

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

The Silver Spring Township Board of Supervisors met in a workshop session on Wednesday, May 13, 2009 at the Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.

Chairman LeBlanc called the Board of Supervisors meeting to order at 6:00 pm.

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

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. Leroy L. Hippensteel, Sergeant; Ms. Marie A. Daubert, IT Administrator; Mr. Jeff R. Williams, Director of Parks and Recreation; and Ms. Kathy K. Kramer, Assistant Secretary.

Others present:

John Messinger	Phyllis Messinger
Karl Miller	Lionel Spenard
Georgianne Diener	Wayne Stevenson
Mike Boyle	Pam DeLissio
Dave Weihbrecht	Hope Priains
John Albright	

### PUBLIC PARTICIPATION

Mr. Karl Miller, a Woods Drive resident, shared his concerns regarding trucks traveling on Woods Drive.

Ms. Georgiana Diener questioned the status of the fence for Phase III of the Peninsula Development. Mr. Cook advised that the Developer has until May 31, 2009 for completing the work.

### EXECUTIVE SESSION

Chairman LeBlanc announced that an Executive Session was held immediately prior to this meeting to discuss the Todd W. Hoynitski litigation.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

APPROVAL OF MINUTES –  
APRIL 22, 2009

Prior to the approval of the April 22, 2009 minutes, Chairman LeBlanc stated that she would like to expand on one item in the minutes where she addressed her Meet the Candidates Night comments. Ms. LeBlanc remarked that she came to realize afterwards that she had completely forgotten that Mr. Austin had, through his company, paid \$6,000 towards road improvements and she would like to apologize to Mr. Austin for saying that he reneged on providing a contribution when he actually had made that donation. Ms. LeBlanc indicated that her memory lapse was unintentional.

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the minutes from the meeting held on April 22, 2009.

The motion carried.

### HUSTON MILL

Change Order for Minor  
Additional Debris Cleanup Work

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors approved the change order for minor additional debris cleanup work in the total amount of \$2,687.95 to McCorkel Construction.

The motion carried.

Payment to McCorkel  
Construction for Mill  
Stabilization

On an Eakin/DiFilippo motion, the Board of Supervisors approved payment to McCorkel Construction for Mill stabilization in the total amount of \$50,832.22 (including Change Order).

The motion carried.

### RECREATION ADVISORY COUNCIL MEMBERSHIP

On a DiFilippo/Pierce-McLain motion, the Board of Supervisors resolved to expand the membership of the Recreation Advisory Council from seven to nine members effectively immediately.

The motion carried.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

#### INFORMATION TECHNOLOGY STRATEGIC PLAN PRESENTATION

A presentation was conducted by Pam DeLissio and Mike Boyle of PA Online regarding the recently completed IT strategic plan for the Township. The Board indicated it would consider plan adoption at its May 27, 2009 meeting.

#### NEW KINGSTOWN FIRE COMPANY, LD2009-2F

On a Pierce-McLain/Griffie motion, the Board of Supervisors tabled action on the final land development plan for New Kingstown Fire Company 33, LD2009-2F. The waiver and comments from the Planning Commission's April 2, 2009 meeting must be addressed.

The motion carried.

#### WALDEN – CONDITIONAL USE CU2005-15 – CERTIFICATE OF OCCUPANCY

On an Eakin/Griffie motion, the Board of Supervisors granted partial relief from condition #13 on the conditional use approval to allow one additional certificate of occupancy permit for Lot #117 to be issued prior to bridge completion. The Board of Supervisors acknowledged the projected schedule for the reconstruction of the bridges on Woods Drive to be completed prior to the start date of the school year in September, 2009.

The motion carried.

#### AMENDMENT TO TRAFFIC MAP FOR HANDICAP SPACE – 8 BUTTERNUT LANE

On a Pierce-McLain/Eakin motion, the Board of Supervisors authorized the Township Engineer to amend the Traffic Control Map to establish a no parking zone for a specified area in front of 8 Butternut Lane and that the designated space be signed and marked with yellow paint by the Highway Department.

The motion carried.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

#### NEW KINGSTOWN VISION – FORM COMMITTEE

On an Eakin/Griffie motion, the Board of Supervisors directed that staff prepare a resolution for its consideration to establish the New Kingstown Vision Committee as a committee of the Township.

The motion carried.

#### DEPARTMENT HEADS FINANCIAL REPORTS

Supervisor DiFilippo and Supervisor Eakin will schedule to meet with department heads to discuss their first quarter 2009 financial report.

#### PROPOSAL FOR TECHNICAL ACCOUNTING ASSISTANCE

On a DiFilippo/Pierce-McLain motion, the Board of Supervisors discussed the proposal from Susquehanna Group Advisors, Inc. and authorized that staff negotiate an agreement for Board consideration to include a cost amount and a detailed list of out-of-pocket expenses.

The motion carried.

#### ZONING ORDINANCE, SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AND STORM WATER MANAGEMENT ORDINANCE REVISION

On an Eakin/Griffie motion, the Board of Supervisors authorized advertisement and established a public hearing date of the Board's June 24, 2009 meeting for consideration of revisions to the Zoning Ordinance, Subdivision and Land Development Ordinance, and Storm Water Management Ordinance.

The motion carried.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

#### OUTDOOR WOOD-FIRED BOILERS AND FURNACES – DRAFT ORDINANCE

Staff requested that the Outdoor Wood-Fired Boilers and Furnaces draft ordinance be tabled. Following discussion, the Board agreed that Mr. Wayne Stevenson should review the current draft ordinance and attend the June meeting of the Growing Greener/Land Preservation Committee to discuss any changes.

#### MUNICIPAL UTILITY ALLIANCE AMENDED AND RESTATED INTERGOVERNMENTAL COOPERATION AGREEMENT – ELECTRICITY PROCUREMENT

Ordinance No. 9 of 2009

On a Pierce-McLain/Eakin motion, the Board of Supervisors adopted Ordinance No. 9 of 2009 authorizing the Township's participation in the Municipal Utility Alliance for the cooperative purchase of electricity.

The motion carried.

#### Joinder Agreement

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the Joinder Agreement providing for the Township of Silver Spring to join in the Intergovernmental Cooperation Agreement dated the 13<sup>th</sup> day of May, 2009 by and among the Municipal Utility Alliance for the cooperative purchase of electricity.

The motion carried.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

HEATING/AIR  
CONDITIONING  
EQUIPMENT PREVENTIVE  
MAINTENANCE  
PROGRAM

The Board deferred action on this matter to allow time for staff to clarify if filters were included in the bid price submitted by Tuckey Mechanical.

SEWAGE ENFORCEMENT  
OFFICER PERMITTING  
FEES – MINOR REPAIRS/  
ALTERATIONS  
AMENDMENT

On an Eakin/DiFilippo motion, the Board of Supervisors approved a new sewage enforcement repair permit fee of \$50.00 for minor repairs/alterations permit issuance and inspection costs.

The motion carried.

HEALTH BENEFIT  
EXPENDITURES

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the health benefit expenditures for April 2009.

The motion carried.

AMITY LANE  
RIGHT-OF-WAY PAVING

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved the application of a stone base, of approximately 169 feet in length, within the unimproved portion of the existing Amity Lane right-of-way at an anticipated cost of \$787 with the understanding that the paving cost be considered for inclusion in the 2010 General Fund budget.

The motion carried.

**MINUTES**

**BOARD OF SUPERVISORS  
WORKSHOP MEETING**

**MAY 13, 2009  
6:00 PM**

LINDA DRIVE SPEED LIMIT

On a Pierce-McLain/Eakin motion, the Board of Supervisors directed the Township Engineer to evaluate the condition of Linda Drive to determine if a speed reduction is warranted. This work is to be done at a cost not to exceed \$400.00.

The motion carried.

WEST SHORE TAX BUREAU  
MEMBER MUNICIPALITIES  
AND SCHOOL DISTRICTS

Resolution 2009-8

On a Pierce-McLain/Griffie motion, the Board of Supervisors adopted Resolution No. 8 of 2009 appointing Jackie Eakin as the primary voting delegate and Nathan Spade as an alternate delegate to the Cumberland County Tax Collection Committee.

The motion carried.

RIVENDELL PHASE 1,  
2004-13F – BOND  
REDUCTION REQUEST

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved a reduction of the bond amount for improvements to \$973,049 for the Rivendell Phase 1, final subdivision plan, 2004-13F.

The motion carried.

RIVENDELL PHASE 2,  
2005-14F – BOND  
REDUCTION REQUEST

On an Eakin/Griffie motion, the Board of Supervisors approved a reduction of the bond for improvements to \$389,902 for the Rivendell Phase 2, final subdivision plan, 2005-14F.

The motion carried.

**MINUTES**

**BOARD OF SUPERVISORS  
WORKSHOP MEETING**

**MAY 13, 2009  
6:00 PM**

EVERGREEN II, PHASE 5,  
2009-3F – ESTABLISHMENT  
OF IMPROVEMENT  
GUARANTEE

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the establishment of the Improvement Guarantee in the amount of \$136,352.70 for the Evergreen II, Phase 5, final subdivision plan, 2009-3F, in a form acceptable to the Township Solicitor.

The motion carried.

GATTER & DIEHL, INC.,  
LOT #5, LD2008-8F –  
ESTABLISHMENT OF  
IMPROVEMENT  
GUARANTEE

On an Eakin/Griffie motion, the Board of Supervisors approved the establishment of the Improvement Guarantee in the amount of \$278,095.84 for the Gatter & Diehl, Inc., Lot #5, final land development plan, LD2008-8F, in a form acceptable to the Township Solicitor.

The motion carried.

DELTA POINTE SILVER  
SPRING COMMERCE PARK,  
2006-25F, ESTABLISHMENT  
OF IMPROVEMENT  
GUARANTEE

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors approved the establishment of the Improvement Guarantee in the amount of \$1,598,693.58 for the Delta Pointe Silver Spring Commerce Park, final subdivision plan, 2006-25F, in a form acceptable to the Township Solicitor.

The motion carried.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

SHOPPES AT SILVER  
SPRING, LD2005-6F –  
LETTER OF CREDIT  
RELEASE REQUEST

On an Eakin/Griffie motion, the Board of Supervisors released the Letter of Credit for the Shoppes at Silver Spring, final land development plan, LD2005-6F, in the amount of \$66,705.

The motion carried.

STONEHILL KENNELS,  
LD2005-13F – LETTER OF  
CREDIT RELEASE REQUEST

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors released the Letter of Credit for the Stonehill Kennels, final land development plan, LD2005-13F, in the amount of \$3,605.00.

The motion carried.

MILLFORDING HIGHLANDS  
LOTS 122-A AND 122-B,  
2008-3F – PLANNING  
MODULE

Resolution 2009-9

On a Pierce-McLain/Eakin motion, the Board of Supervisors adopted Resolution 2009-9 revising the Township's Act 537 Waste Water Facility Plan for the Millfording Highlands Lots 122A and 122B, final subdivision plan, 2008-3F.

The motion carried.

LIAISON/PRIORITY  
REPORTS

Supervisor DiFilippo reported that Ms. Karen Best made a presentation on the Huston Mill at the Business Advisory Council (BAC) meeting. Also, the BAC reviewed the Meet the Candidate Night. Supervisor DiFilippo mentioned the BAC will be creating a welcome kit for new businesses coming into the Township with the help from Jim Hall. The BAC expressed concerns that RSR Realtors is providing information to Cumberland Valley School District regarding selective tax assessment to approximately 25 properties in Silver Spring

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

Township. Ms. Karen Best also gave a presentation on the Huston Mill at the Veterans Memorial Committee. The 1<sup>st</sup> Veteran of the Month will be published this week. The Committee will be attending the Armed Forces Day at City Island and the New Kingstown Fire Company Festival in July. Supervisor DiFilippo reported that most plans were tabled at the Planning Commission meeting. SK Reality is now being represented by Alpha Consulting for the proposed warehouse in New Kingstown. A Conditional Use for the Ahmadiyya Muslim Mosque was recommended for approval and also the ordinance revisions were recommended for approval.

Supervisor Pierce-McLain reported that the Growing Greener/Land Preservation Committee discussed the outdoor furnace ordinance. The EMC discussed the pending Ahmadiyya Muslim Mosque Conditional Use application and a proposed residential subdivision along Texaco Road.

Supervisor Eakin had nothing to report from the Authority's meeting or from the Municipal Advisory meeting. The Zoning Hearing Board approved the fireworks tent at the Wal-mart Store for once a year with conditions. Mr. Alfery's special exception to expand an accessory shed was approved. The Gunjak variance to store commercial trucks on a residential lot was denied. The Board denied the Turkey Hill/CVS Pharmacy's request for a spanner board, approved were two pylon signs and directional signs but with lesser square footage then requested.

Supervisor Griffie reported that the Police Department is running smoothly with Sergeant Hippensteel in charge. Recreation Advisory Council reported the 2<sup>nd</sup> race track is being constructed at Willow Mill Park. The 5K went well at Stony Ridge Park. New Kingstown Vision (NKV) held a neighborhood clean-up day. On May 31, 2009 from 2:00 – 4:00 pm NKV will be holding a town hall meeting at the New Kingstown Fire Hall and there will be a neighborhood yard sale scheduled for June 6<sup>th</sup>.

### MANAGER'S REPORT

Mr. William Cook gave the following Manager's Report:

Paving – has been completed for all scheduled Township roads. The early completion allowed for no cost increase in materials.

## MINUTES

### BOARD OF SUPERVISORS WORKSHOP MEETING

MAY 13, 2009  
6:00 PM

New Kingstown By Pass – Staff met with the Township Engineer to review the elements that were provided by New Kingstown Vision and to discuss additional items that staff proposed to include. A list will be presented to the Board prior to going to PennDOT with those elements.

On May 6<sup>th</sup> the Manager attended a Central Pennsylvania Energy Consortium meeting to explore other options for joint energy purchasing. The CPEC wants a commitment prior to knowing what the prices are, where the MUA gives participants a cost before committing.

### OTHER PERTINENT BUSINESS

Supervisor Griffie expressed concern that approximately \$210,000 of highway equipment is being stored outside due to inadequate storage area inside the highway building.

Supervisor Eakin inquired as to the progress of the traffic light at Texaco Road and Rt. 114. Mr. Dawood replied that a pre-bid meeting was recently held with big opening scheduled in the near future. He also indicated that additional traffic signal items will be considered by the Board at its May 27 meeting.

Mr. Wayne Stevenson, a Township business owner, shared his concerns that Norfolk Southern Railroad is blocking traffic for at least 20 minutes at a time on Hempt and Texaco Roads. Mr. Steve Stine suggested that the Township file an informal complaint with the Public Utilities Commission regarding this issue.

Supervisor Pierce-McLain requested of Staff that items, when sent to the Board members via email, be enlarged. She also asked if any of the Stimulus Recovery Package grants would be of any value to the Township. In response, it was suggested that an article regarding opportunities be included with the Township newsletter for homeowners.

Supervisor DiFilippo mentioned that the Business Advisory Council is requesting approval from the Board to review Zoning Variance Applications that pertain to business items.

**MINUTES**

**BOARD OF SUPERVISORS  
WORKSHOP MEETING**

**MAY 13, 2009  
6:00 PM**

On a Pierce-McLain/Eakin motion, the Board of Supervisors supported the Business Advisory Council request to review Zoning Hearing Board applications that pertain to business issues.

The motion carried.

Supervisor LeBlanc questioned the directional signs along public roads mentioned by the Business Advisory Council several months ago. Supervisor DiFilippo replied that the Business Advisory Council decided against this type of directional signs in the Township.

Supervisor LeBlanc asked for discussion on the letter of intent for the District Justice's office being included in the Township's municipal construction project. Some concerns expressed by the Board were: the early deadline of October 2010 for project completion, the Township constructing offices in accordance with County's requirements vs. the Township constructing a shell with the County completing the interior work, and the provision for an early termination suggested by the County.

**ADJOURNMENT**

There being no further business or comments to come before the Board, the meeting was adjourned at 8:50 pm on an Eakin/Pierce-McLain motion.

The motion carried.

Recorder: \_\_\_\_\_  
Kathy Kramer

APPROVED: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary