

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

February 15, 2010

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

Those present: Paul Smith, Jan Smith, Dean Heffner, Attorney Charles Rausch, Jennifer Gunnet, Jeremy Trout, Kipp Allison and Teresa Miller. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. Mr. P. Smith stated his appreciation to Township employees on behalf of the Board of Supervisors for the efforts that were made to open streets and keep them clear during and after the snowstorms. In addition, a thanks is given to the office staff for fielding phone calls from citizens relating to the snowstorm. Mr. P. Smith stated the Board is mindful of the volunteers, including EMS, fire companies and ambulance companies who also weathered the storms and were out helping citizens and digging out covered fire hydrants. He expressed a thank you to them as well. Mr. J. Smith agreed with Mr. P. Smith's comments and thanked everyone as well. Mr. Heffner agreed with the comments and felt that good planning was used to keep up with the snowstorms and cleanup.
4. On the motion of Jan Smith seconded by Dean Heffner, the minutes of the February 1, 2010 meeting were approved. Motion carried. Three votes yes.

5. 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 the 2009 York County Real Estate Market report had been received and it showed that the number of properties sold in 2009 in Windsor Township was greater than what had been sold in 2008.
- C. Mrs. Gunnet advised that the 2009 Report to the Community from Yoe Fire Co. Ambulance Service. Mr. Hake with the ambulance service will try to be available at the next meeting for any questions.
- D. Mrs. Gunnet advised that her term with the York Area Metropolitan Planning Organization expires at the end of June and they are looking for another representative or for Mrs. Gunnet to be reappointed. Mr. Heffner recommended that Mrs. Gunnet continue serving.

6. Plans for discussion:

- A. Brookfield Crossing – Preliminary Subdivision Plan #2003-16-A by Johnston & Assoc., Inc. for 71 lots along Smith Road. Eric Johnston requested a waiver to extend the length of the cul-de-sac on Carrington Way from 500' to 575' feet. Mr. J. Smith suggested Lot 5 be dropped from Phase I and the cul-de-sac remain at the 500' required by the township ordinance. After a lengthy discussion, a motion was made by Jan Smith seconded by Dean Heffner to deny the waiver. Motion carried. Three votes yes.

Mr. Johnston presented a request for a second waiver requesting a delay in providing information for a sewage pump station that would be required in Phase II of the Brookfield Development. Mr. Johnston stated he hoped that the pump station would not be needed if he could get rights to an easement along the backside of the proposed development, which would enable gravity flow to be used for the sewer system instead of a pump station. After a lengthy discussion, a motion was made by Jan Smith seconded by Dean Heffner to deny the waiver. Motion carried. Three votes yes.

- B. Rockledge – Preliminary Subdivision Plan 32003-29 by Johnston & Assoc., Inc. for 24 lots along Boxwood Road. Mr. Johnston requested a waiver to install 400' of Wyndham Way and 500' of Hearthstone Way, which is a cul-de-sac off of Wyndham Way. The waiver will limit the construction to just ten building lots until Wyndham Way can be constructed in its entirety to provide a second entrance to the development from Smith Road. After a lengthy discussion, a motion was made by Jan Smith seconded by Dean Heffner to deny the waiver. Motion carried. Three votes yes.

Mr. Johnston presented a request for a second waiver for Lot 7 to decrease the required 20' level graded area from the rear of the house to the slope of the swale to approx. 12' to 14'. After a lengthy discussion, a motion was made by Jan Smith seconded by Dean Heffner to deny the waiver. Motion carried. Three votes yes.

Mr. Johnston presented a request for a third waiver to only install curbing and sidewalk on all streets within the Rockledge Development and to install a 6' wide paved asphalt path along Boxwood Road to be used for a bike trail path. It was asked if the trail consultant was satisfied with this. After a lengthy discussion, Mr. Johnston stated they would withdraw this waiver and comply with requirements of the township ordinance.

7. Solicitor

- A. Attorney Rausch advised that a letter has been sent to the surety company for Linkous Builders, the developer of Windsor Meadows, advising them that the developer has defaulted. Attorney Rausch stated there is approx. \$500,000 in improvements left to be done.
- B. Attorney Rausch advised that a letter had been received from the Attorney for the Homeowners Association for Taylor Estates. Gemcraft Homes went into Chapter 11 bankruptcy in November 2009 and the Homeowners Association is expressing their concerns about some of the work getting completed. Attorney Rausch advised he was working with Mrs. Gunnet to get information together to further investigate this situation.
- C. Attorney Rausch advised that a second letter is being sent to Mr. Clinton and that he would like the Board's approval to work with Mrs. Gunnet on putting a contingency plan together on the chance that Mr. Clinton does not respond. Mr. Heffner suggested the use of a storage POD to place Mr. Clinton's belongings in. Attorney Rausch advised this was an option we could consider. Mrs. Gunnet expressed concerns about the amount of items that might be in the barn that would need to be removed. Mrs. Gunnet advised we would have to inventory everything that was removed and placed into storage so there was a record in case Mr. Clinton felt something was missing.

8. Township Engineer

- A. On the motion of Jan Smith seconded by Dean Heffner the current Township projects and plans will be transitioned per the attached list. Motion carried. Three votes yes.
- B. Mrs. Gunnet advised each Board member had a copy of the Act 537 Plan, Status Report #6. She advised there was also a draft of an article for the township newsletter. Mrs. Gunnet advised the public meeting was set for May 3, 2010.
- C. Security Reduction – Stapleton/Kensington - Mrs. Gunnet advised a reduction has been requested and has been approved by the engineer. A reduction is being requested in the amount of \$67,489.00 leaving a remaining balance of \$701,651.90. On the motion of Jan Smith seconded by Dean Heffner, the Board approved the security reduction. Motion carried. Three votes yes.

9. Public Works

- A. Mr. P. Smith advised the Board has received the February report and had no comments at this time.
- B. Mrs. Gunnet advised a change order had been received from Monacacy Valley Electric for the addition of the prevailing wages for the Bahns Mill pump station generator project. The additional cost due to the change will be \$1450. Mr. Heffner requested that a letter be sent to our representatives advising them of the increase in cost to the Township that has resulted from prevailing wage rates being added.
- C. Mrs. Gunnet advised she had received several emails from York County Emergency Management advising that York County is attempting to get included in the Emergency Declaration. York County Emergency Management is requesting the Township provide them with the amount of overtime paid, cost for equipment, costs for materials used and the cost for contractors used with the hopes that we can get some money back. Mrs. Gunnet advised all numbers should be to the County by the end of the day February 18, 2010.

10. Other Business

- A. Mr. P. Smith advised an Electronics Collection is scheduled for Saturday, April 17, 2010 from 9:00 a.m. till Noon at the Public Works Building on White Oak Road.
- B. Mrs. Gunnet advised the Board had a copy of the infrared scanning report from Thermosave. Mrs. Gunnet advised the Township could do some of the work itself such as caulking around the windows. However, putting the insulation in the block around the walls would have to be done by a contractor. Mr. J. Smith questioned the savings that would result from these repairs. Mrs. Gunnet advised the report did not show savings. An audit of the entire building would need to be done to get cost savings and make the Township eligible for any grants that may be available. Mrs. Gunnet advised the cost of a complete audit would be \$1,600. Mr. P. Smith suggested we check with the HVAC to see if we can better synchronize the heating and cooling before proceeding with an audit and a grant. Mrs. Gunnet advised that synchronizing

the heating and cooling is something we can do ourselves. Mrs. Gunnet advised she would contact Worden & Shewell.

- C. Mr. P. Smith advised the Board had the monthly report for the Township Manager and asked if there were any questions. There were no questions.
- D. Mrs. Gunnet advised she spoke with the contractor handling the Bahns Mill building demolition and he advised he has a permit to bring a wide-load piece of equipment down to the site on February 16, 2010. Mr. Allison advised the Building Permit had been received from Commonwealth Code today and would be ready for the contractor to pick up on February 16, 2010.
- E. Mr. J. Smith stated he still feels a cell phone policy should be added to the Personnel Policy. It was decided no further discussion would be held at this time but they would have to work on putting something together to be added to the Personnel Policy.
- F. Mrs. Gunnet advised that she was involved in a conference call earlier in the month with Attorney Cohen regarding the Comcast cable franchise negotiations. Attorney Cohen has drafted a master agreement that was sent to Comcast to cover all the municipalities involved. Once Comcast approves the master agreement, Attorney Cohen will come back to each of the Townships to add individual things that the different municipalities would like. Attorney Cohen has asked how the Board wants to adopt the agreement, either individually or in a joint meeting. Mrs. Gunnet advised that Springettsbury Township has agreed to host a joint meeting at their office to adopt the agreement. Mrs. Gunnet advised that if we hold an individual meeting the Township will be responsible for all advertising costs, but if we hold a joint meeting with Springettsbury Township, the cost for advertising will be equally shared. After a brief discussion, it was decided the Township would participate in a joint meeting. Mrs. Gunnet advised Attorney Cohen's second question to the Township was whether we had received any calls from our citizens advising they wanted cable service but were told they could not get it because there wasn't enough homes in that area. Mrs. Gunnet advised she was not aware of any area other than our Public Works Building and that she had checked with office staff and was advised no calls had been received. The Board did not know of any areas either.
- G. Mr. P. Smith advised the Zoning Officer's report had been received and was available for review.
- H. Mr. P. Smith advised the Dog Officer's report for January had been received and was available for review.
- I. Mrs. Gunnet advised she had received a message on the message board questioning why there was a 4 way stop at the intersections of Dietz Road, Johns Road, Dyan Drive & Dietz Road. Mrs. Gunnet responded to the message advising a traffic study had been done in 1996 for this intersection and based on the findings, it was posted accordingly. Mrs. Gunnet advised that the individual sending the message questioned why the intersection wasn't set up so that those making a right turn on Dietz Road could make the right without stopping. The Board was in agreement that no action would be taken at this time.

- J. Mrs. Gunnet advised that the bond for the Site Improvement Agreement posted by Tim Pasch for Taylor Estates, Phase II, Lot 1 expires February 20, 2010 and she has not received anything from Mr. Pasch to renew it. Attorney Rausch advised if the Township collects the money, they will be obligated to complete the work. Mrs. Gunnet expressed concerns about losing the bond if we don't attempt to collect money for the improvements. Attorney Rausch advised the Township did not have to collect the money immediately. They could wait to see what Mr. Pasch's intentions are and collect the money at a later date if Mr. Pasch does not extend the bond or complete the work per the agreement. Attorney Rausch requested that Mrs. Gunnet forward the Surety bond to him.

9. Unfinished Business

- A. Panorama Hills Pump Station update – Mrs. Gunnet advised there was no update at this time.
- B. Joint Stormwater Drainage Study – There was no update.
- C. Proposed Open & Confined Burning Ordinance – Draft #5 – There was no update.
- D. Herre Bros. – Trench drains – Attorney Rausch advised he is waiting on LSC to issue their official opinion on the defect in the construction of the trench drain. Attorney Rausch advised he would follow up with LSC.
- E. Starview Drive detention pond – Mrs. Gunnet advised she had left a message for Lieutenant Godfrey to see if work would be able to start on February 22, 2010 due to the condition of the detention pond after the recent snowstorms. She had not heard back from him.
- F. Regulations on Storage of Recreational Vehicles, Boats, Campers, Trailers and Trucks – Mr. P. Smith advised he had some questions about the comments made by the Planning Commission in regards to this Ordinance and asked to listen to the tapes from the Planning Commission meeting. Mr. P. Smith advised he had listened to the tapes and has passed them on to Mr. J. Smith for his review. No action will be taken at this time.
- G. Change Order – eci – G-16 – Modification to stone release channel - \$6,565.05 – There was no update.
- H. Kendale force main – Mr. Heffner advised he doesn't feel we should be digging around the force main. He feels we should put some large rocks on the bank to control the water and let the stream move over to its original location on its own. Mrs. Gunnet advised the permitting process had been stopped at this point. Mr. Trout advised he had a concern that holding off might allow further deterioration of the bank and ground around the main, but did not feel that should be a big concern. Mr. Heffner stated he thought if we did what DEP wants us to do and go in and lay a whole new force main we will be digging up the stream and making it worse than it needs to be. No action will be taken at this time. Mr. Reichard will continue to hold off on the permitting process.
- I. Revision of Personnel Policy – No action will be taken at this time.

- J. George Schaffer – 235 Bahn’s Mill Rd. – water – Attorney Rausch advised he was in the process of getting an agreement out to Mr. Schaffer.
 - K. Important Information for Windsor Township resident’s handout – Revised – Mrs. Gunnet advised that she spoke with Dan Orwig and he felt it would be good to add the fire company phone numbers as long as we called attention to 911 for emergencies. Mrs. Gunnet advised the handout would be placed in the lobby in the brochure holder and will be distributed with recycle bins when we deliver them along with trash & recycling information to new homes Mr. Allison suggested adding the handout to the website. Mrs. Gunnet advised it would be added to the website.
 - L. Future of Sewer System – Mr. Heffner stated he did not feel selling the system now would be in the best interest of the Township or it’s residents. He felt that a private company would be more interested in making a profit, which would result in an increase in the cost of sewer for the residents as well as for Windsor Borough. Mr. J. Smith advised he was still researching this possibility and wasn’t ready to make a decision at this time.
10. Public Comment – Vera Miller expressed thanks to the Township and the Public Works employees for the fine job they did clearing the roads.
11. Supervisors Comment – Mr. J. Smith asked Mrs. Gunnet if the message posted on the message board regarding Crestwood Drive had been addressed. Mrs. Gunnet advised no and that she needed to get with Mr. Trout to discuss it.
- Mr. P. Smith asked about the Board receiving information reflecting what changes were made to the Comp. Plan. Mrs. Gunnet had advised that most of the changes were just typographical changes with the exception of the map change to include Modern Landfill in the growth area. Mr. Allison will review the information he has to see what changes other than typographical were made and provide that information to the Board for their review.
- Mr. P. Smith asked where Mrs. Gunnet and Mr. Trout were on completing their personnel evaluations. Mrs. Gunnet advised her evaluations were finished. Mr. Trout advised he had a few more to complete.
12. Mr. J. Smith questioned the receipt of two bills from Shipley for propane. Mrs. Gunnet advised they come every other week to fill up the propane tanks. The invoices being paid were for two different delivery dates. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
13. The meeting of the Windsor Township Board of Supervisors was adjourned at 8:05 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

February 15, 2010

Vera Miller

Mike Hess – Arro Engineering

Cindy Zawrotuk – Arro Engineering

Bill Bashore

Eric Johnston

Jason Reichard

Kristi Reichard

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