

**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

**AUGUST 12, 2009**

**CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES**

The Conewago Township Board of Supervisors held their regular meeting on Wednesday August 12, 2009. Those present were:

John Rochat, 7:40 PM	Galen Shelly	Jay Brandt
Shirley Meyers	Norman Miller	Jon Yost
Dolores Kuntz	Max Shradley	Joel Buckley
Tracy Zeiset, The Sun	David N. Taylor	Barb Miller, Patriot-News
Jonathan Crist	Dan Tredinnick	Michelle O'Donnell
Mark Foreman	Gail Wagner	

The meeting was called to order by Vice Chairman Brandt at 7:32 PM.

**MINUTES OF JULY 8, 2009** - A motion by Rochat second by Brandt to approve the minutes of July 8, 2009, if correction is needed on 2-12-02 minutes. If Brandt finds that Mazzucca wasn't cited for moving soil, Rochat has no problem correcting that statement, but his memory is they were cited, and if he is wrong he stands to be corrected. Motion carried.

**TREASURER'S REPORT, JULY, 31, 2009** - A motion by Shelly second by Brandt to approve the Treasurer's Report dated July 31, 2009 subject to audit. Motion carried.

**EXPENDITURE REPORT, AUGUST 12, 2009** - A motion by Brandt second by Shelly to approve the Expenditure Report dated July 9, to August 12, 2009 in the amount of \$52,103.77. Motion Carried.

**SUBDIVISION/ENGINEERING FEE REPORT** - All Up-To-Date

**PLANNING COMMISSION MINUTES, JULY 27, 2009** - For Review Only

**PUBLIC COMMENTS – Camp Conewago Report, Michelle O’Donnell, Director**, She is the new director, and this year the camp was run differently. It was not run by the school; it was run by the township. Some of the changes this year was one field trip, to save money she did not hire counselors, they were all high school or middle school students who volunteered their time. She hired teachers for stations to be in charge of students, so she could direct the camp and make sure it was running smoothly. O’Donnell had a financial report showing the number of campers, expenses and income for this year. She stated she was over budget by \$95.00, compared to 2008 year spending of \$9,000. The 2009 year spending was under \$3,000 which is a 1/3 of the cost from the previous year. Rochat asked what the Conewago Twp. Principal comments were, Michelle stated that he said it was inclusive in terms of educational curriculum, (she kept a journal each day), and he said it looked like a classroom, but it is a fun classroom, you can see how much the campers enjoyed it.

**PARK & RECREATION – Dave Tredinnick – RE: Camp Conewago –** Tredinnick stated he wants to thank the Board for granting the authority to run the camp. We weren’t sure there was going to be a Camp Conewago this year. This was a transition, with the timing, and the resources given to Michelle O’Donnell, she did a tremendous job. The two things the Park & Recreation Board wanted was to perpetuate the camp, since this camp existed for years, and to recognize the cost saving. Rochat stated in the past there were campers who were not financially able to afford the camp. There were around 70 campers this year; their improvements for next year will be more advertising, notifying people earlier, more availability of the application, and to include students who can’t financially afford the camp.

Dan again thanked the Board for their leadership, and requested \$500. of the \$2,500. budgeted for in 2009 for Camp Conewago.

A motion by Rochat second by Shelly to authorize \$500. of the \$2,500. from the 2009 budget for Camp Conewago. Motion carried.

Tredinnick said there was some confusion of the availability of funds for Danny Fisher Field completion and renovations. In November, 2008 the Board approved \$10,000 for a concrete base and pavilion with roof, and development of park land with approval of \$5,000. path for wheel chair accessible pathway from the parking lot to the picnic area. Mr. Miller said the pad was approved, but the BOS requested to wait until we receive the grant money (\$5,000.) in hand and then with \$10,000., the BOS previously approved so we can complete this project.

**CREEKSIDE MEADOWS PRELIMINARY SUBDIVISION PLAN - Residential Country Zoning, 1779 Deodate Road, Elizabethtown (Formerly Michael Costik Farm), Tax Parcel 22-015-001, Recognize Extension 9-15-09** - They are requesting that the Board table the Plan at its 8-12-09 meeting for them to work to finalize the Traffic Impact Study, which will be submitted before the 9-9-09 Board Meeting. A motion by Brandt second by Rochat to accept the extension for Creekside Meadows until 9-15-09 to finalize the Traffic Impact Study. Motion carried.

**LANDIS H. & ARLENE M. KREIDER – PRELIMINARY MAJOR SUBDIVISION PLAN – (Toll Brothers, Inc.) 3825 Roundtop Road, Elizabethtown, Tax Parcel 22-001-051, Zoned Residential Country, Recognize Toll Bros. Extension Until 10-15-09** – The Board of Supervisors will review and act upon the referenced land development plan. The developer also requested that the plan be tabled at the August and September 2009 meeting.

A motion by Rochat second by Brandt to accept the extension for Kreider Preliminary Major Subdivision Plan until 10-15-09. Motion carried.

**JOHN N. & FRANCES H. HERTZLER – FINAL SUBDIVISION, Lot Add-On & Land Development Plan, 676 Hertzler Rd., Elizabethtown, Parcel 22-018-007, Zoned Ag, Recognize Extension Until 10-9-09** – This plan needs to be addressed, if we don't receive a plan that is ready for completion at the 9-14-09 Board meeting.

A motion by Rochat second by Brandt to adopt the extension for Hertzler's Plan until 10-9-09, but action needs to be taken at the 9-14-09 meeting if plan isn't ready for completion. Motion carried.

**RALPH W. & HELEN A. LUTTRELL – Plan Withdrawn 7-28-09 from Planning Commission. Preliminary Subdivision Plan, Zoned Residential Suburban, Church Road & Azalea Drive, 9.74 Acres, 12 New Building Lots, Tax Parcel 22-001-008** – A motion by Rochat second by Shelly to accept the withdrawal of Luttrell Preliminary Subdivision Plan for Church and Azalea Road. Motion carried

**CONEWAGO PUMPING INSPECTION WAIVER AGREEMENT - Jon Yost** – Yost gave copies to the Board at the 7-8-09 meeting to review. A motion by Brandt second by Shelly to table the Pumping /Inspection Waiver Agreement and action will be taken at the 9-14-09 meeting. Motion carried.

**GAIL WAGNER, PRUDENTIAL HOME SALES SERVICE GROUP – Regarding Waiver of Second Perc & Probe for Parcel 22-013-043, Land Only, West of Old Hershey, Zoned Residential Country, Owned by Edith Byrnes** – Gail Wagner, is a Real Estate Agent representing Edith Byrnes who is currently selling the property. Wagner is requesting a waiver on a second perc and probe certification on Ms. Edith Byrnes property located West of Old Hershey Road, Elizabethtown, Parcel No. 22-013-043. The hilly topography and high water table where a second test would be performed makes it difficult to secure a second certification. On 5-28-09 Marvin Stoner, SEO approved one (1) perc and probe. Ms. Wagner went to Marvin Stoner to receive proper perc and probe testing, the first perc and probe didn't pass because it is too rocky and hilly, the second perc and probe was approved. She stated Marvin Stoner said it was ready to go, and recommended she ask the

**GAIL WAGNER, PRUDENTIAL HOME SALES SERVICE GROUP – Regarding Waiver of Second Perc & Probe for Parcel 22-013-043, Land Only, West of Old Hershey, Zoned Residential Country, Owned by Edith Byrne , Continued** - township for waiver of the another perc and probe. She was under the impression that he knew what the rules and regulations were, until a potential buyer came and found out that 2 percs and probes were needed. Ms. Wagner stated she would have pursued a second probe when the backhoe was already there, but she wasn't aware of going to the township for a waiver, and Mr. Stoner said most townships do that. She called the township and we told her we don't give waivers, so she went back to Mr. Stoner and he said he didn't know that either. She is coming here asking for a waiver beyond the fact that the property sits on two acres of land, 30 years ago originally approved for a house, and is approved for one perc and probe for a sand mound. The other end of the property is hilly, however they could pursue going thru the dense wooded area and past into another area on the backside which has a stream. We are coming to you for a waiver because of the steps taken by a representative of the township.

Rochat asked if a waiver was granted that enabled her to sell the land with one perc and probe with the understanding that nothing could be built on the lot until you got a second perc and probe would that be acceptable. She said it would hold everything up because if she can't get a second perc and probe the land value completely changes and it is marketed on the ability to put a home on it. Because of Marvin Stoner representing the township, this has incurred a cost of over \$1,000 and to have another excavator go out again would be a hardship. Solicitor Yost stated the reason the township ordinance specifies 2 percs and probes is because sewer systems were failing, and even though a lot may be large you can't always get another perc and probe.

Brandt stated he is not in favor of the waiver and another perc and probe is required This Board has been consistent, and do not give waivers because there are alternative systems that can be used. Rochat said he can't speak for the other Board Members but he would be willing to accept the one perc and probe with the understanding it goes on the deed that no building permit can be issued on that lot until the 2<sup>nd</sup> perc and probes is completed. He also stated he can't speak for Marvin Stoner and he suggested she contact him, if there is a disagreement or misunderstanding. Mr. Stoner does have a copy of our rules and regulations and needs to represent our ordinances when he is in our township.

A motion by Rochat second by Brandt to deny the waiver of a second perc and probe to Gail Wagner, Real Estate Agent for Edith Byrnes property.

Ms. Wagner asked if Galen Shelly is here and that she wants the records to show he abstained. A roll call was taken – Rochat-Yes; Shelly- Abstained, and Brandt- Yes. Motion Carried.

**WAIVER OF LAND DEVELOPMENT PLAN – MARK FOREMAN, Zoned Residential Country, 407 Meadow Lane, Hershey** – Mark Foreman is proposing to erect a garage/shed for personal use on his 12 acre lot which has a dwelling on it. The garage/shed

**WAIVER OF LAND DEVELOPMENT PLAN– MARK FOREMAN, Zoned Residential Country, 407 Meadow Lane, Hershey, Continued** – will be approximately 1050 sq. ft. The Planning Commission at their 7-27-09 meeting recommended to grant the approval of the Waiver of Land Development Plan subject to the Township engineer's comments concerning stormwater runoff. Mr. Foreman stated he went to the Planning Commission for an accessory building on his 12 acre lot. Engineer Shradley looked at stormwater issues, they have a large lawn area nicely graded, and they discussed putting in berms.

A motion by Brandt second by Shelly to grant the Waiver of Land Development to Mark Foreman to build a 1050 sq. ft. garage/shed for personal use. Motion carried.

**ROAD MASTER REPORT – NORMAN MILLER**

**Roundtop Road – Harry & Diana Rozanski Agreement for Roundtop Road – Jon Yost** – An agreement of understanding between Henry A. Rozanski and Diana M. Rozanski and Conewago Township, for road improvements along Roundtop Road. The Solicitor is satisfied with this agreement, and Mr. Miller is recommending the Board sign the agreement and he will have the Rozanski's sign it.

A motion by Shelly second by Brandt to authorize signing of the agreement with Harry and Diana Rozanski for road improvements along Roundtop Road. Motion carried.

**Kevin Kanode Agreement with Township for Repairing Erosion Issue – Jon Yost** Solicitor Yost stated the Board needs to authorize the Kanode's to sign and get agreement notarized. The check needs to be made out to Kevin R. Kanode, Sherri Kanode, and Kenneth D. Kanode in the amount of \$2,380. for stormwater issues and drainage from previous years. A motion by Rochat second by Shelly to authorize the Kanode's to sign this agreement and money previously authorized, is not to be released until this document is fully executed and notarized. Motion carried.

**2009 Conewago Line Painting** – Alpha Space Control's made a mistake when painting the road lines. There was a miscommunication between themselves and painted all road with double yellow lines. They apologized for the mistake. They take pride on striving for quality road painting and not mistakes like this. They took the extra footage caused by the mistake off the invoice, and hope this has not caused an issue within the township.

Miller plans to do more line painting in the fall when Gates Road is finished, and a few more roads within the township to finish this project. The township authorized \$20,000. for this project, and he asked if the Board wanted to leave this authorization open until the fall.

A motion by Brandt second by Rochat to leave the authorization of \$20,000., open until the project is completed in the fall. Motion Carried.

**ROAD MASTER REPORT – NORMAN MILLER, Continued**

**Traffic Study Regarding 3-Way Stop Sign at Intersection of Nye & Church Road – Max Shradley** – Miller stated last month Engineer Shradley gave you a Traffic Engineering Study to review for a 3-Way Stop Sign at Nye and Church Road. He is asking for authorization to install the 3-Way Stop Sign, since the traffic study shows it was warranted. Miller suggested putting the signs up and cover them with plastic, so that drivers recognize that something is about to change. Rochat suggested that for safety purposes temporary flashing lights should be installed in advance with warning signs all directions. A motion by Rochat second by Shelly to authorize installation of 3-Way Stop Signs and hopefully our newspaper representatives will put this information in their newspaper to help us with this notification, advertise on the newsletter and website, and to alert with proper signs, blinking lights, and proper sight distance. Motion carried.

**Township Bridges** – Mr. Miller had a conversation with Mt. Joy regarding going for a grant to replace Koser Rd. Bridge, and if Conewago wanted to do a joint process. In the meantime, Mt. Joy also wanted to talk about Aberdeen Mills Bridge, because in the 6-27-07 county report it indicated a considerable amount of work on the face part of the bridge, major painting and resealing the surface at a cost of \$107,000. Mt. Joy recommended an inspection be done within the next 2 years. Rochat said the bridges are inspected every 2 years. Miller said there is no structural limits yet, but the pictures in color show a number of things that need done. Engineer Shradley said the county is responsible for rating all bridges., and Koser Bridge was at the top of the list. Shelly said there were 3 major things, painting the super structure, the steel beams, and decking. In 1992 the township paid for painting of Koser Bridge. Brandt said we did concrete jackets around the piers, and he would like Mt. Joy to do the painting. Rochat requested that we notify the county for the 2009 Engineering Report, so the Board can see the new inspection report and meet with Mt. Joy to see what items the Board would agree needs to be done to Koser Bridge.

Miller said Mt. Joy was to get the Engineering Study done, so he is asking authorization of the engineering study to pay half of the bridge whether the cost is \$107, 000 or \$207,000. Rochat said to notify the county for the 2009 Engineering Report so the Board can see the new inspection report and meet with Mt. Joy to see what items the Board would agree needs to be done to Aberdeen Mills Bridge.

**DIRECTOR OF ADMINISTRATION – NORMAN MILLER**

**Comprehensive Plan – BOS Public Hearing Date** – Engineer Shradley sent a memo for public hearing dates for consideration for the Conewago Comp Plan.

**DIRECTOR OF ADMINISTRATION – NORMAN MILLER, Continued**

**Comprehensive Plan – BOS Public Hearing Date, Continued**

**Option 1 – Adoption of the Plan at the Board’s 9-9-09 meeting.** – The public hearing ad must be submitted to the paper for advertisement the week of August 12 and August 24. The Public Hearing would be on 9-3-09, with adoption scheduled for 9-9-09.

**Option 2 – Adoption of the Plan at the Board’s 10-14-09 Meeting** - The Public Hearing first choice would be 9-23-09, and an alternate date of 9-14-09. Roachat said you can vote at the public hearing meeting, if advertised properly or table it that night and adopt at the 10-14-09 meeting.

A motion by Roachat second by Shelly to advertise the Conewago Twp. Comprehensive Plan to have the public hearing on 9-23-09 at 7:00 PM pending the availability of the school and an alternate date of 9-14-09. Motion carried

**Web Site, Resolution 2009-9** – Miller said the township website is Conewagotownship.com. There is a front page for Conewago Township Website, but very little information is there yet, because he is working through putting the information on the website. The Board has seen the work being worked on; there are other websites available which will be funneled in. Mr. Miller said it is up to this Board if they want to review this resolution on Website Policy or vote on it. Solicitor Yost approved the contents, and stated it is guideline that meets the townships needs. A resolution can be changed anytime, if needed.

A motion by Shelly second by Roachat to adopt Resolution 2009-9, Website Policy subject to the Solicitor’s comments. Motion carried.

**Dauphin County Tax Claim Bureau – Schedule for Upset Sale 9-21-09** - Mr. Miller reported the notice for a resident filing for bankruptcy that her 2007-2008 School Taxes are not paid, 2009, and EIT Taxes for 2007 were collected but 2008 isn’t available because it isn’t posted yet. Solicitor Yost municipal claims have plenty of time to act because the contract is the date the court accepts Chapter 13, filing.

**MET-ED Consortium Program, Norm Miller** – Mr. Miller looked into programs available. There are some township who have \$5,000 in expenses for electric and heat and COG would recommend South Central PA Consortium which has 47 townships. The township expense for electric was \$1,800., and heat was around \$1,000. we don’t meet their requirements. The next program would be MET-ED – First Energy, 2009, 1.3% of bill would go into fund, 2010, 10.9% contribute to fund. The fund would be applied as a credit at 7.5% and would be available 2011-12 to reduce the electric bill.

A motion by Roachat second by Shelly to authorized Norm Miller to follwup with MET-ED to earn 7.5% on utilities bills. Motion carried.

**Earned Income Tax Meeting and Resolution 2009-8** – Lower Dauphin School District held an informational meeting to review changes for Act 32 on 8-12-09. Jay attended that meeting. Each municipality and school district in the county that imposes EIT must designate a delegate and an alternate to represent the EIT Collection Committee.

**DIRECTOR OF ADMINISTRATION – NORMAN MILLER, Continued**

**Earned Income Tax Meeting and Resolution 2009-8, Continued**

Dauphin County will hold an EIT Collection Seminar on 8-19-09 at 6:00 PM to better inform local officials about Act 32 requirements. We need to appoint delegates to the committee and names of representatives are due 9-15-09.

A motion by Rochat second by Shelly to adopt Resolution 2009-8, Act 32 of 2008 mandates the consolidation of the collection of local income taxes, and appoint Jay Brandt as Voting Delegate, and John Rochat as Alternate Voting Delegate. Motion carried

**Due for Reappointments – 9-30-09, Sherry Weaver, Park & Recreation**

**9-30-09, John Graybill, PA UCC Codes** - Miller asked the Board if they want to reappoint the above members or search for other candidates. Rochat said check to see if they are interested in being reappointed and the Board will reappoint at the 9-14-09 meeting.

**Two CD's due to mature on 8-17-09, \$500,000/year** - Mr. Miller recommended to put back into PLGIT, and to check with other banks. A motion by Rochat second by Shelly to authorize Norman Miller and Dolores Kuntz to transfer 2 CD's, not to exceed 6 months or a year with the best rate. Motion carried.

**Dolores Kuntz** – Lower Dauphin School District, Sherri Smith's letter dated 6-26-09 stated that one of their concerns is that there is only one driveway at Lower Dauphin Middle School. They plan to create a second driveway on the middle school campus. This work would impact some of their athletic fields, they plan to create a new synthetic turf multi-use game field on site. One artificial turf in our school district will not provide an opportunity for community organizations to use this field, The project will not increase local property taxes for taxpayers. Mrs. Smith is exploring the possibility of obtaining donations to help defray the cost of converting the second field to a synthetic surface.

Kuntz feels we need to respond to the letter dated 6-26-09, if we are interested or not (Mrs. Smith is exploring the possibility of donations to help defray the cost of converting the second field to a synthetic surface). Put this on the September agenda.

A motion by Rochat second by Shelly to adjourn at 9:40 PM. Motion carried. The next meeting is September 9, 2009.

Respectfully submitted,

Shirley A. Meyers  
Township Secretary