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Chairman
533-3831

Jay M.Brandt
Vice Chairman
367-3667

Galen Shelly
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367-3722

**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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Dolores Kuntz
Treasurer/
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DECEMBER 12, 2007

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular monthly meeting on Wednesday, December 12, 2007. Those present were:

John Rochat	Galen Shelly	Jay Brandt
Shirley (Bretz) Meyers	Norman Miller	Dolores Kuntz
Jon Yost	Max Shradley	Rosalie Sarfert
Joel Buckley	Kelly O'Adeler	David Foltz
David Koppenhaver	Chuck Emerick	Diane Alwine
Jim Landis	Manley Layman	Gilbert Petrina

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

MINUTES OF NOVEMBER 14, 2007 - A motion by Shelly second by Rochat to approve the minutes of November 14, 2007 as submitted. Motion carried.

TREASURER'S REPORT –NOVEMBER 30, 2007 - A motion by Rochat second by Shelly to approve the Treasurer's Report dated November 30, 2007 subject to audit. Motion Carried.

EXPENDITURE REPORT – DECEMBER 12, 2007 - A motion by Shelly second by Brandt to approve the Expenditure Report dated December 12, 2007 in the amount of \$186,216.53. Motion carried.

SUBDIVISION/ENGINEERING FEES REPORT – All up-to-date, except for Koppenhaver-Foltz dated 11-8-07 for \$65.36.

PLANNING COMMISSION MEETING DECEMBER 10, 2007 – For Review Only

PUBLIC COMMENTS – Rosie Sarfert – She couldn't remember the name of the lady from Verizon that came to explain what Verizon planned to do with FIOS for internet. Rose said her name is Misty Johnston. Rosie contacted John Payne and told him she wanted the line finished because her husband wants to hookup to the internet. She received a call from Richard Foy from Philadelphia and told him Verizon can't sell FIOS if the line is not finished. Mr. Foy sent Ken Wolfe, Area Supervisor, and Lance Dunlap, Construction Supervisor to check on the situation. The final answer is that Misty Johnston has the papers and everything should be finished in 2008.

PARKS & RECREATION ADVISORY BOARD UPDATE, Jason Parmer, Chairman -
No Report

PHASE I, SIGN FINAL AMORTIZATION SCHEDULE – PENNVEST did an audit on Phase I, and we spent less money on the grant and the loan, so they needed to amortize the loan. As a result the actual monthly payment is lower, which is billed to DTMA and they reimburse us. The original amount was \$13,431.26 and the new amount is \$13,303.16. DTMA will pay off the amortization on September 1, 2025, which benefits the citizens who have sewer, and hopefully reduces any increases in the future.

A motion by Shelly second by Roachat to authorize signing the PENNVEST loan for the final amortization for Phase I. This document acknowledged and confirms your repayments on your PENNVEST loan. Motion Carried.

It is important to have the document signed, attested and the Seal affixed to the original by December 21, 2007. Upon receipt the document will be executed by PENNVEST, and a conformed copy will be mailed back for our records.

PHASE II, SEWAGE FACILITY UPDATE, RT. 743, Old Hershey Rd., (Act 537) – John Roachat – Roachat reported that construction has come all the way down Ridge and the next work will be along 743 towards the school to finish the last pipe. There was a hold up with PP & L and MET-Ed regarding bringing in Phase III. It appears that construction will finish two to three months early with an additional savings of \$300,000. There will be final paving done on Ridge Road in the spring.

PUMPING DRAFT AGREEMENT FOR VACANT HOMES – Jon Yost – Roachat stated this means if a house is vacant they do not have to pump their septic system until someone moves in. The Solicitor said this is not an ordinance it is a policy.

A motion by Roachat second by Brandt to table until the January meeting. Motion carried.

DEAN WEHRY PRELIMINARY FINAL SUBDIVISION, Need Agreement Signed for ROW – Norm Miller stated we are waiting for signature for the ROW Agreement and, the Solicitor said the final plan was already approved at the October 10, 2007 meeting. He also stated we may have to reapprove the plan at the January meeting subject to the original conditions.

KOPENHAVER-FOLTZ FINAL SUBDIVISION PLAN – Formerly Lillian Batz, Parcel No. 22-003-024, (Need Storm Water Mgmt. Agreement, Park & Recreation Appraisal, and Waiver of Road Improvement – Chuck Emrich, Light-Heigel Engineer said the outstanding items for this plan is the **Storm Water Management Agreement** which is a standard agreement that the township solicitor, the township engineer and Mr. Emrich has ready. **Park & Recreation Appraisal** was determined by average acreage cost of \$48,000. per acre in that area. The lot is 1.8 acres and the amount for Park & Recreation Fee in lieu of is \$8,640. **Waiver of Road Widening** was recommended by the Planning Commission. Mr. Brandt suggested there was a tree that needed to be removed, and that has been done.

A motion by Brandt second by Shelly to grant Waiver of Road Improvements. Motion carried.

A motion by Rochat second by Shelly to approve the Koppenhaver-Foltz Final Subdivision Plan under the condition the Storm Water Management Agreement is fully executed, that the Park & Recreation Fee in Lieu of be paid to the township in the amount of \$8,640.00, all appropriate seals, signatures, posting of financial security \$54,000. is taken care of. Motion carried.

LONE RANGER MOTORCYCLE COMPANY, CONDITIONAL USE, Owner Al Ricci, Zoned Residential Country, Parcel 22-015-022, Located at 3396 Hill Road. His intent is to add State Inspection for Motorcycles to his original Conditional Use Detail Motorcycle Shop – The Solicitor prepared a draft letter of the decision for the board to review and after reading the letter the board made the following motion.

A motion by Rochat second by Shelly to deny the Conditional Use, and authorize the Solicitor to use the draft letter as the decision letter. Motion carried.

ADOPT 2008 BUDGET – Mr. Miller stated the 2008 Budget was properly advertised and posted in the township building. The 2008 Budget numbers before you are the numbers from the Tentative Budget presented at the 11-14-07 meeting.

A motion by Rochat second by Shelly to adopt the Conewago Township 2008 Budget as presented. Motion carried.

A roll call vote was taken for the budget for 12-31-07, John Rochat-Yes, Jay Brandt-Yes, and Galen Shelly-Yes.

HILLS OF WATERFORD – Reduction in Letter of Credit – \$25,000 for Water Problem & Hold until 6-2-08, \$186,750 for Road Maintenance (18 Mos. After Dedication) – When Engineer Shradley received fax letter 12-4-07 he researched what the township is holding. We are holding 2 items \$25,000. for completion of water drainage problem and the maintenance bonds of \$186,750. The maintenance bond should remain until 18 months from the date of acceptance (1-2-07) which would expire 6-2-08 if no problems with roads exist at the end of the 18 months. He said the \$25,000. could be released if the Township is satisfied with the correction to the drainage problems and how it is performing. The Board discussed the problem, and it appears there is a question with pre-existing pipe under Roundtop Road. They regraded the pipe and that was a help in the drainage problem but, there still is a problem during rain storms. Engineer Shradley suggested in early April we should do a final maintenance inspection to make sure roads, curbs, and facilities meets requirements. Max also stated the Hills of Waterford should be notified there are issues with the water problem. Miller said we need to take a look at the drainage problem as soon as possible, Jay stated he would try to take a look at the area before the January meeting. This item was tabled until the January meeting.

JAMES & DIANE ALWINE – WAIVER OF LAND DEVELOPMENT PLAN, Zoned Residential Country, 3999 Roundtop Rd., Elizabethtown – The Alwine’s are proposing to erect a 24’x40’x10’ (960 Sq. Ft.) pole building for personal storage on their 16 acres of land. Existing buildings now on the property include their home and a 3 car garage. The Planning Commission at their 12-10-07 meeting recommended approval of the Waiver of Land Development subject to the zoning officer’s review and approval of zoning issues. The Township Engineer needs to review all storm water issues.

A motion by Brandt second by Rochat to granted the Waiver of Land Development Plan for James & Diane Alwine subject to zoning officer approval of zoning issues and the township engineers review of storm water issues. Motion carried.

ABERDEEN MILLS PRELIMINARY FINAL SUBDIVISION PLAN, - Letter of Credit (Zoned AG, Lot 2A, Corner of Mill & Hertzler Rd.- This portion of the plan will be on the 2-13-07 meeting. Agenda. Engineer Shradley received a letter of credit reduction from Aberdeen Mills and hasn’t had a chance to review it, but he will by the January meeting. He said it appears the top on the road will not be finished before winter sets in. They need to fill in some areas still being excavated for winter and put on some cold patch on the 2” drop-off in the road to the shoulder to reduce the drop off. A sign stating “drop off road under construction” would also be required. The letter of credit reduction will be put on the January agenda.

REAPPOINTMENTS DUE FOR 2008 – Mr. Miller stated the reappointments for two township auditors' positions and the tax collector are due for January reappointment. He also stated the township did not receive the official letter from Dauphin County for the reappointment of the Tax Collector for the remaining 2 year term. Mrs. Hitz was running for Tax Collector, but withdrew before Election Day. Buckley stated Galen Hitz and Jay Book did not turn in their paperwork on time for the election. Mr. Miller will check with Jay Book to see if he is interested in being reappointed to auditor. Galen Hitz said he would be available if the township reappointed him. This needs to be resolved before the Auditors reorganization meeting on 1-8-08. The other reappointments on the agenda are for the Board's information so they know what appointments are due for 2008.

NORMAN MILLER REPORTS

Handbook Approval – Mr. Miller asked for approval of the Conewago Township Handbook Policy, we have reviewed and revised the handbook three times since he first presented the handbook in August. The Solicitor suggested that in the introductory statement in the handbook has a disclaimer notice, which he feels that page should be highlighted, signed, and employee should receive a copy. The Handbook has this in the introduction section but will be highlighted as requested by the solicitor, stated Mr. Miller. The Board discussed again some issues in the handbook, the smoking wording (see 503, page 29) is for safety and health reasons, but you could smoke in unheated area, it is prohibited in township offices or passengers in the trucks, (508) call in time-minimum of 2 hours, and working on holidays and getting paid double time.

A motion by Roachat second by Shelly to adopt the Conewago Township Personnel Handbook Policy with minor changes and with the understanding it can be changed if issues are brought to the Board to discuss. Motion carried. Brandt-No, because of reasons stated, smoking wording, 2 hours minimum paid if called in for emergencies, and working on holidays and getting paid for double time pay.

Jacques Lussier- Mr. Miller stated from the November 14, 2007 meeting he said he has two buyers for the property, but if that doesn't happen he may come back for a steer farm. He wants to sell his property and was hoping he could carry the planning information from the old paperwork to the new buyer. Brandt stated nothing was ever completed. The Solicitors suggested we ask for a one year indefinite extension for January, 2008 and review it within a year.

Mt. Calvary Church Update – Mr Miller stated from the November 14, 2007 they are waiting for approval from DEP, and they are hoping to finish their plan in the New Year.

New Professional Township Auditors for 2008 – Update – Mr. Miller sent letter to (6) auditors for proposals for auditing the Township and Authority for 2007. All bids are based on our present accountants (Diana Reed Associates) preparing a Draft GASB 34 financial statement for the use by the appointed auditors and necessary work papers for use

New Professional Township Auditors for 2008 – Update, Continued - by auditors. All firms will provide technical support and technical criticism of township internal controls structure on ongoing organization plan. The following (3) bids are:

- Faren, Garcia & Garman, PC, for Township-\$4,000., Authority \$3,500 for 2007;
- Brown Schultz, Sheridan, Fritz, for Township-\$7,500., Authority \$3,500. for 2007;
- Zelenkofske Axelrod LLC, for Township, \$8,500. Authority \$7,500. for 2007.

Faren, Garcia & Garman, PC sent a letter to the township explaining the litigation they were involved in. They didn't do anything wrong, the jurisdiction they were auditing didn't give them the information needed to complete the audit. They didn't certify anything because they didn't have the information. Our accountants recommended an interview with them. and indicated their bid was considerably lower because they are trying to get back into auditing. Brandt made a motion to go with Faren, Garcia & Garman, PC. and the Solicitor stated he advertised it to adopt at the January meeting. So motion was withdrawn.

Paul Davis – Water Pressure Issues Update – The Board asked Mr. Miller to look at the water pressure problem since it is in the floodplain, and update the problem at this meeting. Mr. Miller said there is a description indicated in the pictures. The first (2) pictures are his own problem, he is dumping in wetlands, and he made a concrete bridge years ago, which is holding the debris. The last picture page is actually on Rt. 230 in Lancaster County, Mt. Joy. Mr. Davis owns land in Conewago, but his home and establishment is in Londonderry. The bottom picture is sedimentation from storm years ago, which divided the stream into two and that's what is holding the water back.. Mr. Miller referred this problem to Matt Royer of Tri-County Conewago Water Conservatory. Mr. Royer will call Paul Davis and see what can be done to help with this problem and aid him with stream bank restoration. The Tri-County Conewago Water Conservatory is interested in stream bank erosion and may pressure civil engineering to help take care of the sediment in the middle of the stream. Mr. Miller said Conewago Township in the aerial view look pretty wooded and has mostly rural areas upstream in the Conewago water shed and we are impacting the stream very little. The Board felt this is no longer our problem and the water shed will take care of it.

Part-time Emergency Snow Removal Employees – Mr. Miller stated that we already hired Don Bilger, and he said it is only fair to look at the other residents who have supported Conewago Twp. over the years. He is asking to hire Bob and Bob Graybill, Jr. as temporary part-time emergency snow removal only. Their rate is two dollars more per hour than Mr. Bilger because of their past experience in working with the Township. Their starting pay will be \$20.00/Hr. when they use our vehicles, and \$100.00/Hr., if they use their equipment when doing the roads. He also checked with Ebersole's Excavating whose rate is \$125.00/Hr. It will be the township's choice, in case of emergency, if they use our equipment or their equipment. The Solicitor suggested making sure we have additional liability insurance, or they provide proof of insurance.

Part-time Emergency Snow Removal Employees , Continued - A motion by Rochat second by Shelly to authorize hiring Bob and Bob Graybill, Jr. on an emergency basis at \$\$20,00/Hr. to use our equipment. Motion carried.

A motion by Rochat second by Shelly to utilize in emergency situation only to use the Graybill's at \$100.00/Hr. for a driver and their equipment in emergency situation only from date of this meeting until 1-7-08 meeting, with the understanding they will have other options and vote at the January meeting. Motion Carried. Brandt-NO

Greenway Study – Rochat said we received a letter asking for representation for Dauphin County Park & Recreation Open Space study and to appoint somebody. He said we should give this to Park & Recreation Board and ask who they want us to appoint. Mr. Miller will check with the Park & Recreation Board to see what they want to do.

Capital Region Council of Governments - Adopted Resolution 2007-02 expressing objection to the cost impact on municipal rate-payers resulting from the unfunded Chesapeake Bay Tributary strategy mandate. This resolution was mailed to all State and Federal legislators who represent the 34 municipal members and the capital region is requesting the legislators' to intervene in securing a moratorium of further regulatory implementation on all Sewage Treatment Plants.

The (CRCG) asked if our Township is impacted by this unfunded mandate, we encourage the BOS to join by contacting our State and Federal Legislators and making our voice heard by supporting the Resolution.

A motion by Brandt second by Rochat to support their Resolution 2007-02 and call the State & Federal Legislators. Motion Carried.

Dues – Mr. Miller asked the Board to review the PSAT's bill. He recommended the township pay for the three supervisors, and one copy for the township office. The Board agreed to paying for (4) subscriptions to PA Township News magazine.

Street Cutting Ordinance Proposed for 2008-1 – Mr. Miller had given the Board, the Solicitor, and the Engineer a copy to review several days before this meeting. Engineer Shradley stated he would update a new drawing for this ordinance. The solicitor said the fees are established for actual road encroachment permits by PENNDOT. We could require them to post security amount similar to when a developer puts in a street. This would be a two year security and there is no reduction because the fee is for maintenance. There are guidelines to be checked when road cutting is done. Engineer Shradley said he would like to go through the ordinance and amend and get rid of ID2 because it is no longer approved when you use liquid fuel money.

A motion by Rochat second by Brandt to authorize the solicitor to advertise the Ordinance 2008-1 for Street Cut & Occupancy in summary form, and authorize the engineer to amend the ordinance wording. Motion Carried.

Nextel Phones for Emergency Use – George Giang and Dale Laudermilch requested a Nextel special that is available until the end of the month for internet and email. They are willing to pay the extra \$15.00 per month and would pay a year in advance, and any additional charges to set up this service, and hopefully the telephone usage of minutes would decrease instead of using minutes from other phones. The Board felt they do provide a volunteer emergency service to the residents of Conewago in case of a real disaster, and they would allow them to do this at their expense.

Tractor & Mower Replacement – Need Additional Supervisors Input – Mr. Miller said he needs additional input from the Supervisors. In July the Board approved up to \$95,000 to purchase a tractor & mower before the end of the year. The present tractor we have is at least 36 years old. Lancaster Ford Tractor was the lowest bid. Much discussion regarding a flail mower or diskbine, and a price for having others to do all the mowing of roads. The bid price for mowing, only cut to ROW and lift 2 feet before bridge, sign or trees. (\$2,800/Per Trip, 4 times a year) was also added to the discussion. Shelly said if we purchase a new tractor and mower it does sound like a lot of money to cut grass, but if you spread it out over 25 years and put a front end loader on, it isn't a lot to pay each year. Shelly asked Brandt, would you consider a two wheel drive with a smaller tractor which cost around \$42,000. Brandt said he might consider that but needs more time to check out and get prices himself. Rochat said we talked about this for several months now and need to make a decision at the January 7, meeting.

Chairman Rochat adjourned regular meeting at 10:10 PM to discuss Personnel, Issues in an Executive Session meeting. The Board adjourned from Executive Session to regular meeting at 10:40 PM. The regular meeting was reopened at 10:40 PM and Rochat stated no action was taken.

A motion by Rochat second by Brandt to adjourn at 10:4 1PM. The next meeting is January 7, 20087.

Respectfully submitted,

Shirley A. (Bretz) Meyers
Township Secretary