

WINDSOR TOWNSHIP BOARD OF SUPERVISORS  
April 5, 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, Attorney Charles Rausch, 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 Paul Smith, the minutes of the March 15, 2010 meeting were approved. Motion carried. Two 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 she had received an invitation from the Yoe Fire Company to their appreciation dinner which will be held on Saturday, April 24, 2010. She asked the Board to let her know if they will be attending so she can RSVP.
  - C. Mrs. Gunnet advised she had received an invitation from the Yorkana Volunteer Fire Company to their appreciation dinner which will be held on Saturday, May 1, 2010. She asked the Board to let her know if they will be attending so she can RSVP.
  - D. Mrs. Gunnet advised that she has received a copy of the Yoe Fire Company Ambulance Service Audit Report for 2008 and 2009. She noted that there were findings which have already been addressed. The Board has also received a copy of the report.
5. Windsor Township Fire & Rescue Association – No one was present.
6. York Area Regional Police Department – Officer Steinfeldt reported that the man hours in Windsor Township are 700 hours below what they should be. He noted that additional officers will be patrolling to make up this deficit. Mr. P. Smith advised that he feels that there have been issues with speeding and requested that time be spent on enforcement. He also recommended checking intersections for visibility.
  - A. Mr. P. Smith advised that the Monthly Report for February is available for review.
7. Plans for Approval:
  - A. **KEITH & VICKI GARNER – Reverse Subdivision Plan #040109 by Randy L. Howard, PLS for property along White Oak Road** – Mrs. Gunnet advised that Mr. and Mrs. Garner’s engineer is not present but Mrs. Garner is. Mr. Allison explained that this is a reverse subdivision plan connecting parcels A and B. Currently there is

a mobile home on one of the lots. They are proposing to remove the mobile home and construct a home on the lot. He noted that there are no outstanding comments. Mr. P. Smith asked where the location is. Mrs. Gunnet advised that is near the Public Works Building. Mr. P. Smith asked if it is in the Agricultural zone. Mr. Allison stated that it is. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the plan. Motion carried. Two votes yes.**

B. **JOHN B. & LISA A. STORCK – Final Reverse Subdivision Plan - #L-5328 by Gordon L. Brown & Associates for along Lombard Road** – Mr. Storck was present. Mr. Allison advised that the Board had seen this plan in December 2009 when they had approved for a Building Permit to be issued prior to the subdivision plan being approved. At that time, all of the waiver requests were addressed. He advised that the Sewage Enforcement Officer has signed off and all comments have been addressed. **On the motion of Jan Smith seconded by Paul Smith, the plan was approved. Motion carried. Two votes yes.**

C. **SPRING VALLEY POOL SITE – Preliminary Land Development Plan #A-06-023 by Stahlman & Stahlman for 97 townhouses along Lombard Road** – The plan was not discussed.

8. Solicitor:

A. **Freysville Intersection Update** – Attorney Rausch advised that he has been contacted by the Attorney for the Emanuel UCC Church. He commented that the Township had been under negotiation for the purchase of a snowblower for them. They have now decided that they are not going to dedicate the right-of-way to the Township. Attorney Rausch advised that it will now have to be done by a Declaration of Taking. He stated that he had requested Mrs. Gunnet obtain a quote for an appraisal. Mrs. Gunnet advised that she had contacted Mary McCleary but she was not willing to do the appraisal because this was the church she grew up in. She advised that Rick Lobianco will be doing the appraisal.

Mrs. Gunnet advised that part of the negotiation was to replace the wall with the same stone facing as it has now. She asked if the Board still wanted to do this since they are no longer willingly dedicating the right-of-way. She added that the appraiser needs to know this to complete the appraisal. Mr. P. Smith commented that he does not feel that the Township needs to replace the stone. Mrs. Gunnet stated that she thinks they were concerned about snow removal after this winter's large snowstorms. She noted that they will still have the sidewalk and wall regardless of how the Township obtains the land. Mr. J. Smith advised that he is not ready to make a decision.

Attorney Rausch advised that he has spoke with Attorney John Snyder on behalf of Ray Clinton. Mr. Clinton would like to salvage part of the barn. It was constructed in two parts and most of the contents are in the rear portion that he would like to

keep. Attorney Rausch advised that Mr. Clinton was going to contact a barn architect to see if it could be salvaged. He noted that this would not cost the Township anything additional. Mr. P. Smith advised that the Township is working on a timeframe. Attorney Rausch noted that the process will be held up now because of the church. Mrs. Gunnet stated that the work will not be done this summer. Mr. P. Smith commented that if it was not for Mr. Clinton prolonging the situation, there would likely have been no problem with the church. He advised that he does not want to extend the timeframe for Mr. Clinton. Mr. J. Smith agreed.

- B. Dirk Posey – Alternate form of bonding** – Attorney Rausch advised that he has received a letter from the attorney for Dirk Posey requesting an alternative form of bonding for the required improvements in conjunction with the subdivision plan that Mr. Posey is working on. He stated that he was informed that Mr. Posey does not plan to market the lots for approximately five years and is **proposing that a mortgage be held on the properties in favor of the Township**. Mr. P. Smith commented that this has never been done before. Mr. Posey was present. Attorney Rausch asked him how much security needs to be held. Mr. Posey advised that it is a little over \$50,000. Attorney Rausch informed Mr. Posey that if he did not complete the work within five years, he would be subject to any new regulations that may have been set.

Mr. P. Smith asked if a fund is created if security is held in the form of a bond. Mrs. Gunnet advised that only an escrow account requires a fund to be created. Mr. P. Smith questioned how inflation is accounted for. Attorney Rausch explained that a 10% increase can be requested each year.

Mr. P. Smith asked how this type of request would be handled. Attorney Rausch questioned what the value of the lots would be. Mrs. Gunnet noted that two of the lots have houses on them. Mr. Allison stated that the road widening would take place on all the lots. Mr. Posey advised that funds have been posted for the road widening. Mr. Posey estimated that he would sell the lots for \$90,000 to \$100,000 each. Attorney Rausch asked if this would be the first mortgage on the lots. Mr. Posey advised that it would be. Attorney Rausch advised that it would be more cumbersome than a bond and an agreement would need to be created that all attorney fees and any additional costs would be paid for by the owner. Mr. J. Smith commented that he is not in favor.

Attorney Rausch asked when the subdivision needs to be approved. Mr. Posey stated that the buyer would like to qualify for the Home Buyers tax credit and needs a contract by the middle of April and settlement by June 30<sup>th</sup>. Mr. Allison suggested revising the plan to remove the house from the balance of the property. Mrs. Gunnet commented that by changing the plan, it may not be able to be approved and recorded by June 30<sup>th</sup>.

Mr. J. Smith asked if there is a difference in the cost to handle the security this way. Mr. Posey stated that it is cheaper for him. Attorney Rausch advised that the Township would have to sell the lots in order to obtain the money to do the improvements. **On the motion of Jan Smith seconded by Paul Smith, the Board denied the request. Motion carried. Two votes yes.**

9. Public Works:

A. Mr. P. Smith advised that the Board has the Monthly Report for March. He commented that seasonal items were addressed for the Sewer Department but he could not find the information for the Highway Department. Mr. Trout explained that it was in the prior report. Mr. J. Smith stated that he thought that the Township had purchased an electric hoist. Mr. Trout advised we had not.

B. **Sealing of split face block** – Mr. Trout advised that the Board was provided with 3 quotes for the sealing of the block wall. He explained that water is weeping through the block because it was not sealed properly. In order to keep the interior dry, the exterior walls need to be sealed.

Mr. J. Smith advised that one of the quotes does not specify that it is for two coats. Mr. Trout explained that each one is a different product. He noted that he checked all three and each has a high rating. He stated that Red Lion Spray did other work in the building and he would recommend them. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the quote in the amount of \$2,820 from Red Lion Spray. Motion carried. Two votes yes.**

Joan Stewart, 3088 East Prospect Road, questioned if this is for the new building. Mr. P. Smith advised that it is. She asked where the engineer was and does not feel that the Township should have to pay for this. Mr. P. Smith agreed, adding that the list of errors keeps getting longer. Mr. P. Smith advised that this would be added to the list but he does not have high hopes of getting anything for it.

C. **Tarp – DT98** – Mr. Trout advised that the Board has received 3 quotes for a tarp for the DT98. He stated that he prefers the Henderson Tarp because it seals the heat when blacktop is being hauled. He noted that this is the same type of tarp that the local trucking companies use. He commented that the estimate given was without seeing the truck. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the purchase of the Henderson tarp with the condition that the price cannot exceed \$2,000. Motion carried. Two votes yes.**

D. **Sewer Department – Hoist** – Mr. Trout advised that the Board has received 4 quotes. Mr. P. Smith asked if there was any reservation from Mr. Heffner. Mrs. Gunnet stated that there was not. Mr. Trout noted that the price is under what was budgeted but he was unable to find a local company that sells them. He commented that after reviewing the specifications sheets, he recommends the half ton, single

- phase electric hoist from ACI. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the purchase of the electric hoist from ACI in the amount of 1,099.30. Motion carried. Two votes yes.**
- E. Electric receptacles – Welder/plasma cutter – Mr. Trout advised that Peter Beddia from Paragon Engineering came to the Public Works Building to look at the wiring in the building. While on site, he stated that the wiring was installed as specified in the bid and in several locations, a higher grade wire was used. However, when he reported to him, he did not say the same thing. He noted that he will be getting verification from him. He stated that the wiring needs to be higher grade than what was installed because the breakers are tripping. Mr. P. Smith advised that the wiring will need to be corrected. Mr. Trout noted that he had Milt's Repair Service look at the wiring also. Mr. P. Smith asked who gave Paragon the specifications. Mrs. Gunnet advised that Mr. Trout had prepared a design that showed where the cutter and welder could be located and gave them information on the welder and plasma cutter. Mr. P. Smith commented that they did not design the specifications for the bid based on the information provided. Mr. Trout added that he had sent an email to them on January 27, 2010 regarding this issue and he had just received a response last week. Mr. P. Smith asked if they move the equipment around in the building. Mr. Trout advised that they do. Mr. P. Smith asked how long the Township has to file for retribution. Attorney Rausch advised that he would have to check but it is typically 4 years. Mr. P. Smith stated that if the Township provided them with information, they should be responsible. Mrs. Gunnet questioned if the Board would like to get estimates to have the work done and then go back on LSC. Mr. P. Smith commented that if this was done, the new electrician would be responsible for the design. He added that he does not want to pay for electrical engineering. He asked if Mr. Trout if he had reviewed the plans that were given. Mr. Trout advised that he does not know electrical schematics. He stated that he will wait to hear back from Paragon.
- F. **Road Materials Bid results** – Mrs. Gunnet advised that she had researched how much stone was picked up last year and it was 22 loads. She noted that there is a small difference between the bids for County Line Quarry and Kinsley for picked up stone. **On the motion of Jan Smith seconded by Paul Smith, the Board awarded the stone bid to Kinsley Materials. Motion carried. Two votes yes.**
- G. Date for meeting with Public Works employees – The Board agreed to wait until all three members were present to set a date.
- H. Kendale force main – Update – Mr. P. Smith advised that based on the pictures that were provided at the last meeting that showed the area after the snow had melted, Mr. Heffner had recommended that the project move forward with the replacement. **On the motion of Jan Smith seconded by Paul Smith, the Board approved to have the pipe replaced. Motion carried. Two votes yes.**

- I. Mr. Trout advised that the inmate crew has started working at the **Starview Detention basin**. He stated that there are some trees that will not be able to be removed with the equipment used by the Sheriff's Department because they are limited to handsaws. He commented that if there was a trackhoe used, it would be able to push over trees and pop up stumps that the inmates could then cut. He added that he had contacted Fitz and Smith for a quote and they have a machine with an operator available for \$95 per hour this week. He stated that they could work after the inmates leave and then more work be ready in the morning. Mrs. Gunnet noted that if they do not get the work finished this week, they will be back to complete it, but there is no set date. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the rental of a trackhoe with an operator from Fitz and Smith for \$95 per hour for 2 days. Motion carried. Two votes yes.**
10. Barry Myers with Yoe Fire Company arrived. He asked Mrs. Gunnet if everything was handled with the Knox Boxes. Mrs. Gunnet advised that there was not an application in the packet that was provided. Mr. Myers stated that he will see that she receives one tomorrow.

Mr. Myers asked if anything had changed with the Open Burning Ordinance. Mr. P. Smith advised that the Township had not heard back from DEP so the current ordinance is still in effect. Mr. Myers stated that they recently had an incident on Delta Road where someone was burning construction debris after sunset and another on Larkin Drive. Mr. P. Smith advised that they would be in violation of current ordinance. He asked if they were cited. Mr. Myers stated that the property on Delta Road was cited but the one on Larkin Drive was handled by the police department.

11. Other Business

- A. Mr. P. Smith advised that the Board meeting scheduled for April 19<sup>th</sup> has been cancelled.
- B. Mr. P. Smith advised that an Electronics Collection will be held on Saturday, April 17, 2010 from 9:00 a.m. till Noon at the Public Works Building on White Oak Road.
- C. Mr. P. Smith advised that Spring Cleanup will be held the week of April 12<sup>th</sup> on your regular trash day. He noted that the company will not return to pick up items that are put out after the trucks have gone through.
- D. Mr. P. Smith reminded everyone to fill out and return their 2010 U.S. Census questionnaires. He advised that if the forms are not returned, it will cost additional tax money.
- E. Mr. P. Smith advised that Community Volunteer Day at Freysville Park will be held on Saturday, May 1<sup>st</sup> from 9:00 a.m. to 1:00 p.m. He encouraged everyone to attend.

- F. Mr. P. Smith advised that the Board has a copy of the Manager's report for March. The Board did not have any questions.
- G. Mr. P. Smith advised that the next Fire Chief's meeting will be held on April 22<sup>nd</sup> at Yoe Fire Company. Mr. J. Smith will attend.
- H. Building & Grounds – Part-time position – Mrs. Gunnet advised that Mr. Diehl will not be returning this year as the part-time employee for Building & Grounds. She stated that the position is for 20 hours per week. Mr. J. Smith commented that he may have someone who is interested.

Mr. P. Smith advised that he has been informed that the sewer department needs relief. He suggested the mowing of the pump stations be the responsibility of Building & Grounds. This would not include the right-of-ways. Then someone could be hired to do the cleaning of the buildings. Mrs. Gunnet commented that when the sewer department mows at the stations, they also do daily work. Mr. J. Smith noted that if they did not have to mow, they would have extra time to do technical work. Mrs. Gunnet asked if they would prefer an individual to clean or hire a company. Mr. J. Smith stated that there are individuals that may be looking for work. Mr. P. Smith noted that there may be more cooperation from a cleaning service. Mr. J. Smith commented that it would need to be determined how much time is spent on cleaning each week. Mrs. Gunnet estimated that it would take one day at each building. She noted that vacuuming in the office area during working hours is an issue. Mr. P. Smith advised that the York Area Regional Police Department used to have a cleaning service that came in after hours.

Mrs. Gunnet stated that a person will still be needed for the part-time opening. Mr. J. Smith advised that Paul Ilyes is the person who may be interested. Mrs. Gunnet advised that she will contact him. The Board directed her to advertise the opening if Mr. Ilyes is not interested.

- I. **Demolition of Bahn's Mill Road building – update** – Mrs. Gunnet advised that the police report from York Area Regional had been distributed to the Board. However, it did not show that there was criminal intent. She noted that in order to get restitution, a lawsuit would have to be filed. She advised that the balance of the Modern Landfill invoices had been received. Mr. Gusick stated that the building was made unsafe and it cost both him and the Township money. Mr. P. Smith asked what material would have been recycled. Mr. Gusick stated that the partitions and drop ceiling would have been. Mr. P. Smith advised that he does not want to pay more than what was bid. Mrs. Gunnet noted that it was in the bid that the Township would pay for the material disposal. She added that the repair cost in the amount of \$183 for the damage to the electrical line has been deducted. Attorney Rausch advised that the Township would need to sue the Amish gentleman. Mrs. Gunnet stated that she had spoken with the individual and told him that the bid was awarded to Mr. Gusick and he would have to work with him. Mr. Gusick advised that he had spoken with him

- but did not give approval for him to go into the building. **On the motion of Jan Smith seconded by Paul Smith, the Board approved the invoice for the demolition of the building. Motion carried. Two votes yes.**
- J. Health Insurance – Increase in office co-pay – Mr. P. Smith advised that they would wait until all Board members are present to discuss this.
- K. **M&T Bank – Authorization for Chairman to sign Certificate of Authority and Certificate of Incumbency** – Mrs. Gunnet advised that she met with representatives from M&T Bank and they are suggesting that a Certificate of Authority and a Certificate of Incumbency be approved so that if changes are made, they can be done separately. The Certificate of Authority authorizes who can make withdrawals by title. The Certificate of Incumbency states who holds the positions. **On the motion of Jan Smith seconded by Paul Smith, the Board authorized the Chairman to sign both documents. Motion carried. Two votes yes.**
- L. **Federal Surplus Property Program – Authorization for Chairman to sign Application for Eligibility** – Mrs. Gunnet advised that the Federal Surplus Property Program has been reviewing their applications and is requiring an update from the Township. She stated that currently she and Mr. Trout are listed as authorized purchasers. She asked if the Board would like to add anyone else. Mr. J. Smith suggested the Board Chairman be added. Mrs. Gunnet advised that it does have to be name specific. The Board decided that based on this, the Chairman would not be added. **On the motion of Jan Smith seconded by Paul Smith, the Board authorized the Chairman to sign the Application for Eligibility for the Federal Surplus Property Program listing Mrs. Gunnet and Mr. Trout as purchasers. Motion carried. Two votes yes.**
- M. Starview Drive detention pond update – Discussed under 9I. Mrs. Gunnet noted that there were 9 inmates there today and they anticipate having 11 or 12 at the end of the week.
- N. Cell phone contracts – review – The Board asked why all of the cell phones are not on the same plan. Mrs. Gunnet stated that she believes that when the phones were set up, you could only have 4 on one plan. She stated that she is not sure when the contract expires because when you buy a new phone, you get a reduced rate if you extend your contract. Mr. P. Smith advised that with his service, he gets a free phone. The current plan was discussed. Mr. J. Smith stated that we may be purchasing too many minutes. He added that a corporate plan should be looked into. Mrs. Gunnet will research different plans that are available.
- O. Mr. P. Smith advised that the Dog Officer's report for March is available for review.

12. Unfinished Business

- A. Panorama Hills Pump Station update – Mrs. Gunnet advised there was no update at this time.
- B. Herre Bros. – Trench drains – Attorney Rausch advised that LSC Design had sent a letter offering their opinion of the trench drains which he felt was unacceptable and requested that they redo it.
- C. Revision of Personnel Policy – Mr. P. Smith asked if the revision is in Microsoft Word. Mrs. Gunnet advised that it is. Mr. P. Smith stated that this will be discussed further at the April 12<sup>th</sup> meeting.
- D. George Schaffer – 235 Bahn’s Mill Road – water – Attorney Rausch advised that he is working on the agreement.

13. Public Comment – Metta Barbour advised that she is a Red Lion Borough resident and is running for State Representative for the 94<sup>th</sup> District. She stated that she is attending public meetings to introduce herself.

Kirk Shenberger, 3425 East Prospect Road, advised that he received a letter of violation for recreational vehicles on his property. He read the letter that addressed Sections 302.1.1 and 302.1.2 of the Zoning Ordinance dealing with the parking and storage of recreational vehicles. He stated that he is only permitted to have one of these types of vehicles on his property or he could receive a \$500 fine. He commented that he researched the ordinance and could not find a definition of these vehicles, only travel trailer is defined. He stated that a “truck” could be considered a typical truck. Mr. Shenberger advised that he has plenty of room on his driveway to store his motor home and utility trailers. He added that he went through several developments near his home to see if they had multiple vehicles and he feels there are hundreds of properties in violation. He stated that he does not feel that the Township has the right to tell him that he cannot park licensed vehicles in his driveway. He suggested that the Board consider revising this section of the ordinance to make it better for residents and also give more time to come into compliance. He added that many residents do not know about this ordinance.

Mr. P. Smith asked Mr. Allison if he had a response. Mr. Allison advised that a zoning case was held that addressed what types of vehicles could be addressed under this section. He stated that he is not going to make up a definition since there is an assumed definition for a boat or truck. He noted that an amendment is being proposed for this section of the ordinance.

Mr. Shenberger addressed using recreational vehicles on his property and read Ordinance #05-6-1. Mr. Allison advised that this is the ATV ordinance and is separate from the Zoning Ordinance. The vehicles are addressed differently. Mr. Shenberger stated that the Township could interpret the types of vehicles any way they want. Mr. Allison

advised that you could then assume that the Township could interpret any section. Mr. Shenberger commented that truck is not defined. Mr. J. Smith advised that a regular pickup truck is not covered by this section. He added that neighbors do not respect each other and that is a reason why there are ordinances. Mr. Shenberger stated that his neighbors did not complain about him. Mr. J. Smith advised that not everyone is going to like all the ordinances and because there is a lack of respect, some privileges have to be given up. Mr. Shenberger commented that people need to work with their neighbors. Mr. J. Smith stated that it does not happen. He added that perhaps his neighbor does not want to speak up. Mr. Shenberger stated that he works with his neighbor because he is aware that he has two unlicensed cars in his garage.

Attorney Rausch told Mr. Shenberger that it sounds like he wants definitions added to the ordinance and yet still does not want the ordinance. He noted that it is there for a reason and if he wishes to, he can appeal to the Zoning Hearing Board if he feels the vehicles he has on his property do not qualify. If the Zoning Officer's decision was upheld, then he could appeal to higher court.

Wayne Stough, 419 Appaloosa Way, asked if a group could go before the Zoning Hearing Board together. Attorney Rausch advised that this cannot be done because each case must be individual. Mr. Stough claimed that this ordinance is against the Constitution's right to pursuit of happiness. Attorney Rausch advised that the ordinance is not saying that you cannot have more than one, it just limits you to storing only one on a property.

Mr. Stough questioned why the Township is going around and taking pictures of people's backyards. He stated that this is a waste of taxpayer money. He asked why you cannot have more than one vehicle. Attorney Rausch reiterated that you can own more than one vehicle, you just cannot store more than one on your property. Mr. Stough asked who created this ordinance. Attorney Rausch advised that it was created approximately 10 years ago when the Zoning Ordinance was rewritten by planning consultants.

Beverly Baynes, 115 Ivyside Drive, stated that she feels that the Township is picking and choosing who they want to send letters to. She commented that there have been unlicensed and junk cars in their development for over a year which have not been addressed. She advised that all violations need to be enforced. Mr. Allison explained that under the current ordinance, you can keep a vehicle in the front yard for up to 72 hours. If the vehicle is moved, the timeframe starts over. He noted that the proposed ordinance amendment will remove the 72 hour clause. He added that they do follow up on junk cars. He suggested contacting him to check if this property has been sent a letter and what the status is. Attorney Rausch added that if there is an issue with a property, it should be reported to the Zoning Officer.

Richard Bolton, 3018 East Prospect Road, stated that many people do not want to report their neighbors. Attorney Rausch commented that someone should not complain that things are not handled if they are not willing to report them. Mr. Bolton stated that it

sounds like the new ordinance is going to be more restrictive. He added that he feels this is an infringement on peoples' rights. He asked why people are not grandfathered. He commented that the land in this area is being taken and overdeveloped. Attorney Rausch advised that the ordinance does not prohibit you from owning these types of vehicles but puts reasonable regulations on them. Mr. Bolton stated that there is no stop to the setting of regulations and the people are aggravated by it. Attorney Rausch noted that if the regulations were removed, he knows that there would be a room full of people who would want it back in affect. He added that the public can give input on amendments. Mr. Bolton commented that when there are public discussions, it already seems that the decision has been made because money has already been spent on the attorney to draw it up and the ordinance is adopted at the same meeting. Mr. P. Smith advised that this particular amendment has been on the table for approximately 6 months. He added that the only reason people are present is because a resident wrote a letter to the newspaper. Mr. Bolton noted that he has been present at meetings and still does not understand some things. The Board advised him to ask questions if he has them. Attorney Rausch added that the Planning Commission also reviews drafts of proposed amendment. Mr. Bolton stated that the Planning Commission sounds like it deals with subdivision. Mr. P. Smith advised that the Planning Commission is a recommending body to the Board of Supervisors.

Dale Waltmyer, 1330 Windsor Road, stated that the Township is picking on the older residents of the Township. He added that he feels they should be grandfathered.

John Beecher, 850 Woods Drive, asked if the ordinance is being rewritten. Mr. P. Smith advised that it is. Mrs. Gunnet clarified that it is only this section, not the entire Zoning Ordinance. Mr. Beecher asked if the residents have a say in what is adopted. Attorney Rausch recommended that he put his suggestions in writing and send them to Mr. Allison. He noted that the suggestions may not be followed. Mr. J. Smith advised that the Board needs to look at the majority of the Township. Mr. Beecher stated that many people may not be aware of this. Attorney Rausch added that this section does not apply to the Agricultural zone.

Leon Patterson, 3945 Farm Drive, stated that he learned of this ordinance on Saturday and he objects to more regulations. He asked who created these rules. Attorney Rausch advised that it was done by a planning expert.

Mr. Beecher asked when this was first regulated. It was unsure if regulations were in the previous Zoning Ordinance.

Mrs. Baynes stated that she was told that this was never enforced before but now they are trying to get the Township cleaned up.

Mr. Stough commented that if this ordinance was equally applied to everyone, there would be more people here.

Mr. Allison advised that he has copies available that show the current wording as well as the proposed text. He stated that one can be picked up after the meeting.

John Stewart, 3088 East Prospect Road, advised that he agrees with these people. He feels the Township is taking away the rights of the residents and it is unconstitutional.

Mr. Patterson asked what it would take to have the ordinance repealed. Mr. P. Smith advised that it would be a majority vote by the Board of Supervisors. He suggested that the residents send around a petition. Mr. Stough asked if there is a cost to do this. Mr. P. Smith advised that there is not.

Mr. Bolton asked what the cost is for a Zoning Ordinance. Mr. Allison advised that it is \$18 which includes the Zoning map.

Allen Emenheiser, 1027 Hastings Boulevard, advised that in response to the questions posed in the most recent newsletter, he does not feel that the Township should discontinue mailing the newsletter because many older residents do not have computers.

Mr. Stewart stated that he is aware that not everyone has access to the internet. He commented that he is a part of the Freysville School Reunion committee and there are only one or two people who have email.

14. Supervisors Comments – Mr. J. Smith did not have any comments.

Mr. P. Smith questioned the status of the work by W. Craig Adams on the detention pond at the Public Works Building. Mrs. Gunnet advised that the release is ready but she would like to send it to Attorney Rausch to review to make sure everything is covered.

Mr. P. Smith questioned what field is being rested. Mrs. Gunnet advised that it is the lower field. She commented that last year, there were 3 games held on the field when it should have been closed. Mr. J. Smith suggested posting it. Mrs. Gunnet stated that you cannot do it because the outfield is used. Mr. P. Smith noted that WARC had requested this resting schedule. Mrs. Gunnet advised that this field will be closed until next July.

Mr. P. Smith advised that there is an opening for the Judge of Election for the 3<sup>rd</sup> District which is at the Laurel Fire Company. He stated that if anyone is interested, they should contact the Township Office.

15. Mr. J. Smith questioned what the pumping of the septic tanks was for. Mr. Trout advised it was required to pump the septic tanks at the Bahn's Mill Road building in order to fill them in. Mr. J. Smith asked about the check that was reissued to Jackie Trout. Mrs. Gunnet advised that the original check was lost in the mail. Mr. Trout added that it was recovered and looked like it had been stuck in a machine. Mr. J. Smith asked what the gate was for that was purchased. Mr. Trout advised that a fence gate was

backed into while snow plowing and this is the replacement. On the motion of Jan Smith seconded by Paul Smith, the bills were approved. Motion carried. Two votes yes.

16. The meeting of the Windsor Township Board of Supervisors recessed at 8:28 p.m. until Monday, April 12, 2010 at 8:30 a.m. at the Windsor Township Office, 1480 Windsor Road.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

April 5, 2010

Vera Miller	830 Marvell Drive York PA
John Storck	885 Lombard Road Red Lion PA
Matthew & Joyce Dravk	3860 East Prospect Road York PA
John & Joan Stewart	3088 East Prospect Road York PA
Vicki Garner	1090 White Oak Road Windsor PA
Wayne Stough	419 Appaloosa Way Red Lion PA
Kirk Shenberger	3425 East Prospect Road York PA
Darwin B. Dosch	4035 Farm Drive York PA
Palmer Burke	4040 Farm Drive York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Gene & Bobbie Zimmerman	860 Zimmerman Road Red Lion, PA
Dirk Posey	285 East Gay Street Red Lion PA
Troy & Tracy Fregm	109 Brittany Court Red Lion PA
Charles Wilson	1105 Windsor Road Red Lion PA
Beverly Baynes	115 Ivyside Drive York PA
Harry Baynes	115 Ivyside Drive York PA
Jim Wilson	309 Larkin Drive Red Lion PA
Richard Bolton	3018 East Prospect Road York PA
Charles Silar	1500 Windsor Road Red Lion PA
Metta Barbour	313 West Avenue Red Lion PA
Leon Patterson	3945 Farm Drive York PA
Barry Myers	Yoe Fire Company
Dale Waltimyer	1330 Windsor Road Red Lion PA
John Beecher	850 Woods Drive York PA
Officer Steinfelt	York Area Regional Police Department