in the entire world and we are using a fraction of a percent of it for our own consumption. Muddy Run uses 1.3 times the amount of energy than it creates.

Dave Imhoff commented that the last time Chanceford Township stood up to this project and it was appreciated.

Attorney Bupp stated that we as a community are fortunate in that there are good environmental groups and resources that are available now that were not available the last time. There is no question that it is weighted in favor of the organization planning this compared to the single solitary board but together the people have a voice. Mr. Bupp feels the township has a good grip on the process. They are coming up to speed on it and will hear what you have to say.

Bradley Stermer encouraged everyone to email their comments.

Randall Patterson made everyone aware that if doing a hand written letter, seven copies must be sent. Only one email is required.

Floor was closed at 8:21 p.m.

#### **SUBDIVISION PLAN:**

Scott E. & Jennifer M. Taylor Final Plan #09052 – Eric Bacon made the motion to table the plan due to lack of representation and revised plans. Seconded by Bradley Smith, motion carried unanimously.

#### **ZONING OFFICER'S REPORT:**

Scott Zurin – Jeff and Atty. Bupp will determine what violations remain on the property.

Larry Hershberger – no meeting has been scheduled as yet even though Jeff has made several attempts. Atty. Bupp recommended that Jeff explain to Mr. Hershberger what his alternatives are in order to get him to meet with him. Jeff will email Mr. Hershberger.

George Meyers – Jeff reported that Mr. Meyers does have the required site distance for his driveway. The driveway permit will be issued after the signed easement agreement is submitted to the township and reviewed by the township solicitor.

Jeff Koons left the meeting at 8:46 p.m.

#### **ROADMASTER'S REPORT:**

Dump Truck – the 2003 F550 dump truck had to be towed and is now being repaired.

Cold patching has begun.

Mowing is coming to completion.

Mower – Hellam Township will be reimbursing the township part of the money spent on repairs to the mower recently purchased.

Flagging – Kent obtained flagging rules and regulations. The board directed Kent to look into soliciting flagger force bids and report back next month.

### **ENGINEER'S REPORT:**

Act 537 Plan – reimbursement has been submitted to DEP. Zoning Ordinance amendments regarding the 537 Plan have been submitted to York County Planning Commission. A review was performed and they had one outstanding comment pertaining to language of approval and recording of easements. Casey checked with DEP and they want the language to remain as written. Therefore, the amended ordinance is ready for advertisement.

Fisher Farm – will obtain more information on the stormwater management plan when Mr. Fisher's engineer and Casey meet on 3/15/11.

Texas Eastern Gas Main Installation – C. S. Davidson is in the process of editing the videotaping of the roadways.

York Co. Conservation District – Memorandum of Understanding is not a requirement. Therefore, the township will continue functioning as it does now.

Stormwater Management Ordinance – information on recording of plan and fees has been added. Also, detail of the stormwater pit contains a prefabricated manufactured plastic grate which Casey said can be substituted per situation. A threshold that would precipitate the need for a stormwater management plan sealed by the engineer was discussed. Casey feels it should be at 1000 feet. Brad stated that all the rules and regulations are becoming out of hand, costly and overwhelming. The board determined that the ordinance will be enforced as it is now using flexibility at the discretion of the zoning officer.

Brad questioned why the township couldn't use DEP's stormwater ordinance rather than having one of our own. Eric stated that the township did not like some of the regulations in their ordinance.

CDBG 2012-2014 Funding – applications just came out and there is \$100,000.00 (each year) available for planning projects and \$1,000,000.00 for infrastructure and public facilities projects. Casey recommended the board think about projects to be submitted that fit this criteria for the April meeting. Casey will submit a guide of projects to assist the board.

### **SOLICITOR'S REPORT:**

Zoning Ordinance Amendments & SWM Ordinance Amendments – Kent Heffner made the motion to advertise the amendments for these ordinances for adoption at the April meeting. Seconded by Eric Bacon, motion carried unanimously.

Cuff's Run – Brad asked Tim his opinion of what the township's role should be regarding this project. The solicitor feels the first thing the township can do is submit comments after which the board will need to decide how actively a stand the township will take and what it will be.

Keith Barshinger and Ryan Moore were present to report on putting in a second ball field and erecting a building at Chanceford Crossings. Before discussion began, Keith submitted copies of Food Safety Statutes he obtained from Harrisburg with regards to the concession stand. Mr. Barshinger was told there is no problem in serving food at games. Keith stated that after measuring the field, it was discovered that there is not enough space to have two games going at the same time. The second field would need to be enlarged by bringing in fill dirt which will not be cost effective. After a lengthy discussion, it was decided that Brogue Softball will be using the field at the community building. In discussing a building, Eric suggested putting the infrastructure in for running water and bathrooms. Ryan Moore will discuss the regulations for doing this with the codes official. They were advised to have a building plan by the April meeting.

**BID:**

Eric Bacon made the motion to approve advertising for bids for the various road materials. Seconded by Bradley Smith, motion carried unanimously.

**APPROVAL OF BILLS:**

Eric Bacon made the motion to approve the payment of all bills in a manner approved by law. Seconded by Bradley Smith, motion carried unanimously.

**ROAD MAINTENANCE AGREEMENT:**

Eric Bacon made the motion to approve the Road Maintenance Agreement for the Shaull/Fisher properties located along Gum Tree Road. Seconded by Bradley Smith, motion carried.

**APPOINTEE:**

Kent Heffner made the motion to appoint Aaron Urey to serve on the Agricultural Security Area Advisory Committee. Seconded by Bradley Smith, motion carried unanimously.

**AUDIT:**

The 2010 Municipal Annual Audit was performed by the Board of Auditors and submitted to the Board. All books and financial records were found to be in order.

At 11:15 p.m., the meeting was recessed for the board to into executive session. The meeting resumed at 11:30 p.m.

**ADJOURNMENT:**

Eric Bacon made the motion to adjourn the meeting. Seconded by Bradley Smith, the meeting was adjourned at 11:31 p.m.

Respectfully submitted,

Brenda C. Gohn  
Secretary-Treasurer

