

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
July 20, 2009

1. The meeting of the Windsor Township Board of Supervisors was called to order at 6:00 p.m. by Chairman Paul Smith.

Those present: Paul Smith, Jan Smith, Dean Heffner, Attorney Charles Rausch, Jason Reichard, Jennifer Gunnet, Jeremy Trout, Kipp Allison 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 Dean Heffner, the minutes from the June 15, 2009 meeting were approved. Motion carried. Three votes yes.

4. The following items of correspondence were presented:

- 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. Mrs. Gunnet advised that she has received a letter from Congressman Todd Platts informing that a FEMA workshop will be held on Tuesday, July 21st at Dover High School. The topic of discussion will be regarding the changes to the floodplain insurance rate maps. The Township is in the process of making the necessary changes to our ordinances. Mr. Allison will attend the meeting.
- C. Mrs. Gunnet advised that she has received a letter from Tamara Bosley-Brango regarding the use of school buses on the streets in Rose Brook. She stated that the streets have not been adopted by the Township. Therefore the school district will not take their buses into the development. She noted that Ms. Bosley-Brango is present.

Ms. Bosley-Brango advised that there are two bus stops on Dietz Road for the children in Rose Brook. She stated that the locations are dangerous. She noted that she has worked with Mr. Trout and additional signage has been added in this area. She questioned why the Township cannot adopt the streets so that the buses can go into the development. She commented that perhaps the Red Lion Area School District could change their statutes.

Mr. P. Smith asked her if she has contacted the developer. She stated that she has not. Mr. P. Smith commented that this is where she should start because the Township will not take over an uncompleted street. He added that the Township holds a bond to complete the streets. However, the Township will not collect on it unless the developer does not intend to finish the work.

Robert Holweck advised that he is the developer of Rose Brook. He explained that the streets in Rose Brook are not completed because the truck traffic into Rose Brook II must use these streets as there is currently no access onto Windsor Road. It was noted that the 55 lots in Rose Brook are completed but there are approximately 15 of the 78 lots in Rose Brook II that are not built on yet. He advised that it is his intention to have the streets ready for adoption next year. Mr. P. Smith asked if this is the case even if the remaining lots do not have homes constructed. Mr. Holweck advised that the streets will still be ready for adoption. Ms. Bosley-Brango asked if there would be more homes constructed in the area. Mr. Holweck advised that the development that would connect Rose Brook II to Windsor Road is on hold due to the housing market.

Ms. Bosley-Brango stated that they had a situation at the one bus stop where a car passed the bus. Fortunately the police department was able to follow up and the driver received a citation. Mr. J. Smith asked if the children are crossing the street to get on the bus. Ms. Bosley-Brango advised that they do not. She stated that the road is windy and is not comfortable waiting another school year. Mr. Trout advised that part of the problem is that people travel too fast on the road. Mr. J. Smith asked if the cars of the parents dropping their kids off are parking along the road and adding to the issue. Ms. Bosely-Brango stated that none of the parents park along Dietz Road. They park within the development. Mr. J. Smith advised that the Board will request to have the police department present when school starts. Ms. Bosely-Brango stated that she does not agree with the decision to wait another year.

- D. Mrs. Gunnet advised that she has received notification from Comcast that lineup changes will take effect on July 30th. She noted that they have also changed the office hours for their Customer Service Center.
- E. Mrs. Gunnet advised that she has received letters from the Red Lion Area Senior Center, VNA Home Health and the York County Quick Response Team thanking the Township for their donation.
- F. Mrs. Gunnet advised that she has received the Remedial Investigation/Risk Assessment Report from MACTEC, the engineering firm for USG Interiors, regarding the Tate Access Floors site. She stated that when the property was previously owned by USG Interiors, there were groundwater contamination issues. PennDEP required that well testing be done in the area and reports compiled. The testing shows that the contamination continues to decrease. Testing must be completed until the contamination is eliminated. There is a 30 day review period for the Remedial Investigation/Risk Assessment Report. It is available for review at the Township Office. Mr. P. Smith commented that this has been ongoing. Mrs. Gunnet agreed, adding that it is unlikely that public water would be required to be extended.

- G. Mrs. Gunnet advised that the Board has received the audit report for 2007 for the Windsor Area Recreation Commission. Mr. J. Smith asked why there are different ending balances on the last page of the report. Mr. P. Smith advised that there was no comment on this at the Windsor Area Recreation Commission meeting. Mrs. Gunnet advised that she will contact the company that performed the audit for clarification.
5. Windsor Township Fire & Rescue Association – Dan Orwig advised that he does not have anything to report. Mr. P. Smith questioned the status of the Knox box program. He noted that an ordinance was to be provided to the Township but has not been done yet. Mrs. Gunnet explained that when Barry Myers was present at a previous meeting he had commented that he thought York Township may consider a shared program. Mr. Orwig advised that they are not willing.
6. York Area Regional Police Department – Officer Spangler advised that he has nothing to report. There were no questions for him.
- A. Mr. P. Smith advised that the Monthly Reports for May and June are available for review.
7. Danny Chronister – Seepage pit issues – Mr. Chronister advised that he lives at 3807 Starview Drive. He explained that there is a pipe that collects storm water from the development that flows diagonally across his property. The water then collects in a seepage pit located in the rear of his yard. He noted that Mr. Allison and Mr. Trout were both out on site with him. He commented that he feels that the pipe has disintegrated or the seepage pit is malfunctioning. He stated that he now has sinkholes in his yard and water is washing out his yard. He advised that he was going to try to work with the developer for the condominiums that were to be constructed behind his home but they have put their project on hold due to the housing market. Mr. Chronister stated that he has been told that the Township has no responsibility but if excavation work needs to be done, it will be costly. He commented that the water is coming from the community, not just his property. He advised that he is asking for financial assistance from the Board.

Mr. P. Smith stated that if he has owned the property for 15 years as he has stated, regular maintenance should have been done. Mr. Chronister commented that when he contacted the Township, he became aware that it is his responsibility as the property owner.

Mr. Trout advised that the Township was out on July 15th and camera checked the line. He stated that they were only able to go about fifteen feet. He stated that at some point there is a disconnection in the pipe between the inlet and the junction box. It is filled halfway with dirt as well. Mr. J. Smith asked if Meadow Hill Drive was constructed at this time. Mr. Allison advised that he looked over the plans to see what calculations were being used for the amount of water being piped to this location but since the plans are older, the figures were not available. Mr. J. Smith commented that he is surprised that the water is all sent to this location. Mr. Chronister gave the Board pictures he had taken of his yard. Mr. Trout advised that it appears that a portion

of several streets drain to an inlet that is piped to Mr. Chronister's yard. Mr. P. Smith stated that the Township is not responsible, he does not want to foot the bill. Mr. J. Smith commented that he thinks the engineering is wrong and public storm water is being dumped onto a private lot.

Attorney Rausch asked what is located to the south of his property. Mr. Chronister advised that it is the Wisheaven Condominiums. He added that he thought he would be able to work with them toward finding a solution. However, that is not going to happen and the problem is getting worse. Mr. P. Smith questioned where the problem is located. Mr. Allison advised that there is a disconnection before the water reaches the pit. It is on Mr. Chronister's property. Mr. Trout added that they are unable to see if the pipe is perforated as designed. Mr. Heffner advised that if it has not been maintained, the silt could be causing the problem. Mr. J. Smith asked how deep the seepage pit is. Mr. Trout advised that it is 4' deep and has 4" ballast. Mr. P. Smith stated that the pipe needs to be unclogged first. Mr. Reichard advised that there is a note on the subdivision plan that stated that it is the homeowner's responsibility for maintenance. Mr. Chronister stated that he was hoping that the Board would help with the costs. Mr. Heffner commented that it sounds like the system worked five years ago when the development was built out. So it appears to be a maintenance problem. Mr. P. Smith added that it will continue to get worse if not maintained.

John Stewart, 3088 East Prospect Road, stated that he feels the Township has created monsters with detention ponds. He commented that he feels all the neighbors should be made part of the maintenance but since this is not the case, the Township should assist with the cost.

Diane Folkenroth, 4012 Charity Drive, stated that older things are bound to go bad and does not feel this should all be Mr. Chronister's problem. She stated that she thinks this is the Township's problem. Mr. P. Smith noted that the subdivision plan specifically stated that the property owner would be responsible for the maintenance. He added that in many cases, these types of lots are sold at a reduced rate. Ms. Folkenroth commented that it was buyer beware. Mr. Chronister stated that his lot was not discounted and the storm water facilities were not disclosed.

8. Plans for Approval:

- A. **RONALD G. WOODS – Final Subdivision Plan #L-5231 by Gordon L. Brown & Associates for 3 lots along Husson Road** – Lee Faircloth with Gordon L. Brown & Associates advised that this plan creates three lots along Husson Road. The lots will be served with onsite septic and wells. He noted that the Windsor Township Planning Commission has approved the plan and all conditions have been met. Mr. Allison and Mr. Reichard advised that the plan is ready for approval. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the plan. Motion carried. Three votes yes.**

- B. **MARK & TIFFANY SOWERS – Final Subdivision Plan #A09-007 by Stahlman & Stahlman along Shaw Road** – Jerry Stahlman with Stahlman & Stahlman advised that this plan creates two lots. The tract is 50 acres in size of which 20.5 acres will be added to Lot 2. The balance will remain with the residual tract. Mr. P. Smith noted that the plans were brought to the Township without signatures. Mrs. Gunnet advised that the Township has been doing some of the legwork with this plan. Mr. P. Smith commented that this does not follow the Township's procedures. Mr. J. Smith asked how the plan would get signed. Mrs. Gunnet advised that it would be taken to the York County Planning Commission and they would sign it. Attorney Rausch added that the mortgage also needs to be released which has not been done yet. He noted that this should be made as a condition to plan approval. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the plan with the condition that it is signed by the York County Planning Commission and Mr. Reichard and that the mortgage on the property is released. Motion carried. Two votes yes. Mr. P. Smith voted no.**

9. Plans for Discussion:

- A. **SPRING VALLEY POOL SITE – Preliminary Land Development Plan #A-06-023 by Stahlman & Stahlman, 97 townhouses along Lombard Road – Left turn lane and an acceleraton/deceleration land on Lombard Road and Resolution #09R-07-01 – Authorization for Chairman & Vice Chairman to sign Highway Occupancy Permit Condition Statement** – Jerry Stahlman with Stahlman & Stahlman advised that there has been previous discussions regarding a turning lane on Lombard Road to access the proposed townhouse development. The Windsor Township Planning Commission recommended a 75' stacking lane. Mr. P. Smith questioned what he is asking for this evening. Mr. Stahlman stated that they need a letter noting that the Township is requiring a left hand turn lane for the development. Mrs. Gunnet explained that the traffic study that is required by the Township's Subdivision and Land Development Ordinance warrants a left hand turn lane be installed in the eastbound direction on Lombard Road. PennDOT is not requiring the turning lane because the development has less than 100 units thus not requiring a traffic study. Because the traffic study required by the Township is recommending the turn lane, a letter must be sent to PennDOT notifying them. Mr. J. Smith asked how long it would be until a traffic signal would be installed in this location. Mr. Stahlman advised that the intersection does not meet the requirements for a traffic signal. Mr. Heffner stated that he has no issue with providing a letter. Mr. J. Smith agreed but added that he still does not like the right-in/right-out access.

Mrs. Gunnet advised that they will need to install storm water pipes along and across Lombard Road. This would make the Township responsible for maintenance of the pipes. She stated that a note has been added to the plan to remove the responsibility from the Township and place it on the developer. Since the permit is in the Township's name, a

condition statement must be signed by the Chairman and Vice Chairman and approved as a resolution. **On the motion of Jan Smith seconded by Dean Heffner, the resolution was approved. Motion carried. Three votes yes.**

10. Solicitor:

- A. Windsor/Freysville Intersection – Ray Clinton appraisal – Attorney Rausch advised that a meeting was held with Mr. Clinton and his attorney in April to negotiate the right-of-way required for the installation of the signal light at the Freysville and Windsor Road intersection. It was agreed that both the Township and Mr. Clinton would obtain appraisals. The Township has obtained an appraisal. However, Mr. Clinton has not provided one. Mr. Clinton was present. He stated that he did have an appraisal done but just received it and has not had a chance to review it. Mr. P. Smith asked when he intended to look at it. Mr. Clinton advised that he needs to contact his attorney. Mr. P. Smith stressed that a schedule needs to be set so the plans can move forward. He noted that this project has been going on for two years and it cannot continue to be prolonged. Mr. Heffner suggested that a week be given to receive the appraisal or have Attorney Rausch proceed. He commented that he hates to drag it out until the next Board meeting. Attorney Rausch addressed Mr. Clinton, telling him that he needs to forward the appraisal to his attorney. Mr. P. Smith requested that he respond within seven days. Attorney Rausch added that he will contact Mr. Clinton’s attorney to let him know that he should be receiving it. There was discussion as to whether a meeting should be held prior to the Board meeting on August 17th.

11. Township Engineer:

- A. **East Prospect Road – Curve realignment** – Mr. Reichard advised that the Board has received a letter notifying them that there will be a utility conflict when the roadwork is done to realign the curve on East Prospect Road. He advised that a portion of the sewer line will need to be relocated. He estimated it to be 105’ of pipe and 3 or 4 manholes. The cost is estimated at \$56,000. The proposed start date for the project is April 1, 2010. The piping will need to be relocated prior to that. He stated that the paperwork from the State says that the cost “may be reimbursed”. Mrs. Gunnet advised that there are forms that will need to be filled out. She noted that when Route 74 was paved, the Township was reimbursed. The Board agreed that they do not want to pay if there will be no reimbursement. They advised her to contact PennDOT to see if the Township will be reimbursed. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved for C.S. Davidson to move forward with engineering work with the condition that the Township will receive 100% reimbursement from PennDOT. Motion carried. Three votes yes.**

12. Public Works:

- A. Mr. P. Smith advised that the Board has received the Monthly Report for July. He asked the Board if they had any questions. There were none.
- B. Leaf Vac – Mr. J. Smith advised that the Board has received a quote for a leaf vac in the amount of \$298,550. He questioned if this includes extras like a plow, spreader or radio. Mr. Trout advised that the leaf vac would be equipped to add accessories but the price does not include any. Mr. J. Smith advised that he needs to include those costs. Mr. Trout estimated it to be over \$10,000. Mr. P. Smith asked if the Township were to order the vac today, when it could be delivered. Mr. Trout stated that it would be 60 to 90 days. Mr. J. Smith asked what the cost is for the compactor. Mr. Trout advised that it would be \$30,000 to \$40,000 and is included in the quote. Mr. Heffner commented that he is not sure that the compactor is necessary. Mr. P. Smith added that he has not been shown how many loads will be saved by the use of the compactor. He added that he would like a firm delivery date if we were to order it for this year. Mrs. Gunnet advised that due to timeframes, it will not be able to be purchased for this year before leaf collection would start. Mr. P. Smith stated that he would like to see the piece of equipment in action. Mr. Trout explained that the Township that has this leaf vac weighs the equipment to see what has been collected. They only collect half the amount of loads that we collect. He added that if we were to order the truck early next year, it could be used in the summer. Mr. J. Smith asked if grant money could be used to pay for it. Mr. P. Smith advised that the Township would need to purchase it first.
- C. York Water Company – Contribution towards repairs of Bahn’s Mill and Zion church Roads – Mrs. Gunnet advised that the Township has received a check from York Water Company which covers half of the anticipated costs for repairs. She stated that she has sent a letter thanking them.
- D. **Revised Maintenance Personnel & Equipment Fee Schedule** – Mrs. Gunnet advised that this schedule is what is used when there are mutual aid requests. It has been updated from the 2006 costs. It includes the rate for a piece of equipment with an operator. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Revised Maintenance Personnel & Equipment Fee Schedule. Motion carried. Three votes yes. Mr. P. Smith commented that some of the rates were substantially different.**
- E. Manhole & Wet Well Rehabilitation bid results – Mrs. Gunnet advised that the bid results are attached to the Board’s agendas. Mr. Trout advised that the low bidder is PIM Corp. However, they need to provide a 10 year performance warranty and guarantee that they meet or exceed the Township’s specifications. He stated that if they are unable to provide this documentation, he suggests that the Board award the bid to second low bidder as long

as they can provide the same guarantee. **On the motion of Jan Smith seconded by Dean Heffner, the Board awarded the bid to the low bidder with the condition that they can provide the necessary documentation and to the second low bidder with same condition should the low bidder not be able to provide it. Motion carried. Three votes yes.**

- F. Cat loader repairs & Skid loader info requested by Board – Mr. Trout advised that the Cat loader is still at Cleveland Bros. He noted that he has provided the Board with additional information. He added that if the Township would buy a used loader, the state contract pricing does not apply. It was discussed trading the Cat loader in on a skid loader. Mr. Heffner commented that he saw a 2007 skid loader with 170 hours for \$36,600. Mr. J. Smith stated that he saw a skid loader with 98 hours for \$24,000. Mr. Trout advised that the cost for a new one, including the trade in of \$7,000, would be \$37,088. He added that the trade in value could be negotiated. Mr. P. Smith asked if it would have a bucket. Mr. Trout advised that it would. He stated that he would like to add a cold planer, too. Mr. P. Smith asked what the cost would be. Mr. Trout estimated it between \$8,500 and \$9,000. A slot cutter would be about \$7,200. Mr. Heffner asked why a broom is needed. He stated that the work can be done by hand. Mr. Trout advised that it takes much longer to do by hand and is less efficient. Mr. P. Smith asked the Board if they want to negotiate. Mr. Heffner stated that he feels the planer should be purchased. Mr. Trout commented that he feels he can get a slot cutter cheaper than the quote. Mr. P. Smith asked what attachments Lower Windsor Township has. Mr. Trout stated that they have a smaller milling head that is used to connect streets. The one that he is proposing is for base repairs. Lower Windsor Township also has forks. Mr. P. Smith suggested sharing equipment whenever possible. It was the consensus to negotiate the costs with Cleveland Bros. to trade in the Cat loader to purchase a skid loader.
- G. Discussion on mowers – Mr. P. Smith asked if the other Kubota mower to demo has been received. Mr. Trout advised that it should be delivered on July 27th. Mr. P. Smith suggested demoing a Lexmark also.

Mr. J Smith asked if the mowing has been cut back. Mr. Trout advised that they are actually behind on mowing. Because of the wet spring, it has been hard on the mowers. He commented that when there is wet weather, it will need to be kept on top of. He noted that some complaints had been received. The Board stated that most of the complaints are on State roads.

Mr. J. Smith asked if the issue with the bridge obstruction had been handled and advised that a letter be sent if it has not been.

13. Public Works Building:

- A. **King's Fire Protection, Inc. – Fire sprinkler inspection** – Mrs. Gunnet advised that she has received a quote from King's Fire Protection, Inc. for an annual inspection of the fire sprinkler system. The quote of \$195 includes cleaning heads, checking pressure and alarms. A report will also be sent. Mr. J. Smith stated that we want to make sure the system is working properly. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the contract with King's Fire Protection, Inc. in the amount of \$195. Motion carried. Three votes yes.**

- B. Date for **Open House** – Mrs. Gunnet advised that the Board had discussed having an open house at the end of September or early October. She questioned if they had determined a date. It was the consensus of the Board to hold it on **October 3rd from 9:00 a.m. to 1:00 p.m.** The Board asked that the employees be present. Mr. Heffner stated that stations could be set up at which an employee could be present to explain. Mrs. Gunnet noted that the open house will be advertised in the newsletter.

14. Other Business:

- A. Mr. P. Smith advised that the August 3rd meeting has been cancelled and the next Board meeting will be held on August 17, 2009 at 6:00 p.m.

- B. Mr. P. Smith advised that the Board has received the Township Manager's Report for June. He asked the Board if they had any questions. There were none.

- C. Mr. P. Smith advised that the Zoning Report for June is available for review.

- D. Mr. P. Smith advised that the 2009 Building Permit Summary for the first half of 2009 is available for review. The figures have decreased from last year.

- E. Mr. P. Smith advised that the Dog Officer's Report for June is available for review.

- F. Dog Officer Contract – Mrs. Gunnet advised that the Dog Officer's contract expires in December of 2009. There is a 60 day termination clause in the contract. She stated that there have been issues with Mr. Kohler not returning phone calls or enforcing the Barking Dog Ordinance. She commented that she had left a message for him three days in a row and never received a return call. She explained that she called his assistant and she relayed the message to him. He then called.

Mrs. Gunnet advised that she has contacted Terry Hemler with Hemler Control and he has provided three quotes. The first quote is for \$625 per month with unlimited calls. The

second is an hourly rate of \$42. His time would start from the time he would leave his home until he would return. She noted that Mr. Kohler does work for Hemler Control so there is potential he could still work in the Township but he would be under the supervision of Mr. Hemler. Mr. J. Smith asked how he can do this. Mrs. Gunnet advised that he freelances and there are not many people in this field. The third quote is a \$500 retainer fee, hourly rate of \$16 per hour and \$.65 per mile. The hourly rate would increase to \$24 per hour on Saturdays, Sundays and holidays. She noted that Mr. Hemler lives in Glenville which is approximately a half hour drive. Currently the Township pays Mr. Kohler \$540 per month.

Mr. J. Smith advised that if Mr. Kohler is not returning phone calls and providing the services, he should be terminated. Diane Folkenroth, 4012 Charity Drive, stated that he does not return phone calls. Ute Flinchbaugh, 4104 Charity Drive, agreed.

Mrs. Gunnet advised that Mr. Hemler's phone number is long distance. She noted that if a resident does not want to call long distance, they can call the non emergency phone number for County Control. County Control will contact Mr. Hemler and have him call them back.

On the motion of Jan Smith seconded by Dean Heffner, the Board terminated the Dog Officer Contract with Tim Kohler subject to the 60 day termination clause. Motion carried. Three votes yes.

On the motion of Jan Smith seconded by Dean Heffner, the Board awarded the Dog Officer Contract to Hemler Control at a rate of \$625 per month, effective October 1, 2009. Motion carried. Three votes yes.

Tim Rodgers, 4001 Charity Drive, asked what is required to be a Dog Officer. Mrs. Gunnet stated that you must have liability insurance and a kennel license.

Diane Folkenroth asked what happens if Mr. Kohler does not respond to calls while working for Hemler Control. Mr. P. Smith advised that Mr. Kohler would have to report to Mr. Hemler.

- G. **FC Elite soccer teams to use fields** – Mrs. Gunnet advised that a request has been given by FC Elite, a youth soccer team within the USA United League, to use Workinger Field as their home field. They currently do not have a home field. Mr. P. Smith asked if there are charges to use a field. Mrs. Gunnet advised that it is \$50 for four hours. Mr. J. Smith asked if this would cause the fields to be overused. Mrs. Gunnet advised that they would only be using it four Sundays. She stated that the league has a 4 hour cancellation policy because there are teams travelling from out of the area. She noted that the Township

would have to be conservative and close the fields early in the event of rain. Mr. Heffner asked who would be working on scheduling to make sure it does not interfere with our programs. Mrs. Gunnet advised that Ms. Ashby would handle that but the Township would collect the fee. **It was the consensus of the Board that the rental fee would apply.**

- H. **Expiring Security – Jim & Nina Argento – Ezios Way off Locust Grove Road & Linkous Builders – Windsor Meadows** – Mrs. Gunnet advised that the security for these projects will expire before the next Board meeting. She noted that she has contacted the Argentos and they have stated that new security will be posted. She commented that Linkous Builders has unpaid engineering invoices and no Building Permits are being issued in the development. They had posted security in the form of a performance bond. She advised that the building lots are up for Sheriff's Sale on August 17th. She noted that the developer would still own the streets. Attorney Rausch recommended that the Board authorize the collection on the sureties. **On the motion of Jan Smith seconded by Dean Heffner, the Board authorized for Attorney Rausch to proceed in the collection of the security if they are not reposted. Motion carried. Three votes yes.**
- I. Authorization to distribute the Joint Comprehensive Plan for Windsor Borough and Windsor Township – Mrs. Gunnet advised that a public meeting was held and the comments from the meeting were passed to the Windsor Township Planning Commission. The Planning Commission did not feel that the comments warranted any changes. She noted that Windsor Borough must also review this and their meeting will be in early August. The draft will then need to be sent to all the surrounding municipalities for review as well as the York County Planning Commission and the Red Lion Area School District. Mr. P. Smith advised that he would like to review the list of comments generated from the last meeting. He commented that he would like Attorney Rausch to attend future meetings. Mrs. Gunnet stated that she believes there will only be one more meeting. Mrs. Gunnet advised that there is a 45 day review period to receive comments after the draft is distributed.

Steve Seitz, Carson Lane, stated that there were plenty of comments at the last meeting. Mrs. Gunnet advised that there were comments at the comprehensive plan meeting but not at the Windsor Township Planning Commission meeting. Mr. Seitz questioned why nothing was changed and how to have it changed. Attorney Rausch asked who wrote down the comments. Mrs. Gunnet stated that they were compiled by Spotts Stevens McCoy. Mr. Seitz asked where he can get a copy. Mrs. Gunnet advised that they are available at the Township Office.

Larry Haas, 5 Sheldon Drive, asked if the plan could be adopted at the next public meeting. Attorney Rausch advised that he would need to check the proper procedure. Mr.

Seitz commented that when the last comprehensive plan was adopted, he feels the residents comments were not taken into consideration. Attorney Rausch advised that the residents have the right to make comments but they may not be incorporated in the plan.

- J. Electronics Recycling Update – Mrs. Gunnet advised that the York County Solid Waste Authority had stated that they were no longer going to allow municipalities to piggyback on electronic recycling collections. However, they are now going to allow it and they will be held the third Saturday of every month. She noted that the Township is only required to have one each year.
- K. Starview Drive detention pond – Mr. J. Smith advised that he has been approached by residents regarding the condition of the Starview Drive detention pond. He stated that we should require it to be cleaned up. Mrs. Gunnet advised that the Township applied for stimulus funding for this project. She noted that the property used to sell frequently because people thought it was a building lot. The assessment has been changed to \$0 for tax purposes so it has not been sold recently. The estimated cost to clean it is \$65,000. Permission would need to be granted to go onto the property.

Mr. Allison commented that the mowing ordinance could be enforced to have it mowed but it would not apply to the trees that are growing. Mrs. Gunnet added that there is no incentive for the property owner to pay the bill either. Mr. J. Smith stated that we cannot let it remain in this condition. Attorney Rausch advised that a storm water district could be created for the properties that flow into the basin. Mrs. Gunnet noted that when Wisheaven Condominiums created their storm water basin, it took into account the Starview Drive pond. Mr. Reichard advised that a design has been done for an outfall structure that could be added to make the pond function properly.

Mr. Heffner stated that there is a detention pond in Windsor Crossing that has trees in it. Mrs. Gunnet advised that the pond is approved as a wildlife sanctuary by PennDEP. Mr. Allison questioned that just because he has approval from the State to use it in this manner, do our ordinance requirements not apply.

Mr. Heffner commented that he would prefer a district. Attorney Rausch advised that he would need to research how to do this. The Board agreed for Attorney Rausch to research how to proceed with a storm water district.

- L. Installation of lights from the Freysville School – Mrs. Gunnet advised that when the Bahn's Mill Road Building was being cleaned out, lights from the one room schoolhouse were found. She stated that they could be hung above the bell in the corridor at the Township Office. She noted that KJS can fabricate a bracket for them to hang on. She added that the Board has received an estimate from an electrician for the electrical work.

Mr. Heffner stated that he feels that the quote is high and feels that it can be done for less using low voltage bulbs. Mrs. Gunnet noted that due to the elevator shaft, the electric would need to be tied in on the other side of the hallway. The Board agreed that the electronic timer could be eliminated. Mr. Heffner suggested using LED bulbs. He stated that he would like to look at the lights and what is proposed on site.

- M. **Ordinance #09-07-01 – Stop signs in Chatham Creek** –Mrs. Gunnet advised that the streets were adopted last fall. However, in order to enforce the stop signs, an ordinance needs to be approved. She stated that it has been advertised for adoption. **On the motion of Jan Smith seconded by Dean Heffner, Ordinance #09-07-01. Motion carried. Three votes yes.**
- N. Website counter – Mr. P. Smith advised that the Board has received a report on the usage of the website. He stated that he thinks that these numbers are high. Mrs. Gunnet agreed. Mr. P. Smith noted that the counter was added to see if changes and additions to the website were worthwhile. He advised Mrs. Coble that it would be at her discretion. Mrs. Coble stated that she feels that some pages can be combined. She added that she likes Manchester Township’s website. She will provide the Board with information on proposed changes.

15. Unfinished Business:

- A. Panorama Hills Pump Station Update – Mr. Reichard advised that additional correspondence was sent to the Board regarding the configuration of the force main for the new pump station. Mr. P. Smith advised that he does not want to discuss the engineering costs at this time. Mr. Reichard asked if the Board had made a decision as to whether they would like to install only an 18” pipe or both a 12” and an 18”. It was noted that the saving for installing only the 18” pipe is approximately \$500,000. Mr. J. Smith stated that he feels this is the way to go. Mr. Reichard advised that with only the 12” pipe, it would support 2,500 homes which is 40% of the total buildout. Mr. Heffner stated that he prefers the 18” pipe. Mr. Reichard noted that it is not much savings to go with either a 14” or 16” pipe.

Robert Holweck advised that the 18” pipe will cost \$1.4 million alone. Eliminating the 12” pipe would help to keep the project costs down.

Mr. P. Smith questioned what would happen if only a 12” pipe was installed. Mr. Reichard explained that there are currently about 300 customers that flow to this station. This would allow an addition 2,200 users. The original study anticipated 2,700 customers by 2016. He noted that based on the housing market, this figure would be less. He advised that there are 2,800 acres in this drainage area. Mr. Holweck added that you

cannot predict what the costs could be in the future. Mr. Reichard advised that Kinsley Construction and York Excavating are going to submit quotes for the work. Mr. Trout commented that some contractors are lowering their prices to get work. It was the consensus of the Board to only have an 18" force main. Mr. Reichard advised that he will look at the plans to see what will need to be redesigned.

- B. Joint Stormwater Drainage Study – Verbal notice of approval – Mrs. Gunnet advised that she has received verbal approval from PennDEP. However, since the State budget has not been approved, they were unable to guarantee that the funding would be available or when the funding would be received. She stated that we could proceed with the study and get reimbursed. She noted that she spoke with the Secretary at Windsor Borough and they have \$5,000 budgeted. The letter that came from Red Lion Borough stated that they would participate if it is economically feasible. She asked the Board if they would like to proceed. Mr. P. Smith asked if it is necessary. Mrs. Gunnet stated that she is not sure if the problem is where the water is originating or if it is due to the location of the creek. She stated that the study would not be able to eliminate the water from street that is coming from the creek. Mr. J. Smith asked if anything was received from Representative Saylor. Mrs. Gunnet advised that there was not. Mr. J. Smith questioned if we should wait for instructions from Representative Saylor. Mr. P. Smith stated that we need to go to Red Lion Borough to see what their plans are. Mr. Heffner questioned if this is only a study. Mrs. Gunnet advised that it is. It was the consensus of the Board to contact Red Lion Borough and to collect the funding from Windsor Borough and proceed.
- C. Verification of building setback compliance – Mr. Allison advised that he received a letter from DCED dated June 29th noting that they had not received the updated ordinance. He commented that this was 3 ½ weeks after it was sent. He stated that he tried to call the number on the letter but it takes him to a different gentleman than listed on the letter. However, this gentleman will be in touch by the end of the week if it is not located. He added that there should be no issue with the timeframe for adoption by FEMA.
- D. Abbington – Speed reduction devices – Mrs. Gunnet advised that the devices were placed on site on both Meadow Hill Drive and Wheatlyn Road from June 16th to the 18th. She stated that the Board has received a report. She stated that the average speed was 33.3 to 33.4 mph. A speed hump is only warranted if the average speed is at least 10 mph over the speed limit. It would be up to the Board if they would want them to be installed. Mr. J. Smith and Mr. Heffner were not in favor. Mr. J. Smith stated that the trip counts show that the streets are not used very often as a shortcut. It was suggested that educational materials be sent to residents. Mr. P. Smith commented that this was a good story. Mrs. Gunnet stated that a committee could be created to decide if speed humps are a good idea. She noted that there has not been an official request for speed humps in Allyson's Crossing.

- E. **Training for performance evaluations** – Mrs. Gunnet advised that she has received a quote from Mosteller and Associates. The Township is too small for the other company to submit a proposal. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the contract with Mosteller and Associates. Motion carried. Three votes yes.**
- F. American Recovery & Reinvestment Act – Projects submitted & Hybrid vehicles – Mrs. Gunnet advised in the newspaper on July 26th there was a section on drinking water and wastewater projects. The Township had not submitted any applications in that category. She stated that she has not heard anything regarding the three projects that were submitted. She questioned if the Board is interested in purchasing a hybrid vehicle. Mr. J. Smith commented that in a car magazine he was reading it stated that they do not know how long hybrid cars will be around. Mr. Trout stated that they are more costly up front. Mr. P. Smith noted that if one can be purchased at half the cost then it may still be cheaper than purchasing a standard vehicle. Mr. Trout advised that when he spoke with Apple Ford, he was informed that they are one year out for delivery.
- G. Proposed Open & Confined Burning Ordinance (Draft #3) – DEP representatives at October 5, 2009 meeting – Mrs. Gunnet advised that she has been in contact with DEP and they agreed to have representative present at the Board meeting on October 5th.
- H. Plaque – Public Works Building – Mrs. Gunnet advised that she has ordered the plaque.
- I. Sale of diesel fuel tanks – Bid results – Mrs. Gunnet advised that the bid was done to sell the tanks both separately and together. She stated that the high bidder is Perry E. Smith and he would like both tanks. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the sale of the diesel fuel tanks to Mr. Smith in the amount of \$1,350. Motion carried. Three votes yes.**
- J. Fence at calcium chloride storage tanks – Mr. Trout advised that he is still working on quotes. He stated that additional fencing is needed at Workinger Field and he wanted to add it to the quote. Mrs. Gunnet explained that it was discussed at the Windsor Area Recreation Commission meeting that the fencing should be extended along the first and third base lines because there is no protection when sitting on the sidelines. Mr. P. Smith commented that this is only more obstacles to mow around. Mrs. Gunnet advised that they would also like to have gates installed at the backstop. Mr. J. Smith stated that the bystanders need to be alert and pay attention. He noted that he is not in favor and asked how this was brought up. Mrs. Gunnet advised that it came before the WARC Board. Mr. P. Smith asked if seating was planned for this field. Mrs. Gunnet stated that it could be installed. It was the consensus of the Board to not pursue the additional fencing.

- K. Herre Bros. – Trench drains – Mrs. Gunnet advised that the issue is still being investigated. It could possibly be that the engineering was wrong, the product was bad or it was installed improperly. Mr. P. Smith asked if we are holding money from Herre Bros. Mrs. Gunnet advised that we are not.
 - L. Health Insurance – Plan Exclusions – Gastric By-Pass – Mrs. Gunnet advised that the Board had previously decided to set a higher deductible for gastric by-pass procedure that is not medically necessary. When she discussed this with the insurance company, they asked why it would be covered at all. The Board agreed and decided to remove coverage for gastric by-pass that is not medically necessary.
 - M. Optional Sales Tax – There was no update.
 - N. **Revision of Duplicate Tax Bill Ordinance – Ordinance #09-07-02** – Mr. P. Smith advised that the changes have been made and the ordinance has been advertised. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved Ordinance #09-07-02. Motion carried. Three votes yes.**
 - O. Painting of fire hydrants – Mrs. Gunnet advised that she contacted both the Red Lion Municipal Authority and York Water Company for the procedure on the painting of fire hydrants. The York Water Company handles the painting. The Red Lion Municipal Authority stated that the Township is responsible but they will assist with the first couple to make sure the painting is done properly. It was noted that this is a possible job for an ARD person. Mr. P. Smith suggested getting more ARD people to help with maintenance.
16. Public comment – Wayne Burg, 4103 Charity Drive, advised that he has two properties beside his that have junk on their property and they do not seem to care. He stated that he has met with Mr. Allison regarding the issue. He noted that he would like to place his property up for sale and his realtor expressed concerns about the adjoining properties.

Mr. Burg advised that since the street have been paved, the speeding has increased. He stated that when the police department's speed device is present, the speeding decreases but then picks up when they are removed. He suggested rolling speed bumps be installed. Mr. P. Smith asked if he has contacted the police department about the speeding. Mr. Burg advised that he has.

Ute Flinchbaugh, 4104 Charity Drive, agreed with Mr. Burg's concerns.

17. Mr. P. Smith asked the Board if they had any comments. Neither Mr. Heffner nor Mr. J. Smith had any comments.

Mr. P. Smith asked Mr. Allison if he has a timeframe on updating the Cluster Overlay regulations. Mr. Allison advised that he has not starting working on it yet. He stated that the results of the Comprehensive Plan could impact the regulations. Mr. P. Smith commented that there is a developer who is waiting to hear back on the decision of the Board. Mr. Heffner advised that it is his understanding that it is at the discretion of the Board to grant Cluster Overlay approval. Attorney Rausch advised that he would look into this. Mr. J. Smith asked if the entire section could be removed from the ordinance. Mr. Allison advised that the Board had already made the decision to not approve any Cluster Overlays until the Comprehensive Plan was approved. Mrs. Gunnet noted that all types of housing would still be provided for. **It was the consensus of the Board to remove the entire Cluster Overlay section from the Zoning Ordinance.**

18. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
19. The meeting of the Windsor Township Board of Supervisors recessed at 9:21 p.m. until 8:30 a.m. on Monday, August 3, 2009 at the Windsor Township Office to discuss the acquisition of right-of-way for the traffic signal at the Windsor and Freysville Road intersection.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

July 20, 2009

Lee Faircloth
Ron Woods
Robert Holweck
Tamara Bosley-Brango
Racel Bosley
Adam Bosley
Anna Fuller
Floyd Fuller
Daniel Orwig
Diane Folkenroth
Stefanie Brennan
John Stewart
Yvonne Emenheiser
Allen Emenheiser
Rick A. Folkenroth
Gene & Bobbie Zimmerman
Charles Wilson
Ute Flinchbaugh
Ray Flinchbaugh
Danny Chronister
Jerry T. Stahlman
Officer Kevin Spangler
Vera Miller
Ray Clinton
Steve Seitz
Larry Haas
Tim Rodgers
Wayne Burg

Gordon L. Brown & Associates
40 Huson Road Felton PA
118 Teila Drive Dallastown PA
1125 Cranberry Lane West York PA
1125 Cranberry Lane West York PA
1125 Cranberry Lane West York PA
1120 Cranberry Lane West York PA
1120 Cranberry Lane West York PA
Windsor Township Fire & Rescue
4012 Charity Drive Red Lion PA

3088 East Prospect Road York PA
1027 Hastings Boulevard York PA
1027 Hastings Boulevard York PA
4012 Charity Drive Red Lion PA
860 Zimmerman Road Red Lion PA
1105 Windsor Road Red Lion PA
4104 Charity Drive Red Lion PA
4104 Charity Drive Red Lion PA
3807 Starview Drive York PA
Stahlman & Stahlman
YARPD
830 Marvell Drive York PA
535 Heatherfield Way Red Lion PA
60 Carson Lane Red Lion PA
5 Sheldon Drive Red Lion PA
4001 Charity Drive Red Lion PA
4103 Charity Drive Red Lion PA