

John D. Rochat  
Chairman  
533-3831

Jay M.Brandt  
Vice Chairman  
367-3667

Galen Shelly  
Road Master  
367-3722

**CONEWAGO TOWNSHIP  
BOARD OF SUPERVISORS**

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**Shirley Bretz**  
**Twp.Secretary/**  
**Asst.Treasurer**

**Dolores Kuntz**  
**Treasurer/**  
**Assistant Secretary**

**BOARD OF SUPERVISORS**

**DECEMBER 13, 2006**

The Conewago Township Board of Supervisors held their regular meeting, Wednesday, December 13, 2006. Those present were:

John Rochat	Galen Shelly	Jay Brandt
Shirley Bretz	Dolores Kuntz	John Yost
Max Shradley	Joel Buckley	Mike Spittle
Donna Spittle	Michele Coleman,The Sun	Jason Parmer
Rosalie Sarfert	Grant Bleacher	Helen Bleacher
Mary Estep	William Estep	William Witman
Fred Kay	Frank M. Cibort, Jr.	Frank M. Cibort III
Paul Zimmerman	Ed Kaylor	Abraham King
James Thomas, Atty.	Pam Packer	

The meeting was called to order by Chairman Rochat at 7:34 PM.

**MINUTES OF NOVEMBER 8, 2006** – A motion by Shelly second by Rochat to approve the minutes of November 8, 2006 as submitted with the following corrections. On page 4, Act 537, change sentence to read, “it will be reconstructed to our satisfaction”, and on Page 6, Road Master, change sentence to read, “the drain box at intersection of Roundtop Road and Westhampton Road.” Motion carried.

**TREASURER’S REPORT – NOVEMBER 30, 2006** – A motion by Shelly second by Brandt to approve the Treasurer’s Report dated November 30, 2006 subject to audit. Motion carried.

**EXPENDITURE REPORT – DECEMBER 13, 2006** – A motion by Rochat second by Shelly to approve the Expenditure Report dated December 13, 2006, in the amount of \$47,877.44. Motion carried.

**PLANNING COMMISSION MINUTES – DECEMBER 11, 2006** – For Review Only.

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

**PUBLIC COMMENTS** – **Joel Buckley** – He asked about the construction on Danny Fisher Memorial Field and referred to the 11-14-06 motion that authorized Mazzuca Enterprises, if awarded the contract for Phase II Sewer, to use the township property for the construction staging area. Buckley said the motion says the condition of them being awarded the contract, which won't be awarded until January, 2007. Rochat stated the location is subject to the approval of the Road Master and the agreement stated Mazzuca could locate on the property at no expense to the township.

Buckley's also asked about two items on the proposed budget. The item for a part-time Administrator for \$30,000, the Secretary \$26,000. and the Treasurer for \$7,000. Rochat stated the purpose of hiring an administrator, is because the secretary expressed concern of the overload of work. Phase II will be a large project and there are accomplishments the township would like to do such as policy and procedures, insurance, etc.

Buckley questioned the million dollar amount on the proposed budget for the sewer project since PENNVEST will totally fund Phase II sewer project, why is that amount there? Rochat explained the Account 426.000 for the million dollars is only an estimate. In Phase I, January thru December of 2004 the 3.9 million, the township did not spend it was PENNVEST go thru money. That is just estimating what we may spend, but it is not township money. Rochat said in Phase I, in 1998 the township contributed \$280,000, and the township actually spent \$60,000. and saved \$220,000. The Township signed an agreement with the Authority that the Township would front the money (the secretary is keeping a log on invoices for Phase II), and the Township will be reimbursed.

Buckley also questioned the Debt Ordinance adopted, which he said requires the Township not the Authority to setup an account with Wachovia for Phase II sewer expenses. Rochat said the Township did not get the grant the Authority did, and you asked the same question of Mr. Henninger, the Authority Solicitor. He told you he would get back to you, and that the account has to be in the Authority's name. Buckley said the Authority needs an account, but does the Township also need one pursuant to the ordinance adopted. Rochat said that Diane Reed Associates, the Township and Authority accountants said the Authority needs a separate account for Phase II and not to put money into Phase I account.

**Helen Bleacher** – She asked if the Township is planning to destroy the Danny Fisher Memorial Field. Rochat said the area that has been cleared is the size. It will be used for a parking area of construction trailers for Phase II sewer project, eventually there will be a pump station, and also the recycling bins will be moved there.

**PENNVEST APPLICATION EXPENSES AND APPROVAL FOR PAYMENTS** – Nothing to Report

**KOSER BRIDGE – REPLACEMENT** – Road Master Shelly said he has been working with Quinton Ressler from RETTEW Associates and they are planning a meeting with PENNDOT after the new year.

**TOWNSHIP COMPREHENSIVE PLAN UPDATE** – The Township Engineer said the next meeting is January 17, 2007, and Frank Chlebnikow will have information for that meeting.

**ACT 537 – SEWAGE FACILITY UPDATE, PHASE II** – Rochat stated the notice of intent to award the contract was issued. They have been meeting with DTMA for a draft proposal, and all documents for closing must be in by 12-26-06, for 1-17-07 closing. No numbers are available at this time. The Authority may have to have a special meeting.

**PARK AND RECREATION ADVISORY BOARD UPDATE** – Jason Parmer, Chairman – He asked if the board reviewed the Park & Recreation By-Laws, which he handed out in the November meeting. Rochat requested this be put on reorganization agenda 1-2-07.

He received appraisal from Weinstein Realty Advisors regarding Parcel A & Parcel A&B (as one lot) – Old Hershey Road, 22-009-023. Their opinion of market value “as proposed” as of September 27, 2006. is: \$90,000 for Parcel A., 3.34 Acres, and \$260,000 for Parcel A & B, 11.536 Acres. Brandt asked if there was a second appraisal, and Chairman Parmer said he hasn’t been able to get the appraisal from Hershey Trust yet.

Chairman Parmer said the Park & Recreation Board has been working diligently on the newsletter and the township has been helpful with information to be included. Engineer Shradley said there is additional space available in the newsletter, and he suggested putting a quiz about “What Do You Know About Conewago Twp. History, etc. The Supervisors will also review this item for the reorganization meeting 1-2-07.

**ABERDEEN MILLS FINAL SUBDIVISION PLAN (New Plan 3-8-06) Parcel 22-008-010 Acres 76.32 Subdivide 8 Lots for Single Family Detached Dwelling** – Engineer Witman said there are several items outstanding: Mt. Joy Township Deeds, Appraisals, Planning Module, E & S, and fee in lieu of for Open Space. He is asking for approval of the final plan subject to items listed above. They have a buyer for the Mill property, but the buyer is reluctant to commit until the final plan is approved, plus the buyer also has a buyer for his property. Engineer Shradley went over the items needed and stated the first motion should be for the Financial Security Agreement, and the second motion should be subject to condition of items needed for approval of the final plan.

A motion by Rochat second by Brandt to approve the Agreement for Financial Security for Aberdeen Mills Final Plan in the amount of \$93,095.95. Motion carried.

A motion by Rochat second by Shelly to approve the Aberdeen Mills Final Plan subject to the following conditions received: E & S, DEP Planning Module, Fee in Lieu of for Open Space and fee paid prior to approval of plan, Review of Speed Ordinance and document review of deeds and preparation of solicitor’s cost, Mt. Joy documents and deeds of Right-of-Way met, and submit an Auto-Cadd file. Motion carried.

**BEILER-ZIMMERMAN CONDITIONAL HEARING - Mapledale & Valley Road - Proposing to Subdivide 5 New Residential Lots and 2 Add On Lots** – The Planning Commission Meeting was held on 12-11-06. This is 121.171 acres of farm land. This is a sketch plan only. Five new building lots which range from 2.179 acres or smaller are being proposed. One 3 acre lot was already taken off for Mrs. Long. The remaining lands are being divided into 3 farming parcels ranging from 22.815 acres to 47.997 acres.

The Conditional Use Application is for 5 new building lots in the AG Zoning District. There was a lot of discussion on this application, and it does appear to meet the technical criteria in a sense that is limited to the number of building lots, size, etc. They have concerns about the configuration of the residual lands, whether or not it is useful, if it meets the intent of our existing Comprehensive Plan, and concerns about the nitrates. The Planning Commission made a motion to pass it on to the Board of Supervisors and not to recommend approval.

Solicitor Yost stated the Conditional Use Hearing was properly advertised and was open for discussion at 8:00 PM. The applicants are John & Susie Beiler, Paul & Brenda Zimmerman, and they are asking for a Conditional Use for 5 lots. Ed Kaylor, Registered Surveyor stated the plan represents 121 acres of which a 3 acres lot was subdivided by the previous owner (Ruth Long) and approved. The sketch plan shows 3 lots on the North side of Mapledale Road, 2 Lots on the west side of Mapledale Road, 22 acres owned by Beiler corner of Valley and Mapledale Road with improvements of a barn and shed, 39 acres will be sold to Abram King which will be added to his adjacent land, and the remaining 47 acres are deeded to Beiler & Zimmerman. There will be no further subdivision of this property. Engineer Kaylor he was directed by his client to maintain the residential developing the 5 proposed lots. Ordinance No.2005-2 restricted 1.5 acres and a maximum of 3 acres to get approval from DEP for nitrates and adjacent lots. The utilities would be a well and an on-lot septic system since no public sewage is planning. The topography of the flow would be away from the existing wells that surround the properties. If you were to fly over the aerial view would look like a farm after the 5 lots are developed with deed restrictions on the farm land.

**PUBLIC COMMENTS:** **Donna Spittle** was glad to see the Planning Commission said no. She also said it is inconsistent with developing in the Ag. area with our current Comprehensive Plan. It is primary to preserve the land and try to keep this Ag., and the newest house in the area is 30 years old.

**Mike Spittle** – said if you separate the land it would restrict farming land for nitrates It is good farming land because he has been farming it for years.

**Helen Bleacher** – said she lives across the road from 3 of the lots and would like to see Mr. King buy it as farm land.

**Abram King** – said he is not in favor of lots, but would accept them, so he can buy the land. If these lots are not approved he wouldn't be able to afford to buy the 39 acres.

**James Thomas, Attorney** for Beiler-Zimmerman stated he has been hearing discussions in Lancaster Country Ag. for 25 years regarding spreading manure, nutrients, preserving land, easement overload beneath the ground and above ground. He also said the Board should focus on the Ordinance, and they meet the specific criteria, unless it would be a burden to the public.

**BEILER-ZIMMERMAN CONDITION USE HEARING, Continued**

**Paul Zimmerman** – said he really tried to meet all the restriction, stay within the ordinance, standards for sewage, and did percs and probes.

Solicitor Yost said if there are no further comments he adjourned the hearing at 8:40 PM., and said the Board has 45 days to make a decisions. Chairman Rochat said the Board would like to see the proposed findings from the attorney, our engineer, and our solicitor.

**APPROVE DIANA REED ASSOCIATES PROPOSED AGREEMENT FOR 2006 TAX YEAR ENDING 12-31-06** - Keep this on the agenda for reorganization meeting 1-2-07.

**2006-2007 WINTER SEASON – WEST SHORE COG** – Road Master Shelly and the Township Road Crew met with Perry Albert of West Shore Council of Governments. He went over items that they handle and he said their price for salt from American Salt Co., is \$51.94. The price we had is \$47.70. Mr. Albert explained what all they handle, and said they plan to put out bids for paving and stone materials in February. Road Master Shelly felt we would benefit by joining for one year because they take care of appeals, insurance available, sells equipment and supplies. The rate is prorated upon which quarter you may join. Keep this on the agenda for reorganization meeting 1-2-07

**DISCUSSION OF TOWNSHIP FEE SCHEDULE FOR 2007** - Solicitor Yost said there will be some adjustments to the fee schedule. Developers pay his attorney fee for reviewing documents. He will prepare a resolution form for developers, and send the bill to the township separately for the developers to pay.

**ADOPT 2007 BUDGET** – Rochat stated the budget was properly advertised. He stated this is a balanced budget and his only comment is on the revenue side it didn't show money coming in for Phase II, as the PENNVEST money goes to Conewago Muncipal Authority.

A motion by Rochat second by Shelly to adopt the 2007 Conewago Township Budget as presented. Motion Carried. Brandt said NO to the amount for the sewer account out of the general fund and said the sewer account should be more self supporting.

Rochat made a comment regarding the money so the public is clear. The money spent on engineering on Phase II is like Phase I. In Phase I the Township fronted the money, and the engineering fees were reimbursed from PENNVEST. The intent of the million dollars when doing the budget is not a contribution, the money is for designs fees and engineering fees and the authority has no money until 1-17-07 from PENNVEST.

**HILLS OF WATERFORD – DEDICATION OF ROADS** – The Township Engineers memo dated 12-11-06 for the final construction review. During the week of 12-4-06, he performed a field review of the paving on the Hills of Waterford. Based on that review he found the work to be complete and acceptable and recommends approval of the paving.

**HILLS OF WATEFORD – DEDICATION OF ROADS, Continued** - The inlet inverts were also reviewed by the Township Road Master and a member of the Road Crew and found to be completed and acceptable. Rochat suggested the Engineer talk with Anthony J. Nestico, Attorney who is a resident in the development. Attorney Nestico is requesting that the Township not release the completion security until Keystone corrects the significant storm water runoff and drainage problems that still exist on the site. Engineer Shradley said there was a significant amount of rainfall when he checked, there was a lot of water around the curb, he did not see any real backup, and the water did go into the pipe. Engineer Shradley performed a review of the exhibits and the descriptions for the various right-of-ways that have been offered for dedication to the Township. He finds them to be accurate based on the approved subdivision plan. He suggests that the seal and signature of the PA Professional Land Surveyor that is responsible for the preparation of the exhibits and descriptions be placed on the exhibits. The east side of the roadway is not working and dedication of the roads was tabled until 1-2-07 meeting.

Engineer Shradley has concerns regarding the runoff from the Hills of Waterford for future land development plans. He suggested that we consider revising the requirement in the Subdivision and Land Development Ordinance to require a “sump” or low point be created on the new road about 25 feet from the existing road. This would create a positive low point and would prevent runoff from entering the existing road. The downside is that if the inlets become blocked, the roadway will “flood”. To minimize this flooding, we could require that they install additional inlets at a point slightly above the low point inlets. This would limit the depth of the flooding. If the Board wants to pursue this revision he will provide some suggested language. Rochat asked Engineer Shradley to provide his comments to update the Subdivision and Land Development. The Dedication of Roads was tabled until the January 2007 meeting.

**RIGHT-OF-WAY FOR PUMP STATION ON TOWNSHIP PROPERTY** – Solicitor Yost prepared a copy of the Deed of Dedication and the legal description was prepared by HRG. for the piece of property for the staging area. The solicitor said the deed is for consideration of One (\$1.00) Dollar, is part of Dauphin County Tax Map Parcel No. 22-009-015. However to the condition that should the premises cease to be used as part of the Conewago Municipal Authority’s sewer system, title shall revert to the Township of Conewago.

A motion by Shelly second by Rochat to approve the execution of Deed of Dedication for Ridge Road Pump Station on Township Property as presented by Solicitor Yost. Motion carried.

**AUTHORIZE CONEWAGO TWP. JOB YARD AGREEMENT** – Solicitor Yost stated the Job Yard Agreement was actually approved at the last meeting subject to the solicitor and engineer’s approval. Shelly will follow-up to make sure Mazzuca Entreprises signs the agreement. This agreement actually overlaps the sewer pump station on township property.

**CONEWAGO MUNICIPAL AUTHORITY**- Rochat said the Authority needs to open a checking account for Phase II. He asks for approval to open an account because it is needed for the closing of the PENNVEST Application for Phase II submittal.

A motion by Rochat second by Shelly to authorize the secretary to issue a check not to exceed \$5,000 at the expense of Phase II sewer project, and the check should be payable to Conewago Municipal Authority. Motion carried.

**Shirley Bretz, Secretary – QuickBooks Training** - The secretary reported that Diana Reed Associates gave an estimate for training for QuickBooks and doing quarterly reports. The estimate was \$150 quarterly and \$225 for 4<sup>th</sup> quarter, and estimated 10 hours of training for Quickbooks at \$90 an hour. The secretary said she doesn't feel she needs 10 hours of training, since she has been doing QuickBooks for at least 3 ½ years or more. Their office would come to the township building to train the secretary in preparing W-2's, quarterly reports, memorized reports, budgeting process on the computer and would give assistance when needed. The secretary already does all of these reports, but most of them manually. The training for the above mentioned items would be helpful and make the job easier.

A motion by Rochat second by Shelly to approve up to 10 hours of training if needed for QuickBooks Accounting. Motion carried.

**Pumping Reports** – The secretary sent out notices on November 24, 2006 for residents due to pump 2006, there were 65 names. Since the weather has been nice for this time of year the pumping reports are coming in frequently. The report for residents due to pump in 2007 is around 177, and notices will be sent February, 2007. Buckley said a decision should be made to decide if the residents will need to pump; the year sewer is available in Phase II. Engineer Shradley said in the GIS there is a way to generate and point the parcels that would be in the Phase II sewer project.

**If Residents May Be Exempt from Pumping** – The secretary asked this question because several times someone will ask if they must pump, because no one is living at the property. The latest resident asking this question is Dean Aldinger, he bought the property at 1070 Hertzler Rd. Parcel No. 22-018-009 from former owner Alvin N. Heisey, and no one is living there. The secretary told him she would check with the Supervisors to see if he is eligible to be exempt until someone moves into the property. Solicitor Yost said he will check on an agreement we have used previously for the next meeting.

**John Rochat – Steve's General Store, Inc** – Rochat asked if the letter dated 11-21-06, regarding Diesel Fuel Customers pertains to the township. There is concern for the ULSD Fuel; Steve's Store is selling. There appears to be some concern over the winterization qualities of the new fuel. If you have equipment that will be idle and exposed to cold outside temperatures for extended periods of time you may want to check into newer products designed specifically for the new fuel and newer diesel engines. He will be carrying some of the new treatments at the store and will be happy to

**John Rochat, Continued – Steve Hein’s Store Letter, Continued** - help locate or purchase quantities. Road Master Shelly said the Road Crew said all the vehicles are kept in the garage, but if 2007 vehicles are outside a long time they may need to use an additive.

**Heroes Fund, Inc.** – Rochat said we only received the letter at this meeting, but would like the Board to review the letter and put this item on the January Agenda to decide if we want to participate, and if so approve the resolution. This fund was established in 1785 in Dauphin County and has been home to countless ordinary citizens who have extraordinary feats. All have one common thread. A willingness to sacrifice their own safety and well-being to protect their fellow citizens and the American way of Life.

This project is being developed on a peaceful tract of land donated by Lower Paxton Township to Dauphin County Heroes Grove. It will feature an amphitheater, which will set the stage for remembrance and memorial ceremonies that will honor veterans, emergency responders, and law enforcement personnel who have demonstrated their dedication to our communities, commonwealth and country. It will also be the setting for a series of educational seminars and festivals. They are asking for support of the construction of this important project. Please indicate what your interest is in proving written support for this project by printing and signing your name on the enclosed resolution and returning it.

**Fulton Bank** – Rochat received a call from Fulton Bank and they wanted to meet with him, and they are proposing to get our business again. They say the T-bill pays more than CD’s. They have free online banking with QuickBooks which will download your statement and reconcile it. Rochat handed out information regarding the Fulton Bank and asked the Board to review for the January 2007 meeting.

**Review for Part-Time Administrator Position** – Rochat handed out a rough draft of potential job description and sample of resolution. If we decide to do something in January with this position this gives a guideline to follow.

**Article in Newsletter Pertaining to Middletown Tax Collection** – Rochat stated he doesn’t think the resident of Conewago Township are aware that the Township doesn’t have a local millage, or receive any portion of the \$10.00 privilege tax. We are the only municipality other than Royalton Borough that doesn’t receive part of the \$10.00 privilege tax. All the other districts in Lower Dauphin take their portion.

**Galen Shelly, Road Master** – Shelly said he asked for quotes for insulating the garage bays and windows for the building and tried to get three bids. He asked Hungerford, H.R Weaver, S & T, Keener Insulation and Thermal Insulation, and only got one response from Weaver Insulators. Brandt said he is against exposing holes in any part of the building, because in time they will rust. Solicitor Yost said you should come up with the specs so that all bids are for the same thing. Engineer Shradley will give Shelly the names of business’s for insulation of buildings and what our needs are.

**Galen Shelly, Road Master, Continued - Fire Hydrant Markers** – Shelly checked with Derry Twp. and they buy and install them, and the cost of each one is \$16.70 with a spring. Shelly said we have 12 hydrants in Laurel Woods and 6 Hydrants in Hills of Waterford.

A motion by Rochat second by Brandt to authorize the purchase and installation of fire hydrant markers within the township. Motion carried.

**Dolores Kuntz** – Kuntz said that her notary runs out in March, 2007. The bank paid for her notary License and she is not going to renew it, and asked if the township wanted to do it. It runs around \$200 to \$300. and it takes 6 months to renew it.

**Jay Brandt –Foxglove Circle** - Brandt said some lady called him regarding trimming tree branches. Road Master Shelly stated the new truck is getting scratches because of overhang of trees. Engineer Shradley said the cartway needs to be kept clear and elevated for passage of large vehicles. It was suggested sending notices, that if residents don't keep their own trees or shrubs trimmed the township will do it.

Brandt also said he has tree logs stored at his house from the tree on the Township property that was cut down to replace a telephone pole, and he said someone said he took them.

A motion by Shelly second by Rochat to give Brandt permission to keep the logs. Motion carried. Brandt-Abstained

A motion by Shelly second by Rochat to adjourn at 10:40 PM. The next regular meeting is January 2, 2007.

Respectfully submitted,

Shirley A. Bretz  
Township Secretary