

March 11, 1992

The Codorus Township Board of Supervisors met in regular session on March 11, 1992 at 7:30 P.M. in the Township building. Board members present were: Lamar Glatfelter, James Bailey and Charles Wehrly. Others present were: Rick Sechrist, Solicitor John Herrold, Mahlon Stambaugh and Robert Perry.

Chairman Glatfelter opened the meeting with the Pledge.

The minutes were approved as written.

Mahlon Stambaugh gave his report. He checked out the problem of wash water coming from the former Russell Fair home. The owner will do what is required. He will have his system pumped out. The owner is not sure the water is coming from his property. He feels it may be from the fellow that lives behind him.

Another property was checked on Rt. 216 and the owner has 30 days to remedy the situation. Richard Massimore will dig the hole for him.

Mr. Stambaugh said there is a wash water problem with 5 or 6 houses opposite Strausbaugh's. The only person home was at the Deveney home. At this residence, the pipe goes under the road and into the field across the road. Mr. Stambaugh is sending a form letter to each of these homes.

Mr. Michael Groff's property on Rt. 616 is sending the wash water through a hose into the stream. Mr. Groff will fix the problem.

There is a problem with the last property existing on the Bill Forbes sub-division. Tim Markle is limited for room to put in his system. Mr. Markle feels the neighbor next to his property put their well too close to the property line. This is causing him problems finding room for his system. Mr. Stambaugh said another problem exists because the farmer tilled or cut over the perk holes and there is no way to find their location. He suggested to Mr. Markle that the area should be re-perked. Mr. Markle is very upset. Solicitor Herrold pointed out that the plans only say proposed well site. Who is responsible - the sub-divider or builder? From the township's point of view the drawings are good. Mr. Stambaugh said someone should be held responsible when the perk holes are covered over. He said the site is to be ripped off after perk holes are done. Rick Sechrist said that is correct.

Solicitor Herrold asked if everyone received letters concerning Paige Reed? All affirmed they had.

He will advertise for the road vacating and adoption on April 8. Secretary said the letters were mailed.

Solicitor Herrold said Paige Reed is in violation of the ordinance in that he is storing fireworks in an agricultural zone. There are three things the supervisors can do: 1. Write Mr. Reed and tell him he is in violation of the ordinance, and ask him to stop. 2. Ask him to go before the Zoning Hearing Board and get an interpretation. 3. Amend the ordinance to permit fireworks in an agricultural zone. Supervisor Glatfelter proposed having Mr. Reed come in and talk to him about this problem. Could Solicitor Herrold send him a letter? Supervisor Bailey said he already was in crce. Solicitor Herrold said he would have to have a special exception to have the fireworks in an agricultural zone. Do the supervisors want him to go through the board of supervisors? If so, the supervisors will need to amend the ordinance.

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Supervisors Glatfelter and Wehrly asked if the amendment could be broader so barns could be used for storage other than fireworks and agricultural products. Supervisor Wehrly asked if Planning Commission should be involved in this matter? Supervisor Glatfelter suggested that Solicitor Herrold send Mr. Reed a letter inviting him to meet with the Board of Supervisors the 2nd Wednesday of the month. Solicitor Herrold will be at that meeting.

Another problem of the same nature has shown up on John Smith's property. Dynamite is being stored there by Springfield Contractors. The storage bins and signs for explosives were erected but the township was never contacted. The company did have a permit from DER to put a pipe across the stream. It was agreed that the State had to be involved for dynamite to be stored there. Solicitor Herrold said the State does not supersede the township's guide lines. Supervisors Wehrly and Bailey have no problem amending the warehouse ordinance to permit fireworks and dynamite. Supervisor Bailey suggested a yearly permit should be required with a fee. This would keep the township and fire companies aware of the situation. All felt this was a good idea. Supervisor Wehrly and Glatfelter felt a need to include the Planning Commission in on this problem. Rick Sechrist felt both parties (Mr. Reed and Springfield Contractors are testing the township. He said the dynamite had to be inspected by ATF and he feels the contractors know the rules. It was decided that Supervisor Glatfelter attend the next Planning Commission meeting and explain the proposed amendment and problem to them. Rick Sechrist felt this was a good idea.

The supervisors asked Solicitor Herrold for guidance on the property access form for the fire companies. Solicitor Herrold said it can be done and there are two ways to go about it. 1. A license - the right to use someone's land with their permission. The land owner has the right to withdraw his permission at any time. 2. Easement - It is the same idea but it is irrevocable grant. The land owner cannot change his mind. Supervisor Glatfelter said the fire companies are aware the property owner can change his mind at anytime. Supervisor Glatfelter asked Solicitor Herrold to draw up a license for them. Solicitor Herrold said it would be a license for the township and any fire companies operating under the auspices of the township. Questions arose about the holes needed near the streams. The township would need the permission of DER and the owner. Supervisors Wehrly and Bailey have a problem with digging holes. What if livestock or a child would fall in the holes. Solicitor Herrold agreed that this situation is opening the township up for liability. If there is a reasonable alternative instead of holes the firemen should use it. All agreed this should not be the township's responsibility. Supervisor Wehrly asked about putting pipe into ponds and laying stone on the roads? Solicitor Herrold's gut reaction was the township could do it for the firemen but the township would probably receive criticism from other property owners. It would be better to let the firemen use their own funds. Supervisor Bailey asked if a house was burning and firemen messed up a neighbor's yard to access a water source; does the owner of the burning house's liability insurance cover this? Solicitor Herrold wasn't sure. Supervisor Wehrly suggested giving money for the signs as a donation instead of the township making the signs. Solicitor Herrold said that was ok.

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Supervisor Glatfelter asked if Donna could be bonded to make payroll and pay bills while Goldie is off sick. Solicitor Herrold and Supervisor Bailey felt another name could be added to the bond with the insurance company. The bank would require a signature card to be signed. Supervisor Bailey made a motion to have Donna bonded by the insurance company and also have her name on the signature card at the bank. Supervisor Wehrly seconded and motion passed. Donna will contact company and bank.

Rick Sechrist from the Planning Commission asked if the plans could be brought into the township building before the Planning Commission meeting. As it operates now, the first time the commission sees the plans is the night of the meeting. If they would have the plans before hand, the members could look over them more thoroughly and let the builder know if something needs to be changed or added. Solicitor Herrold said West Manchester township and Newberry township do handle plans that way. They have a cut off date - example: 2 weeks before meeting is held a copy of the plans must be in the township building. Rick will bring this up with Planning Commission.

Supervisor Glatfelter asked if the Codorus township information sheet could be made up again with revisions and have them mailed out with the taxes next year? All agreed.

Supervisor Glatfelter said Mr. Rittenhouse called him to complain about his pine trees and his bank along the road. The township cut his trees severely and cut the bank away right to his fence. Now the cars can run into his fence. He is considering legal action. Supervisor Wehrly agreed that the trees were cut back too far. He also said they took the bank away because it caused water to drain off and lay in the road. Supervisor Glatfelter went to see Mr. Rittenhouse and will call him again. Supervisor Glatfelter suggested when property owners have planted trees we should get their permission before trimming the trees.

A site inspection will be held March 17 by the planning commission at 5:30 p.m. at the Terry Heidler farm.

Supervisor Wehrly talked to Gem Chem about replacing old tanks. The township could do the work but Gem Chem would be there to test soil and check for leakage. They will send the township prices. The containment area must be 100 gallons more than what tanks hold. Supervisor Wehrly also talked to Randy Sterner at Agway. Randy suggested not storing gasoline because in five years there will be an evaporation control regulation covering gasoline tanks. The township could use the card system and get gas at Agway with a possible discount. Another option is to put a gas drum on the back of the truck. The township will need a diesel storage tank. Randy Sterner would also send prices on replacing the tanks.

Supervisor Glatfelter asked Rick Sechrist about the silt run off from Townsend building lot on Miller road. Rick felt the mud there was from the trucks. Everyone agreed with this and did indicate the builder should have cleaned up the road.

Meeting adjourned at 10:15 p.m.

Respectfully submitted,
Donna C. Berlin
Donna C. Berlin, Secretary