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Chairman
533-3831

Jay M.Brandt
Vice Chairman
367-3667

Galen Shelly
367-3722

**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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MARCH 12, 2008

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular meeting on Wednesday, March 12, 2008. Those present were:

John Rochat	Galen Shelly	Jay Brandt
Shirley Meyers	Norman Miller	Jon Yost
Frank Chlebnikow	Joel Buckley	Michele Coleman,The Sun
James Hartman	Gilbert Petrina	Cpl. Golletti,Pa State Police
Fred Kay, Aberdeen Mills	William Witman, Engr.	Lauren Zumbrun,Rettew
Daniel Baker	Jason Parmer, Park & Rec.	Gary Templin, Jr.
Heather Templin	Bob Ebersole	Jeff Ebersole
Dan Leer	Jere Zell	

The meeting was called to order by Chairman Rochat at 7:33 PM.

MINUTES OF FEBRUARY 13, 2008 – A motion by Shelly second by Brandt to approve the minutes of February 13, 2008 as submitted. Motion carried.

TREASURER’S REPORT, FEBRUARY 29, 2008 - A motion by Shelly second by Rochat to approve the Treasurer’s Report dated February 29, 2008 subject to audit. Motion carried.

EXPENDITURE REPORT, MARCH 12, 2008 – A motion by Rochat second by Shelly to approve the Expenditure Report dated March 12, 2008 in the amount of \$57,438.16. Motion carried. Brandt-NO

SUBDIVISION/ENGINEERING FEES REPORT – All up-to-date..

PLANNING COMMISSION MEETING, JANUARY 28, 2008 – For Review Only

PUBLIC COMMENTS – **Cpl. Golletti, Troop H, PA State Police** – He stated their is nothing significant to report for Conewago. However, he stated their has been a rash of stealing on construction sites, anything not nailed down such as tools, building materials etc. He said they believe the burglar or burglars are casing the site during the day, so he is asking the residents if they see anything unusual to the please call them.

Jason Parmer, Chairman, and Park & Recreation – Jason gave the Board his 2007 Annual Report. He stated they have built upon accomplishments in their first year and have expanded their efforts to create new park and recreation facilities in the township. The Park & Recreation Advisory Board has been awarded a \$5,000 DCED Grant for the second year in a row. These funds will be used for improvements to the grounds and baseball field at Danny Fisher Memorial Field, and we are working towards summer 2008 for ground breaking.

During the past year a member resigned, and they had a vacant position. They have two new members, Jane Janeczek, and Dan Tredinnick. Their spirit and enthusiasm are a welcome to our group.

After the success of their first newsletter, published last year by the Park & Recreation Board, the township has moved to continue the newsletter for 2008. The Director of Administration, Norman Miller took over the responsibilities of the newsletter.

Their ultimate goal of the Park & Recreation Board is to acquire land and create our own township park. This is a lengthy process and they continue to work toward that goal. They have renewed hope with the land owners adjacent to the township building and hope to begin the process of acquiring land and applying for a land acquisition grant in 2008.

As Chairman of the Park & Recreation Board he thanked the Supervisors for the time they put in and their commitment to their goals.

PHASE II, Sewage Facility Update, Rt. 743, Old Hershey Road, Act 537 – John Rochat

- Rochat stated the Ridge Road Pump Station and lines on Ridge Rd are finished, but they didn't get the final word yet, and they need to pave a section. The holdup on the Pump Station below the township building is because Verizon said that isn't their territory. The Foreman for Mazzucca said they have been paying the phone bills to Verizon. Verizon now will schedule the telephone lines to that pump station, so if the system fails it automatically will call DTMA. Rochat said they are under budget, and when telephone lines are in they will test the pump station and probably will be ready for hookup in May, 2008.

ABERDEEN MILLS PRELIMINARY FINAL SUBDIVISION PLAN – Lot 2A from Lot 2, Zoned Ag., Parcel No. 22-018-038, Corner of Mill & Hertzler – Approval for Primary & Secondary Sewage Agreement – If Planning Module Approved, Need Resolution 2008-2 – Engineer Witman said Lot 2A was attached to Lot 2 in the original plan. Since then the SEO found (1) one site suitable for an elevated sound mound. He is

ABERDEEN MILLS, LOT 2, Continued - proposing to use a small flow treatment facility, but the alternative was primary, and he isn't sure if DEP would accept it, due to the fact of nitrates issues. They can go either way. Rochat had a question about how the small flow system worked. Engineer Witman stated any on lot septic system has a primary septic tank where you attach to the house septic system. In this primary system which is permitted by DEP for a five year renewable permit called a small flow stream discharge system. The installation still needs an on-lot concrete tank with house on the same lot with a sand filter tank and chlorine meter that will discharge treated clean chlorinated water into the creek. All the work would be on this lot, the discharge line take an easement across the original lot on Mill Rd to outlet to the creek. Solicitor Yost said we need an agreement between the developer and the township. Miller said the stream will be primary, and he would like to see the permit on the stream bank as primary. Miller also said than you have the sand mound as backup after that a holding tank.

A motion by Rochat second by Shelly to grant the waivers of Section 405 Preliminary Plan as the Final, Section 606, Curbs; Section 607, Sidewalks; Section 613 Road Improvements. It should be noted that the road widening is in the process of being completed as part of the previously approved Aberdeen Mills Subdivision; also under Zoning Lot 2A appears to be in the Agriculture Zoning district, and therefore, a Conditional Use approval is needed. All of the above items are a condition that they receive the Conditional Use Approval for Lot 2A. As per township engineers letter dated 2-6-08, and would include all the Engineers comments as well as a small flow treatment facility, a note for sight distance on driveway and a note from previous plan regarding sidewalks.

A motion by Rochat second by Shelly to adopt Resolution 2008-2 for Aberdeen Mills Sewage Planning Module. Motion carried.

Frank Chlebnikow stated Engineer Shradley supports the township in adopting the alteration and has no problems with them. He did want pointed out under zoning all the above approvals are subject to Conditional Use approval. In addition that sidewalks would be decided by the township and a note about site distance.

Miller also said there is a water problem going into the Hertzler culvert, now it goes across the road. This needs to be corrected He also asked if Hertzler called for any further widening? Solicitor Yost will advertise the Conditional Use for the Supervisors, 4-9-08 meeting at 8:00 PM.

DANIEL LEER – WAIVER OF LAND DEVELOPMENT – 22-012-028, 1.49 Acres, Zoned Residential Suburban, 2355 Deodate Road, Elizabethtown, Proposing to Make It Larger than 800 Sq. Ft. – Detached 36 x 24 Ft. 1060 Sq. Ft. – Mr. Leer was issued a building permit in November, 2007 for a smaller garage. He changed his mind and did NOT use that building permit. He is proposing to build a larger garage for personal use. The new

DANIEL LEER – WAIVER OF LAND DEVELOPMENT, Continued - garage is 1060 Sq. Ft. The Planning Commission at their 2-25-08, recommended approval of the Land Development Plan Waiver subject to Storm Water & Zoning issues and finding the correct location of his property line. A motion by Brandt second by Rochat to grant Waiver of Land Development for Daniel Leer subject to the Engineer's comments and Zoning Officers comments. Motion carried

CONDITIONAL USE – JEAN ZELL, 22-012-013, 3519 Mill Road, Elizabethtown, PA – 3 Proposed Lots to be used for Single Residential Dwelling (Subdivided 2001, Zoned Ag.) - Their Engineer said they are proposing to divide 3 lots for single family use. It conforms with the surrounding area with residential homes directly across the street and Turnpike on north side. The lots are 2 acres in size due to nitrates found. Percs & Probes are shown on the plan, but lot 2 is in the ROW of PP&L, with road frontage of 100 ft. If for some reason PP&L doesn't grant access for Lot 2, they would lose that lot.

A motion by Brandt second by Shelly to grant approval for Jean Zell's Conditional Use Application. Motion carried.

CONDITIONAL USE – GARY TEMPLIN, SR. – For Gary Templin, Jr., 22-014-013, Zoned Agriculture, Mapledale Rd., Single Residential Dwelling - He is proposing to build a house in the Ag Zoning District. At the present time there are no buildings on this 19 acres, however, a septic system was installed in October 2005, and a well is also on the lot. The Planning Commission recommended to grant the Conditional Use Application that the house must meet all the zoning requirements, the septic system, and the well be properly located and in working order.

Gary Templin, Sr. is deceased and he was planning to build a house there, which is why it already has a septic system and a well. His son is asking for a Conditional Use to put a home on this property, which also includes a barn.

A motion by Rochat second by Shelly to approve the Conditional Use Application for Gary Templin, Jr. Motion carried.

ZONING VARIANCE, EBERSOLE EXCAVATING – Present Zoning Grandfathered in Residential Country, Parcel No. 22-006-027, 22-006-028. Zoning Application for Variance Request for Another Structure, 5556 Ridge Road, Elizabethtown, PA –

This business is currently on 2 separate deeds. If necessary, they would be willing to combine into one deed. Currently there are 2 separate businesses on this property. The Planning Commission Meeting on 2-25-08, reviewed and recommended giving approval of the building expansion.

ZONING VARIANCE, EBERSOLE EXCAVATING, Continued - Ebersole's are proposing to expand a storage building in a non-conforming use area. They need more room to put trucks and equipment under roof that are now sitting outside. They want to expand the building, the use isn't changing, and the property line is close to the building. The business rented (Land Parcel 22-006-027) for years from their aunt, until they bought it. The 2 properties are in Harvey H. & Sandra H. Ebersole. Jr. name, and they want to correct the property line on those properties, and make it into one lot, in a Land Development Plan.

The Zoning Officer said they don't need a variance; they are expanding the building, but not expanding the business. The ground area is presently used for parking. The Supervisors stated that the Zoning Hearing Board will make a decision. The also suggested to the Ebersole's to show existing conditions prior to Zoning Ordinances. This would help on the history of the property for future questions. Ebersole's are willing to join the 2 lots into one lot and will not encroach on lot 3, and can only be used for parking, which is Parcel 22-006-029, and presently owned by Jeffrey & Robert Ebersole.

Rochat stated we did have some complaints from neighbors in that area. Solicitor Yost confirmed those 2 lots don't need a variance for the side yard, but since the building expansion was more than 50% would probably require a Land Development Plan. The Supervisors do not object to this variance.

A motion by Shelly second by Rochat to pass the Ebersole Variance to the Zoning Hearing Board. The Supervisors have no problem with this variance and agree with the Planning Commissions to recommend approval of the building expansion. Supervisor Shelly will represent the Board of Supervisors at the Zoning Hearing Board Meeting with the condition that they will remove the property lot line. Motion Carried. Brandt-NO

ZONING VARIANCE – PAUL E. ZIMMERMAN– Zoned Ag. Zoning Application for Larger Building Lot, Mapledale Road, Lots 2 and 3. Parcel No. 22-014-055 and 22-014-056, Corner of Mapledale and Valley Road. - In 2007, Mr. Zimmerman subdivided the former Ruth Long Farm. At that time he used all the allowable road frontage in the Ag Zoning District. He is proposing to increase the acreage on Lot 2 and Lot 3 (cannot exceed 3 acres). The Planning Commission recommended at 2-25-08 meeting to not grant the zoning request due to Mr. Zimmerman's first subdivision of the land.

The Board of Supervisors agreed that Zimmerman-Beiler created his own problem. Solicitor Yost suggested reading Engineer Shradley memo dated 11-26-07, that this does not meet the needs of a hardship.

A motion by Rochat second by Shelly to recommend denial of Paul E. Zimmerman Variance request, Supervisor Shelly will represent the Board of Supervisors, and state that it should be turned down, because it does not meet the needs of a hardship. Motion carried.

LOWER DAUPHIN SCHOOL DISTRICT, SHERRI SMITH, SUPERINTENDENT, ACT 4 OF 2006

– Sherri Smith sent a letter dated 10-5-07, the letter contained a request for the Supervisors to discuss the potential effort on the township, the school district, and county to permit exemptions of mill-age increase to property owners who qualify under Act 6 of 2006. The School Board at their October Meeting expressed an interest in pursuing this initiative if there are additional interest from each townships, or municipalities. The School Board is requesting a written response from each township.

A motion by Rochat second by Shelly to authorize the signing that the Supervisors intent that the township is interested in pursuing Act 4 of 2006 for qualified taxpayers in our municipality. Motion carried.

PARK & RECREATION – LAND ACQUISITION

– Jason Parmer, Chairman & Lauren Zumbun, RETTEW – Jason sent a letter dated 3-7-08 to recommend that the Supervisors pursue a sales agreement with the Milton Hershey School Trust to purchase approximately 28 acre tract of land, located in proximity to the Municipal Building and Conewago Elementary School to be used as a community park. They are asking the Supervisors for permission to submit a grant application for acquisition of this site to the Department of Conservation and Natural Resources (DCNR) through The Community Conservation Partnerships Program who provide matching grants of up to 50% of the total project cost. Grant applications are due 4-25-08, and the Board would be required to pass a resolution before submitting a completed application to DCNR.

This site is in an ideal location because of its proximity to existing township facilities and the Conewago Elementary School. The Parks & Recreation Board recognizes that with the purchase of this land there may be an opportunity to partner with Lower Dauphin School District and connect the park facilities to the school via a system of trails. They emphasize the urgency of this matter, and feel that the township is in a favorable position to receive funding. The township is in a position to demonstrate a need for additional park facilities, the project is documented and supported in the parks and recreation plan, the site locations is optimal based on its location in the township, and DCNR considers funding history.

In letter dated 3-10-08, a proposal from RETTEW to assist the Park & Recreation Board and the Board of Supervisors in preparing and submitting a grant application to assist in the cost to acquire the land for the park. The land is being offered by the Milton Hershey School Trust in a letter from the Park & Recreation Board. This cost of the proposal is not to exceed \$3,400., and will be discussed in an Executive Session later in this meeting.

ROAD MASTER – Norman Miller - Bernadette Bream, –She sent a note saying that the line to her property was accidentally cut by Comcast in the fall of 2007 when they were fixing the fibro optic wire. She didn't think that it was a problem until her electrician fixed the lights in February on her property. Mr. Miller stated John Rochat will check this issue.

ROAD MASTER – Norman Miller, Continued - 3516 Roundtop Road, Across for Messick’s - A concerned resident stated there is a resident of the township that pumps water onto the roadway on Roundtop Road. He has an underground pipe from his sump pumps or down spouts that pumps this water out. This creates a hazard on the roadway. For several homes west of this resident the water runs down the road and across the road. In the winter this water freezes and create an ice patch across the road. The two houses west of this resident, the water is starting to erode the edge of the roadway on the opposite side of the road. This road was paved a couple of years ago after the sewer came through and is in very good shape. Mr. Miller talked with the Township Engineer and he said we have Ordinances to prevent this from happening. Mr. Miller will report back at a latter meeting on the solution.

Resolution to Revise the Schedule of Fees, charges and expenses for Planning & Zoning related administration –The Solicitor and Supervisor Brandt wanted more time to review this.

Clarification Policy on Culverts, Pipes & Driveway - Driveway & Roadside Pipe Policy Guidelines – Permit requirements for driveways onto township roads. This permit, policies, and practices include instructions for driveway culvert pipe installation, roadway culverts, drainage pipes or ditches and/or yard pipe along township road right-of-ways and property owner. The solicitor said this is already a policy, we weren’t enforcing, he said to do whatever revisions you want with the engineers comments dated 3-11-08. He also said it should be included as part of a driveway permit, and to make owners sign permit.

Eleanor Long – Amish Buggies – Mr. Miller received a phone call from Mrs. Long pertaining to the Amish Buggies traveling on Colebrook, Belair, and Mapledale Road. There are young Amish adults driving the buggies, and there are no signs posted regarding buggies being driven in that area. He will address this issue with PennDot.

George Giang, Emergency Management Director – He applied and received approval for a grant for the township to be used where needed. Mr. Miller stated the grant was based on Conference Room Furniture, with a cherry table, and 6 reclining office chairs. We need authorization to pay for this in advance and money will be reimbursed, after receiving equipment and showing receipt of payment. The furniture will be purchased from Ludwig Office Furniture under a state contract price. A motion by Rochat second by Shelly to authorize spending of money for grant for conference room furniture in the amount \$1,645.00, which will be reimbursed from Act 146 funds. Motion carried.

Norman Miller– Regarding Wrong Weight of Salt Used – Mr. Miller wanted to confirm the amount of salt used this year. We are below what PennDot uses, Derry Twp. is lower per mile but they only use salt. and no cinders because of development areas, they can’t use liquid calcium because of streams close by at their storage area. Mt. Joy is higher. Mr. Miller did a calculation, the township did 1,071.8 miles of, and used 963 lbs. of salt and

Norman Miller– Regarding Wrong Weight of Salt Used , Continued- cinders together. We are in line with other townships, but will continue to monitor and make corrections as needed.

1993 Power King Mower Advertised to Sell at Koser’s Auction 3-29-08 – Mr. Miller informed the Board that the 1993 Power King Mower will be sold at Koser’s Auction

DIRECTOR OF ADMINISTRATION – Norman Miller

Planning Commission – Reappointment of Dolores Kuntz, and Ralph Hoerner Due 4-30-08, 4 Year Term – This is just a reminder that reappointments are due at the April township meeting. Mr. Miller will check at the Boards request to see if both of them are willing to serve another term.

Interest Due on \$670,000. Interim Financing for the Phase II Sewer Project. - Mr. Miller stated that Invoice 3 interest is due for 2-1-08 to 2-29-08 in the amount of \$3,185.36. Note that payment #2 their was an error in numbers. Correction should be \$3,405.04 interest not \$3,404.92 a difference of \$0.12. The amount for Invoice #3 is \$3,185.48.

Insurance Policy Review – Mr. Miller stated he has 2 out of 5 Insurance Bids for the Supervisors to review for the April Meeting. He will see that you get the other 3 insurance bids as he receives them. He will do a flow chart so you can compare what the bid is based on to what the current insurance is.

Robert Kreiser CD Escrow Due 3-18-08, Re: Alternate Irrigation System for Sewage – Mr. Miller said the Treasurer checked on interest rates at other financial institutions. He said if we were over the 3.5 million with Fulton this would not be an issue, but as per our agreement with them, we have to go with Fulton Bank to renew a CD or a money market.

A motion by Rochat second by Shelly to renew Robert Kreiser’s Escrow into a money market designated to keep track of interest earned at higher rate. Motion carried.

CAPCOG – 2 Year Agreement Instead of One Year – Mr. Miller said we already approve the CAPCOG for 1 year, but he discovered it was meant for a 2 year agreement. He is asking the Board to reapprove the agreement for 2 years, so that we can share attorney fees with other townships. You pay for their services every quarter. The main reason is because Verizon will not deal with any townships or municipalities only with COG. So next year with partnership with other townships, Conewago will be included in that agreement so we get a contractual agreement with Comcast as well.

A motion by Rochat second by Shelly to change the CAPCOG Agreement to 2 years, so we can join in the on the fee for Verizon, and to be represented to join in on the franchise agreement with other municipalities. Motion carried.

Tractor-Mower – Mr. Miller stated he compiled information regarding, which tractor is available now. This is a brand new John Deere, 85 HP, 4-wheel drive located in the

DIRECTOR OF ADMINISTRATION, Continued - Tractor-Mower Reading area. Brandt said you guys don't make sense. Did you talk to West Hanover Twp., their road crew person said he's uses what they buy him. Brandt said even if we get a new tractor this is the wrong mower to go with it, it runs hard, needs more horsepower, is slower.

Mr. Miller looked at the years of service of the grader, it is used 15 hour per month and divide 30 some years into the cost and it makes it cheaper. This tractor will be around a lot longer then we will be. He also said the disbine is not safety for the operator and the people driving by. Rochat said do we want to purchase the tractor, the mower, the loader, or nothing at all.

Mr. Miller said if Mr. Brandt is willing they could look at other options within in the next 2 week's. He recommended we move to talk about the tractor and loader, and Mr. Miller said he has no problem looking at other mowers.

A motion by Rochat second by Shelly to purchase a tractor and the loader and to purchase a mower not to exceed the total approved cost for all three pieces. Brandt, Miller and Shelly will decide within 2 weeks the alternatives for the mower. Motion carried.
Brandt-NO

Chairman Rochat adjourned regular meeting at 10:25 PM to discuss potential Land Acquisition in an Executive Session meeting. The Board adjourned from Executive Session to regular meeting at 10:55 PM. The regular meeting reopened at 10:55 PM.

Land Acquisition - A motion by Rochat second by Shelly to follow the Park & Recreation Board recommendation to pursue the DCNR Grant which needs to be submitted by 4-25-08, to pursue the purchase of a tract of land approximately 28 acres, to authorize update of the appraisal, and if the cost is not paid for by present landowner to authorize spending of expenditures to certify update of appraisal, authorize signing of the agreement with RETTEW Associates to prepare the grant process, to authorize the Solicitor to draft an agreement with Hershey Trust. Motion carried.

Pension Funds Request – A motion by Rochat second by Shelly to recommend Norman Miller to refund his 3% raise he earned in 2008 and to authorize the payment to deposit 3% of township portion into the retirement pension plan, if it can be done retroactive. A motion by Rochat second by Shelly to adjourn at 11:00 PM. The next meeting is April 9, 2008. Motion carried.

Submitted by,

Shirley A. Meyers,
Township Secretary