

September 6, 1984

The Codorus Township Board of Supervisors met in regular session on September 6, 1984 at 7:30 P.M. in the township office. Board members present were: Charles Wehrly, Larry Luckenbaugh and Leroy Thoman. Others present were: Mr. & Mrs. David Miller, Mr. & Mrs. Stanley Deisinger and daughter, Ronald Besser, Atty. Golla, Arthur Hoover, Raymond Rodgers, Atty. J. Christian Ness, Don Snelbaker and agent from Pa. Realty, Dr. Robert Evans, Dr. J.H. Schwerner and Richard Evans.

Charles Wehrly, Chairman, called the meeting to order and asked if there was anyone present to voice an opinion on the proposed amendment to the Codorus Township Zoning Ordinance. A public meeting had been advertised for 7:30 P.M. for this proposed amendment. Since no one was present to comment on the proposed amendment, the meeting was closed for this by motion of Larry Luckenbaugh and second by Leroy Thoman.

Chairman Wehrly opened the regular portion of the meeting. The minutes were approved as read.

David Miller stated it is time for something to be done concerning the Mary Rohrbaugh estate property along Shaffer's Church Road. Mr. Woodrow Rohrbaugh has a garbage dump on the property in addition to all the other junk. Neighbors are bothered with mice, rats and snakes which they say are coming from the Rohrbaugh property. Mr. Miller stated he has been in touch with members of the Board on several occasions and asked that something be done to have the Rohrbaugh property cleaned up.

Stanley Deisinger stated that the school children in their area must walk to the school bus, passing this property which is infested with rats and snakes. The neighbors are all ashamed for visitors to see the condition of the Rohrbaugh property.

Mr. & Mrs. Miller and Mr. & Mrs. Deisinger were told by the Board that its hands had been tied when Mrs. Rohrbaugh lived since the property was titled in her name. Now the property is in the estate and being handled by Atty. Jeffrey Bortner. Supervisor Larry Luckenbaugh will speak to the Board solicitor to see what steps the Board can take to have the property cleaned up.

Ron Besser of Velzy Engineers was present to discuss a new Penn Dot program called STAMPP. He would like for Codorus Township to request permission from PennDot to enter this program and ask PennDot to send further information to the engineering firm so it can be run through their computer. Mr. Besser stated there would be no charge for this program for one year. Mr. Besser also thinks this would be a great tool for Townships when improving roads and getting an estimate of costs for road work.

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The Board will request that PennDot send the information on the STAMPP program to Velzy & Associates.

Mr. Besser and the Board also discussed the Tom Bathon/Allen Becker project. All parties feel that this project has been dragged out too long, and would like for the work to be completed before winter begins. Tom Bathon will be sent a letter, requesting that this matter be given immediate attention.

Larry Luckenbaugh made a motion to adopt the amendment to the Codorus Township Zoning Ordinance as proposed, seconded by Charles Wehrly. This motion passed. This amendment changes the set back lines, changing certain definitions and adding additional conditions to the special exception application regarding the agricultural district and water supply and adding supplementary regulations regarding drainage.

Atty. Ed Golla, representing Raymond Rodgers and Arthur Hoover was present in reference to signing an agreement prepared by Atty. Gilbert Malone, solicitor for the Codorus Township Planning Commission. A copy of this agreement is on file in the Rodgers-Hoover case. After discussing this matter privately, Atty. Golla stated that Mr. Rodgers and Mr. Hoover would sign the agreement, providing the Township approve their subdivision as proposed.

It was determined that this plan has never been to the York County Planning Commission for review. Atty. Golla stated he would take the plan to York County Planning Commission for review and Mr. Rodgers and Mr. Hoover will contact the Township Sewage Enforcement Officer to have percolation tests done on the two tracts. The Board agreed to approve this plan before September 12. Atty. Golla will meet with Township Solicitor Sechrist to discuss the signing of the agreement.

Atty. Golla was also concerned about reimbursement of \$50.00 from Atty. Malone. He doesn't feel he should have to pay this out of his own pocket. This matter will be discussed with Atty. Malone.

Atty. J. Christian Ness appeared before the Board, stating he is one of the Trustees for the Herbert Lee property. He spoke on the litigation of the Lee property, the value of the property by four appraisers, the unsuccessful sale of this property, and the misunderstanding of the proposed use by H.E.S., Inc. by Township residents. He felt that the corporation interested in buying the property should have been allowed to have a public hearing.

The Board told Atty. Ness that it was not against the sale of the Lee property, only the proposed use was objectionable to township residents, and that the Board had no responsibility for the economics of the Lee property.

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Dr. J. H. Schwerner, representing H.E.S., Inc. stated that he was hurt most by the things township residents said concerning the proposed use of the Lee farm for a rehab center. He stated that the proposed facility would be comparable to the Betty Ford Hospital. If they would have had a chance to appear at a public meeting with the Township residents, persons living near such facilities would have spoken and all the facts brought before the people. He stated he has no interest in battling with the Township, but is sure that in the future the Township will be able to see that the fears expressed by the township residents were groundless.

Supervisor Thoman stated that he did not know how the people in the Township could be convinced that the proposed rehab center would be an asset to the community. Supervisor Charles Wehrly stated that he felt the corporation was not given a fair chance, but that he had voted in line with the wishes of the residents. Supervisor Luckenbaugh stated that he felt the Board was wrong in not allowing the hearing to be held for the proposed amendment to the Zoning Ordinance that would allow this use to be allowed by special exception in an agricultural district.

The Board will study this issue regarding the Lee property.

Leroy Thoman made a motion to accept the Penn Dot winter agreement for three years, seconded by Charles Wehrly. Larry Luckenbaugh voted against accepting this agreement. The motion passed by majority vote. The Board had accepted the contract for one year only, but Penn Dot would not accept the one-year contract. The Township has the option to cancel the contract by September 15 of the second and third year.

The Statement of Assurance for General Revenue Sharing Monies was signed by the Chairman, Charles Wehrly. The Board agrees to abide by all the regulations of the Revenue Sharing Office.

The tax collection report for August was given.

The bills were presented to the Board. Leroy Thoman made a motion to pay bills from the General Fund in the amount of \$12,542.23, checks #1092 through 1116, bills from the Revenue Sharing Fund totaling \$2,358.39, checks #160 & 161. Larry Luckenbaugh seconded this motion. The motion passed.

The meeting adjourned at 10:45 P.M. on motion of Charles Wehrly and second by Larry Luckenbaugh.

Respectfully submitted,

Goldie Day
Goldie Day, Secretary