

MINUTES

BOARD OF SUPERVISORS REGULAR SESSION

OCTOBER 28, 2009
6:30 PM

The Silver Spring Township Board of Supervisors met in a regular session on Wednesday, October 28, 2009 at the Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.

Chairman LeBlanc called the meeting to order at 6:30 pm and the Pledge of Allegiance to the Flag was given.

Supervisors present: Chairman Jan LeBlanc, Vice-Chairman Mary Lou Pierce-McLain, Supervisor Vince DiFilippo, Supervisor Jackie Eakin, and Supervisor Nancy Konhaus Griffie.

Staff members present: Mr. William S. Cook, Township Manager; Ms. Terri A. Martini, Assistant Township Manager; Mr. Steve A. Stine, Esquire, Township Solicitor; Mr. Bony R. Dawood, PE, Township Engineer; Mr. James R. Sadler, Chief of Police; and Ms. Kathy K. Kramer, Assistant Secretary.

Others present:

Nancy Shoaff	Kathi Pifer
Delores Sunday	Creedin Sunday
John Rowland	Steve Fulton
Wayne Stevenson	G. Diener
Joyce & Jerry Booz	John Myers
Dave Lenker	Rhoda Ioerger
James Green	Valerie Green
J. L. Bruner	Marlin Wood
Megan Brown	John Conley
Gerry Melvin	Anthony Secary
Jamie Brubaker	Ron Secary
Greg Gross	John Schmidt
Libby Gibson	Patricia Kuhn

PETITIONS AND COMMENTS

New Kingstown Vision announced that they are enjoying the New Kingstown by-pass now that the through traffic has been redirected.

A resident questioned the amount paid to date to Kimmel-Bogrette. Staff replied \$238,731.

Chairman LeBlanc announced that an Executive Session was held immediately prior to this meeting to discuss a personnel matter.

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APPROVAL OF MINUTES
OCTOBER 13, 2009, AND
OCTOBER 14, 2009

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the minutes from the meetings held on October 13, 2009 and October 14, 2009.

The motion carried.

REPORTS

POLICE

Nothing additional.

ENGINEER

No additional report.

TREASURER REPORT

Ms. Kathy Kramer read the Treasurer's report for the month of September 2009 and by agreement, the report was filed subject to audit.

EMERGENCY MANAGEMENT COUNCIL

Nothing additional.

RECREATION ADVISORY COUNCIL

Nothing additional.

APPROVAL OF EXPENDITURES

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved the expenditures since September 23, 2009.

The motion carried with Supervisor Griffie casting a negative vote.

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NEW BUSINESS

HIDDEN CREEK PARK –
PURCHASE BLEACHERS
AND BENCHES REQUEST

On a DiFilippo/Pierce-McLain motion, the Board of Supervisors approved the purchase of bleachers and benches for Hidden Creek Park at a cost of \$3,598.75. The budgeted amount for this item was \$5,485.

The motion carried.

OFFICER MILLER
EMPLOYMENT ACTION

Deferred to later in the meeting.

OFFICER JARED HUFF –
EMPLOYMENT STATUS

On a Pierce-McLain/Eakin motion, the Board of Supervisors converted Officer Jared Huff to regular employment status as a full-time police officer after successfully completing his probationary period and adjusted his annual salary in accordance with the collective bargaining agreement.

The motion carried.

GINGER FIELDS, 98-8F –
STREET ACCEPTANCE
RESOLUTION 2009-18

On a DiFilippo/Eakin motion, the Board of Supervisors adopted Resolution 2009-18 accepting Ginger Drive, Thyme Court, Turmeric Drive, and Cardamon Drive in the Ginger Fields development into the Township road system.

The motion carried.

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WALDEN – ADDITIONAL CERTIFICATE OF OCCUPANCY PERMITS REQUEST

Mr. Jamie Brubaker, of Charter Homes, requested the issuance of eleven additional Certificates of Occupancies for the Walden development with the Board of Supervisors.

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors granted approval to issue eleven additional Certificates of Occupancy permits for the following list of lots prior to bridge completion:

Lot #3 / 18 Tavern House	Lot #114 / 159 Walden Way
Lot #43 / 62 Tavern House	Lot #115 / 157 Walden Way
Lot #44 / 60 Tavern House	Lot #116 / 155 Walden Way
Lot #45 / 58 Tavern House	Lot #118 / 151 Walden Way
Lot #46 / 56 Tavern House	Lot #159 / 40 Summer Lane
Lot #47 / 54 Tavern House	

The motion carried.

SUN MOTORS – LAND DEVELOPMENT PLAN WAIVER REQUEST

Mr. Steve Fulton, of R. S. Mowery, requested that land development plan requirements be waived for the Sun Motors addition.

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors approved a waiver request to the land development requirements for a 546 square foot addition to the existing Mercedes Benz dealership at 6677 Carlisle Pike with the understanding that the addition's appearance conform to the existing facility.

The motion carried.

HEMPT ROAD BRIDGE

On an Eakin/Pierce-McLain motion, the Board of Supervisors established the posted weight restriction for the Hempt Road bridge to 32 tons, except combinations 40-tons based on the inspection report received from the County's Engineer, HRG.

The motion carried.

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ZONING HEARING BOARD APPLICATIONS – NOVEMBER

Charter Homes at Walden, Inc.
Variance 2009-18
(Property located at 18
Ellington Road – Lot 136
“Walden”)

The Board did not object to Charter Homes at Walden, Inc. variance request to Section 207.10.1 (Design Requirements – Maximum Lot Coverage). The property at 18 Ellington Road, Lot 136, is an interior townhome lot of a four-unit townhome building that has been built which exceeds the maximum permitted lot coverage.

Charter Homes at Walden, Inc.
Variance 2009-19
(Property located at 20
Ellington Road–Lot 137
“Walden”)

The Board did not object to Charter Homes at Walden, Inc. variance request to Section 207.10.1 (Design Requirements – Maximum Lot Coverage). The property at 20 Ellington Road, Lot 137, is an interior townhome lot of a four-unit townhome building that has been built which exceeds the maximum permitted lot coverage.

SUBDIVISION PLANS

LOT 1, RIDGE HILL ROAD,
2009-7F

Mr. John Walker, of Hoover Engineering, Inc., discussed Lot 1, Ridge Hill Road final subdivision plan with the Board of Supervisors.

On a DiFilippo/Griffie motion, the Board of Supervisors approved the Lot 1, Ridge Hill Road final subdivision plan, 2009-7F, with the following waivers and comments:

WAIVERS

1. [SLDO:303] – Preliminary Plan
The applicant is granted relief from the requirement to provide a Preliminary Plan. The applicant’s justification for the waiver is stated as follows: “This plan will create

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a total of 6 lots. Five residential single-family lots, with one of the single-family lots currently being improved with a single-family dwelling. One lot will be for a future commercial use. This is a minor plan and the only public improvement required is the extension of the existing public sewer through the site and the extension of the existing PA American water line in Ridge Hill Road. The final plan as submitted will be the same as a preliminary plan. If required the impervious area of the 4 new dwellings will be conveyed to infiltration pits.”

2. [SLDO:306] – Stormwater Management Plan
The applicant is granted relief from the requirement to provide a storm water management plan. The applicant’s justification for the waiver is stated as follows: “This plan proposes only 4 residential dwellings, with the impervious area conveyed to infiltration pits.”
3. [SLDO:402.05.11, 403.05 & 617] – Carbonate Assessment Report
The applicant is granted relief from the requirement to provide a Carbonate Assessment report conditioned upon the submission of a waiver request of this requirement for the four residential dwellings and acknowledgement on the plan that this requirement will be satisfied upon the submission of a development plan for the commercial lot.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2008: (SLDO:)

1. [SLDO:303.02, 614.03] – Emergency Management Council review and approval is required. EMC approval of fire hydrant locations is required.
2. [SLDO:402.05.2, 403.05 & 613.01] – A Sewer Facilities Plan Revision (planning module or exemption) is required for approval by the Department of Environmental Protection.
3. [SLDO:402.05.8, 403.05] – Provide evidence of Pennsylvania Historical and Museum Commission (PHMC) notification and response.
4. [SLDO:402.05.11, 403.05 & 617] – A Carbonate Assessment Report is required at the time of commercial lot development.

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5. [SLDO:402.06 & 403.06] – Provide signatures and seals of responsible professional(s) on plan after the last plan revision.
6. [SLDO:402.07 & 403.07] – All applicable fees shall be paid prior to final plan approval.
7. [SLDO:615.01] – A recreation fee of \$1,300.00 shall be provided for each proposed dwelling unit prior to plan recording.

STORM WATER MANAGEMENT ORDINANCE OF 2007: (SWMO)

8. [SWMO:304.04.3.a] – Provide representative percolation tests for the proposed infiltration beds in accordance with the requirements of this Section.

GENERAL COMMENTS

9. Based on the number and nature of the comments contained within this letter, we reserve the right to generate additional comments based on subsequent reviews of the subdivision plan and associated reporting.
10. [SLDO:305.04] – The applicant shall update the waiver statement upon final action by the Board of Supervisors.
11. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and must be legible to the satisfaction of the Township Engineer. To facilitate this, the applicant shall submit a "proof" copy for a legibility review prior to submitting copies for recording.
12. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
13. [SLDO:403.06.8] – An Improvement Guarantee in accordance with Article V is required prior to plan recording.
14. [SLDO:403.06.11] – An executed Memorandum of Understanding is required prior to plan recording.

The motion carried.

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Planning Exemption

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the Lot 1, Ridge Hill Road planning exemption request for the final subdivision plan, 2009-7F.

The motion carried.

TEXACO ROAD (MIKE GREENE) 2009-4P – PLANNING MODULE RESOLUTION 2009-17

On a Pierce-McLain/Eakin motion, the Board of Supervisors adopted Resolution 2009-17 revising the Township's Act 537 Waste Water Facility Plan for the Texaco Road (Mike Greene) preliminary subdivision plan, 2009-4P.

The motion carried.

EXECUTIVE SESSION

The Board recessed to an Executive Session to discuss a personnel issue at 7:07 pm and returned at 9:07 pm.

OFFICER MILLER EMPLOYMENT ACTION

On a Griffie/DiFilippo motion, the Board of Supervisors approved the recommendation from Chief Sadler's October 15, 2009 memo to terminate Officer Miller's employment.

The motion carried with Chairman LeBlanc and Supervisor Eakin casting a negative vote.

OTHER PERTINENT BUSINESS

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved a payment request for the Texaco/Hogestown Roads Intersection project in the amount of \$32,393.69.

The motion carried.

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By general consensus, the Board approved Supervisor Griffie's recommendation that a skid loader purchase be added to the budget for the Recreation Department with adjustments being made to delete other items.

Mr. William Cook reported that Norfolk Southern will be completing the railroad approaches on Texaco and Hempt Roads and that the Township Highway Department will make the necessary roadway repairs in conjunction with the completion of the railroad approaches.

ADJOURNMENT

There being no further business or comments to come before the Board, the meeting was adjourned at 9:12 pm by general consensus.

Recorder: _____
Kathy Kramer

APPROVED: _____
Chairman

Secretary