

## MINUTES

### BOARD OF SUPERVISORS REGULAR SESSION

MAY 27, 2009  
6:30 PM

The Silver Spring Township Board of Supervisors met in a regular session on Wednesday, May 27, 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. Leroy L. Hippensteel, Sergeant; Ms. Marie A. Daubert, IT Administrator; and Ms. Kathy K. Kramer, Assistant Secretary.

#### Others present:

Mazhar Malik	Mahmond Malik
J. Funkhouser	Jim Hall
G. Diener	Lionel Spenard
Mohammad Qureshi	Nate Spade
Wayne Stevenson	Susan Pickford
Jeff Hull	Cheryl Huff
Nudrat Qureshi	Madiha Qureshi
D. Qureshi	Afia Qureshi
Mumtaz Bhatti	Hamid Bhatti
Naweed Bhatti	Nancy Shoaff
Craig Wilson	Kathi & Dean Pifer
Dave Lenker	Robert Walker
Arun Gupta	Farida Ahmad
Zaafar Ahmad	Adeeba Ahmad
Amatul Qureshi	Quinn Hock
Ahmad Khalid	Nayyar Ahmad
John & Phyllis Messinger	Azim Qureshi
Mansoor Ahmad	Ryan Rhoades
Dave Weihbrecht	Ron Brenneman
William Harner	

SWEARING IN OF  
OFFICER JARED HUFF

Chairman LeBlanc swore in Jared Huff as a Police Officer for Silver Spring Township.

EXECUTIVE SESSION

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

PETITIONS AND  
COMMENTS

Ms. Susan Pickford, from Chloramine Information Center, discussed the risks of adding Chloramine in the drinking water system as proposed by Pennsylvania American Water Company. Ms. Pickford suggested that the Township write a letter to PA Department of Environmental Protection requesting to have an indefinite hold placed on PA American Water Company until a full investigation can be conducted.

Mr. Gupta, a Gingerfield resident, questioned the status of the Gingerfield development roads. Mr. Steve Stine, Township Solicitor, replied that the matter is in federal court and a mediation is scheduled on June 4, 2009.

PUBLIC HEARING

AHMADIYYA MUSLIM  
COMMUNITY – CU2009-2

Chairman LeBlanc turned the conduct of the public hearing for the Ahmadiyya Muslim Community, Conditional Use CU2009-2, over to the Township Solicitor, Mr. Steve Stine, at 6:51pm.

The hearing was advertised in the Community Weekly edition of The Patriot-News on Friday, May 8, 2009 and on Friday, May 15, 2009.

The hearing was declared closed 7:07 pm.

A copy of the transcript is made part of these minutes by reference.

APPROVAL OF MINUTES

MAY 13, 2009

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors approved the minutes from the meeting held on May 13, 2009.

The motion carried.

REPORTS

POLICE

No additional report.

ENGINEER

No additional report.

TREASURER REPORT

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

EMERGENCY  
MANAGEMENT  
COUNCIL

New Kingstown Fire Company will be having a Chicken Bar-B-Que on Saturday, May 30, 2009 starting at 11:00 am.

RECREATION  
ADVISORY COUNCIL

Nothing additional.

APPROVAL OF  
EXPENDITURES

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

The motion carried.

OLD BUSINESS

RECREATION ADVISORY  
COUNCIL MEMBERSHIP –  
APPOINTMENTS

On a Pierce-McLain/Griffie motion, the Board of Supervisors appointed Mr. Scott Pepperman to the Recreation Advisory Council for a term ending on December 31, 2012.

The motion carried.

INFORMATION  
TECHNOLOGY STRATEGIC  
PLAN – ADOPTION

On a Pierce-McLain/Eakin motion, the Board of Supervisors adopted the implementation of the IT Strategic Plan as prepared by PA Online.

The motion carried.

NEW KINGSTOWN VISION  
COMMITTEE –  
RESOLUTION NO. 12 OF  
2009

On a DiFilippo/Griffie motion, the Board of Supervisors adopted Resolution No. 12 of 2009 establishing the New Kingstown Vision Committee as a committee of the Township.

The motion carried.

On a Griffie/Eakin motion, the Board of Supervisors appointed the following residents to serve on the committee: Ms. Kathi Pifer, Ms. Quinn Hock, Ms. Bev McGee, Mr. Rich Shoaff, Ms. Nancy Shoaff, Mr. Nate Spade, Mr. David Benoist, and Mr. Mel Raudabaugh. Supervisor Nancy Konhaus Griffie will serve as Board Liaison.

The motion carried.

HEATING/AIR  
CONDITIONING  
EQUIPMENT PREVENTIVE  
MAINTENANCE  
PROPOSALS

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors awarded the contract for the preventive maintenance program of the heating and air conditioning equipment for the Administration and Highway Buildings to Tuckey Mechanical in the amount of \$940.00 for the 1<sup>st</sup> year of a 3 year contract, with the 2<sup>nd</sup> and 3<sup>rd</sup> years depending on the contractor's performance. The repair labor rate is \$52.70 per hour and \$79.05 per hour for overtime.

The motion carried.

NEW BUSINESS

AHMADIYYA MUSLIM  
COMMUNITY, CU2009-2 –  
DECISION

On a DiFilippo/Eakin motion, the Board of Supervisors approved the Ahmadiyya Muslim Community conditional use application, CU2009-2, subject to the following comments:

ZONING ORDINANCE OF 2008 (ZO):

1. [ZO:313] – Outdoor Signs  
The permitting procedure for review and approval of Outdoor Signs is provided in Zoning Ordinance Section 313. All proposed signage shall be in accordance with the requirements of this Section of the Ordinance.
2. [ZO:345.1] – Tree Planting - Street Trees  
Street trees shall be planted along all lot lines that are adjacent to the street for any new proposed principal building. The species, minimum spacing and other requirements of the street trees shall meet the requirements of Section 611 of the Subdivision and Land Development Ordinance.
3. [ZO:345.3] – Tree Planting  
An average of one new deciduous shade tree shall be planted for each fifteen (15) new parking spaces. The species and sizes of the shade trees shall meet the requirements of Section 611 of the Subdivision and Land Development Ordinance.
4. [ZO:347] – Control of Light and Glare  
A lighting plan will be required with the land development submission.
5. [ZO:704.1] – Conditional Uses  
A zoning permit application is required.

GENERAL COMMENTS

6. The applicant must prepare and submit a separate land development plan in accordance with applicable Township Ordinance requirements and conditions of approval. A formal land development review will be conducted at that time.

7. A Storm Water Management Plan will be required for the Land Development Plan submission per SLDO: 402.05.4.
8. A Carbonate Assessment Report will be required for the Land Development Plan submission per SLDO: 402.05.11.

The motion carried.

TREEVITALIZE GRANT –  
AUTHORIZATION TO  
PREPARE

On a Pierce-McLain/Eakin motion, the Board of Supervisors authorized staff to prepare a TreeVitalize grant application to be used for the purchase of trees for Stony Ridge Park.

The motion carried.

CUMBERLAND VALLEY  
SCHOOL DISTRICT  
RESOURCE OFFICER  
PROPOSAL

The Board discussed the draft agreement received from Cumberland Valley School District, to participate in the School Resource Officer (SRO) program. The Board supports the program, but had concerns on the monetary issues. The Board recommended to Dr. William Harner, Superintendent, that Cumberland Valley School District pay the full amount of the Officer's salary and benefits for time worked in the program. The Board will reevaluate the agreement when the Township receives an amended agreement from Cumberland Valley School District.

BUILDING AND CODES  
DEPARTMENT – SOLICIT  
BIDS FOR USED VEHICLE

On a Pierce-McLain/Griffie motion, the Board of Supervisors authorized the solicitation of bids for a used sport utility vehicle for the Building and Codes Department at a cost not to exceed \$10,000.

The motion carried.

PORTABLE BREATH TEST  
DEVISE – GRANT

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors authorized staff to prepare the grant application for the purpose of acquiring two Portable Breath Testers.

The motion carried.

VETERANS MEMORIAL  
COMMITTEE MEMBERSHIP

On a Pierce-McLain/Griffie motion, the Board of Supervisors resolved to expand the membership of the Veterans Memorial Committee to seven members.

The motion carried.

REPOSITORY SALE  
CONSENT – ROBERT R.  
KNEPP, 514 PALM BEACH  
AVENUE

On an Eakin/DiFilippo motion, the Board of Supervisors approved a Letter of Consent to be forwarded to The Tax Claim Bureau of Cumberland County allowing parcel number 38-19-1625-008 TR08553, the Robert R. Knepp property at 514 Palm Beach Avenue, to be sold with a minimum bid of \$406 to cover the County's cost to bring the parcel back into a tax generating status.

The motion carried.

RICH VALLEY ROAD  
EXTENDED (T-718) PAVING  
REQUEST

At the request of Mr. Flynn's representative, the Board of Supervisors tabled this matter.

TEXACO ROAD AND  
HOGESTOWN ROAD  
TRAFFIC SIGNAL

Authorization to Execute  
Condition Statement and Send  
to PennDOT

On an Eakin/Pierce-McLain motion, the Board of Supervisors authorized that an executed Condition Statement be forwarded to PennDOT for the Texaco Road and Hogestown Road Traffic Signal.

The motion carried.

Authorization to Execute  
PennDOT Indemnification  
Form

On a Pierce-McLain/Eakin motion, the Board of Supervisors authorized that an executed PennDOT Indemnification Form be forwarded to PennDOT for the Texaco Road and Hogestown Road Traffic Signal.

The motion carried.

Authorization to Execute a  
Highway Occupancy Permit  
Obligation Bond

On a Pierce-McLain/Eakin motion, the Board of Supervisors authorized that an executed Highway Occupancy Permit Obligation Bond be forwarded to PennDOT for the Texaco Road and Hogestown Road Traffic Signal. Staff requested that PennDOT approve the financial guarantee in the form of a cash escrow account.

The motion carried.

CARLISLE PIKE/SAMPLE  
BRIDGE ROAD/MAPLE  
DRIVE SIGNAGE

On a DiFilippo/Eakin motion, the Board of Supervisors authorized staff to prepare an amendment to the PennDOT Traffic Sign Permit to allow for overhead street signs to be installed on the Carlisle Pike to identify Sample Bridge Road and Maple Drive.

The motion carried.

SUBDIVISION PLANS

DELTA POINTE AT SILVER  
SPRING, 2006-25F

Highway Occupancy Permit  
Condition Statement  
Authorization to Execute  
Agreement with Developer

On a Pierce-McLain/Eakin motion, the Board of Supervisors authorized that an Agreement be executed with the Developer of the Delta Pointe at Silver Spring Subdivision, 2006-25F, for the developer to assume all responsibility for the Highway Occupancy Permit and Condition Statement.

The motion carried.

Authorization to Execute  
Condition Statement and  
Submit to PennDOT

On an Eakin/Griffie motion, the Board of Supervisors authorized that an executed Condition Statement be forwarded to PennDOT for the Delta Pointe at Silver Spring, 2006-25F.

The motion carried.

Financial Security and  
Irrevocable Letter of Credit  
Agreement for Required  
Development Plan  
Improvements

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved the Financial Security and Irrevocable Letter of Credit Agreement for the Delta Pointe at Silver Spring, 2006-25F, conditioned on the Township Solicitor's and Township Engineer's review.

The motion carried.

NEW KINGSTOWN FIRE  
COMPANY, LD2009-2F

Mr. Jim Hall, of the New Kingstown Fire Company and Mr. Craig Wilson, of Dawood Associates, discussed the New Kingstown Fire Company final land development plan with the Board.

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the New Kingstown Fire Company, final land development plan, LD2009-2F, with the following waivers and conditions:

WAIVERS:

1. Preliminary Plan - [SLDO: 301, 303]  
The applicant is granted relief from this requirement.
2. The Benchmark NGVD 29 Datum Reference [SLDO: 402.03.01].  
The applicant is granted relief from this requirement.
3. Show all existing information within 200' of the subject tract [SLDO: 402.03.04]. The applicant is granted relief from this requirement.
4. Perimeter landscaping, a landscaped strip shall be provided along the entire street line [SLDO: 603.13]. The applicant is granted relief from this requirement.
5. Interior landscaping [SLDO: 603.14]. The applicant is granted relief from this requirement.
6. Strips and interior landscaping [SLDO: 611.03]. The applicant is granted relief from this requirement.
7. Provide a Traffic Impact Study [SLDO: 402.05.6]. Proposed parking exceeds 50 spaces. The applicant is granted relief from this requirement.
8. The calculated post-development runoff from the property located within the water sheds for Hogestown Run/Trindle Spring Run Watershed Act 167 Storm Water Management Plan shall be consistent with the peak outflow rates and the calculated 100 year post-development runoff must be less than the 100 year pre-development flow [SWMO: 402.010]. The applicant is granted relief from this requirement.

9. The minimum radius for an access drive is 30' [SLDO: 602.18.3.g]. Radius was only revised for one entrance. The applicant is granted relief from this requirement.
10. Detention basins shall be designed with a minimum one (1) foot freeboard above the design elevation of the 100 year water surface at the emergency spillway [SWMO: 402.06]. The applicant is granted relief from this requirement.
11. Minimum floor elevations for all structures where ponding may occur shall be two (2) feet above 100 year water surface elevation and one (1) foot above 500 year water elevation [SWMO: 402.08.8]. The applicant is granted relief from this requirement.
12. All detention facilities in areas of sinkhole prone soil shall be lined or shall be in leak proof tanks [SWMO: 402.21]. The applicant is granted relief from this requirement.
13. All pipes and culverts through Dams shall be reinforced concrete and have properly spaced concrete cutoff collars [SWMO: 402.08.6]. The applicant is granted relief from this requirement.

#### LAND DEVELOPMENT PLAN REQUIREMENTS

##### ZONING:

1. The subject property shall provide and maintain a visual barrier or vegetative buffer between such municipal use and any contiguous residential zoning district (113.C). The Board of Supervisors, in consultation with the Planning Commission determined the New Kingstown Fire Company 33 to be exempt from this requirement.

##### SUBDIVISION:

2. Plan must be signed and properly notarized by the landowner (403.06.4).
3. Plan must be signed and sealed by engineer and surveyor responsible for plan content (402.06.2).
4. Planning exemption must be approved by DEP (403.06.3).

5. Provide written notice of approval from Sewer Authority for the sanitary sewer (403.06.6).
6. Waiver statement must be revised to acknowledge the outcome of requested waivers (402.04.14).
7. Provide copy of Highway Occupancy Permit approval (403.06.6).
8. Provide lighting plan which includes all proposed lights (603.12).

STORMWATER:

9. Approval must be obtained from the Cumberland County Conservation District for the Erosion and Sedimentation Control Plan and the NNPDES requirements (304.04.7).
10. Carbonate Assessment Report recommends a specific design for infiltration within this site that must be followed. Report recommends 14" of sand, detail must be revised to show 24" depth.
11. Provide a Stormwater Management Permit application for a major land disturbance.
12. Length and slope of outlet pipe for Pond No. 2 Stone Bed outlet does not match between plan and report.
13. Emergency Spillway for Basin No. 1 does not match between plan and report.
14. Revise certification statement to state name of professional that signed and sealed report.
15. State/storage calculations for Pond No. 2 provides for storage up to an elevation of 440. At elevation 440 the pond will be overflowing. Revise calculations accordingly. Ponding cannot extend onto adjacent properties.
16. Provide more detail for construction of MH-1 outlet structure.
17. Update Stormwater BMP Maintenance Plan based on revised stormwater facilities.

18. Provide de-watering calculation to show how long it will take for basin to de-water. Concerned with low infiltration rates that basin will not de-water between storm events.

GENERAL:

19. Applicant must coordinate work with gas company.
20. Revise waiver block to add waiver to the SWMO Section 402.21 and provide a description for SWMO Section 402.01.1.

The motion carried.

Request for Planning  
Exemption

On a Pierce-McLain/Eakin motion, the Board of Supervisors approved the New Kingstown Fire Company planning exemption request for the final land development plan, LD2009-2F, and authorized that it be forwarded to DEP.

The motion carried.

CVS PHARMACY/TURKEY  
HILL, LD2007-3F – REVISED  
STORM WATER  
FACILITIES PLAN

Mr. Bob Walker, of Law Offices of Robert M. Walker, LLC, discussed the CVS Pharmacy/Turkey Hill land development plan with the Board.

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved the modifications to the storm water management provisions of the CVS Pharmacy/Turkey Hill land development plan, LD2007-3F, subject to the following comments and conditions:

1. Provide verification of an addendum of the PennDOT permit for review by the Township Solicitor for compliance with agreements between the Township and the Developer for proposed changes.

It was noted that CVS Pharmacy/Turkey Hill agreed to submit a letter to the Township allowing it to apply the existing bond towards guaranteeing the construction of the newly approved Storm Water Management facilities, as depicted on the final land development plan.

The motion carried.

OTHER PERTINENT  
BUSINESS

Supervisor Pierce-McLain mentioned that she would not be able to attend the July Workshop meeting.

Supervisor Eakin questioned the status of the fence in the Peninsula Phase 3 development. Mr. Cook advised that the deadline is May 31, 2009. Mr. Stine added that it was reported to him that the fence contractor would not be able to install the fence until June 8, 2009. Supervisor Eakin mentioned that she would be making a \$25.00 donation to the Over Foundation. Supervisor Eakin also questioned if there was a franchise fee rate increase with Comcast Cable. Staff explained that there was not an increase, but the franchise fee is based on the amount of your Comcast statement.

Supervisor Griffie mentioned that Shaffer Trucking is in the process of relocating trucks/equipment to the south side of Rt. 11 and is requesting a crosswalk or flashing light for safety concerns. Staff was directed by the Board to pursue this request with PennDOT. Supervisor Griffie questioned if the Township had any shovel ready transportation projects that would be ready by June 1, 2009. Mr. Dawood advised that shovel ready means the project has been fully designed and have all required permits for construction. Staff was directed to forward multiple road paving projects for funding consideration. Supervisor Griffie mentioned that the New Kingstown Vision Committee would be holding a Town Hall Meeting at the New Kingstown Fire Hall from 2:00 to 4:00 pm on Sunday, May 31, 2009.

Mr. Messinger, of Birch Street, asked if there was any discussion regarding the junk adjacent to his property. Mr. Cook replied that the Silver Spring Township Authority, who owns the right-of-way, will provide assistance with the cleanup.

ADJOURNMENT

There being no further business or comments to come before the Board, the meeting was adjourned at 8:38 pm on a Eakin/Griffie motion.

The motion carried.

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

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

\_\_\_\_\_  
Secretary