

**Joel Buckley**  
Chairman  
533-3858

**Jay M. Brandt**  
Vice Chairman  
Road Master  
367-3667

**John D. Rochat**  
533-3831

**CONEWAGO TOWNSHIP  
BOARD OF SUPERVISORS**

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**Shirley Meyers**  
Secretary/  
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Treasurer/  
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**CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES**

**October 13, 2010**

The Conewago Township Board of Supervisors held their regular meeting on Wednesday, October 13, 2010. Those present were:

John Rochat, Left 8:55	Joel Buckley	Jay Brandt
Shirley Meyers	Dolores Kuntz	Jon Yost
Max Shradley	Barb Miller, Patriot-News	Rosalie Sarfert
Peter Czuday	Carolyn Lynch	Steven Lynch
Caleb Lynch	Don Parmer	

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

**MINUTES OF SEPTEMBER 8, 2010** – A motion by Rochat second by Buckley to approve the minutes of September 8, 2010 as submitted. Motion carried.

**MINUTES OF SEPTEMBER 22, 2010** – A motion by Brandt second by Rochat to approve minutes of September 22, 2010, held in Mount Joy Township Municipal Building at 2:00 PM. Motion Carried.

**TREASURER’S REPORT, SEPTEMBER 30, 2010** - A motion by Brandt second by Rochat to approve the Treasurer’s Report dated September 30, 2010 subject to audit. Motion carried.

**EXPENDITURE REPORT, September 8, 2010** – A motion by Buckley second by Brandt to approve the Expenditure Report dated August 12, to September 8, 2010, in the amount of \$57,456.31. Motion carried.

**PUBLIC COMMENTS - Nothing to Report**

### **SECRETARY'S REPORT**

**Scheduled Events** - Just a reminder of township meetings; COG 10-18-10, Park & Recreation Meeting 10-19-10; Budget Mtg. 10-20-10, 1:00 PM; Tri-County Creek Association, 10-23-10 at Londonderry Elementary School, 8:30-1:30; Planning Commission Meeting 10-25-10; Dauphin County Conservation District, 10-27-10; Tri-County Creek Association, 10-27-10; Trick or Treat, 10-28-10; Election 11-2-10; Conewago Joint Planning & Zoning 11-3-10, 7:00PM; Conewago Municipal Authority 11-9-10, BOS 11-10-10, Zoning Hearing Board – None Scheduled.

### **REPORTS OF OFFICIAL AND COMMITTEES**

**SUBDIVISION/ENGINEERING FEE REPORTS** – All subdivision fees are up-to-date except Bill & Lisa Capp. They have 3 bills outstanding amounting to \$1,102.97. I sent a reminder every month with new bills received. I sent a notice 8-26-10 with copies of invoices for the three bills asking to start payment on these bills. She said she never received those bills, but none of the three invoices were ever returned to the Township. She stated their engineer bills were more than they expected (\$8,800.), and was paying that bill first. I would like to permission from the BOS to send another letter stating they need to start making payments on these invoices. The BOS suggested sending it certified mail.

**OLDS MANAGEMENT REPORT** – I sent 79 notices on 9-29-10 for residents due to pump in 2010, and sent 14 notices 9-23-10 to residents overdue in 2009 to pump or overdue because they were a new home or a new septic system. I would like permission to give at least 6 of those notices to Marvin Stoner, SEO to send a letter because they may have pumped but are due to do an Inspection, Pumping, and Sketch Plan, to bring them up-to-date, and after that they only need to pump every 3 years thereafter.

**Hain's Cesspool Under Garage Issue** – At the 8-11-10 BOS meeting they made a motion for Brandt to contact Dennis Hain regarding his cesspool under the garage and forward information to our SEO. Both Brandt and Stoner were unable to contact Dennis Hain's after several attempts. The former SEO Gerald Grove comments in his letter date 7-17-02, access to cesspool should be provided, wash water (French Drain) should be connected to cesspool, and his recommendation was to consider replacement of the system with a new regulatory system. Mr. Stoner, SEO sent a letter 9-28-10 to the BOS and his suggestion to the BOS to authorize the SEO to send Mr. Hain a letter giving him 10 days to submit a pumping report or to contact the SEO to schedule a perc and probe test to begin the process of installing a new septic system, also the letter would give him 45 days to complete the new sewage system. Failure to comply with either date would force us to take legal action.

A motion by Rochat second by Brandt to approve and authorize Marvin Stoner SEO to

proceed with a follow-up letter to Dennis Hain's to correct the sewage problem as soon as possible. Motion carried.

**PLANNING COMMISSION MINUTES, 9-27-10, CANCELLED**

**MUNICIPAL AUTHORITY MINUTES, 10-5-10, CANCELLED**

**PARKS & RECREATION MINUTES, 9-21-10, CANCELLED**

**ZONING HEARING BOARD – NOTHING SCHEDULED FOR OCTOBER, 2010.**

**JOINT BOS AND PLANNING COMMISSION, Zoning Ordinance, 10-6-10, CANCELLED**

### **ROAD MASTER'S REPORT**

**Leaf Pick-up Schedule** – Roadmaster Brandt would like to modify last years memo before the road crew distributes to residents. The BOS decided the start date for pickup of leaves will be Monday, October 18, 2010 to November 24, 2010.

**Accident Insurance Claim** – The secretary sent a letter 10-6-10 to Safe Auto at the request of his insurance company for reimbursement for signs, post, etc. in the amount of \$210.58.

**Pesticide** – The Township received a certified letter from Dept. of Agriculture on 10-8-10, informing them the necessity to impose a civil penalty on Conewago Twp. The authority for this penalty is Section 30.1 of the Pennsylvania Pesticide Control Act of 1973 as amended (3P.S. 111.21 et.seq.). Licensing Requirement:

(c) A pesticide application business shall prominently display on every vehicle involved in pesticide application, the license number assigned by the Department on both sides of the vehicle at a visible location.

(e) A business that meets the definition of a commercial applicator as defined in section 4(6)(c) of the act may not apply a pesticide without having a certified applicator physically present at the application site unless all application personnel on site are registered technicians.”

On 5-20-10, PDA Inspector Leonard Brylewski conducted a pesticide spot check inspection with Conewago Twp. employees, Kevin Shope and Robert Keeney, along Beagle Road, Elizabethtown, PA. The purpose of the inspection was to determine their compliance with certification, registration, and other requirements of the Pesticide Act.

During the inspection, it was determined that the Conewago Twp. employees were applying Glyphos X-tra and Arsenal herbicides to roadside right-of-ways for weed control. Inspector Brylewski took photographs of Conewago Townships Ford550 truck and the containers of Glyphos and Arsenal herbicides.

The photograph obtained show the Conewago Twp. truck did not display their pesticide business number, on both sides of the vehicle, is a violation of the Rules & Regulation of Section 128.31(c) of the Rules & Regulations.

In Addition, PDA records revealed that neither Mr. Shope nor Mr. Keeney were certified commercial pesticide applicators or registered application technicians in Category #10, Right-of-Way. A business that allowed non-certified applicator or non-registered

**ROAD MASTER’S REPORT, Continued**

**Pesticide, Continued** – technician to make a pesticide application without a certified applicator present and supervising the job site, is in violation of Section 128-31 (e) of the Rules and Regulations.

The Secretary of Agriculture advised pursuant to Section 30.1 of the PA Pesticide Control Act of 1973 as amended may assess a civil penalty up to \$10,000 and/or proceed by way of criminal penalties pursuant to Section 29, if you decide to waive your right to a hearing in which case, this matter will become final and a penalty of \$600.00 will be imposed on Conewago Twp. for this violation set forth herein. If the Dept. of Agriculture receives a check or money order for \$600.00 made payable to the Pennsylvania Department of Agriculture, within fifteen (15) days of receipt of this letter, the investigation will be closed.

If you don’t pay the penalty nor request an administrative hearing the Department shall take action against your pesticide application business license and/or submit this matter to the Office of Attorney General for the initiation of legal proceedings to collect this sum.

After much discussion Rochat stated for the record we may not be setting at this table in the future, and these are two of our employees, we had the documents before us and read them. It is his understanding neither one of these employees did this on their own. they were instructed to apply the pesticide. The mistake was made and they were following orders. Roadmaster Brandt said that this was a sting operation, someone set this up. He also came to the conclusion that was not a coincident. The things he researched and checked out somebody planted. There are some other things that took place that he is aware that Mr. Miller shouldn’t have done because he was no longer an employee.

Solicitor Yost stated even if the amount was lowered, the time and effort spent, this will still be on the township record, and will not go away. He recommended it is better to pay the \$600.00 fee. Brandt said he still wants to negotiate with Dept. of Ag., and he wasn’t aware the license was suspended because we didn’t have a license applicator.

A motion by Rochat second by Buckley to authorize payment of the civil penalty not to exceed \$600.00, made payable to the Department of Agriculture, within fifteen (15) days of receipt of this letter, and to allow Roadmaster Brandt to negotiate with Dept. of Ag. not later than 10-20-10. Motion carried.

**CHAIRMAN’S REPORT – ACTION ITEMS**

**ACT 147 – The Radiation Emergency Response Fund - EM Grant Approved Purchases** - The grant was approved for purchases of a Telecommunications Systems

Upgrade, Color Laser Printer, and Extended Hard Drive in the amount of \$1,516.29. Conewago Township will be reimbursed in accordance with the county procedures regarding expenditures from the Act 147. All receipts of purchase must be submitted to their office on or before 4-30-11. Roachat stated since this is a federal grant, the hard drive can be off sight,

**CHAIRMAN'S REPORT – ACTION ITEMS, Continued**

**ACT 147 – The Radiation Emergency Response Fund - EM Grant Approved Purchases, Continued** - but the equipment should be used here such as the color printer, scanner, etc. Chairman Buckley stated DCEMA allow some equipment such as the hard drive may be used off sight.

A motion by Buckley second by Roachat to purchase the Telecommunications System Upgrade, Color Laser Printer, and an Extended Hard Drive in the amount of \$1,516.29. Motion carried.

**EIT TCC Selection** – Brandt attended the EIT TCC selection to appoint a collector for earned income tax. Dauphin County selected Berkheimer as the new Dauphin County Area Tax Collection Agency.

**Winter Services Money** – The Township received from the Commonwealth of PA on 10-2-10 the Transportation Municipal Agreement for 2010-2011 in the amount of \$21,574.10 for snow removal.

**Fire Relief Money** – The Township received a check for Volunteer Fire Relief Associations in the amount of \$23,947.44 for the 2010 Commonwealth allocation supporting the volunteer fire companies which serve our community. These funds were deposited to the municipality's general fund on 9-20-10. As requested by Act 205, proceeds from this amount must be paid within 60 days to the fire relief associations of the fire companies recognized by your municipality who provide fire service to your citizens.

A motion by Roachat second by Brandt to split the amounts equally for fire relief money and include the donation from Conewago Township. The amount for the five (5) fire companies will be \$6,500.@ from Conewago Township, and the Fire Relief Money will be \$4,789.49@. Motion carried.

**Liquid Fuels** – On 9-28-10, the Township received notification that the Estimated Liquid Fuels allocation for 2011 is \$106,828.49. **In order to receive your payment on 4-1-11, your municipality must be certified by 3-1-11.** To be certified you must submit the following completed reports to the indicated organization.

MS-965 – Actual Use Report of State Funds, PennDOT District Office

Survey of Financial Condition – DCEM

Report of Appointed and Elected Officials – DCEM

In addition to filing the above reports with the correct organization by the date indicated above, you should ensure that any findings from the audit of your Liquid Fuels Fund, as prepared by the Department of the Auditor General are resolved.

**Pension Aid** – The 2010 Commonwealth allocation of GENERAL MUNICIPAL PENSION SYSTEM STATE AID in the amount of \$2,461.14 will be direct deposit on 9-24-10. Your allocation of state aid has been computed using information from actuarial studies that your municipality submitted to the Public Employees Retirement Commission and from the pension certification Form Ag-385 that your municipality submitted to this department.

**CHAIRMAN’S REPORT – ACTION ITEMS, Continued**

**Pension Aid** , Continued -The report included the number of full-time employees and the operating cost of your pension plans.

**Unemployment Comp. Trust Fund, Need New Bonding Company, Continued -**

The PSATS Unemployment Compensation Group Trust Fund is accepting new members for 2011. However, with the economy the way it is, everything seems to be increasing and costing more; however, the PSATs Unemployed Comp Group Trust Fund remains the most cost-efficient unemployment compensation program for townships. Application forms are available, so that your township may join the PSATS Unemployment , and they will forward all of the necessary application forms to the Office of Unemployment Compensation Tax Services to ensure that your township is enrolled in the program on 1-1-2011.

**Tax Parcel PDF. Order, Digital Voice Recorder, File Cabinet, UPS Battery –**

Buckley stated we received the Tax Parcel PDF disk, and page 9 was missing. Since we received the disk the cost for a paper copy of Tax Parcel is now \$50.00 instead of \$100.00. He also said he got the file cabinet from the road crew upstairs, and UPS Battery for server is around \$70.00 on line.

**SPECIAL BUSINESS**

**APPOINTMENTS –**

**Park & Recreation Board, Dan Tredinnick**, Mr. Tredinnick is not interested in serving another term. Laurie Rochat resigned and her terms expires 9-30-11. The Park & Recreation Board currently have two openings.

**UCC Appeals Board**, Todd Kreiser, Term expires 9-30-10 – Mr. Kreiser is interesting in being reappointed for another term. A motion by Brandt second by Rochat to appoint Todd Kreiser to the UCC Appeals Board for another term 5 years which will expire 9-30-15. Motion carried

**OLD BUSINESS**

**Park Land Status Update, Farmers Contract, Master Plan, Development Timetable, Sign, Insurance** – Buckley stated the purchase of land from Hershey Trust Co. was closed on 9-10-10, and the same day completed the land swap of 5 acres with the school, 25 acres triangle piece of land from the Hershey Trust, 5 acres from the school and LD Schools 8 acres – 18 acres is under DCNR Park will reserve 2 acres reserved for Park Land, and 2 acres for possible school facility expansion. Solicitor Yost will hear on 10-14-10 how to close-out. The discussion is that the farmer could use the land until end of year and decide

about next years use. The condition of the DCNR Grant, 18 acres is the township must be out of production within 2 years.

In RETTEW's letter dated 10-12-10, they prepared a tentative schedule for the BOS to review at their meetings on 10-13 and 10-20-10. The tentative schedule shows how we could work with a committee to develop a master site plan for preparation for the spring 2011 planting season and April 2011 DCNR grant application submission deadline.

**OLD BUSINESS, Continued**

**Park Land Status Update, Farmers Contract, Master Plan, Development Timetable, Sign, Insurance, Continued** - In order to meet this schedule the BOS would need to authorize RETTEW to conduct the community visioning meeting to take place mid-November. They can present a full scope of services for the master site plan and associated fee to the Board at their November meeting.

Buckley stated he doesn't want to rush the Park Master Plan Site, we have 3 years to plan, but would like the township to have use of it as soon as possible. He is not sure what kind of money, what kind of facility. The elementary school is used for midget ball, softball fields and soccer, but when the elementary school is under construction only the midget field will remain available. Rochat said we should have a Park Master Plan, before we put in 2 fields, it should be decided where they should be put, so that several years from now they decide they want an entrance there or a pavilion. We should start with the Master Plan to see if we can make the deadline, as well as whatever public comments by residents. Rochat and Brandt both agreed the Master Plan should be right from the start and it should be delayed for a year.

Don Parmer, Zoning Officer said we should hold a public meeting the middle of November, and than decide on a Park Master Plan. Buckley said since the Park & Recreation Board is short of a chairman, and a vice chairman, he would like to wait until spring because there will be more participation. He would also like to see the Park & Recreation Board have more input in the Master Plan.

A motion by Rochat to authorize to move ahead with a Park Master Plan, not to exceed \$10,000. to \$15,000., but to start the Plan with the proposed schedule, and not to go for DCNR Grant in April, but to break ground in Aug. 2011. Motion dies for lack of a second.

**Flood Plan Map/Ordinance Update – Engineer Shradley** – Nothing to Report

**Act 167 Stormwater – Engineer Shradley** – Shradley gave the BOS a draft for Stormwater Mgmt. Plan for the counties Act 167, and recreated a stand alone ordinance which is 60 pages. To keep it simple they are proposing, and used the design criteria for the Subdivision Land Devolvment, and put it into this ordinance. The single sheet needs changed to refer to the section of subdivision and delete this section and indicate the township will submit a stormwater mgmt. plan provided with this ordinance.

In Chapter 22, Subdivision and Land Development Ordinance, delete the existing Section 507, Stormwater Management, and replace with the following:

In order to meet this schedule the BOS will need to authorize RETTEW to conduct the community visioning meeting to take place mid-November. They can present a full scope

**OLD BUSINESS, Continued**

**Act 167 Stormwater, Continued –**

**Section 507 – Stormwater Management, Continued**

- 1. For all subdivision and/or land development plans, the applicant shall submit a stormwater management plan in accordance with the provision of Chapter \_\_ of the Codified Ordinances of the Township of Conewago relating to stormwater management. Action on the stormwater management plan shall be made in conjunction with the development plan.**

In Chapter 22, Subdivision and Land Development Ordinance, delete the existing Section 605, Storm Sewers, and replace with the following:

**Section 605 – Storm Sewers**

- 1. For all subdivision and/or land development plans, the applicant shall submit a stormwater management plan in accordance with the provisions of Chapter \_\_ of the Codified Ordinances of the Township of Conewago relating to construction requirement of storm sewers. Action on the stormwater management plan shall be made in conjunction with the development plan.**

The definitions sections for the Subdivision and Land Development Ordinance, Zoning Ordinance, Stormwater Management Ordinance, and Floodplain Ordinance should all be coordinated for the consistency

This plan must be adopted by December, 2010, must be advertised 2 times, Planning Commission needs to review this ordinance, and the BOS may do this at the same time.

A motion by Buckley second by Brandt to refer the SALDO Draft Revision for review to the Planning Commission, as well as Dauphin County Planning. Motion carried.

**Note:** The Conservation District will host an informational meeting on changes to stormwater management regulations and the changes to the Erosion and Sediment Pollution Control program which will become effective on 11-19-10. The meeting will be held at the Dauphin County Agriculture & Natural Resources Center on 11-18-10, from 7:00 PM to 9:00 PM. Engineer Shradley's Office and Brandt may attend the meeting.

**EPA Citation – MS4 – Engineer Shradley – Nothing to Report**

**SALDO Boulevard Revision – Frank Chlebnikow, Nothing to Report**

**Koser Bridge – Joint Meeting 9-22-10 and 10-4-10, with Mt. Joy Township -**

The Supervisors had a joint meeting on 9-22-10 with Mt. Joy Township Supervisors to discuss Koser Bridge Replacement. The bridge has been a concern for both Townships for numerous years. Herbert, Rowland & Grubic, Inc. submitted the lowest bid for preliminary engineering at a cost of \$35,500. This proposal was accepted by both Board of Supervisors with cost being split evenly. On 10-4-10, Chairman Buckley met with Andy Brandt, Casey  
**OLD BUSINESS, Continued**

**Koser Bridge, Joint Meeting 9-22-10 and 10-4-10, with Mt. Joy Township - Continued** - Krauss, Mt. Joy Township, and 3 men from HRG to discuss the design. Each township will split the cost the bridge. Each township will do its own approach work. The original agreement did not proceed to; the estimate was around \$400,000. with additional engineering cost. The old bridge measured 37' wide, 16' across, the new bridge will be 50' wide, 26' across and the extension will be on the Mt Joy side hoping that the grade will reduce the amount of flooding that occurs on the Mt. Joy Side. Buckley stated the timetable to complete the design is the end of 2010, but Conewago Township won't have to deal with it until next year 2011. Mt. Joy will do the GP11 permit which could be done by next summer. Nothing needs to be approved by the BOS.

**Outdoor Wood Burner Discussion** – Engineer Shradley there was an update in the PA Bulletin that stated enactment was passed, to advertise to pass the regulations for Outdoor Wood Burners. Last month Engineer Shradley gave the BOS a model Outdoor Wood Burning Ordinance to review. Leave this item on the agenda. Brandt's not against the outdoor burners, but feels they should use a wood burner with gasification.

**Comcast Franchise Agreement** – Buckley stated he handed out a Comcast Franchise Agreement last month similar to Verizon's Agreement.

A motion by Buckley second by Brandt that we advertise to adopt the Comcast Franchise Agreement Ordinance at November meeting. This agreement does not provide any franchise fee for Conewago.

**Conewago Elementary School, Traffic Light Permit, HOP, Met-Ed, Engineer's Comments** - Buckley stated Lower Dauphin submitted the Traffic Light Permit and paid for it, but only municipalities can apply for this permit, so the township has to be the applicant. The Board approved the Resolution for Traffic Light Permit at the BOS Meeting 9-8-10. The school said we need to contact Met-ED about moving poles in the ROW. Engineer Shradley said the BOS may want to wait to contact Met-Ed until we finalize the HOP. In accordance with the discussion at 8-24-10 meeting the school needs to provide the necessary information to address the following:

We are not close to signing HOP, because at this point they have not provided

drawings or calculation to address the additional runoff from the project. The township ordinance for stormwater management shall apply where it exceeds the requirements of PennDOT. We are not close to signing the HOP or drawing for traffic signals.

The runoff on the west side of the northern leg will impact the existing home and business from the end of the widening to the point of discharge at Ridge. The school needs to review, analyze and provide the means to control and convey this increase in runoff over these properties.

**OLD BUSINESS, Continued**

**Conewago Elementary School, Traffic Light Permit, HOP, Met-Ed, Engineer's Comments, Continued**

The other portions of the project add substantial impervious area and will generate increase runoff volumes. This runoff shall be controlled per the township requirements prior to discharge from the project area. There was discussion at the 8-24-10 meeting concerning investigation of redirecting the runoff from the southern leg to the south along Rt. 743 instead of adding to the intersection.

Provide drawings for the proposed widening along Schoolhouse Road in front of the school property. The widening shall be in accordance with the township action.

Buckley asked Solicitor Yost if he can sign the plan before the money comes in for the Escrow Agreement for the Traffic Light for \$300,000. Solicitor Yost said the reason the school project was handled that way is because they were finishing a project in Hummelstown which would bring in around \$400,000. Chairman Buckley may sign plan, if everything is taken care of, but the Escrow Agreement.

Also needed is the Financial Security in the amount of \$568,343.05 for Conewago Elementary School Final Land Development Plan. Also needed is the Stormwater Maintenance agreement for the facility needs signed and submitted.

Engineer Shradley recommended the BOS table the plan and will follow-up with Rick Martz, Lower Dauphin School, to get the agreements needed to complete this plan.

**NEW BUSINESS**

**Zoning Review Questions Don Parmer** – Zoning Officer Parmer stated that when contractors call in for the Conewago Elementary School Expansion and ask if they need a permit, refer them to Inspector Jeremy Blanck, Commonwealth Code Inspectors. They do not need a Zoning Permit.

Buckley questioned the process when you have a commercial district and a commercial use; you have different parking requirements of so many spaces. If it is a

restaurant it's a different number of spaces. Buckley said if there is a change in use how does that trigger a review, it is still commercial use, but your changing the type of commercial use.

If a resident is replacing or repairing, they don't usually need a Zoning Permit. If they are changing anything they may need a Construction permit, because of UCC requirements?

Solicitor Yost stated the process goes with the type of occupancy. We have enough commercial uses to deal with, and new uses may have different UCC requirements. He also stated with a commercial property you don't know who moves in and out. Buckley said what about a traffic study? Solicitor Yost said you don't always no who moves in and out of a rental property, because somebody changes the use doesn't mean they need to do a traffic study, parking spaces is not a development

### **PLANNING ZONING REVIEW SESSION**

#### **Regular Plan Reviews**

#### **PLAN STATUS UPDATE**

#### **Conewago Elementary School Expansions – Land Development Plan**

**22-009-003, and 22-009-023 - Escrow Agreement Completed, Road Improvements, Grant Application. Already Discussed**

**Creekside Meadows – Final Subdivision Plan, Phase 1, Zoned Residential Country, 1779 Deodate Road, Elizabethtown, (Formerly Michael Costik Farm) Tax Parcel 22-015-001 – Sewer Planning Module submitted 12-6-09, rejected by Sewer Module Resolution 2010-6 – Final Plan Phase I Subdivision, Received 12-14-09 Extension Until 11-14-10, Need New Extension**

**Kenton Kreider Subdivision Plan, Residential Suburban Zoning, Old Hershey & Ridge Rd., #22-006-046,- Mr. Kreider hasn't brought in the revised plan yet. Need The Solicitor's Agreement for shared driveway for the 2 lots, and Solicitor Agreement for use and maintenance of the common wells.**

**Conewago Elementary School Expansion – Land Development Plan, 22-009-003, and 22-009-23, Escrow Agreement, Road Improvements, and Grant Application – Already Discussed**

#### **Letter of Credit Issues**

**Roy E. & Francis Sauder – Final Subdivision & Land Development Plan – Beagle Rd., Conditional Approval 4-9-08, Received, \$29,790.75 Letter of Credit. Engineer Reitz took the plan to Londonderry Township to be signed and recorded, and will see Conewago Township will get a recorded subdivision.**

**Hertzler Final Subdivision, Conditional Approval 2-17-10 -Lot Add-On and Land Development, 676 Hertzler Rd., Elizabethtown, Parcel 22-018-017, Zoned Ag.- Need Received Fee-in-Lieu.**

**Oak Ridge Subdivision Plan – Inspection by Max Shradley – Engineer Shradley**

received an e-mail regarding inspection of Oak Ridge Subdivision. They are currently cutting roads and all storm drainage is done, putting in the pond, ready for fill to grade for final road approval. As the lots are sold Solicitor Yost will do a Homeowners Agreement. A motion by Buckley second by Brandt to authorize the Township Engineer to inspect Oak Ridge Subdivision Development subject to the engineer's comments. Motion carried

**SOLICITOR JON YOST – Sally Capp Property, TaxParcel, 22-014-008, Zoned Ag. -**

Solicitor Yost stated the PC discussed if Sally Capp needs to do a Subdivision Plan to sell off 50 acres north of the Turnpike. The Turnpike has a deed which separates this 50 acres from her farm, therefore, she does not need to complete a subdivision plan. She needs to have a new deed description for this 50 acres. A portion of her farm crosses over the

**SOLICITOR JON YOST – Sally Capp Property, TaxParcel, 22-014-008, Zoned Ag. -**

**Sally Capp Property, Continued -** western side of Mapledale Road. If she sells anything off on the western side of Mapledale Road she will need a subdivision plan because this is only separated by Mapledale Road. Basically, they want the solicitor to confirm this issue.

**Beiler Conditional Use** – Solicitor Yost stated he didn't issue the Beiler Conditional Use, because they put Tract 1 and Tract 2 on one deed, but didn't merge the legal. He feels the county will keep the property as (2) two tax map parcels, If someone came in and asked about the parcels, the county doesn't always pick up on the conditions of the plan. He needs to do the decision within 45 days, so he will issue the Conditional Use, but it will be subject to a consolidation deed with permanent boundary descriptions not (2) two different tracts.

A motion by Buckley second by Brandt to adjourn at 9:52 PM. The next meeting is November 11, 2010.

Respectfully submitted

Shirley A. Meyers  
Township Secretary