

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
December 7, 2009

1. The meeting of the Windsor Township Board of Supervisors was called to order at 7:00 p.m. by Chairman Paul Smith.

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 Dean Heffner seconded by Paul Smith, the minutes from the November 16, 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 copy of the 2010 Operating Budget for Yoe Fire Company Ambulance. The Board also has a copy.
 - C. Mrs. Gunnet advised that she has received notification from Comcast that they will be realigning channels to keep the HD channels together. There will also be changes that will affect which channels are available on a package. The changes will take effect December 17th.
 - D. Mrs. Gunnet advised that she has received a request from Abel Recon to extend the deadline to complete the **Manhole and Wet Well Rehabilitation** Contract. She stated that the bid gave them until December 15th to complete the work. However, due to the wet weather, they are unable to finish the work within the right-of-ways. They are requesting an extension until May 31, 2010. On the motion of Jan Smith seconded by Dean Heffner, the Board approved the extension.
 - E. Mrs. Gunnet advised that approximately two years ago, the Board had received correspondence regarding necessary repairs to the Springwood Road storm water basin. Grants had been received for a portion of the work and the balance was to be split between the affected municipalities. At that time, the Board had pledged \$2,400. She advised that she has received a letter from Yoe Borough notifying the Township that they are ready to complete the work. She stated that the payment is on the bills list.
 - F. Mrs. Gunnet advised that she has received an invitation from Rescue Fire Company No. 1 to their appreciation dinner which will be held on Saturday, January 16, 2010. She asked the Board to let her know if they plan to attend so that she can RSVP.

- G. Mrs. Gunnet advised that she has received a letter from Commonwealth Code Inspection Service notifying that they will be raising their fees January 1, 2010. She noted that since the Township had contracted with them in 2004 to enforce the Pennsylvania Uniform Construction Code, they have never raised their fees. She stated that the Township will need to revise the fee schedule. She explained that the cost for inspections on a new single family dwelling 2,500 square feet or less will increase from \$340 to \$450. For homes over 2,400 square feet, an additional \$10 per 100 square foot will be added. Mr. P. Smith asked if the cost for mobile home inspections will increase. Mrs. Coble advised that it is the same cost. Mr. P. Smith questioned the increase for decks. Mrs. Coble advised that each inspection increases from \$40 to \$50.

Mr. J. Smith asked if there are different agencies that could be used. Mrs. Gunnet advised that there are other companies. She noted that when this company was chosen, they were the lowest at that time. Mr. J. Smith questioned when a decision would need to be made. Mrs. Gunnet stated that it would need to be determined by January 1st. Mr. J. Smith asked if there have been any problems with them. Mrs. Gunnet advised that there have not been. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the 2010 Fee Schedule from Commonwealth Code Inspection Service. Motion carried. Three votes yes.**

Mrs. Gunnet advised that a resolution to amend the fee schedule will be prepared for the next meeting.

5. Windsor Township Fire & Rescue Association – No one was present.
- A. Mr. P. Smith advised that the next Fire Chiefs meeting will be held on Thursday, December 17th at 7:00 p.m. at the Red Lion Fire Company. Mr. Heffner will attend.
- B. Mr. P. Smith advised that a Survival Program will be held on Tuesday, December 15th at 7:00 p.m. in the Auditorium at the Red Lion High School. He stated that the Township should have representatives present. He noted that he will be attending. Mrs. Gunnet advised that she will also be in attendance.
6. York Area Regional Police Department – Corporal Dyke advised that theft from vehicles is still occurring. He suggested that an article be placed in the next newsletter reminding residents to lock their car doors. He noted that the theft is occurring from unlocked vehicles. Mr. Heffner commented that his neighbor had his car broken into. Mrs. Gunnet advised that the next newsletter will not be sent out until the spring but she will put something on the message board.
- A. Mr. P. Smith advised that the Monthly Report for October as well as supplemental information for September is available for review.

7. Decision – Local Agency Hearing – Dr. & Mrs. Douglas Schmidt – Waiver of Section 2C & D of the Windsor Township Building Permit Ordinance – Mr. P. Smith advised that the Board will be recessing into an Executive Session with legal counsel to discuss this matter.

The meeting recessed at 7:10 p.m. and reconvened at 7:36 p.m.

Mr. P. Smith advised that the Board had received all the necessary information at the November 16th meeting and are prepared to make a decision. **On the motion of Jan Smith seconded by Dean Heffner, the Board granted the waiver with the condition that certification from an Engineer or Surveyor is submitted stating that the proposed addition meets or exceeds the required setbacks. Motion carried. Three votes yes.** The decision will be passed onto Dr. Schmidt's attorney.

8. Solicitor:

- A. Attorney Rausch advised that he has nothing to report.

9. Other Business:

- A. Mr. P. Smith advised that the Board has a copy of the Township Manager's Report for November. There were no questions.

- B. Revision of Non-Uniform Personnel Policy – Mr. P. Smith advised that the Non-Uniform Personnel Policy has been rewritten and the Board has a copy. It was asked how to review it to determine what changes were made. Mrs. Gunnet advised that there is no order but added that all the previous amendments have been included. Mr. P. Smith stated that he feels the policy name should be changed to drop non-uniform. Mr. Heffner and Mr. J. Smith commented that they have some suggestions for additions.

Mr. J. Smith added that it may be beneficial to hold a workshop to review this. Mr. P. Smith stated that at a previous meeting, it had also been discussed to hold a workshop to review the Request for Proposals for Township Engineer. Mr. J. Smith advised that it would be to determine who to interview. Mr. P. Smith questioned if a workshop is necessary and suggested that each Board member choose three applicants that they would like to interview. He noted that this could result in the interviewing of all of the applicants. It was the consensus of the Board to have three applicants chosen for the next Board meeting.

Mr. J. Smith commented that Arro stated that they have done engineering work for Springettsbury Township but they are not their Township Engineer. Mrs. Gunnet stated that they could have done a particular project for them.

- C. Update – Leaf Collection – Mrs. Gunnet advised that leaf collection ended Friday. However, they were out today to collect small piles. Mr. P. Smith commented that most of the leaves have fallen. Mrs. Gunnet agreed but added that there are some properties that did not rake at all. Mr. P. Smith asked if the streets in Kendale had been collected. Mrs. Gunnet advised that all of the properties on Marlowe and Hathaway Garth had raked.
- D. Mrs. Gunnet advised that there will not be a transfer from General Fund to the Vehicle & Equipment Fund this year.
- E. Appointment terms that expire 12/31/09 – Mrs. Gunnet advised that the terms for the York Area Regional Police Commission and Zoning Hearing Board Chairman, Ed Heindel will expire at the end of the year. She noted that she has contacted Mr. Heindel to see if he is interested in continuing to serve but has not heard back from him yet.
- F. Mr. P. Smith advised that the Dog Officer's report for November is available for review. He commented that the report is much better than the previous Dog Officer's report. He asked that Mrs. Gunnet request that he keep a running total of calls starting January 1st.
- G. Extension of Site Agreement – Cambridge Heights, Phase I – Mrs. Gunnet advised that the streets have been adopted in Cambridge Heights. However, there is still work to be completed on the detention basin that funds are being held for. They are requesting a one year extension of the Site Improvement Agreement. **On the motion of Jan Smith seconded by Dean Heffner, the Board granted the extension. Motion carried. Three votes yes.**
- H. Possible update of Fee Schedule – Mrs. Gunnet advised that there is currently no fee to request a Local Agency Hearing. The cost for the advertising and stenographer exceeded \$350, all of which was paid by the Township. She commented that this is similar to the fee for a Zoning Hearing Board application. She added that with the \$350 fee for a Zoning application, if there is only one case in a month, the costs exceed the application fee. She stated that the Township is closer to breaking even if there are two applications for the same month. Mrs. Gunnet noted that the fee schedule can be amended at any time. Mr. P. Smith advised that the Township is here to provide a service. Mrs. Gunnet stated that there were only two months in 2009 that had more than one case. Mr. J. Smith asked if the fee could be changed when multiple cases are submitted in the same month. Attorney Rausch advised that the fee must be uniform. Mrs. Gunnet noted that any changes to the fee schedule do not need to be advertised as it is done by resolution. Mr. Heffner asked Mrs. Gunnet to provide information to see what the actual costs were in 2009. Attorney Rausch commented that there are few submissions for Local Agency Hearings. He added that the Township is not required to hire a stenographer but they must tell the applicant that there will not be one present. He stated that the Township has the

option to split the cost of the stenographer with the applicant. He advised if the Township is going to charge a fee, it must be stated what the fee covers.

- I. Bid results – Demolition of Bahn’s Mill Road administration building – Mr. P. Smith advised that the bid results are attached to the Board’s agenda. Mrs. Gunnet stated that the lower bidders are recycling as much as possible. The low bidder is Robert Gusic Contractor in the amount of \$24,999. **On the motion of Jan Smith seconded by Dean Heffner, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.** Mr. Heffner asked if there is a deadline for the work to be completed. Mrs. Gunnet advised that it would be in June 2010.
- J. **Security Reduction – Stapleton/Kensington** – Mrs. Gunnet advised that a request for Security Reduction has been received for Stapleton/Kensington. She commented that this type of request is not normally heard at the first meeting. However, the Municipalities Planning Code gives 45 days to take action on a request and the time would expire before the next meeting. They are requesting a reduction in the amount of \$75,000 which would bring the balance to \$769,140.90. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the request based on the recommendation of the Township Engineer. Motion carried. Three votes yes.**
- K. Procurement Cards – Mr. J. Smith advised that he read an article in the Township News about a Township that recovered money with this type of card. He stated that it works similar to a credit card but can only be used at certain places. Mrs. Gunnet noted that the Township currently has a credit card. Mr. J. Smith asked if it could be used at Ace Hardware. Mrs. Gunnet advised that it could be used anywhere Visa is accepted. Mr. J. Smith noted that the Township that was highlighted saved \$30,000 but spent quite a bit to save that money. He questioned if there would be any fees to the Township. Mrs. Gunnet advised that she had looked into this and did not see that there would be any fees to the Township. Mr. J. Smith asked Mrs. Gunnet to look into this to see if it would be worthwhile. Mrs. Gunnet noted that the vendor would need to accept a credit card.
- L. Draft Resolution to PSATS regarding fee for PSP coverage – Mr. P. Smith advised that a proposed resolution has been prepared regarding Pennsylvania State Police coverage. Mr. J. Smith commented that the wording is excellent. Mr. P. Smith agreed. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved Resolution 09R-12-32. Motion carried. Three votes yes.**

Mr. P. Smith advised Mrs. Gunnet to send a copy via email to all the municipalities in York County in addition to Representative Saylor and Senator Waugh.

M. Resolutions Accepting the Offer of Dedication:

- 09R-12-01 – GENE H. & TRUDY A. WISE – Grove Road
- 09R-12-02 – JOHN F. MYERS & RUTH G. MYERS – Newcomer Road
- 09R-12-03 – WILLIAM R. & NANCY J. GENTZLER – Southview Drive
- 09R-12-04 – WILBUR J. HENRY, JR. – Locust Grove Road
- 09R-12-05 – GERTRUDE I. SMITH – Bahns Mill Road
- 09R-12-06 – DENNIS S. MYERS – Pleasant Grove Road
- 09R-12-07 – HELEN N. MCCLEARY – Zion Church Road
- 09R-12-08 – DAVID M. LATTERMAN – Gilbert Road
- 09R-12-09 – ROBERT L. LEIPHART – White Oak Road
- 09R-12-10 – ROBERT L. LEIPHART – Freysville Road
- 09R-12-11 – EVAN W. SHAW & BRADLEY L. & BETH ANN SHAW – Manor Road
- 09R-12-12 – EVAN W. SHAW & BRADLEY L. & BETH ANN SHAW – Windsor Rd
- 09R-12-13 – JACK R. & JULIA ANN HALE – Kendale Road
- 09R-12-14 – DENNIS M. & KATHLEEN DOBBIE – Delta Road
- 09R-12-15 – EDSON C. RICHARD – Witmer Road
- 09R-12-16 – RALPH L. & SHIRLEY P. JOINES – White Oak Road
- 09R-12-17 – CHARLES C. & EVELYN L. SNYDER – Circle Drive
- 09R-12-18 – KENT E. NESS & MICHAEL B. WHALEN – Knob Creek Lane
- 09R-12-19 – KENT E. NESS & MICHAEL B. WHALEN – White Rose Lane
- 09R-12-20 – H. LAVERE & ORANCE T. SAWMILLER – Bethlehem Church Road
- 09R-12-21 – ALDARDAN, INC. – Burkholder Road
- 09R-12-22 – WILLIAM N. & LAURA S. FAY – White Oak Road
- 09R-12-23 – TERRY L. GRAHAM – Snyder Corner Road
- 09R-12-24 – TERRY L. GRAHAM – Burkholder Road
- 09R-12-25 – FRANK A. WICKES, JR. – White Oak Road
- 09R-12-26 – EVANGELICAL FREE CHURCH OF YORK – Witmer Road
- 09R-12-27 – ERMA I. GLADFELTER – Springvale Road
- 09R-12-28 – NEDRA A. & PAUL G. RANK – Grim Hollow Road
- 09R-12-29 – BERTHA E. WILLWERT ESTATE – Sinclair Road
- 09R-12-30 – CURTIS E. & JOAN E. SIEGRIST – Valley Road

Mr. P. Smith advised that the resolutions are for the acceptance of right-of-way dedication. **On the motion of Jan Smith seconded by Dean Heffner, the resolutions were adopted. Motion carried. Three votes yes.**

10. Unfinished Business:

- A. Panorama Hills Pump Station Update – Mrs. Gunnet advised that a meeting has been scheduled with Robert Holweck and Keystone Custom Homes on December 18th at 10:00 a.m. to discuss the progress of the project. Mr. Heffner will attend.

- B. Joint Stormwater Drainage Study – Mrs. Gunnet advised that she has submitted the paperwork to the State and she is waiting to hear back from them.
- C. Proposed Open & Confined Burning Ordinance – Draft #5 – Mrs. Gunnet advised that changes have been made and she is waiting for a letter from PennDEP confirming their stance on the outstanding issues as well as the penalties for non-compliance. She noted that she had provided monthly garbage tonnage to the Board. Mr. P. Smith commented that he was surprised that the figures did not fluctuate much but added that the leaves may be taking the place of grass clippings.
- D. Herre Bros. – Trench drains – Attorney Rausch is working on the paperwork to take legal action.
- E. Starview Detention Pond – Mrs. Gunnet advised that the application has been submitted to the Sheriff's Office. They did not foresee a reason to deny the application. She added that a Memorandum of Understanding must be approved with the Sheriff's Office. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Memorandum of Understanding. Motion carried. Three votes yes.**

Mrs. Gunnet advised a letter will be sent to the adjoining property owners notifying them of the work to take place and explaining why there will be guards there. She added that the letter will also address that no dumping is permitted on the property. Mr. P. Smith asked if signage has been posted yet. Mrs. Gunnet stated that the signs have been ordered. Mr. J. Smith noted that there have been leaves dumped there as well.

Attorney Rausch advised that the Inmate Work Crew is a new program through the Sheriff's Office. They provide services at no cost. Mrs. Gunnet added that the workers must go through a procedure to be approved to qualify for the crew. None of them are serving for serious violations or are an escape risk.

- F. Knox Box Ordinance – Ordinance #09-12-01 – Mrs. Gunnet advised that the Knox box ordinance has been advertised for adoption. **On the motion of Jan Smith seconded by Dean Heffner, Ordinance #09-12-01 was adopted. Motion carried. Three votes yes.**
- G. Possible rental of acreage – Mrs. Gunnet advised that she walked the property with Mr. Trout and Mr. Dehoff. She stated that Mr. Dehoff can farm all of the property except the wooded area and a section behind the stockpile. He would keep a 20' to 30' area behind before the plantings would begin. The total area would vary between 16 and 18 acres. Mr. Dehoff has a meter on his equipment to calculate acreage but will not know the exact acreage until the crops are planted. He is willing to pay for 10 acres up front and then will

pay the balance when he knows the exact acreage. The Board agreed to allow Mr. Dehoff to rent the land at a cost of \$65 per acre.

Mr. J. Smith asked if the hedgerow is going to be cleaned. Mrs. Gunnet advised that there is an area where Mr. Sowers had deposited trees stumps over time. It is the plan to clean the area as time allows.

- H. Regulations on Storage of Recreational Vehicles, Boats, Campers, Trailers and Trucks – Mr. P. Smith advised that he feels it would be a good idea to hold a workshop to discuss regulations. Mr. J. Smith commented that he saw many of these items while he was helping with leaf collection.
- I. Change Order – eci – G-16 – Modification to stone release channel – \$6,565.05 – This will be held until next spring.
- J. Request for Proposal – Township Engineer – Mr. P. Smith advised that this was discussed earlier (9B) and each Board member will select three applicants that they would like to interview for the next meeting.
- K. Kendale Force Main – Mrs. Gunnet advised that she had sent letters to Representative Saylor and Senator Waugh regarding the Kendale force main. She stated that she received a copy of a letter that Representative Saylor had sent to DEP. She noted that she spoke with Nadine Hubner from Senator Waugh’s office and he has been contacted about several issues with DEP and they were unaware if he was going to address all of the items at one time or individually. Mr. P. Smith asked Mrs. Gunnet to let them know that this is an urgent matter. Mrs. Gunnet advised that she did express this concern but she can put it in writing. Mr. Heffner suggested sending photos. Mrs. Gunnet advised that she had done this.

11. Public comment – There was none.

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

Mr. P. Smith advised that he is aware that a resolution needs to be signed for reimbursement from PennDOT for the relocation of the sewer line on the “S” curve on Rt. 124. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved Resolution 09R-12-31. Motion carried. Three votes yes.**

13. Mr. P. Smith questioned the invoice to PSATS. Mrs. Gunnet advised that it is the membership for 2010 as well as the subscription to the Township News. She added that they also provide information on legislative updates on a semiannual basis.

Mr. P. Smith questioned if the York Newspaper subscription covers both the morning and evening paper. Mrs. Gunnet advised that it covers both but could be changed for only one. She noted that the evening paper is read less often than the morning paper. Mr. P. Smith asked that the evening paper be dropped.

Mr. J. Smith asked what the invoice to Kerchner Diesel Mechanic is for. Mrs. Coble advised that it is for work at four pump stations.

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

14. The meeting of the Windsor Township Board of Supervisors adjourned at 8:16 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

December 7, 2009

Vera Miller	830 Marvell Drive York PA
Richard Bolton	3018 East Prospect Road York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Yvonne Emenheiser	1027 Hastings Boulevard York PA
Gene Zimmerman	860 Zimmerman Road Red Lion PA
Bobbie Zimmerman	860 Zimmerman Road Red Lion PA
Corporal Keith Dyke	York Area Regional Police Department
Cindy Zawrotuk	Arro Consulting
Charles Silar	1500 Windsor Road Red Lion PA
Larry Haas	5 Sheldon Drive Red Lion PA