

## MINUTES

### BOARD OF SUPERVISORS REGULAR SESSION

JANUARY 27, 2010  
6:30 PM

The Silver Spring Township Board of Supervisors met in a regular session on Wednesday, January 27, 2010 at the Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.

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

Supervisors present: Chairman Vincent T. DiFilippo, Vice-Chairman Nancy Konhaus Griffie, Supervisor Mary Lou Pierce-McLain, Supervisor David R. Lenker, II, and Supervisor Nathan T. Spade.

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:

Wayde Kelly	Mike Neumyer
John Diener	Robert Thomas
Steve Fisher	Nancy Shoaff
Rich Shoaff	Rhoda Ioerger
Don Tocket	Dick Norrie
Lionel Spenard	J. L. Bruner
Joyce & Jerry Booz	P. Kuhn
John Murphy	K. Hooker
Rachel Manning	Jamie May
Patsy Zimmerman	Kathi Pifer
J. Degaetano	G. Diener
Marlin Wood	Dale & Pat Elicker
Wayne Stevenson	Karen Harlacher
Patty Weber	Jan LeBlanc
Susan Martz	Robert Saidis

### EXECUTIVE SESSION

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

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#### PETITIONS AND COMMENTS

Mr. Don Tocket questioned the Board as to any Associated Products changes since November 2009. He was advised that nothing has changed and that Senator Pat Vance is looking into a solution.

Ms. Joyce Booz questioned the marking flags along Mulberry Drive. Mr. Bony Dawood explained that they are marking the Township's right-of-way for future work.

A resident from Bent Creek questioned the status of the proposed walking ban on RT114 and Carlisle Pike. Mr. Bony Dawood replied that Delta Development made an application to PennDOT and it is now up to PennDOT to make a decision.

#### REPORTS

##### POLICE

No additional report.

##### ENGINEER

No additional report.

#### TREASURER REPORT

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

#### EMERGENCY MANAGEMENT COUNCIL

Nothing additional.

#### RECREATION ADVISORY COUNCIL

Nothing additional.

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#### APPROVAL OF EXPENDITURES

On a Spade/Griffie motion, the Board of Supervisors approved the expenditures since December 16, 2009.

The motion carried.

#### OLD BUSINESS

#### EMPLOYEE JOB ANALYSIS AND WAGE EVALUATIONS

Staff advised the Board that quotes from Pennsylvania League of Cities and Municipalities and PA Online should be received in approximately two weeks.

#### TRIPLE CROWN – FOXWOOD AND BROOK MEADOW

On a Pierce-McLain/Lenker motion, the Board of Supervisors will forward the Township's agreement to Triple Crown for its consideration.

The motion carried.

#### TRI-COUNTY REGIONAL PLANNING COMMISSION

On a Spade/Lenker motion, the Board of Supervisors nominated Supervisor Nancy Griffie as a voting member to the Tri-County Regional Planning Commission from the Cumberland Central Plan Development Section for a two-year term of 2010 and 2011.

The motion carried.

#### STRATEGIC PLANNING COMMITTEE RESOLUTION

#### RESOLUTION NO. 2010-3

On a Spade/Griffie motion, the Board of Supervisors adopted Resolution No. 2010-3 establishing the Strategic Planning Committee as a committee of the Township, subject to staff's comments, and appointed Mr. John Diener, Mr. Bill DeVore, Mr. Mike Neumyer and Mr. Robert Thomson to the committee.

The motion carried.

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APPOINTMENTS

On a Lenker/Griffie motion, the Board of Supervisors made the following appointments:

Authority (term expires 2014) ..... Steve Fisher  
Authority (term expires 2012) ..... Dick Snelbaker

The motion carried.

NEW BUSINESS

ZIMMERMAN ON LOT  
SEPTIC MAINTENANCE  
ORDINANCE  
REQUIREMENTS WAIVER  
REQUEST

On a Pierce-McLain/Griffie motion, the Board of Supervisors approved the on lot septic waiver request submitted by Patsy Zimmerman for her 72 Sherwood Drive property.

The motion carried.

PORTABLE RESTROOM  
CONTRACT

On a Spade/Lenker motion, the Board of Supervisors approved Oaktree as the vendor for 2010 for portable restrooms in the amount of \$65.00 per month for regular units and \$94.00 per month for handicapped units on a month to month basis.

The motion carried.

BACKSTOP AT PAUL  
WALTERS MEMORIAL  
PARK #3

On a Pierce-McLain/Spade motion, the Board of Supervisors approved the purchase and installation of a backstop at Paul Walters Memorial Park Field #3 from BMW Fences and Decks in the amount of \$3,750.

The motion carried.

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#### KUBOTA ZERO TURN MOWER PURCHASE REQUEST

On a Lenker/Pierce-McLain motion, the Board of Supervisors approved the purchase of a Kubota Zero Turn mower at a cost of \$12,182.50. Budget amount for this item is \$13,259.

The motion carried.

#### INCREASE BUSINESS ADVISORY COUNCIL MEMBERSHIP

On a Spade/Griffie motion, the Board of Supervisors authorized the Township Solicitor to prepare the ordinance to increase the Business Advisory Council membership from seven to nine members.

The motion carried.

#### ICC PROPOSED BYLAW AMENDMENT

On a Pierce-McLain/Lenker motion, the Board of Supervisors expressed support for the Township's Building Code Official's recommendation to vote in favor of deleting the word "letter" that currently reads "letter ballot" which provides for means of casting a vote for the ICC Bylaws.

The motion carried.

#### 3<sup>rd</sup> PARTY ELECTRICAL INSPECTION AGENCY'S AGREEMENTS

On a Pierce-McLain/Lenker motion, the Board of Supervisors approved the Third Party Electrical Inspection Agency's Agreements for plan review and field inspection services for 2010 with the following:

- Commonwealth Code Inspection Service, Inc.
- Middle Department Inspection Agency
- Building Inspection Underwriters, Inc.
- Pennoni Associates, Inc.
- American Inspection Agency, Inc.
- ARRO Consulting, Inc.
- Approved Code Services, Inc.

The motion carried.

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MORGAN TRACT –  
STREET NAME  
CHANGE REQUEST

On a Pierce-McLain/Griffie motion, the Board of Supervisors approved a street name change request from Hillside Drive to Hillside Road in the Morgan Tract development conditioned on Post Office approval.

The motion carried.

WILLOW LAKE 2001-14F –  
LETTER OF CREDIT  
REDUCTION REQUEST

On a Spade/Griffie motion, the Board of Supervisors approved a reduction in the Letter of Credit to \$31,774.60 for the Willow Lake, final subdivision plan, 2001-14F.

The motion carried.

RIVENDELL  
COMMUNITY CENTER  
LD2004-10F – LETTER OF  
CREDIT REDUCTION  
REQUEST

On a Spade/Griffie motion, the Board of Supervisors approved a reduction in the Letter of Credit to \$48,202.25 for the Rivendell Community Center, final land development plan, LD2004-10F.

The motion carried.

WALDEN PHASE 1 2006-  
16F – LETTER OF CREDIT  
REDUCTION REQUEST

On a Pierce-McLain/Spade motion, the Board of Supervisors approved a reduction in the Letter of Credit to \$2,669,201 for the Walden Phase 1, final subdivision plan, 2006-16F.

The motion carried.

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DELTA DEVELOPMENT  
GROUP, INC. 2006-25F –  
REQUEST FOR HOLDING  
TANK

The applicant requested this item to be removed from the agenda.

GCW PROPERTIES, INC.  
CONDITIONAL USE  
CU2007-3 – REQUEST FOR  
EXTENSION OF  
CONDITIONAL USE AND  
BUILDING

Mr. Bob Sadis, discussed the GCW Properties conditional use and building extension requests to the Board.

On a Griffie/Spade motion, the Board of Supervisors referred the GCW Properties, Inc., CU2007-3, conditional use extension requests to the Township Planning Commission for review and comment.

The motion carried with Supervisor Pierce-McLain casting a negative vote.

RT114 AND TEXACO  
ROAD IMPROVEMENTS

On a Pierce-McLain/Spade motion, the Board of Supervisors approved payment number three to Leon E. Wintermyer, Inc. in the amount of \$90,013.87.

The motion carried.

217 HEMPT ROAD –  
RULE TO SHOW CAUSE

On a Lenker/Pierce-McLain motion, the Board of Supervisors did not oppose the sale of 217 Hempt Road by the County free and clear of all municipal taxes.

The motion carried.

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#### REVERSION TO RANK – POLICE

On a Pierce-McLain/Griffie motion, the Board of Supervisors reverted James Sadler's position as Chief of Police back to his previously held position of Police Sergeant and upon his reversion will remain as "Acting Chief of Police" until a replacement is hired effective January 27, 2010 with his salary remaining the same until reverted.

The motion carried.

#### ZONING ORDINANCE TEXT AMENDMENT – KIDDIE ACADEMY

On a Spade/Griffie motion, the Board of Supervisors referred the proposed Zoning Ordinance Text Amendment to the Township and Cumberland County Planning Commissions for their review.

The motion carried.

#### ZONING HEARING BOARD APPLICATIONS – FEBRUARY

Stanley J. Fisher  
Special Exception  
2010-1  
(Property located at  
535 Hogestown Road)

The Board was opposed to Stanley Fisher's Special Exception request to Section 504 (Substitution or Replacement of one nonconforming use with another nonconforming use). The applicant seeks to operate a furniture repair, restoration, and storage/warehouse on this site.

#### OTHER PERTINENT BUSINESS

Chairman DiFilippo questioned the Cumberland Valley signage issue. Mr. Cook replied that Mr. Hall is discussing this issue with Mr. Willis.

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Chairman DiFilippo questioned the status of Mr. Lionel Spenard's complaint at 1 and 2 Locust Lane zoning issue. Mr. Cook explained that Mr. Hall is continuing to monitor activity at the site.

APPOINTING AN  
INVESTMENT MANAGER  
AND TRUSTEE FOR THE  
PENSION PLANS AND  
REMOVING THE PRIOR  
TRUSTEE AND INVESTMENT  
MANAGER

RESOLUTION 2010-4

On a Spade/Griffie motion, the Board of Supervisors adopted Resolution 2010-4 removing PNC and appointing Charles Schwab Trust Company to serve as trustee for the Pension Plans and Roof Advisory Group, Inc. as the Investment Manager.

The motion carried.

Ms. Patty Weber, of 1 Locust Lane, questioned why the Township was monitoring her property. Staff explained that they received a complaint and were following up on it.

ADJOURNMENT

There being no further business or comments to come before the Board, the meeting was adjourned at 8:16 pm by general consensus.

Recorder: \_\_\_\_\_  
Kathy K. Kramer

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

\_\_\_\_\_  
Assistant Secretary