

November 14, 1990

The Codorus Township Board of Supervisors met in regular session on November 14, 1990 at 7:30 P.M. in the township office. Board members present were: Lamar Glatfelter, Leroy Thoman and Charles Wehrly. Others present were Solicitor John Herrold, Donald Bollinger, Mahlon Stambaugh, Irvin Rappoldt, Mr. & Mrs. Clyde Bortner, Ralph Thomas, Jerry Austin, Mr. & Mrs. Leo Houser, James Bailey, Larry Lucabaugh, Julia Townsend, and John Rutkowski.

The chairman opened the meeting with the pledge to the Flag.

A hearing was held as advertised on the proposed amendment to the Codorus Township Zoning Ordinance (#90-2). Solicitor Herrold read the amendment in its entirety, and asked for comments from those present. Larry Lucabaugh was the first to speak. He had questions regarding the amendment dealing with the transfer of building rights and presented a petition signed by several township residents. Larry stated that there are no more than twelve property owners in the township that have non-contiguous tracts of land and he feels that the amendment as proposed would be too restrictive.

Irvin Rappoldt commented by saying that one person could buy as many as twenty building rights and put all the homes on one parcel if the transfers were allowed.

Julia Townsend commented that she didn't quite understand the proposed amendment. She was told that no building rights were being taken away, that the amendment would put teeth in the present ordinance in regards to the transfer of building rights.

No comments were offered by others present and the hearing was closed.

The regular portion of the meeting began by Chairman Glatfelter making a motion to adopt the proposed ordinance (#90-2) as presented. Leroy Thoman seconded this motion. This motion passed by unanimous vote and the ordinance was signed by the Chairman and attested to by the secretary.

Irvin Rappoldt gave the report of building permits issued during the month of October.

Irvin reported that of the persons he has contacted about swimming pool violations, one party, David McElroy has refused to comply. Solicitor Herrold was asked to send a notice to Mr. McElroy, outlining the enforcement proceedings and allowing him ample time to conform before filing charges.

Mr. Rappoldt will report later on others that have refused to comply with the zoning ordinance regarding the erection of fences around inground pools. Irvin is also checking on junked car violators and if those in violation do not conform, then follow through with prosecution.

Mahlon Stambaugh, the Sewage Enforcement Officer, told Irvin to make sure he doesn't issue a building permit unless the applicant has a signed Sewage permit.

Mahlon Stambaugh gave the report of sewage permits issued during the past month. He reported that he had performed four percolation tests on the Wilmer Brown estate property, but had only got satisfactory results on one. He asked the Board to refund \$50.00 of the \$750.00 paid to the Township for the tests.

Leroy Thoman made a motion to refund \$50.00 to the Wilmer Brown Estate, seconded by Charles Wehrly. This motion passed.

John Rutkowski wanted to know what decision the Board and Planning Commission had arrived at regarding his proposed subdivision. He was told that since the access to a proposed house was questionable, he should get an engineer to do a study on the proposed driveway, at his own expense. This study would then be reviewed by the Township engineer before the Township would give him an answer. The Board would not want to approve a building lot that is not accessible to emergency vehicles.

Jerry Austin owns approximately 13 acres of land off Meckley Road. He would have two building rights to the property, but he doesn't wish to subdivide. He wanted to know if he could restore the abandoned log house that is on the property for living quarters while building a new house. Upon completion of the new home he would like to use the log house only as a guest house. Mr. Austin was asked to have his attorney draw up an agreement, stating that ~~states~~ the log house would not be used as a permanent residence once he moves into the new home. This agreement would be reviewed by Atty. Gilbert Malone for approval.

Mr. & Mrs. Leo Houser were present regarding the water run-off problem at their property which is being created by the Friendship Elementary School new addition. Solicitor Herrold will send a letter to Dr. Richard Hupper, Superintendent of the Southern York County School District informing him of the problem and asking for a remedy. Solicitor Herrold told the Housers that this was a problem between themselves and the School District and that they should seek legal advice now before the project if finished. The Housers would need to take private action if they want the damage to their property corrected.

The Judith Barrett subdivision plan had been presented to the Board on October 4, 1990 and to the Township Planning Commission on October 25, 1990. No filing fees have been paid. The plan failed to have the signatures of all owners. Since Joseph Chalmes and Eloise (Schwartz) King are equitable owners their signatures would be required before the plan is approved.

Charles Wehrly made a motion to deny approval of the Judith Barrett plan seconded by Lamar Glatfelter. This motion passed. Solicitor Herrold was instructed to send a letter to Judith Barrett regarding this denial.

Leroy Thoman made a motion to issue a road occupancy permit to PA Classic Cable, seconded by Lamar Glatfelter. This motion passed. The secretary reported that PA Classic Cable is delinquent in payment of franchise fees to the Township. She was told to tell PA Classic that the occupancy permit will be mailed after payment of the franchise fees.

November 14, 1990

Page 3 of 3

Goldie Day gave the report of the report of tax collected during October since Ruth Baer could not be present.

The Board had questions about dumping along Township roads. The Solicitor stated that even though items with names have been found at the site, it is hard to prove who did the dumping unless those responsible have been caught in the act.

The minutes of the October 10th meeting were approved as written. The October treasurer's report was presented to the Board.

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

The proposed 1991 budget has been prepared and was reviewed by the Board. Wage increases for 1991 were discussed by the Board. Board members talked about wage increases for 1991 and agreed on a four per cent increase. Also, the Board agreed to pay time and one-half for all hours worked in excess of 8 hours per day.

Charles Wehrly made a motion to advertise the 1991 proposed budget as being open for public inspection from November 16, 1990 until adoption on December 12, 1990. Lamar Glatfelter seconded this motion. This motion passed.

The meeting adjourned at 10:50 P.M. on motion by Leroy Thoman and second by Charles Wehrly.

Respectfully submitted,

Goldie Day

Goldie Day, Secretary