

John J. Graybill  
Chairman  
534-2812

Jay M. Brandt  
367-3667

John D. Rochat  
Vice-Chairman  
533-3831

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**CONEWAGO TOWNSHIP  
BOARD OF SUPERVISORS**

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Shirley Bretz  
Township Secretary

Dolores Kuntz  
Assistant Secretary/  
Treasurer

**December 11, 2002**

**BOARD OF SUPERVISORS MINUTES**

The Conewago Township Board of Supervisors held their regular monthly meeting, Wednesday, December 11, 2002. Those present were:

|                   |               |              |
|-------------------|---------------|--------------|
| John Graybill     | John Rochat   | Jay Brandt   |
| Dolores Kuntz     | Shirley Bretz | Jon Yost     |
| Frank Chlebnikow  | Jim Foreman   | Gary Burk    |
| Chuck Emerick     | Joel Buckley  | Earle Olson  |
| Joel Schwendemann | John Fluellen | Khalil Evans |

The meeting was called to order by Chairman, John Graybill at 7:30 P.M.

**MINUTES - November 13, 2002** - A motion by Rochat, second by Graybill to approve the November 13, 2002 minutes as submitted. Motion carried

**TREASURER'S REPORT - November 30, 2002** - A motion by Graybill, second by Rochat to approve the Treasurer's Report dated November 30, 2002 subject to audit. Motion carried.

**EXPENDITURE REPORT - December 11, 2002** - A motion by Rochat, second by Graybill to approve the expenditure report dated December 11, 2002 in the amount of \$17,805.69. Motion carried.

**SUBDIVISION/ENGINEERING FEES & PLAN STATUS REPORTS** - Billing all up-to-date. Nothing to report.

**PLANNING COMMISSION MINUTES - December 9, 2002** - For review only.  
NO MEETING IN NOVEMBER, 2002.

**PUBLIC COMMENTS - Joel Schwendemann, Commonwealth Code Inspection Service, Inc. 176 Doe Run Road, Manheim, PA 17545** - This company is in business for 30 years and he brought a packet of information pertaining to his company. They do all types of building code inspections and have 60 inspectors within PA. The Dept. of Labor & Industry has been working on BOCA Codes and plan to approve them in March 2003, giving the municipalities until November 2003, to decide. This company is talking to townships and boroughs on how to implement this for their township. We must notify

**PUBLIC COMMENTS, Continued** - the State, if you opting-in or opting-out. Most municipalities, are taking the opt-in, so they can control the permitting process, and decide who will do inspections. If you choose to opt-out, the state would control the permitting process in your township. The state needs to be assured you are enforcing this, so they need a signed agreement, to show that your going to hire your own person or that you are taking steps to enforcing these codes with a qualified agency. Any further questions, please feel free to call him.

**PROPERTY MAINTENANCE CODE** - The solicitor is still working on finalizing a Property Maintenance Code and Dangerous Structures Ordinance which will be combined into an Ordinance for Conewago Twp.

**ACT 537 - STATUS REPORT** - DTMA was not present, however Kim Bloom corresponded with the secretary to forward to the Board, that Ralph Watters needs to make an addition to the Agreement. The solicitor will be receiving the agreement and should he have any changes or questions to call them. Most of the right-of-ways have been taken care of, and they plan to bid in January, and award contracts at their February 24, 2003 meeting. After they get paperwork from contractors, DTMA hopes to start construction in April 2003.

#### **OLDS MANAGEMENT PROGRAM**

**Reminders for Area 3 - Year 2002** – Nothing much to report, except entering information as it comes in mail.

**Area 2 - Year 2001.** We still have 10 residents who have not responded to reminders for Inspection/Pumping Reports, which were due end of 2001. The solicitor will send letters for those residents to the District Justice. Notices will be sent to residences that were required to pump 2002, notifying them of pumping requirements every three years. Reminder letters will be sent January, 2003 for those people who didn't comply for Area 2, 2002. Also, letters will be sent to any new homes that were exempt, reminding them and notifying them what year they are due to inspection or pump.

**LOWER DAUPHIN REGIONAL PLANNING COMMITTEE:** Nothing to Report.

**HERTZLER/MT. CALVARY CHURCH - Final Subdivision Plan** – The Hertzler/Calvary Church Final Subdivision Plan was initially reviewed at the October 28, 2002 Planning Commission meeting. The plan has been reviewed under Conewago Township Code of Ordinances, Ordinance No. 1997-1, dated January 6, 1997, as amended. The second submission has a revision date of November 6, 2002. The following comments are offered based on our review. The status of the original review comments is noted following each comment.

**HERTZLER/MT. CALVARY CHURCH - Final Subdivision Plan  
Continued**

**SUBDIVISION AND LAND DEVELOPMENT - CHAPTER 22**

**Waivers Requested**

1. Waiver of the Preliminary Plan Submission, Section 403.1 must be granted by the Board of Supervisors prior to approval of the plan. Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting.
2. 407.1.A.(14) - Contours of the property should be shown unless the written waiver is granted. Suggest that the approximate contours from a USGS map be shown to convey general direction of drainage. COMPLETED
3. 407.1.A.(17) - Erosion and sedimentation plan approval from the Dauphin County Conservation District should receive prior to final approval or the requested waiver approved. Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting.
4. 407.1.A.(20)(i) - A waiver has been requested from the submission of storm water management plan since no construction is proposed. Planning Commission Recommended Approval of the Waiver at the October 28, 2002 meeting
5. 405.11 - A waiver has been requested from providing physical features for the remainder of Lot No. 1, since all buildings are shown on the plan. Planning Commission Recommended Approval of the waiver at the October 28, 2002 meeting. Lot No. 1 will remain agriculture.

A motion by Rochat to grant waivers 1, 3, 4, and 5 as submitted. Second by Graybill.  
Motion carried.

6. 407.1.A.(1) - Primary control point should be shown. COMPLETED
7. 407.1.A.(3) - Survey Monuments and markers shall be shown. Show Iron Pin on the southwestern corner of Lot No. 2 on the northern right-of-way line of South Hertzler Road. COMPLETED
8. 407.1.A.(5) and (6) - The certification of title and the dedication of right-of-way must be signed and notarized. REMAINS TO BE ADDRESSED
9. 407.1.A.(18)(b) - Note requiring approval of driveway permit from the Township should be shown on the plan along with available and required sight distances for Lot No. 2. COMPLETED
10. 407.1.A.(19)(f) - Signature blocks for municipal officials should be revised to indicate Board of Supervisors to be signed by the Chairman, not the President. REMAINS TO BE ADDRESSED

**Hertzler/Mt. Calvary Church - Final Subdivision Plan, Continued**

11. 407.1.A.(20)(f) - A copy of the Department of Environmental Protection planning module approval must be submitted or the exemption approved by the Township SEO. REMAINS TO BE ADDRESSED

**ZONING - CHAPTER 27**

12. Part 13 - The note under the Conewago Township Zoning Data should indicate that the Off-street Parking shall be in accordance with the requirements of Chapter 27, Part 13 of the Conewago Township Code of Ordinances. Ordinance No. 1997-1, dated January 6, 1997, as amended. COMPLETED

**GENERAL COMMENTS**

13. A letter from Londonderry Township indicating that their Board of Supervisors approves the plan or that they have waived their review of the plan, should be received prior to final approval of the plan. REMAINS TO BE ADDRESS
14. A note should be added to clearly indicate that the owners of Lot. No.2 will need to submit a land development plan to construct any building, create any sports fields, or other earth moving activities. COMPLETED
15. Remove the "Preliminary" from the title of the plan. REMAINS TO BE ADDRESSED

The Planning Commission approved the plan at their October 28, 2002 meeting, but not the Planning Module B. All items have been addressed except, Module B which the Sewage Enforcement Officer has signed. Roachat made a motion that the Board approve the plan subject to the Chairman of Planning Commission signing off on Planning Module B, second by Brandt. Motion carried.

**JAMES K. FOREMAN FINAL SUBDIVISION PLAN - Parcel 2, Schoolhouse RD.**

The plan is subdividing 21.1718 acres from lands of James K and Helen C. Foreman and will be added to adjacent landowner of Philip J. and Carol Longenecker. It will be incorporated into one deed and will not be used or sold as a separate building lot. The plan was initially reviewed at the December 9, 2002 Planning Commission meeting. The plan has been reviewed under the Conewago Township Code of Ordinances, Ordinance No. 1997-1, dated January 6, 1997. The following comments are offered based on the review.

**Waivers**

1. Waiver of the Preliminary Plan Submission, Section 403.1 must be granted by the Board of Supervisors prior to approval of the plan.
2. 407.1.A.(17) - Erosion and sedimentation plan approval from the Dauphin County Conservation District should be received prior to final approval or a written request for a waiver received and approved.

**JAMES K. FOREMAN – Final Plan Subdivision, Continued**

**Comments -**

3. 407.1.A(2) - Bearings and distances should be shown. The 1059 dimension needs a bearing. The distance along the southern line with Lot 4 is shown differently on sheet 1 and 2. Why is the dimension on the western line of Lot 5 listed as approximate when the plan is noted as based on actual field view?
  4. 407.1.(4) - The seal of the professional certifying the accuracy of the plan should be shown and the plan should be signed.
  5. 407.1.(5) and (6) - The certification of title and the dedication of right-of-ways must be signed and notarized.
  6. 407.1.A (10) Location map should be shown at a scale of 1"=1,000'.
  7. 407.1.A (11) - The lot number for the lot add-on should be listed as Lot 4A instead of No. 5. This will eliminate the confusion in the future when people are researching the property and have to determine that lot No.5 is not a separate lot.
  8. 407.1.A.20(j) - Other information as required by the Board of Supervisors should be submitted.
- A deed with the combined property of Lot No. 4 and the add-on should be prepared and executed for recording with the plan.

The township zoning officer said when the Plan is ready to be recorded, the township needs to see the deeds, to show that the deed combines both lots into (1). A motion by Rochat to grant the three waivers - Preliminary Plan Submission, Erosion and Sedimentation Plan, and Size of Map Location. Second by Graybill. Motion carried.

All corrections have been made on the plan, but because of bad weather, it wasn't available. The Board would like to see final plan with comments, before they approve the Plan. A motion by Brandt to table the Plan until the next meeting, second by Graybill. Motion carried.

**2003 PROPOSED BUDGET** - A motion by Rochat to adopt the 2003 Budget as submitted with corrections, second by Brandt. Motion carried.

**2003 HUMANE SOCIETY MUNICIPAL ANIMAL SERVICES AGREEMENT**

The Board requested the secretary to call Humane Society, to see what their fee covers, if you pay a yearly fee, and put on January 2003 agenda.

**OFFICE COMPUTER** - The Board was given a quote for a new computer from Freedom Systems Corp. (who supports us for our accounting program) to review. Zoning officer will check with his company (Rettew) to have their computer person review the bid.

**Act 100 - STATE'S OPEN RECORDS LAW** - The township solicitor presented an ordinance which would modified our guidelines for open records, and would bring our policy into compliance with the new Act 100. He asked the board to review it and possibly adopt in January 2003.

**MANLEY & EVELYN LAYMEN - Updated Subdivision Plan** - The solicitor drafted an agreement, but after much thought discovered that the Courthouse would probably not allow us to record the Plan as a revised subdivision plan, because it didn't go through the entire process. What he is proposing to do is record the revised Plan as an exhibit to an agreement between the Township and Layman's, which will be referenced in the corrected deeds. It will be recorded at the Courthouse to show that they had proper approval, if years from now, it should he sold. A motion by Rochat to authorize the Solicitor to execute agreement with Laymen's, seconded by Brandt. Motion carried.

**RONALD KEENER - 3576 & 3596 Valley Road, Elizabethtown, PA** - Mr. Keener is asking for an extension on his On Lot Disposal System Management Program. He is working with Kauffman's Septic Service and North Systems, to replace his septic tank, but because of the weather he can't finish until spring. He is due Year 2002 to be pumped & inspected. A motion by Rochat to send letter granting extension noting that pumping and inspection must be completed June 1, 2003. Second by Graybill.

Rochat said he found Personnel Policy presented to the Board several months ago, and recommended that the Board follow through and either accept or reject it.

A motion by Rochat to give our three full-time employees a Bonus of \$100.00 to show the Board's appreciation for the good job they do. Second by Graybill. Motion carried.

A motion by Rochat to adjourn meeting 9:00 PM, second by Graybill. Motion carried.

A motion by Rochat to go into an Executive Session to discuss possible litigation.

Submitted by,

Shirley Bretz  
Township Secretary

**Notes:** *Conewago Online* is not affiliated with the township government.  
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Revised: 01/26/2006 11:00 am.