

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATIONAL & REGULAR MEETING
January 5, 2009

1. The reorganizational meeting of the Windsor Township Board of Supervisors was called to order by Dean Heffner at 7:00 p.m.

Those present: Paul Smith, Jan Smith, Dean Heffner, Attorney Charles Rausch, Jennifer Gunnet and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Jan Smith seconded by Paul Smith, the minutes of the December 15, 2008 meeting were approved. Motion carried. Three votes yes.
4. Appointments:
 - A. **Chairman** – On the motion of Jan Smith seconded by Dean Heffner, Paul Smith was appointed. Motion carried. Three votes yes.
 - B. **Vice Chairman** – On the motion of Dean Heffner seconded by Paul Smith, Jan Smith was appointed. Motion carried. Three votes yes.
 - C. **Secretary/Treasurer** – On the motion of Jan Smith seconded by Dean Heffner, Jennifer Gunnet was appointed and the Treasurer's Bond Limit was set at \$1,000,000. Motion carried. Three votes yes.
 - D. **Zoning Officer** – On the motion of Jan Smith seconded by Dean Heffner, Kipp Allison was appointed. Motion carried. Three votes yes.
 - E. **Assistant Secretary/Treasurer** – On the motion of Jan Smith seconded by Paul Smith, Dean Heffner was appointed. Motion carried. Three votes yes.
 - F. **Assistant Zoning Officer** – On the motion of Jan Smith seconded by Dean Heffner, Deanna Coble was appointed. Motion carried. Three votes yes.
 - G. **Solicitor for Board of Supervisors** – On the motion of Jan Smith seconded by Dean Heffner, Charles Rausch of Blakey, Yost, Bupp & Rausch was appointed. Motion carried. Three votes yes.
 - H. **Engineer** – On the motion of Jan Smith seconded by Dean Heffner, Jason Reichard of C.S. Davidson, Inc. was appointed. Motion carried. Three votes yes.

- I. **Sewage Enforcement Officer** – On the motion of Jan Smith seconded by Dean Heffner, Ethan Poe was appointed with Dave Brown as the alternate. Motion carried. Three votes yes.
 - J. **Depositories** – On the motion of Jan Smith seconded by Dean Heffner, M & T Bank, Drovers Bank, Peoples Bank, Susquehanna Bank, PNC Bank, Fulton Bank, Commerce Bank, Integrity Bank and Smith-Barney were approved as depositories. Motion carried. Three votes yes.
5. The following appointments were made to the various boards:
- A. **Zoning Hearing Board** – 5 Year Term – Jeffrey Bryan; 3 Year Term – Darwin Dosch (Alternate) & Rebecca Haas (Alternate) – **Resolution #09R-01-03** – On the motion of Jan Smith seconded by Dean Heffner, Resolution #09R-01-03 was approved. Motion carried. Three votes yes.
 - B. **Planning Commission** – 4 Year Term – Jerry Pilachowski & J. LaRue Harvey – On the motion of Jan Smith seconded by Dean Heffner, Jerry Pilachowski and J. LaRue Harvey were appointed to a 4 year term. Motion carried. Three votes yes.
 - C. **Windsor Area Recreation Commission** – 5 Year Term – David Sprenkle & Michael Diehl (Alternate) – On the motion of Jan Smith seconded by Dean Heffner, David Sprenkle and Michael Diehl were appointed to a 5 year term. Motion carried. Three votes yes.
 - D. **Vacancy Board Chairman** – Joe Seitz. Mr. Seitz is willing to serve as Vacancy Board Chairman for 2009. On the motion of Jan Smith seconded by Dean Heffner, the appointment was made. Motion carried. Three votes yes.
 - E. **York Area Regional Police Department** – 1 Year Term – Member at Large – Robert Kessler – Mr. Kessler is willing to serve as the Member at Large for Windsor Township. On the motion of Jan Smith seconded by Dean Heffner, the appointment was made. Motion carried. Three votes yes.
6. On the motion of Jan Smith seconded by Dean Heffner, the following Supervisor assignments were made:
- A. Zoning Hearing Board – Jan Smith.
 - B. Planning Commission – Dean Heffner.
 - C. York Adams Tax Bureau – Henry Sprenkle.

- D. Agricultural Area Advisory Committee – Paul Smith.
- E. Local Government Advisory Committee – Dean Heffner.
- F. York Area Council of Governments – Jan Smith with Dean Heffner as alternate.
- G. Windsor Area Recreation Commission – Paul Smith.

Motion carried. Three votes yes.

- 7. On the motion of Jan Smith seconded by Dean Heffner, the Board agreed to continue to hold the Board of Supervisors meetings on the first and third Mondays at 7:00 p.m., cancel the meeting on April 20th due to a conflict with State Convention, cancel the meetings to be held July 6th, August 3rd and September 7th and have the meetings on July 20th, August 17th, and September 21st start at 6:00 p.m. Motion carried. Three votes yes.
- 8. Other Reorganizational Business:
 - A. The Board of Supervisors, Auditors, Township Manager and Tax Collector to the County Convention with expenses paid. Motion by Jan Smith, seconded by Dean Heffner.
 - B. The Board of Supervisors and Township Manager to the State Convention with expenses paid and lost wages reimbursed provided that sufficient documentation is presented. Motion by Jan Smith seconded by Dean Heffner.

Mr. P. Smith stated that the Second Class Township Code requires approval for lost wages, however it does not apply to Windsor Township since none of the Supervisors are employed.
 - C. The Board of Supervisors and Township Manager to the National Convention with expenses paid. Motion by Jan Smith seconded by Dean Heffner.
 - D. Set the mileage rate at the Federal limit. Motion by Jan Smith seconded by Dean Heffner.

Motion carried. Three votes yes.

- 9. The following items of correspondence were discussed:
 - A. Mrs. Gunnet advised that any Form U applications that had been received from Modern Landfill would be on the counter in the rear of the room.

- B. Walt Dinda – PennDEP – Approval of Plan of Action – Mrs. Gunnet advised that she received an email from Walt Dinda from PennDEP approving the plan for compliance with Act 101 that the Township had submitted in November. She stated that a draft for a revised Open Burning Ordinance will be done which will add a definition for leaf waste and remove the section that permits the burning of leaves, brush tree limbs and branches. The Board agreed for Mrs. Gunnet to proceed with the draft. Mr. P. Smith advised that although the original correspondence with PennDEP stated that the draft would be completed in December, the Township has just recently received approval of the plan.
 - C. Springettsbury Township – Letter of Support – Commonwealth Financing Authority – Mrs. Gunnet advised that Springettsbury Township is applying for a low interest loan through the Commonwealth Financing Authority for the required upgrade to the Wastewater Treatment Facility. They are asking that the Township send a letter of support for the obtaining of this loan. She stated that the low interest rate will benefit the Township since we are responsible for a portion of the costs. It was the consensus of the Board to send a letter of support for Springettsbury Township.
 - D. Don Isabella – York Waste Disposal – Acquisition of Allied Waste Industries, Inc. – Mrs. Gunnet advised that she has received a letter from Don Isabella from York Waste Disposal informing the Township that they have acquired Allied Waste Industries, Inc. He is stating that the Township will not see any changes in their service.
10. Windsor Township Fire & Emergency Rescue Association – Scott Gingrich with Felton Fire Company was present. He stated that the last Association meeting was held on December 11th. He stated that they plan to use the Bahn’s Mill Road Building for 5 to 6 different classes which he then described. Mr. Gingrich commented that Dallastown has received one of their trucks back from being serviced. He also thanked the Township staff and Mr. Fromm for their assistance during the fire on New Year’s Day.
- A. **Loan request – Felton Volunteer Fire Company** – Scott Gingrich stated that the Felton Fire Company would like to purchase a brush truck. He gave the Board a drawing of the truck. He advised that the cost is \$133,000. They have applied for grants and low interest financing. He stated that they are requesting a loan from the Township in the amount of \$90,000 because they do not think that the financing will be approved and received prior to the receipt of the truck. Mr. P. Smith advised that currently the Township does not have any loan out to the fire companies. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the loan to the Felton Volunteer Fire Company in the amount of \$90,000. Motion carried. Three votes yes.**
 - B. Mr. Gingrich advised that the next meeting will be held on February 26th at Dallastown at 7:00 p.m. He noted that they have now changed their meetings to every other month.

- C. Mr. Heffner asked if the fire companies will need the power on or off at the Bahn's Mill Road Building when they do the training. Mr. Gingrich thought that the power needed to be off. Mrs. Gunnet advised that she had spoken with someone else and they said it should be on. Mr. Gingrich stated that he would look into this and have someone contact Mrs. Gunnet.

The Board asked Mrs. Gunnet to look into the cost of relocating the electric meter from the office building to the garage.

11. York Area Regional Police Department – No one was present.

- A. Mr. P. Smith advised that the Monthly Report for November is available for review.

12. Solicitor:

- A. Attorney Rausch advised that the meeting that was to be held with Mr. Clinton and his attorney regarding acquisition of right-of-way for the Freysville Road traffic signal has been rescheduled to Wednesday.
- B. Attorney Rausch advised that the appeal filed by Dennis Bartnik has been dismissed by the Commonwealth Court.
- C. Attorney Rausch advised that he has received a phone call from Attorney Hoffer regarding the centerline description for Windsor Way. She will be working on this.

13. Public Works Building:

- A. **Payment Requests – Herre Bros. – P-9 - \$25,360.00 & Shannon Smith – H-5 - \$22,985.65 & H-6 - \$2,069.27** – Mr. P. Smith advised that three payment requests have been received. He asked if these trades are responsible for the problems at the Public Works Building. Mrs. Gunnet stated that Herre Bros. is not involved. She stated that Shannon Smith has installed the heaters to the bid specifications from Paragon Engineering. She stated that Mr. Trout had reviewed the manual and discovered that it was not installed in accordance but this issue has been corrected. Mrs. Gunnet advised that there are issues with the heating but everything seems to be installed properly.

Mr. P. Smith asked what amount is still due for engineering work from LSC Design. Mrs. Gunnet advised that she did not know as it is based on time and materials. She stated that the Township will receive an invoice because of reviewing these payment requests. Mr. P. Smith stated that he does not want to pay any future invoices to LSC Design. The Board agreed. Mr. Heffner asked if the Township can hold a meeting with Paragon Engineering. Mrs. Gunnet advised that Mr. Trout had spoken with

representatives from Paragon but they speak in technical terms that are difficult to understand.

Mr. Heffner asked if the heater that is in the wash bay should be located there. Mrs. Gunnet stated that it can be located there but it only gets to 53 degrees. The Board advised that they would like to have LSC Design present at a meeting to discuss the issues. They stated that they would like to have Kathy Conley present. Mrs. Gunnet suggested have Jack Stitz present also. The Board agreed.

On the motion of Jan Smith seconded by Dean Heffner, the Board approved payment requests P-9, H-5 and H-6. Motion carried. Three votes yes.

14. Other Business:

A. **Resolution #09R-01-01 – Appoint Kochenour, Earnest, Smyser & Burg to audit 2008 financial records** – A certified public accountant firm needs to be appointed to audit the 2008 records. On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Resolution. Motion carried. Three votes yes.

B. **Agreement with York County Solid Waste Authority – Purchase of recycling bins** – Mrs. Gunnet advised that at the last meeting, the Board had approved the purchase of larger recycling bins through the York County Solid Waste Authority. She stated that once the contract is approved, a design for the bin will be created. She noted that she was only going to do a generic design since the items that are accepted for recycling may be changing. Mrs. Gunnet commented that the Township will only need to pay for 25% of the cost for the bins. She added that the cost may even be reduced if Act 902 grants become available.

Mr. J. Smith asked how many bins were going to be purchased. Mrs. Gunnet advised that the Board had agreed on 4,000. She stated that this is not enough for all households in the Township but it had not been discussed on how to handle the distribution of the new bins. Mr. J. Smith commented that he does not want to pay full price for the bins later if the Township is able to purchase them at the reduced rate now. Mrs. Gunnet stated that most likely the price would increase. She noted that the amount of bins could be increased because the contract does not list a specific amount and she has not purchased the bins yet. The Board agreed to purchase 7,000. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the contract with the York County Solid Waste Authority and authorized the Chairman to sign it. Motion carried. Three votes yes.**

C. Approval to purchase financial software – Five year purchase agreement – Mr. P. Smith advised that the Board has received information on the payment breakdown for the

purchase of new financial software. It was noted that there is no price break for paying off prior to the five years. It was the consensus of the Board to purchase the financial package with a five year payment agreement.

- D. Update of website – Mrs. Gunnet advised that a recent Township News article dealt with websites. She stated that our website has not been updated since it was created. She noted that some additional buttons have been added. She asked if the Board is interested in updating the website. Mr. P. Smith stated that he does not think it is broken and therefore does not need to be fixed. Mrs. Gunnet commented that she feels the home page is cluttered but does not think that people search the entire site to find items. Mr. J. Smith stated that he believes that Larry Haas works with websites and recommended that the Township work with him. Mr. P. Smith asked if PSATS is offering a service. Mrs. Gunnet stated that she did not think they are. Mr. P. Smith stated that he is interested in seeing how many people use the website. Mrs. Gunnet advised that she will check to see if a counter can be added and what the cost would be.
- E. Mr. P. Smith advised that a public meeting for the MA & PA Community Greenway Feasibility Study will be held at the Township Office on January 14th at 7:00 p.m. Mrs. Gunnet and the WARC Recreation Director will attend.
- F. Security Reduction – Chatham Creek, Phase I – Maintenance Bond & Chatham Creek, Phase II – Maintenance Bond – Mrs. Gunnet advised that she has received a security request for Chatham Creek, Phase I – Maintenance Bond in the amount of \$163,428.53 to bring the balance to \$250,115.19 and a request for Chatham Creek, Phase II – Maintenance bond in the amount of \$257,955.16 to bring the balance to \$188,362.00. Mr. Reichard and Keystone Custom Homes have come to an agreement on these reduction amounts. **On the motion of Jan Smiths seconded by Dean Heffner, the Board approved the security reductions. Motion carried. Three votes yes.**
- G. **Extension of Site Improvement Agreement – Rosebrook II** – Mrs. Gunnet advised that a bond was posted for security for Rosebrook II. This requires that a Site Improvement Agreement be approved giving one year for the work to be completed. The development is not complete and the developer is requesting a one year extension. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved a one year extension for the Site Improvement agreement for Rosebrook II. Motion carried. Three votes yes.**
- H. **Resolution #09R-01-02 – Creation of Vehicle & Equipment Fund** – Mr. P. Smith advised that this Resolution will create a new fund. The Board has a copy of the Resolution. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Resolution. Motion carried. Three votes yes.**

- I. Mrs. Gunnet advised that the Electronics Recycling will be held on Saturday, January 10th from 9:00 a.m. to 12:00 p.m. at the Public Works Building at 970 White Oak Road. The snow date is Saturday, January 17th at the same time and location. Should the event need to be cancelled, it will be broadcasted on 910 WSBA.
- J. Mrs. Gunnet advised that Christmas Tree collection will held the week of January 19th on the same day as regular trash pickup. The trees should not be placed in bags and should be clear of ornaments and tinsel.

15. Old Business

- A. Panorama Hills Pump Station update – There was no update.
- B. Joint Stormwater Drainage Study – There was no update.
- C. Residential Rental Tax Ordinance – The Ordinance is still being investigated in the court system.
- D. Adoption Resolution – Windsor Way – Discussed under 12C.
- E. Drainage at Freysville Park, Field #1 – There was no update. Mr. P. Smith requested that he be provided with engineering costs for this project.
- F. Verification of building setback compliance – Mr. Allison is working on this.
- G. Intergovernmental Cooperation Ordinance and Agreement with Windsor Borough for Joint Comprehensive Plan update – Ordinance 09-01-01 – Mr. P. Smith advised that the Ordinance has been advertised for adoption. Mrs. Gunnet advised that this allows the Township and the Borough to work together to provide for all zoning classifications in conjunction with the Comprehensive Plan update. She noted that both will have their own Zoning Ordinance. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Ordinance and Agreement. Motion carried. Three votes yes.**
- H. Possible land purchase – Mrs. Gunnet advised that she should have the results from the appraiser this week. She noted that should the Township decide to proceed, the property owner will need to subdivide the property. She asked the Board to consider how they may want to handle the cost to do this.

16. Public Comment – There was none.

17. Mr. P. Smith asked the Board if they had any comments.

Mr. Heffner requested that Mr. Allison look into changing the regulations for the Cluster Overlay Zoning. He stated that he feels it needs to be updated and changed before the Board approves any more developments under the Cluster Overlay. The Board agreed. Mrs. Gunnet stated that since the Ordinance is written that it is the Board's decision, they can say no to developers.

Mr. J. Smith advised that he did not have any comments.

Mr. P. Smith stated that he has received a letter from PennDOT in response to an invoice that the Township had sent for salt and anti-skid used on State roads during recent storms. They have stated that they do not have an agreement with the Township for snow removal. They stated that they did not request service from the Township and therefore will not be reimbursing the Township for materials used. Mr. P. Smith read a section of the letter, noting that they are requesting that in the future the fire companies and police department contact them directly if there are issues on their roads. Mr. P. Smith stated that he feels we should abide by their request. The Board agreed and advised Mrs. Gunnet to notify the fire companies and police department that they must contact PennDOT.

18. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved for payment. Motion carried. Three votes yes.

19. The meeting of the Windsor Township Board of Supervisors adjourned at 7:50 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

January 5, 2009

Gerald Miller	830 Marvell Drive York PA
Vera Miller	830 Marvell Drive York PA
Yvonne Emenheiser	1027 Hastings Boulevard York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Bud & Bobbie Zimmerman	860 Zimmerman Road Red Lion PA
Scott Gingrich	Felton Volunteer Fire Company
Ronald J. Norman	390 Manor Road Red Lion PA
Charles Silar	1500 Windsor Road Red Lion, PA
J. LaRue Harvey	142 Meadow Hill Drive York PA
Ray Clinton, Jr.	535 West Heatherfield Way Red Lion PA