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Chairman
533-3831

Jay M.Brandt
Vice Chairman
367-3667

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**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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**Norman Miller,Dir.of
Administration,Road
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Shirley Meyers
Twp.Secretary/
Asst.Treasurer

Dolores Kuntz
Treasurer/
Assistant Secretary

APRIL 8, 2009

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular meeting on Wednesday April 8, 2009. Those present were:

John Rochat	Galen Shelly	Jay Brandt
Shirley Meyers	Norman Miller	Jon Yost
Dolores Kuntz	Max Shradley	Rosalie Sarfert
Joel Buckley	Tracy Zeiset, The Sun	Pete Czuday
Rosalie Sarfert	Ken Howard	Jeff Herman
David N. Taylor	Josh Weaver	Tom Luttrell
Carol Davidson	Anthony Potter	Toby Breon
David Tobias		

The meeting was called to order by Chairman Rochat at 7:30 PM.

MINUTES OF MARCH 11, 2009 - A motion by Shelly second by Rochat to approve the minutes of March 11, 2009 as submitted. Motion carried.

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

EXPENDITURE REPORT, APRIL 8, 2009 – A motion by Shelly second by Brandt to approve the Expenditure Report dated March 12, to April 8, 2009 in the amount of \$33,222.90. Motion carried.

SUBDIVISION/ENGINEERING REPORT - All up-to-date, except for Quality Inn SD, Rt. 743. Mr. Miller called to see why payment hasn't been made. He talked with the person that attended the meeting with the Engineer and the Director of Administration, and he stated he had talked to the owner twice. He assured Mr. Miller that he would follow-up with payment as soon as possible, and would call the Township back within two weeks with the information.

PLANNING COMMISSION MINUTES, MARCH 31, 2009 – For Review Only

PUBLIC COMMENTS – Nothing to Report

PARK & RECREATION - Dan Tredinnick – RE: Camp Conewago – Miller stated Dan Tredinnick could not attend the meeting, but they had hoped for more responses and interest from advertising for the Camp Conewago Director. However, between the Conewago Elementary Principal and Tredinnick, they are working with two lady teachers who are qualified and interested in doing the program. The two teachers are working on curriculum even though they know they haven't been hired. We can continue with the process, and the camping dates can be moved back to 7-20-09 to 7-27-09. They hope a decision can be made at the BOS May meeting.

EBERSOLE EXCAVATING PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – Zoned Residential Country, 5556 Ridge Rd., Elizabethtown, PA, Parcel No. 22-006-027, and 22-006-028, Extension Good Until 4-27-09 - The two items needed to record this plan were Stormwater Agreement and Financial Letter of Credit. We received the Financial Letter of Credit on 4-7-09, and the Twp. Solicitor stated he is satisfied with the Stormwater, Agreement, so the plan is ready to be recorded. The Twp. Engineer suggested recording this plan by May 1, 2009; because Dauphin County will have new regulations and plans will need to have parcel number on them.

CREEKSIDE MEADOWS PRELIMINARY SUBDIVISION PLAN – Zoned Residential Country, 1779 Deodate Road, Elizabethtown, PA (Formerly Michael Costik Farm) Parcel No. 22-015-001, (Recognize Extension 6-12-09) The BOS recognized the extension for Creekside Meadows until 6-12-09.

LANDIS & ARLENE M. KREIDER PRELIMINARY MAJOR SUBDIVISION PLAN –(Toll Brothers, Inc.) 3825 Roundtop Road, Elizabethtown, Tax Parcel No. 22-001-051, Zoned Residential Country (Recognize Toll Bros. Extension Until 6-11-09) The BOS recognized the extension for Toll Bros until 6-11-09.

OAK RIDGE MANOR SKETCH PLAN - Zoned Residential Country Ridge Rd., Formerly Evelyn Farver – 9 Lots, Now 7 Lots – The Planning Commission at their 3-30-09 meeting stated this plan was originally approved in 1973, but never developed. The Oak Ridge Manor engineer is revising the plan for development to meet more of our current regulations (See Twp. Engineers comments dated 3-30-09). This is a great improvement from the original plan, and since this is a Sketch Plan no action was taken.

Engineer Jeff Weaber is representing this plan at the 4-8-09 BOS meeting. On the Engineer's letter dated 3-30-09 the plan layout and street design cannot meet certain current

OAK RIDGE MANOR SKETCH PLAN - Zoned Residential Country Ridge Rd., Formerly Evelyn Farver – 9 Lots, Now 7 Lots, Continued – zoning and subdivision and land development regulations. The plan has lost its change of ordinance protection since it is greater than five years past the original approval date.

In summary the Township Engineer's suggestions are they made this a more conforming plan. The minimum lot size requirements were waived by the township. The requirements to meet minimum front building setback requirements were waived by the township. No lots will be assessed from Ridge Road. Brandt questioned the cartway width of 24' without curbs, and 32' with curbs. The Solicitor suggested moving the swale back more and Engineer Weaber stated that could be done. Engineer Weaber stated they are proposing grass swales on the side of road instead of curbs. The proposed roadways do not exceed the 500' length. The requirement to meet maximum cul-de-sac requirement was waived by the township. An Erosion and Sediment Control Plan will be required prior to any earth moving activities. Whenever possible natural features on the property will be preserved. Public sewer is located on Ridge Road. The developer will provide public sanitary sewer for the development, and will contact the Conewago Township and Derry Township Municipal Authority regarding connecting to the public sewer system. The existing agreement between the township and the developer will need to be updated to address the changes that are proposed.

The Solicitor stated this is not a revised plan; the agreement has to be redone to modify the original ordinances with current ordinances with the developer and the township with a recordable agreement, and design of streets and stormwater.

A motion by Roachat second by Brandt to authorize the Solicitor to prepare an agreement that is mutually agreeable to the developer and the township of modification of past ordinances and the current ordinances to both parties, and submit a Preliminary Final Plan. Motion carried.

JOHN N. & FRANCES H. HERTZLER FINAL SUBDIVISION – Lot Add-On and Land Development Plan, 676 Hertzler Rd., Elizabethtown, PA Parcel 22-018-007, Zoned Ag., Jeff Reitz Granted Extension Until 5-25-09, BOS Accepted) Mr. Miller stated he talked with Engineer Jeff Reitz and he is currently working on nitrate issues with the Hertzler's.

MT. CALVARY CHURCH SUBDIVISION PLAN – BOS approved plan 9-10-08, Not Recorded Due to BOS Conditions Not Met, Financial Issues, (Extension Good Until 5-11-09) – Engineer Shradley stated Mt. Calvary Church submitted an updated financial security which he reviewed and he is recommending approval of the financial security in the amount of \$679,818.15.

A motion by Roachat second by Shelly to reapprove the Mt. Calvary Subdivision Plan with the same conditions and to set the Financial Security in the amount of \$679,818.15. Motion carried

HARRY ROZANSKI – Term Expires 4-30-09, Reappointment to Planning Commission for a 4 Year Term Until 2013 – A motion by Shelly second by Rochat to appoint Harry Rozanski to the Planning Commission for a 4 year term which will expire April 30, 2013. Motion carried.

JEFF HERMAN –WAIVER OF LAND DEVELOPMENT PLAN – Zoned Residential Country, 2220 Chestnut Road, Elizabethtown, PA - Parcel No. 22-008-002 – Formerly George Heilner – Mr. Herman recently purchased this 4.77 acre property. He is proposing to remove the 20' x 20' garage and replace it with a 30' x 72' (2160 Sq. Ft.) pole building. The building will have a 2 car garage, a machine shop and an overhang with 3 open sides. This building is for personal use only, no commercial business. At the Planning Commission Meeting 3-30-09, they recommended approval of Waiver of Land Development subject to showing more precise drawing with locations of the setbacks, and condition of Township Engineer's comments on Stormwater Controls and Zoning Officer comments.

Engineer Shradley's conversation with the Zoning Officer was the height of the peak of the garage. Mr. Herman stated he checked with his builder because the height of the peak 19.5 Ft. is too high. The height should not exceed 15.9 at the peak, and is for personal use only; the Township Engineer will work with Mr. Herman on the stormwater swale.

A motion by Rochat second by Shelly to approve the Waiver of Land development for Jeff Herman with the condition that it can be used for personal use only, not commercial use and subject to meet the comments of the Township Engineer on Stormwater issues and the zoning officers comments. Motion carried

ROAD MASTER REPORT – Norman Miller

Gates Road Bid Requests – Miller was pleased with the bid process, Engineer Shradley was there to aid the Road Master if needed. Miller stated when the budget was setup for this year the amount was set at \$307,000., for this project. The lowest bidder was Highway Materials, (Martin's Paving) in the amount of \$235,573.61. This does not include additional material that is common to all bids, the Township will provide: 600 tons of stone of widening of road on sides=Delivery Price \$9.82=\$5,898.00; 936 tons of stone for adding to base of road =Delivery Price \$9.82=\$9,191.52; 10% Continuance = \$22,560.00

A motion by Shelly second by Rochat to award the contract bid to Highway Material not to exceed the unit price bid of \$235,573.61, to pave Gates Road project. Motion carried.

A motion by Brandt second by Shelly to authorize the Road Master not to exceed \$273,223.13. This does not include the escalating clause agreement if asphalt rises in price. Motion carried.

Road Inspection – Mr. Miller thanked the Supervisors for the 4 hours it took to do the road inspections. Brandt kept notes of what roads need repairs. Mr. Miller would like to take time to prioritize what road need to be done first, to put a dollar amount on the roads. Inspections

ROAD MASTER REPORT – Norman Miller, Continued

. **Road Inspection, Continued** - He asked the Board if Brandt agrees to help in doing this prioritizing, and the Board agreed and Brandt stated he would.

Bridge Inspection – Miller stated that 80% of the money for bridge inspection comes from federal money and 20% from county money. HRG does the inspections on the three bridges, which is done by the end of June. Brandt said Mt. Joy gets copies of inspection on Prospect Road Bridge and Koser Road Bridge, and Conewago gets a copy of Aberdeen Mill Bridge. Mr. Miller would like to make a proposition with Middletown, they have a big chipper that we could use for our own use. We would have to go to Middletown with our grader and driver and grade some land for them, and we would be able to use their chipper for 3 weeks. Rochat said to check to make sure our insurance covers this, and Miller said they will do an agreement, and our crew will be the drivers.

Cedar Road to Gates Road to Ridge Road Miller stated Cedar Road from Bachmanville to Gates is posted 40 MPH, but there are no signs posted from Gates to Schoolhouse Road. He would like to post 40 MPH signs. This is not his recommendation, a farmer and neighbors requested that speed signs be posted. Solicitor Yost said speed limit signs are based on ordinances and PENNDOT regulations, and if there were to be an accident, and we installed them without being ordained that could be an issue. Rochat stated Engineer Shradley should follow-up on speed limit signs for the next meeting.

Miller also stated we have been discussing about cleaning the gutters on Gates Road, and we know the hazards with roads deteriorating when water lies on the roads. We will have unhappy residents when we use the ROW's to cut where we need to, to drain the water off the road. Mr. Miller said he is informing the residents, and said some of them have installed their own pipes. Solicitor Yost said the residents need to remove their own pipe when cleaning the gutters.

DIRECTOR OF ADMINISTRATION - Norman Miller

Insurance Review – 5-1-09 to 5-1-10 - Mr. Miller stated as you know the Township Insurance is due on 5-1-09. He looked at insurance from Bowman's which was \$6,000, more but did not want to bid or get involved because he couldn't compete. Allen Chubb has a \$2.00 increase, and Mr. Miller finds him to be very professional and is always there when needed. He recommends that we approve Allen Chubb Insurance Agency for the Township Insurance because his policy is the same as last years with only a \$2.00 increase.

A motion by Brandt second by Rochat to approve Allen Chubb Insurance Agency (Selective Insurance) to be the agent for Township Insurance from 5-1-09 to 5-1-10. Motion carried.

CLIFFORD & SHIRLEY KEENER – Owners of 3095 Elizabethtown Road,
Requesting property to be zoned as Commercial. Some properties around them are zoned as commercial, and it was bought as commercial. – The Keener's own the property at the triangle of Rt. 743 and Old Hershey Rd. (3095 Elizabethtown Rd.). They are

DIRECTOR OF ADMINISTRATION - Norman Miller, Continued

CLIFFORD & SHIRLEY KEENER – Owners of 3095 Elizabethtown Road,
Requesting property to be zoned as Commercial. Some properties around them are zoned as commercial, and it was bought as commercial, Continued - concerned with the ROW the Hershey Free Church is requesting. He is requesting that their property be zoned as a commercial property, because all the surrounding properties are zoned as commercial. The 3095 address has road frontage on both sides of the property, and they understood it was commercial when they purchased it.

COMPREHENSIVE PLAN UPDATE - Miller indicated he talked with Chairman Grubb, Planning Commission regarding the Comprehensive Plan to see where we are with corrections to the plan. Buckley stated the plan was moved before the Supervisors on 1-26-09 for corrections and approval. ersheyHH Chairman Grubb stated by e-mail which Miller read to the BOS, so it is still with the Planning Commission because no final approval or corrections were sent to the Supervisors. We don't want to isolate this issue and would need to call Franklin Graybill, because rezoning would include Graybill's two properties.

COMPREHENSIVE PLAN – Detailed Inventory and Prioritization of Natural Resources, also assessment of hazard vulnerability and appropriate mitigation recommendations. Mr. Miller stated there were two things in 2004 that were to be done, if and when we updated the plan. The Dauphin County Emergency Plan should be included in the proposed Comprehensive Plan.

REQUEST FOR EXEMPTION FROM PUMPING SEPTIC SYSTEM –

Zantha Weaver, Parcel 22-002-025, No One Living There Since 2001. 723 Bachmanville Road – Ms. Weaver asked for an exemption from pumping 723 Bachmanville Rd. She did an Inspection/Pumping 5-9-02; she would have been due to pump 2005 and 2008. The Sewer Authority did not make any recommendations. Solicitor Yost suggested that the SEO Marvin Stoner look at the septic system to make sure it did not collapse, and that they would have to inspect and pump before someone is allowed to occupy the property.

James Max – New Owner, 3239 Colebrook Road, Parcel No. 22-012-014, Formerly Owned by Daniel Stoltzfus, Former SEO Condemned Sewer System 6-23-03. This was tabled until the May meeting to hear comments from SEO Report and Zoning Officer meeting on 4-13-09 at the site.

Ralph & Helen Luttrell - Sewage request from DTMA EDU Requirements Luttrell's Subdivision is requesting the form to fill out permit for 3,500 gallons capacity, DTMA said they can handle the flow for this subdivision. The BOS decided this needs to wait until the Final Plan is approved before it is sent in.

American Recovery & Reinvestment Act, April 28, 1-4, Cost \$0. – Information Only

DIRECTOR OF ADMINISTRATION - Norman Miller, Continued

Right-To-Know – Open Records Fee electronically – Mr. Miller stated he spoke with officials of the Opens Records regarding fees for electronic information. Electronic information coming from one computer to an e-mail is no charge, and you can't charge for time either.

Max Shradley, Township Engineer reported he talked with Miller regarding the MS4 Report and that we need to apply for a new application and waiver by 9-15-09.

Dolores Kuntz, RE: Gates Road & Cedar Rd. – The Township graded their property so that the grade that can be mowed and maintained and the widening of the road will have a slope instead of a wall next to it. Kuntz is questioning both sides, mostly on the right side in the ROW only. She said where is the middle of the road? Her side of property is 16.50 ft. and the other side is 25. Ft. Engineer Shradley explained that the ROW footage has been like this for years, and nothing has changed on her side. The other side did a subdivision years ago and that is why that ROW is 25 ft., and if the Kuntz's would subdivide they would have to do the 25 Ft. ROW as well. Solicitor Yost stated the ROW is for the Township to use. If you are worried about surveying, they do not use the center of the road as a basis for determining property lines.

Dolores Kuntz stated Gates Road is being widened from Cedar Road to the Derry Township line. She questioned why they are just widening her side of the road where the Right-Of-Way is 16 1/5 feet and not widening the other side of Gates Road where they have 25 foot Right-of-Way? Norm Miller noted that there is an electric pole on the other side of the road and Met ED did not want to move the pole because of the underground wiring. She also questioned if they are widening the road all on her side, now where is the middle of the road? The Township Engineer and the Township Solicitor noted that the middle of the road goes according to your plan. Your plan should show your property line and Gates Road which includes 16 1/2 foot Right-of-Way. The Township can only use 16 1/2 feet from the center of the road according to the plan.

A motion by Rochat second by Shelly to adjourn at 9:20 PM. Motion carried. The next meeting is May 13, 2009.

Respectfully submitted,

Shirley A. Meyers
Township Secretary