

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

March 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 Carolyn Pugh, Jennifer Gunnet, Jeremy Trout, Kipp Allison and Teresa Miller. 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 of the March 1, 2010 meeting were approved. Motion carried. Two votes yes. Jan Smith abstained from voting since he had not been present at the meeting.
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 she had received an invitation from the Laurel Fire Company for their appreciation dinner to be held Saturday, May 8, 2010. All members of the Board accepted the invitation.
5. Barry Keller – W. Craig Adams – Alternative to Change Order #16

Barry Keller with W. Craig Adams proposed raising the drainage pipe to the sediment basin which would be a less costly design repair. It would not change the volume of the stormwater basin. They could do the work at non-prevailing wage rates at a cost of \$1500. Mr. Keller felt it would take approx. 2 days to complete the necessary work. Mr. Keller felt that if we continue to wait to make the necessary repairs to the basin that it could result in fines being levied against the Township by PennDEP as well as the contractor because the work was not completed. After a lengthy discussion, a motion was made by Jan Smith seconded by Dean Heffner to contact ECI and release them from the responsibility of making the design repair. W. Craig Adams would complete the repair at a cost of \$1500 and the charges for the repair would be passed on to LSC. Approval from Eric Johnson with the York County Conservation District would need to be obtained prior to commencement of the repair. Motion carried. Three votes yes.

6. Solicitor
 - A. Attorney Pugh requested an executive session to discuss possible litigation.
 - B. Mr. J. Smith asked Attorney Pugh for clarification on the amount of time a contracted CDL driver can operate a truck prior to being required to rest. Attorney Pugh was unsure of the amount of time. Jeremy Trout advised the time was 11 hours with 14 off duty hours. Mr. J. Smith asked if the Township would be responsible if a contracted driver went over their CDL time and an accident occurred. Attorney Pugh advised the employer of the specific driver would be responsible for any accident because the employer is the one responsible for the driver's logs.

7. Township Engineer

A. Act 537 – Status Report #7

Mrs. Gunnet advised all Board members had a copy of the report and that a representative from C.S. Davidson would be available at the May 3, 2010 meeting to discuss it further.

8. Public Works

A. Monthly Report – March – Mr. P. Smith asked if the Board members had any questions.

Jeremy Trout advised he has included a listing of some of the existing road conditions. He advised he has been completing road inspections and putting together estimates of roads that are going to need repaired from damage caused during the winter storms. The report also includes estimates of road projects that were planned for this year and estimated costs. Mr. P. Smith felt that road repairs should be done prior to any road maintenance projects being done. Upon completion of the repairs, the maintenance work will need to be reviewed.

Mr. P. Smith advised he was not ready to discuss the Husson Road bridge. Mrs. Gunnet advised she spoke with Jason Snyder who is North Hopewell Township's engineer. Mr. Snyder advised her that North Hopewell Township did not have any money in their budget to do the bridge work this year and could not provide a guarantee that work would be completed in 2011. Mrs. Gunnet advised she sent emails to the fire chief at Felton and the Red Lion Ambulance Director asking if there would be an adverse effect to them responding to an emergency if the bridge were closed. The Felton fire chief advised he would check with his line officers and get back to her. She advised no response had been received from Red Lion Ambulance yet.

Mr. P. Smith questioned Mr. Trout's request to use the money put aside for Gay Street elsewhere. Mr. P. Smith asked what we would do for money when we were ready to work on Gay Street. Mr. Trout responded that we could reevaluate next year to determine where the money would come from, possibly liquid fuels or capital reserve funds.

There was a brief discussion about damages to mailboxes from snowplows. Mr. Trout advised he received a lot of complaints and was investigating but most issues were from snow hitting the box and post and not the actual plow hitting it. Mr. Trout advised there were several residents that were not happy with his opinion.

B. Micro surfacing - Mr. Trout provided information to the Board to review about micro surfacing. He advised this isn't something the Township has used before but after researching has found that it is better than using oil & chip on the roads. After a lengthy discussion it was decided that the Township would try using the micro surfacing product on Dietz Road, from Windsor Road to Johns Road and on Wheatlyn Road to see how it works within a development.

- C. Boxwood Road storm water improvements – There was no action take at this time.
- D. Replacement of 1997 Plymouth Voyager - P. Smith recommended the Board not make a decision on the replacement of the 1997 Plymouth Voyager or the 1997 DT dump truck at this time. He requested a reevaluation in 6 months unless there are major mechanical problems. Mr. P. Smith requested that prior to any major work being done to either vehicle within this 6 month time frame that at least one member of the Board be consulted for approval on making any repairs.
- E. Purchase of trailer - Mr. Trout provided copies to the Board from Kauffman Trailer in N.C. showing the best price he was able to find. Mr. J. Smith questioned the size of the trailer. He said it seemed long for just hauling lawn mowers. Mr. Trout advised the trailer needed to be 20' in order to haul the Deweeze and the John Deere tractor. He advised that the trailer only has 20' of loadable space. Dean Heffner asked if the Township truck was going to be able to haul such a large trailer. Mr. Trout advised yes. Mr. Trout advised the trailer would be needed before the mowing season starts and that it would take approx. 2 weeks to get. On the motion of Jan Smith seconded by Dean Heffner, the Board agreed to purchase the trailer from Kauffman Trailer for \$4,690. Motion carried. Three votes yes.
- F. Road Materials Bid results - On the motion of Jan Smith seconded by Dean Heffner, the bid for blacktop was awarded to Highway Materials and the bid for road oil was awarded to Martin Paving. Motion carried. Three votes yes.
- Mrs. Gunnet advised that the low bid for delivery and pick up at the plant for stone is Kinsley Materials. Mrs. Gunnet advised that even though County Line Quarry's price is \$1,595 more than Kinsley it may be more cost efficient for us to use them instead of Kinsley because they are located closer. Upon the recommendation of the Board, the decision to award the stone bid will be tabled until the next meeting. Mrs. Gunnet and Mr. Trout were requested to obtain estimates to have stone delivered that we would stockpile until we are ready to use.
- G. The date for the Board to get together to do road inspections was set for April 12, 2010 at 8:30 a.m.
- H. February snow storms - Mrs. Gunnet advised she had submitted the necessary paperwork to York County EMA for reimbursement for the February snowstorms. She advised she submitted the initial estimates and than received the official PEMA documents to choose one or the other snowstorm to submit costs for. Mrs. Gunnet advised she chose the second storm because it was the most expensive. Mrs. Gunnet advised she tried calling York County EMA last week to see what our chances were of getting reimbursement and was advised that in this type of disaster the Federal Government reimburses 75% and the state reimburses the other 25% for a 100% reimbursement. York County EMA felt that reimbursements should be received in approx. September or October of 2010.

Expenditures reimbursement – Mrs. Gunnet advised that some of the General Fund line items are over budget due to the extra snow removal costs. Mrs. Gunnet stated she did not know how the Board wanted to bring those particular line items back into budget. Based on the reimbursement we should get, it would bring the line items back into budget. The Board agreed to wait until the reimbursement was received. However, we needed to watch our expenses.

9. 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. Energy Audit - Mrs. Gunnet advised she attended a seminar on Act 129. This Act requires electric companies to reduce their electric usage. Met-Ed was at this seminar and indicated they were a little behind and were just now getting together their programs. Met-Ed will be rolling out their energy program the middle to end of April. They indicated we could get a portion to half of our energy audit paid for by Met-Ed. She advised that 10% of the reductions have to come from municipal government. Mrs. Gunnet advised she did not contact Thermosave to proceed with the Township audit as requested at the previous meeting because she wanted to see what requirements Thermosave had to meet in order to get Met-Ed to assist in paying for the audit.
- C. Demolition of Bahns Mill Building - Mrs. Gunnet advised all work was done and all equipment had been removed. Mrs. Gunnet advised all invoices from the contractor are in-house and on the bills list for approval at tonight's meeting. Mrs. Gunnet advised we were still waiting for the remaining bills from Modern Landfill for the dumpsters. Mr. P. Smith asked if the invoices submitted by Bob Gusick were what he bid for the job. Mrs. Gunnet advised the demolition costs were \$148 over what he bid. Mr. P. Smith advised we would not pay the additional \$148. Mrs. Gunnet advised she had not yet heard back from York Area Regional Police regarding the investigation of the vandalism.
- D. Mr. P. Smith advised Spring Clean Up is scheduled for the week of April 12th on the same day as your regular trash collection.
- E. Mr. P. Smith advised the U.S. Census questionnaires should be received by residents between March 15th & 17th and need to be returned by April 15, 2010.
- F. Kimberly Lawn Care – Mrs. Gunnet advised that the Spring 2010 quote is the same as the Spring 2009 quote. She advised that the treatment to the banks and the slopes is \$106 more this year than it was last year. On the motion of Jan Smith seconded by Dean Heffner the Board approved the 2010 contract with Kimberly Lawn Care. Motion carried. Three votes yes.
- G. Mr. P. Smith advised the Dog Officer's report has been received and is available for review.

- H. Mr. P. Smith advised the Township Manager's report has been received and is available for review.
- I. Mr. P. Smith advised the Zoning Officer's report has been received and is available for review.
- J. Request for Executive Session – Personnel matter – Mr. P. Smith advised the Board would go into an Executive session immediately following this meeting.

10. 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 Pugh advised that a letter had been received from LSC offering their opinion of the trench drains. She advised that she and Attorney Rausch would be reviewing the letter and determining what the next step should be.
- E. Starview Drive detention pond – Mrs. Gunnet advised cleanup of the detention pond has been postponed until the weather improves.
- F. Regulations on Storage of Recreational Vehicles, Boats, Campers, Trailers and Trucks – Mr. P. Smith advised the Board had received a report from the Planning Commission with their recommendations that recreational vehicles be permitted to be parked outside of the right-of-way with no additional front setback requirement. However, maintaining a 6' side yard setback from adjoining properties. Mr. J. Smith advised he prefers the vehicles be parked 10' outside of the right-of-way. Dean Heffner advised he prefers the recommendation of the Planning Commission. On the motion of Jan Smith seconded by Paul Smith, the decision was made to change the regulations on the storage of recreational vehicles, boats, campers and trucks to 10' from the existing right-of-way. Motion carried. Two votes yes, one vote no. (Heffner)

Rebecca Haas asked how the change to this Ordinance would change the 72-hour timeframe. Kipp Allison responded advising the change in the Ordinance would eliminate the specific clause related to the 72-hour timeframe.

Mrs. Gunnet advised that the Ordinance would now be forwarded to the York County Planning Commission for review. Mr. Allison advised he would get the Ordinance submitted and felt we would be on the Planning Commission Agenda for April.

- G. Change Order – eci – G-16 – Modification to stone release channel - \$6,565.05 – Based on earlier conversations during this meeting, alternative action has been recommended to resolve this issue. No further discussion was necessary.

- H. Kendale force main – Mr. Trout provided updated pictures of the main and it appears to look worse. There was no further update.
- I. Revision of Personnel Policy – Discussion was tabled until the April 12, 2010 meeting.
- J. George Schaffer – 235 Bahn’s Mill Rd. – water – Attorney Rausch is working on situation.
- K. Future of Sewer System – There was no update.

11. Public Comment – There were no comments.

12. Supervisors Comment

Dean Heffner recommended the purchase of a stainless steel bed on any future new truck purchases. The existing steel beds are not the same quality as stainless steel and require refurbishing periodically to maintain them. Mr. Heffner felt we spent a lot of time cleaning up old steel beds and if they had been stainless steel we would not have had to spend all the extra time working on them. Mr. Trout commented that aluminum is also a good alternative.

Jan Smith advised he had spoken with a resident that resides near the Township building and was asked why the Township keeps the lights on until 11:00 at night. The resident advised that local kids ride their skateboards in the parking lot during summer time until the lights go off. The resident expressed concerns of vandalism, which he has experienced at his home. Mrs. Gunnet stated that with all of our meetings now starting at 6:00 p.m. and most being over by 9:00 p.m. we could probably change the timing on the lights. Mrs. Gunnet advised that park rules and regulations prohibit skateboarding on the property and if someone is seeing the kids skateboarding they need to call 911 so that York Area Regional Police can enforce our rules.

Jan Smith offered an apology to the remaining Board of Supervisors and Jeremy Trout. He retracted his request for additional information pertaining to the two February snow events. He added that he disapproved of the usage of an unapproved vendor when the Township had equipment of our own that was not used.

Mr. P. Smith expressed thanks to Teresa Miller for assisting at the Board of Supervisors meetings during the absence Deanna Coble.

Jan Smith asked if Windsor Township has liability insurance on file for SkyBlue Farms. Mrs. Gunnet advised no, but we would get it.

13. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved with the exception of the bill from Bob Gusick. Mr. P. Smith requested this bill be held until the police report on the vandalism was received from York Area Regional. Mr. P. Smith questioned the bills received from C.S. Davidson. Mrs. Gunnet provided information to explain what each bill was for. Mr. P. Smith requested copies of any future bills from C.S. Davidson when they are submitted for approval. Motion carried. Three votes yes.

14. The meeting of the Windsor Township Board of Supervisors was recessed into an Executive Session at 7:40 p.m.
15. The Board reconvened at 8:25 p.m.
16. On the motion of Mr. J. Smith seconded by Mr. Heffner, the Board denied Ray Clinton's request to save a portion of the barn. Motion carried. Three votes yes.
17. Mr. P. Smith requested authorization to work with Mrs. Gunnet to purge items from "Unfinished Business". There were no objections.
18. The meeting of the Windsor Township Board of Supervisors was adjourned at 8:26 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

March 15, 2010

Vera Miller	830 Marvell Drive York PA
Craig Adams	102 Campbell Road York, PA
Fred Maldett	102 Campbell Road York, PA
Barry R. Keller	102 Campbell Road York, PA
Gene Zimmerman	860 Zimmerman Road Red Lion, PA
Bobbie Zimmerman	860 Zimmerman Road Red Lion, PA
Jim Wilson	309 Larkin Drive Red Lion, PA
Sheila Wilson	309 Larkin Drive Red Lion, PA
Charles Silar	1500 Windsor Road Red Lion, PA
Rebecca Haas	Sheldon Drive Red Lion, PA