

John D. Rochat
Chairman
533-3831

Jay M.Brandt
Vice Chairman
367-3667

Galen Shelly
367-3722

**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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**Norman Miller,Dir.of
Administration,Road
Master, Open Records**

Shirley Meyers
Twp.Secretary/
Asst.Treasurer

Dolores Kuntz
Treasurer/
Assistant Secretary

JUNE 10, 2009

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular meeting on Wednesday June 10, 2009. Those present were:

John Rochat	Galen Shelly, Absent	Jay Brandt
Shirley Meyers	Norman Miller	Jon Yost
Dolores Kuntz	Max Shradley	Joel Buckley
Tracy Zeiset, The Sun	Pete Czuday	Donna Czuday
Earle Olsen	David Tobias	David Butterworth
Tom Luttrell	Barbara Miller	Steven Meador
Thomas Meador	Tony Breon	

The meeting was called to order by Chairman Rochat at 7:35 PM.

MINUTES OF MAY 13, 2009 - A motion by Brandt second by Rochat to approve the minutes of May 13, 2009 as submitted. Motion carried.

TREASURER'S REPORT, MAY 31, 2009 - A motion by Brandt second by Rochat to approve the Treasurer's Report dated May 31, 2009 subject to audit. Motion carried.

EXPENDITURE REPORT, JUNE 10, 2009 – A motion by Rochat second by Brandt to approve the Expenditure Report dated May 14, to June 10, 2009 in the amount of \$52,035.26. Motion Carried.

SUBDIVISION/ENGINEERING REPORT - All up-to-Date
PLANNING COMMISSION MINUTES, JUNE 1, 2009 – For Review Only

LETTER OF CREDIT FOR HILLS OF WATERFORD – Mr. Miller stated Hills of Waterford communicated with him that if the jobs aren't completed by 7-12-09, they will extend the letter of credit to the Supervisors as per Engineer Shradley letter dated 8-12-08.

PUBLIC COMMENTS – PRO-AM Recycling Event 2009 – Deodate Road Race, David Butterworth, President – Mr. Butterworth would like permission to use and partially close roads in Conewago Township in order to organize a bicycle race on Saturday August 1, 2009. This is a competitive sport with other events happening, so he would like to amend his dates if needed to July 18, July 25, or August 8. He prefers August 1, date, and he will confirm the date as soon as he knows.

The proposed course is the same as in prior years and runs clockwise and includes portion of Mill Road, Deodate Road, Colebrook Road, Old Hershey Road, and Hill Road. He would like to (1) make Mill Road one-way in the direction of the race from Hill Road to Deodate Road; and (2) make Hill Road one-way in the direction of the race from Old Hershey Road to Mill Road; both with the exception of local business traffic and residents in the immediate area.

The racing would begin at 8:45 AM and conclude by about 3:00 PM. During the race, traffic would be permitted to enter the roadways, but asked to wait at intersections when cyclists are approaching. Course marshals at each intersection will stop and direct traffic to help ensure the safety of the participants.

Mrs. Zell has given permission to use her land at the corner of Mill and Deodate Roads for the start-finish area and parking. He stated USA Cycling is the governing body who provides a master insurance policy for all races in the country. His insurance will name the Township as an additional insurer. They will pay for course marshals and medical personnel and staffing for the events. He stated he applied to PENNDOT, notified the EMT and Dauphin County, will do a resident mailing. Rochat asked him to make sure the county is notified in case of fire or other emergencies.

A motion by Brandt second by Rochat to give Pro-Am Cycling permission to run the bicycle race on Saturday, August 1, 2009, with alternate dates of July 18, July 25, and August 8 if needed. Motion carried.

Joel Buckley – Planning Commission concerns regarding Comprehensive Plan..

Jay Brandt – He stated someone requested Horse & Buggy Signs on Rt. 341, and Belair Road, and wanted to know what happened with this issue. Mr. Miller checked with PENNDOT, and they told him where to send letters to their engineers, to get permission to put signs up. Mr. Miller also said there was a considerable issue when signs are put up they can attract tourists, which can be just as bad as no signs. Mr. Miller said he will follow-up with this issue and Rochat stated the township should pursue putting signs up.

OAK RIDGE MANOR SKETCH PLAN – Zoned Residential Country, Ridge Road, Formerly Evelyn Farver – 9 Lots, Now 7 Lots - Mr. Miller stated when he spoke with Doug Farver he told him the BOS said the plan is far enough along that he could submit a Preliminary Subdivision Plan. Solicitor Yost sent the agreement for change requirements for 9 lots to 7 lots, and he hasn't heard from them.

PARK & RECREATION – Dan Tredinnick – RE: Camp Conewago Township – Nothing to Report

CREEKSIDE MEADOWS - Preliminary Subdivision Plan – Residential Country Zoning, 1779 Deodate Road, Elizabethtown (Formerly Michael Costik Farm) Tax Parcel 22-015-001, The BOS Recognized Extension Until 8-12-09

LANDIS H. & ARLENE M. KREIDER - Preliminary Major Subdivision Plan – (Toll Brothers, Inc.) 3825 Roundtop Road, Elizabethtown, Tax Parcel 22-001-051, Zoned Residential Country – The BOS Recognized Toll Bros., Extension Until 8-13-09

JOHN N. & FRANCES H. HERTZLER – Final Subdivision, Lot Add-On & Land Development Plan, 676 Hertzler Road, Elizabethtown, PA, Parcel 22-018-007, Zoned Ag. Jeff Reitz Granted Extension Until 8-10-09 – The BOS Recognized Extension Until 8-10-09.

RESOLUTION 2009-4 – Revised Fee Schedule – Miller stated this resolution was submitted last month for the Board to review, and the Board wanted comments from the Zoning Officer and Assistant Zoning Officer regarding the fee schedule. They both responded and agreed it appears to reflect the estimate for permit fees. The only thing Miller changed was he took the multiplier out of the Zoning Permit and left it in the Construction Permit. He also updated the Open Record fees to the current law wording.

A motion by Brandt second by Rochat to table the Resolution 2009-4 township schedule of fees for further review until the July 8, meeting. Motion carried.

RESOLUTION 2009-5 – Municipal Manual – Disposing of Records – Mr. Miller stated this resolution declares intent to follow the retention schedule and procedures for disposition of records set forth in the Municipal Records Manual approved December 16, 2008. The manual shows when documents can be discarded and the number of years you need to keep information. Mr. Miller said where there are no legal requirement the township can set their own records law.

A motion by Rochat second by Brandt to adopt Resolution 2009-5 dealing with discarding and disposal of municipal records. Motion carried.

RESOLUTION 2009-6 – Erasing Tapes for Board of Supervisors Meetings – Mr. Miller stated this resolution is for Conewago Township to set the policy for retention of meeting tapes used to record and used to assist in typing the formal meeting minutes. The tapes of meetings shall be retained, until the Board approves the written formal meeting minutes in a public meeting of the Board. After Board approval of the formal meeting minutes the tapes(s) will be erased no earlier than (changed to 30 days) after the Board approves the

RESOLUTION 2009-6 – Erasing Tapes for Board of Supervisors Meetings, Continued

– minutes. This establishes a time period when recordings can be erased and/or taped over, and also includes any township committee meeting minutes or board minutes.

A motion by Brandt second by Rochat to adopt Resolution 2009-6 to set the policy for retention of all township boards and committee meeting records, after each board approves the minutes at a formal meeting they will be erased no earlier than 30 days. Motion carried.

Kevin Kanode, Written Request – Mr. Miller stated in your packet is a letter from Kevin Kanode (6-5-09) regarding erosion problem caused by water runoff onto his property. The cause of the problem seems to be water runoff from Laurel Woods development. Ebersole’s Excavating will be doing the work and it should be completed by 6-30-09. The work will be overseen by the Conservation Office. The Conservation Office will contribute \$6,021. on this plan to try to solve the problem. The total cost estimate for the project is \$10,800. This leaves a difference of \$3,879. Mr. Miller said he needs more time to check the history of the problem back to 2001, but he wanted to make the Supervisors aware of this issue for future review to make a monetary contribution toward this project, if they want to consider it in the future.

David & Martha Siwert Complaint regarding Jim & Janet Landvater - Mr. Miller received a letter dated 6-8-09 from Mr. Siwert regarding his neighbor Jim Landvater. According to the letter Mr. Landvater came on Siwert’s property Memorial Day weekend with his mower and deliberately cut down an ornamental forsythia bush, limbs on bushes along the property line were wilting and dying, he deliberately sprayed bushes with weed poison because of overhang on his property. Mr. Siwert stated these are several examples of Mr. Landvater’s erratic behavior since the “pole issue” in July, 2007. Rochat suggests since this is a civil issues, that Mr. Miller check to see if Dauphin County have available a mediator to try to settle this problem.

ROAD MASTER REPORT – Norman Miller – Weed Spraying Along Road Estimates –

Mr. Miller stated Brandt requested he check into weed control prices. Mr. Miller called Daly Landscaping, Davis Landscaping, Hershey Nursery, Stoner’s Landscaping, and Chris Archibald. They all had an issue with ROW and none of them had Category 10 License. Chris Archibald said he would get his license, if we used his services. His cost for next year spraying is \$3,540. Archibald also called to say he needed to buy more equipment, so Miller doesn’t know if that would change his bid price. The others did not respond after 2 calls. Mr. Miller used the rental cost which is higher, and he came up with \$3,018. if we continue the process. Miller’s license is current until 9-09; if his license isn’t renewed he will not take the test again. It took him several days to prepare for the test; it is not an easy test to take. The test is geared for ROW’s for large companies such as Met-Ed, and PP&L. This is not an active category and is difficult to get classes.

ROAD MASTER REPORT – Norman Miller, Continued

Line Painting After Seal Coat – Miller stated seal coating will be done on Thursday, 6-11-09 or Friday, 6-12-09 on township roads designated. Line Painting will be done at least 10 days later, so stones are worked off and swept. The COG price is \$14,685. The company that was awarded the bid said not to expect the price to be lower in the future, because they underestimated. Miller is asking for approval to use COG bid not to exceed \$15,000. He is also asking to add to the bid, Ridge Rd. from Rt. 743, and Schoolhouse Road. Miller quoted the PENNDOT Handbook for traffic engineering: Two-way streets and highways: The center line marking on two-lane, two-way highways 16 feet or more in width should be either, (a) normal broken yellow line, (b) a double line consisting of a normal broken yellow and a normal solid yellow line, and a (c) double line consisting of normal solid yellow lines. Brandt suggested no white lines, but a single solid yellow line on small roads. Miller said if you want to add other roads we need to extend the motion to \$20,000.

A motion by Brandt second by Rochat to authorize line painting not to exceed \$20,000. and to include consultation with Brandt on what types of lines to use. Motion carried.

Roundtop Road – Harry & Diana Rozanski Agreement for Roundtop Road – Miller stated that to meet the safety issue for visibility, we could cut the wood side, cut a trough and don't need to move the pole yet. Miller hasn't talked to all the residents, but Jim Landis said it looks great. We need to cut 4 trees; he got a reasonable price from Stoner's Tree Svc. He also talked to MET-Ed regarding trees in way of the line, and Forester Shawn said he will check, but they could possibly cut the trees down or trim branches. A document needs to be signed by Harry and Diana Rozanski for the ROW since they are the property owners of the wooded area. Solicitor Yost stated that the easement agreement should include that no trees can be planted in this area.

A motion by Rochat second by Brandt to authorize signing of the agreement with changes stated by the Solicitor for a slope easement with Harry and Diana Rozanski. Rochat would like the records to reflect that the cost of lowering and straightening the road would be more expensive. Motion carried.

DIRECTOR OF ADMINISTRATION – Norman Miller, Continued –

Park & Recreation Fee-in-Lieu of Expenses, Continued – Miller said that last month you gave permission to use \$6,000. to do paving in closing of two park & recreation fees-in-lieu. He wasn't comfortable with the profile of the parking lot, so he researched the ordinances after reading the ordinance and talking with the Solicitor money can be used for parks to spend on areas of improving the park or acquiring land for parks. He didn't use the money on macadam and he asking the Supervisors to approve that change and approval of

DIRECTOR OF ADMINISTRATION – Norman Miller, Continued –

Park & Recreation Fee-in-Lieu of Expenses, Continued – last months motion.

A motion by Brandt second by Rochat to approve the Park & Recreation Fee-in-Lieu of as requested by the Director of Administration. Motion carried.

Health Insurance Issues - Mr. Miller is gathering information regarding our medical insurance coverage. The coverage for the township is effective until 12-09. Solicitor Yost suggested that usually Blue Cross enrollment date ends, September-October at the latest. Mr. Miller will get information for the 7-8-09 meeting with options.

Proposed Comprehensive Plan - Miller stated that the Planning Commission forwarded the Proposed Comprehensive Plan to the Supervisors. He would like the Board to consider at their 7-8-09 meeting to start at 6:00-8:00 PM., or choose other dates. Rochat interjected stating Engineer Shradley needs to update the narrative for future land use, and he would like Planning Commission to respond. If the Supervisors want to proceed Engineer Shradley needs permission to prepare an update of future land use as well as the narrative to bring in line with the last public meeting. This needs to go back to Dauphin County and adjoining townships for review and comments. Rochat stated the Board could establish a date at the Supervisors, 7-8-09 meeting. Frank Chlebnikow suggested advertising for the public hearing, public comments at a special meeting, and to also move forward with action on the plan at the same meeting.

A motion by Rochat second by Brandt to authorize Rettew Associates to proceed with the Comprehensive Plan to update future land use as well as the narrative and that the Planning Commission members respond that this map is consistent, and to notify the county and municipalities. Motion carried.

Buckley stated his understanding of the Comp Plan process is that there should be another public Planning Commission meeting before it goes to the Supervisors. Solicitor Yost stated this meets the statutory requirements by going to County and Municipalities.

PLGIT – Miller stated there is 3 CD's maturing that is at 3.94% in the amount of \$1,023,000. He said we don't need this money in the near future, so he is suggesting a 1 yr. CD at 1.75% with PLGIT He checked with other banks that are approved for us to invest money, and no one in the area meets the 1.75% .

A motion by Rochat second by Brandt to authorize the Treasurer and the Director of Administration to transfer 3 CD's maturing and to purchase a 1 year CD around 1.75%. Motion carried.

RALPH W. & HELEN LUTTRELL - Preliminary Subdivision Plan – Residential Suburban, Church Road & Azalea Drive, 9.74 Acres 12 New Building Lots, Tax Parcel, 22-001-008 – At the Planning Commission Meeting 6-1-09, Tom Luttrell noted they have nothing new to report, but they are working on some modifications and hopefully will have

RALPH W. & HELEN LUTTRELL - Preliminary Subdivision Plan – Residential Suburban, Church Road & Azalea Drive, 9.74 Acres 12 New Building Lots, Tax Parcel, 22-001-008, Continued - them completed by their next meeting 6-29-09. Tom Luttrell granted a 46 day extension until 7-9-09 and is willing to grant the Township more time if needed. The Planning Commission tabled the plan until their 6-29-09 meeting. It was noted that the Supervisors did authorize the Township Engineer to measure the site distance where proposed Woodland Court intersects Primrose Drive which should be completed by 6-10-09.

Engineer Shradley said the Supervisors gave him approval to look at stop signs at Nye Rd and Church, counters are out and speed information. A field measurement will be completed for the July meeting. Rochat asked if we know where the ROW is? Shradley said because the way the road curves to the north into Hershey, and to the west if you stand at the intersection you can not do a significant amount of adjustment.

Shradley received an e-mail from the Luttrell's engineer stating that they are going to revise the first plan and submit it, and as a result Shradley not to do the site survey. A resident asked why Engineer Shradley did not do the site distance, and Shradley stated this is the first meeting of the Supervisors since the email came about withdrawing the plan and the Board needs to reauthorize, since it would be an additional expenditure. Tom Luttrell stated they were going to withdraw the plan, but because of legal issues regarding protective covenant allowing the building of roads where already developed. They expect to enter over Church Road, and take care of the stormwater. Solicitor Yost stated it depends on the nature of the changes, and asked Tom Luttrell if they anticipate another extension by August, and he stated they will have a plan by 6-15-09. If we don't use Azalea Drive we don't have to catch all the stormwater for their lots, and are considering going off Church Road. Rochat stated if they don't use Azalea Drive entrance, if they don't have an alternate plan by 6-15-09, Engineer Shradley will do the site distance and this plan is still with the Planning Commission.

TOWNSHIP WEBSITE – Rochat asked the Director of Administration to do research on a web-site for the township. We receive numerous calls asking questions about getting misinformation off our website and we tell them it is not our website. He will get proposals for the cost of setting up a township website with accurate and correct information.

A motion by Rochat second by Brandt to adjourn at 9:00 PM. Motion carried. The next meeting is July 8, 2009.

Respectfully submitted,

Shirley A. Meyers, Township Secretary