

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
May 3, 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 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 April 5, 2010 and April 12, 2010 meetings were approved. Motion carried. Two votes yes. Mr. Heffner abstained from voting due to not being present at the April 5th 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 that the Board has a copy of a letter from the United States Environment Protection Agency notifying the Township that we are in violation of the MS4 Permit. They are stating that the plan that was submitted is not adequate. There is a training class on May 5th which Mr. Trout and Mr. Allison will be attending. It was noted that Dover, Spring Garden and Manchester Townships also received this notification. It was questioned why the letter came from EPA and not DEP. Mrs. Gunnet advised that it was her understanding from talking to other managers that this is the EPA's way of telling DEP that they need to do a better job. Mr. P. Smith asked if Springettsbury Township had received the letter. Mrs. Gunnet stated that she did not think that they had but added that they may submit different types of paperwork. Mr. P. Smith noted that all of their storm water would also go to the Chesapeake Bay. Mr. Allison advised that the intent is to modify the application so that the Township can come into compliance. He noted that the Township thought that everything was adequate but then the letter was received. Mr. P. Smith questioned if this was discussed at Manager's Meeting. Mrs. Gunnet advised that it was. Mr. P. Smith asked if Mr. Holman from Springettsbury Township was present. Mrs. Gunnet stated that he was not. Mrs. Gunnet explained that a bulk email was sent out questioning which municipalities had received the letter. Springettsbury Township did not respond that they had received it. It was noted that the Township has mapping that may be able to be converted to satisfy some of the requirements.

C. Mrs. Gunnet advised that the next York County Local Government Advisory Committee meeting will be held on May 19th at 6:30 p.m. at the Holiday Inn Conference Center. She asked the Board to let her know if they will be attending so she can RSVP. Mr. P. Smith commented that he feels the funds are spent inappropriately on the high cost for the meal and therefore he would not be attending.

5. Windsor Township Fire & Rescue Association – No one was present.
6. York Area Regional Police Department – No one was present.
 - A. Mr. P. Smith advised that the Monthly Report for March is available for review.
7. Richard Resh, C.S . Davidson, Inc – Act 537 Plan Update – Mr. Resh advised that they have been working on this project for approximately 8 months and they are halfway through the study. He noted that at this point, the Board will need to make decisions on how they would like to proceed. He explained that as part of the survey, 235 wells were sampled and there were problems found in various areas. He stated that there were approximately 100 failing septic systems of which 29 were cesspools. A map was given to the Board locating these areas. Mr. Resh advised that some of the areas are candidates for connection to public sewer, such as the areas of Cranberry Lane and Witmer Road. He noted that the cost to extend public sewer could be extensive. However, the Township must create 5, 10 and 20 year plans for how to fix the failing systems.

Mr. Resh advised that as part of the survey, 10 projects were done. The first project was the Panorama Hills Pump Station upgrade. He noted that an abbreviated Act 537 Plan was completed 4 years ago with the requirement that a full plan for the balance of the Township be completed. He added that the cost for this project has been updated.

Mr. Resh stated that it is his understanding that in the past the Board has not been interested in extending public sewer outside the growth boundary line. He commented that on Blouse Road, although there are only 3 homes, 2 of them have failing septic systems. He stated that this could be a location where a small pressure line could be installed. Mr. P. Smith questioned who would maintain this type of line. Mr. Resh advised that currently there is a common force main on Bahn's Mill Road that the Township maintains. He noted that an agreement can be created to make the property owners responsible for any maintenance on the pumps but the Township would still be responsible for the main. Mr. Heffner advised that there are properties in New Forest Hills and Kendale Heights where the property owner is responsible for pump maintenance. Mr. Resh stated that there is also the option for a vacuum system.

Mr. Resh explained that the next step is to have their Sewage Enforcement Officer confirm the survey results by meeting with homeowners. They will also be out looking for any other areas that may have problems. Mr. P. Smith asked if their SEO will follow through with the correction of any failing systems. Mr. Resh stated that they are only advisory to the study and confirming the results. Mr. P. Smith questioned who is responsible for paying the SEO and what would happen if their suggestion for a repair is not acceptable to the Township's SEO, Ethan Poe. Mr. Resh advised that it is the responsibility of the home owner to address the issue and get a permit from Mr. Poe. He added that in order to obtain honest information, information on the failing systems will not be given for enforcement.

Mr. Resh advised that letters will be sent to the property owners to let them know that the SEO will be out to visit on site. The Police Department will also be notified. Mr. P. Smith questioned the 5, 10 and 20 year plans. Mr. Resh explained that these plans need to be completed as part of the study. The Township must state their intentions for the correction of failing systems. A maintenance program will also need to be established, requiring that septic systems are pumped on a regular basis, such as every 3 to 4 years.

Mr. J. Smith asked if the Township is aware that there are failing systems, if something must be done. Mr. Resh advised that it is the property owner's responsibility to be in compliance with DEP's regulations. He added that if there are complaints, Mr. Poe can become involved. It was noted that most of the soils in the Township allow for elevated sand mounds.

Mr. Allison asked Mr. Resh to explain the options for corrective action. Mr. Resh advised that the extension of public sewer is the most expensive method. However, there are areas in which public sewer is nearby. He stated that the best location for extension is Cranberry Lane and Dietz Road. He noted that Witmer Road at Freysville Road is also a good location for the extension. However, this distance is substantially further to tie into an existing line. He stated that the cost could be offset if a developer would run the main. Mrs. Gunnet advised that there is a proposed development in that area that has been put on hold. Mr. Resh advised that there are failing systems on Percheron Drive, adding that this is outside the growth boundary line. Mr. Heffner stated that it is hard to locate small lines such as pressure mains once they are installed. Mr. Resh advised that they now use magnetic tape on the lines to help locate them. Mrs. Gunnet commented that to help with the cost of repairs, the Township could offer low interest loans to property owners with the placement of a lien on the property until repaid in full.

Mr. Heffner advised that he would rather see existing systems repaired rather than extending public sewer. Mr. Resh added that the York County Planning Commission may also have low income grants available. Mr. P. Smith asked that the Board be involved in all decision making. Mr. Resh questioned if the Board is aware of any other areas in the Township in which the systems are failing. They stated that they were not.

Mr. Resh asked if the Board would like to consider small flow treatment facilities that would serve 4 to 5 homes. The Board was not interested in this type of system.

Mr. P. Smith expressed his concern that costs would be doubled because the Township's SEO may not approve specific corrective measures. He suggested that their SEO work with Mr. Poe.

Mr. Resh advised that they are planning to have a final report on October 4th. In the meantime, the Board will continue to receive status reports. When the study is presented at the October 4th meeting, a transcript will be required. There will then be a 30 day review period. Any questions that are received during that period will be included in the

report with the answer. The study will be finalized by the end of the year. However, the Township has until November 21, 2011 to comply.

Mrs. Gunnet stated that the Board had previously recommended not to extend public sewer outside the growth boundary line. Mr. P. Smith advised that the York County Planning Commission has recommended that the Township not approve these types of extensions. He commented that fortunately the few that they have approved have not come back to bite them.

Mr. Resh advised that the York County Planning Commission must approve the plan. The intention of the plan is to correct existing problems and prevent future ones. He noted that there are several problems on Felton Road and added that Felton Borough has sewer capacity available. The Board agreed that they do not want to put in public sewer in this area.

Charles Wilson, 1105 Windsor Road, asked if C.S. Davidson initiated this study. Mrs. Gunnet advised that they did not, that it was one of the requirements for the Panorama Hills Pump Station upgrade project.

Mr. Resh noted that he would be available in the conference room to answer any questions from the public.

8. Solicitor:

A. **Agreement with Benchmark Energy Solutions & Ordinance #10-05-01 for authorization to participate in an Intergovernmental Cooperative Agreement with the City of Harrisburg** – Attorney Rausch advised that authorization is needed to enter into an agreement with Benchmark Energy Solutions for the bulk purchase of energy services. He noted that although the agreement specifies the City of Harrisburg, there are several municipalities involved. He advised that the ordinance has been advertised for adoption. **On the motion of Jan Smith seconded by Dean Heffner, the Board adopted Ordinance #10-05-01. Motion carried. Three votes yes.**

On the motion of Jan Smith seconded by Dean Heffner, the Board authorized the Township to enter into the agreement. Motion carried. Three votes yes.

B. **Resolution #10R-05-03 – Authorization to file Declaration of Taking – Emmanuel United Church of Christ** – Attorney Rausch advised that he has prepared the Resolution for the taking of land from the Emmanuel UCC for the road widening and installation of the traffic signal. On the motion of Jan Smith seconded by Dean Heffner, the Resolution was approved. Motion carried. Three votes yes.

C. Mr. P. Smith asked if there is an update on Ray Clinton's property. Attorney John Snyder, Mr. Clinton's attorney, was present. He advised that Mr. Clinton had

contracted with Coleman Engineering, LLC, a structural engineer, to certify that if only the portion of the barn within the right-of-way was removed, the remaining portion would be structurally sound. He noted that the portion in the right-of-way is clean inside so it could be removed quickly. Mr. P. Smith questioned how this corresponds to the deadline Mr. Clinton was given. Mrs. Gunnet advised that the deadline has expired. Attorney Rausch commented that he believes that the deadline was for the removal of materials. Mr. Heffner stated that the Township paid Mr. Clinton for the entire barn and questioned how keeping a portion of the barn would affect this. Attorney Rausch advised that the payment was for the taking of the land and the demo of the building, but it was not broken down. Attorney Snyder noted that Mr. Clinton would be responsible for closing the building. Mr. J. Smith questioned if there would be any additional cost to the Township. Attorney Snyder advised that there would not be. Mrs. Gunnet commented that while the demolition is being done, they will need to be more cautious as to not damage the portion that would remain.

Attorney Snyder advised that he will stay in contact with Attorney Rausch and the project is moving forward. Mr. Heffner commented that a year was already lost. Mr. P. Smith stated that he will be concerned with the barn until it is torn down. The Board agreed that they want a concrete time frame. Attorney Snyder advised that he will have something in 7 to 10 days. Mr. Heffner noted that he is not comfortable having only a portion of the barn removed. Mr. P. Smith asked him to give a date to Attorney Rausch as soon as possible. Mr. Allison questioned if Attorney Rausch has any issues with keeping a portion. Attorney Rausch advised that it is reducing the non-conformity so he does not see a zoning problem. Mr. Heffner stated that the entire building will be removed if this deadline is not met.

9. **Public Hearing – Joint Windsor Borough and Windsor Township Comprehensive Plan** – Glen Neuhs with Spotts Stevens McCoy gave the Board and those members of the audience a copy of the proposed Future Land Use map. He advised that the Comprehensive Plan is a joint plan between Windsor Township and Windsor Borough. He commented that there are benefits in doing a joint plan. When providing for all uses, it can be done across both municipalities and having a joint plan is favorable when applying for grants. He noted that when proposing a Zoning Ordinance amendment, the municipalities need to correspond with each other.

Mr. Neuhs gave a brief summary of what is included in each chapter of the plan. He then addressed the map, explaining the different types of zoning classifications. He noted that Route 24 is proposed as the economic corridor. He asked the Board if they had any questions. They did not and opened it up to the public for discussion.

Jack Carpenter, 45 Carson Lane, stated that on October 19, 2009 he had spoken with a representative from SSM and he stated that he would not recommend commercial zoning for the property owned by WalMart. He added that he has recently found out that there is a preliminary plan for the northern side of Ruppert Road that is proposing a large box

store. He stated that due to the relocation, he feels that the plan supports that the WalMart tract should be zoned neighborhood commercial. He requested that the Board change the zoning in this area.

Mrs. Gunnet corrected Mr. Carpenter, stating that there has not been a preliminary plan submitted. She stated that a sketch was submitted to PennDOT for a portion of the Ruppert farm. She noted that PennDOT reviewed the sketch during a scoping meeting where traffic issues were discussed. She added that the sketch is available for review at the Township Office. Also, the developer is negotiating with WalMart. There has not been a contract signed.

Charles Wilson, 1105 Windsor Road, gave a report to the Board that he had prepared. He stated that he feels that the map is the most important aspect of the plan. He advised that the packet provided shows mapping from 1967 to present. He explained the different maps noting that originally Routes 24 and 74 were to be used as super highways with the growth to be in Red Lion. A later plan proposed the growth moving outward from the City of York. However, the growth had come north from Route 83. He advised that people were coming here for the open land. Mr. Wilson stated that during work on the 1998 plan, they proposed a conservation area but it was eliminated on the adopted plan. He added that one of the earlier proposed maps with this update showed a rural zoning. He noted that it has been removed and replaced with an open space zoning.

Mr. Wilson commented that he sees with the new map that the R-2 zoning has expanded. He stated that there are living differences between an apartment type use and a property with several acres. He added that the new map also shows a growth boundary line.

Mr. Allison advised that the Township has added a growth area line. He stated that although the York County Planning Commission suggested the placement of the line, it does not change the Township's thoughts on the growth area. It is simply being shown. Mr. Wilson commented that although the Township is viewing the line as informal, by noting it on the map, it makes it known and is put in concrete.

Mr. Allison advised that the map provides for open space. There are ways for buffering and blending also. The comprehensive plan addresses how these classifications can work together.

Mr. Wilson commented that 10 years ago he would have agreed with the Supervisors in the approving of the plan. Mr. Heffner stated that the southern end of the Township is Agricultural. Mr. Wilson noted that the most productive farm land is in the northern portion of the Township.

Mr. J. Smith asked if Mr. Wilson is requesting that the Cacciola farm be reclassified from R-2 to R-1. Mr. Wilson stated that the road is not suited for this type of development and questioned why it was extended. Mr. Allison advised that when the study was completed, it was needed to be determined a location in the Township where there were

public facilities available and the infrastructure to accommodate a higher density of development. He noted that just because the Land Use Map shows it is R-2 does not mean that the property needs to be rezoned tomorrow. Mr. Wilson advised that he feels that Shady Grove Park should be a conservation area. Mr. Allison stated that the park is still zoned R-1.

Sam Anderson, 1120 Windsor Road, advised that he would like the Cacciola property changed back to R-1 so that it can maintain an agricultural status. Mr. Allison clarified that the use may be agricultural but it is currently zoned R-1.

Steve Seitz, 60 Carson Lane, stated that in comparison between the map dated August 4, 2008 and the map presented this evening, Neighborhood Commercial was removed from Route 24 and replaced with Commercial and development in the southern end of the Township was changed from R-1 to Agricultural. He commented that he has repeatedly asked that the property owned by WalMart be rezoned to Neighborhood Commercial. He added that he is not saying that he does not want a commercial use there, but that he does not want a 24 hour business. Mr. Allison advised that the Township has not ignored his request. He stated that the York County Planning Commission recommends that the property be zoned Commercial and not Neighborhood Commercial. He added that he does understand the concerns of the residents in this area. Mr. Seitz stated that they would like protection from the glare of lights all night long. He added that other commercial areas have been removed but this one has not been changed.

Mr. Carpenter commented that it seems as though the Board has questioned the opinion of the York County Planning Commission previously and that they do not have the best solution. He stated that it seems that although the Board is trying to create an ordinance to protect the people, if it is not the best for growth, then it is removed.

Jim Stine, 625 Nottingham Way, stated that he is also concerned about the zoning classification for the Cacciola property. He noted that it is an attractive parcel in a convenient area. He asked what keeps it from being another Windsor Pointe. Mr. P. Smith advised that the property is currently zoned R-1 even though it is being used agriculturally. Mr. Allison added that just because the map shows it to be R-2 does not mean that it will be changed. Mr. Neuhs stated that by classifying it as R-2 gives the Township an option to change the zoning in the future should the Township need to expand the R-2 area. Mr. Stine questioned why this particular tract was chosen and if others were considered. Mr. Allison advised that there were several meetings held to discuss the options. He stated that this property has the infrastructure to support development and could absorb the growth. He added that Mr. Cacciola has had intentions to subdivide the property in the past but put it on hold. Mr. Stine asked where else R-2 zoning is located. Mrs. Gunnet advised that the land between Boxwood and Smith Roads is zoned R-2.

Mr. Neuhs advised that the next step is for the Board to decide if they would like to make any changes or adopt the plan as presented. He noted that it must be approved by

Resolution. A Cooperation Agreement for Implementation of the plan must also be approved.

Karin Ellinger, 210 Meggon Lane, stated that she thought that there was going to be another public meeting. Mrs. Gunnet advised that this is the meeting.

Mr. P. Smith asked what would need to be done if the Board chose to make changes. Mr. Neuhs advised that another meeting would need to be held and Windsor Borough would need to readopt the plan. Mr. J. Smith asked if another public meeting would need to be held if the Board decided to postpone the approval. Attorney Rausch advised that he feels the Board met their obligation by having this meeting. Mr. J. Smith commented that he is aware that the Board is not going to please everyone and he does not think postponing the decision would change anything. Attorney Rausch reiterated that the Plan must be approved by Resolution. Mrs. Gunnet advised that she has prepared a Resolution in case the Board would want to adopt the plan this evening.

The Public Hearing was adjourned. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved Resolution #10R-05-01 for the adoption of the Joint Comprehensive Plan with Windsor Borough. Motion carried. Three votes yes.**

Mr. Seitz stated that there were only two things that would have needed to be changed in order to make everyone happy. Mr. J. Smith commented that he is sure that is not the case. Mr. Seitz stated that it would make those who took the time to come out this evening happy. Mr. J. Smith added that he is not 100% happy with the plan but he feels that this is the best option.

10. Other Business

- A. Electronics Recycling – Update – Mrs. Gunnet advised that 26 gaylords were filled at the Electronic collection on April 17th. Boy Scout Troop #155 assisted with the collection. The boxes are scheduled to be picked up the week of May 10th.
- B. 2010 U.S. Census – Mrs. Gunnet advised that as of April 29th, the Township's return rate for the 2010 Census forms was 84%. This is above the national average. Census works are now going do to door of those who did not return their form.
- C. Community Volunteer Day at Freysville Park – Update – Mrs. Gunnet advised that approximately 30 people showed up for Community Day. She stated that they pulled weeds, mulched and planted flowers. John Stewart brought his tractor with a bucket to assist. She added that members of the Red Lion High school football team came to help. Mr. Heffner commented that they did a great job and it was great to see a turnout of youths.

- D. Health Insurance – Increase in office co-pay – Mrs. Gunnet advised that the quote to change the plan to increase the office co-pay from \$10 to \$20 had previously been distributed. She stated that it will create a 1% savings. Mr. J. Smith requested that this be held until October when it can be discussed during budget workshop. Mrs. Gunnet noted that it may be necessary to obtain a new quote.
- E. Impact of Health Care Reform on health insurance – Mrs. Gunnet advised that Benecon has sent a brief on the impacts of the passing of the Health Care Reform bill. She noted that the effects are not substantial at first but there will be more of an impact in two to three years when more regulations are put in place. She advised that she will keep the Board updated as more information is received.
- F. Starview Pond Detention basin – Mrs. Gunnet advised that she does not know when the inmate work crew will be returning to finish the work at the detention basin. She commented that since the Township contracted with them, other municipalities have followed suit. She noted that she has left several messages but has yet to hear back. Originally they were only to have been away for one week before returning. Mr. P. Smith advised that the Board was given information on stabilizing the pond. Mrs. Gunnet explained that it is for review. The estimate to do the work is based on contractor costs. The work cannot be done until the pond has been cleared. Mr. P. Smith asked if this cost would be passed onto the property owner. Mrs. Gunnet advised that the owner has agreed to have the property lien.

Mr. Allison questioned if the Board had thought about the long term maintenance. Mr. P. Smith commented about filling it in. Mr. Trout advised that the original design would need to be looked at to determine how much capacity it can handle. Mrs. Gunnet noted that the pipe under Starview Drive would need to be adjusted. Mr. Trout stated that the pond is basically in sediment mode. If it were to be filled in, the water would back up in the collection system. Mr. Allison advised that if changes were made to the basin, it would require an Erosion and Sediment Control Plan. Mrs. Gunnet stated that the Township will need to maintain the basin twice a year and file a lien on the property for the work. Mr. Allison suggested plantings in the basin that would reduce the frequency of mowing. Mr. J. Smith noted that there is a section of fencing that needs to be repaired.

- G. Cell phone contracts – Mrs. Gunnet advised that the Board has information on the cell phones. Mr. J. Smith asked why there are different contract dates. Mrs. Gunnet stated that the phones are cheaper to purchase when you renew your contract. She commented that it was never considered to change phone companies so it did not matter that it was being extended. She explained that it would save approximately \$30 a month if the phones were consolidated into one plan and there is no penalty to do this. There would be a penalty if the account was closed with AT&T.

Mr. Heffner questioned why a Blackberry was mentioned. Mr. J. Smith commented that he had brought it up because Mrs. Gunnet did not have her calendar with her

when she was at Convention. Mr. P. Smith asked if the minutes on the single plan would be added to the multi-line plan. Mrs. Gunnet advised that the rollover minutes would carry over but the total number of minutes on the plan would not change. She noted that she pulled bills for the past 6 months and there would be an average of 200 minutes left over for the 6 month billing period.

Mr. P. Smith questioned why the cell phone invoice on the bills list is so high. Mrs. Coble explained that the invoice was paid with a credit card and there are multiple account numbers listed. She noted that only the ones ending in 321 are cell phone charges.

Mr. P. Smith advised that with Verizon, when the contract expires, you are able to get a new phone at no charge. Mrs. Gunnet stated that with AT&T, you can qualify for a new phone after 18 months but it extends your plan for 24 months. She added that both she and Mr. Trout were eligible for new phones in December but did not need them. Mr. P. Smith commented that the phones should be reliable and should not need to be replaced often. Mrs. Gunnet noted that they carry them all the time. Mr. Trout added that Mr. Dietz has a construction type phone which is heavier duty. Mr. J. Smith advised that there are benefits to having a Blackberry. Mrs. Gunnet advised that a data plan would be required. Mr. P. Smith stated that he feels the plans should be combined. Mr. Trout commented that the phones that are free are generic and he feels that there are many options with a Blackberry or an iPhone. He explained that he feels they are an asset because they have calendars and are able to access the internet.

The A&T plan was discussed. Mrs. Gunnet advised that the plan would be \$99.99 for the first phone and then \$10 per additional phone, up to 5 phones. Mr. P. Smith commented that AT&T was chosen because it was the best service at Mr. Dietz's home. He stated that Verizon now has more towers and service may be better. Mrs. Gunnet advised that she had left a message with a Verizon representative but has not heard back. The Board agreed to hold off on making a decision until she hears from Verizon and finds out additional information on free phones from AT&T.

- H. Cleaning Services – Mrs. Gunnet advised that she spoke with Tracy Fleming with York Area Regional Police Department regarding their cleaning services. She stated that they do not use a service. However, the Southwestern Regional Police Department does so she called them and they use Elite Services. She then contacted Elite Services and they quoted \$225 per week to clean both the Township Office and the Public Works Building. The cost would increase \$25 if they needed to provide their own supplies. She commented that she thought this price was high. Mr. J. Smith stated that he feels it is a good price. Mr. Heffner asked what all would be covered. Mrs. Gunnet noted that it would include dusting, vacuuming and cleaning the bathrooms. Only the offices and bathrooms at the Public Works Building would be cleaned. Mr. P. Smith advised that he thought that it was included in this year's

- budget but since it is not, he does not want to pursue it. Mr. J. Smith asked that Mrs. Gunnet obtain a quote to be discussed at Budget Workshop in the fall.
- I. **Resolution #10R-05-02 – Designation of Agent – Disaster Relief & Emergency Assistance Act** – Mrs. Gunnet advised that she attended a briefing on the reimbursement from the February snowstorms. She stated that a Resolution must be submitted designating an agent. She added that on May 11th she and Mr. Trout will be attending a kickoff meeting. This will allow for the review of the information submitted to see how much money the Township could be reimbursed. She explained that it cannot include repairs to vehicles or gas but can include anti-skid, salt and salaries. Mrs. Gunnet advised that when she ran preliminary figures, she estimated that the Township would receive approximately \$45,000. **On the motion of Jan Smith seconded by Dean Heffner, the Resolution was approved. Motion carried. Three votes yes.**
- J. **Rt. 124 “S” turn sewer relocation – Bid results** – Mrs. Gunnet advised that the Board has a copy of the bid results. The low bidder is EK Services, Inc. She noted that Mr. Trout was not familiar with this company. Attorney Rausch stated that this company recently installed a water line in Dover. He added that C.S. Davidson had researched the company. They are out of Harrisburg. Mr. Heffner commented that if Attorney Rausch has heard of them, they should be fine and added that they will be bonded. **On the motion of Jan Smith seconded by Dean Heffner, the Board awarded the bid to EK Services, Inc. in the amount of \$59,120. Motion carried. Three votes yes.** Mrs. Gunnet advised that this is the figure that will be forwarded to PennDOT for the possible reimbursement of half the cost. Mr. P. Smith asked if this also includes engineering fees. Mrs. Gunnet noted that she is still working on that.
- K. Newsletter/Meeting notice survey results – Mr. P. Smith advised that there was not much response. The response for meeting notices was split with 10 votes each. The newsletter response included 8 favoring to receive by email/internet and 25 preferring through the mail. He stated that he was disappointed by the lack of response and no changes will be made.
- L. **Penalty – Sewer Bill – Longstown Mobile Estates** – Mrs. Gunnet advised that she was approached by Jim McKinsey, one of the owners of Longstown Mobile Estates regarding his sewer bill. He had informed her that he had paid two separate bills in February but the checks were not cashed. When he contacted the Township, it was past the due date, which meant that there were penalties added on. She stated that he is requesting a refund of the penalty amount, which is \$84.80 for one bill and \$.95 for the other. She noted that in the past the Board did not grant reimbursement since there is no proof that the checks were mailed. She added that she did receive a request from Mr. J. Smith to go back through several quarters to see if he had ever paid a bill late. She commented that of the bills that were checked, all were paid on time. Mr. J. Smith stated that he feels that Mr. McKinsey is being honest. Mr. P. Smith advised that he does not want this to set precedence and any future requests

must come through the Board. **On the motion of Jan Smith seconded by Dean Heffner, the Board granted a refund of the penalty amount for both sewer bills based on the past performance of paying bills on time and that any future requests must come before the Board. Motion carried. Three votes yes.**

M. House Bill 2431 – Amend PA Constitution to establish Counties as the basic level of government – Mrs. Gunnet advised that the Board has received a copy of an action alert for House Bill 2431 that would eliminate Townships, Boroughs and Cities. She stated that when it originally came through, there were several co-sponsors but four have now taken their name off the Bill. The Board advised that they are opposed to the Bill. **On the motion of Jan Smith seconded by Dean Heffner, the Board authorized to send a letter stating the Board’s opposition to Representative Saylor and Senator Waugh and copy to those who introduced the Bill. Motion carried. Three votes yes.**

11. Unfinished Business

- A. Panorama Hills Pump Station update – Mrs. Gunnet advised that she has not heard back from Mr. Holweck.
- B. Herre Bros. – Trench drains – Attorney Rausch advised that a letter has been sent to schedule a date for mediation.
- C. George Schaffer – 235 Bahn’s Mill Road – water – Attorney Rausch advised that he has prepared an agreement and has given it to Mrs. Gunnet to pass onto Mr. Schaffer.

12. Public Comment – Kirk Shenberger, 3425 East Prospect Road, advised that he was present at the last meeting to discuss the parking and storage of RVs. He questioned if he had a carport type structure with the side enclosed if this would qualify as enclosed storage. Mr. Allison stated that if he obtained a Building Permit for it and it had a canopy it would qualify as enclosed storage because it would have an ascertainable footprint. Mr. Shenberger asked if it would be considered impervious coverage if it was placed on his driveway. Mr. Allison advised that it would not be additional coverage because the driveway is already being counted.

13. Supervisors Comments – Mr. Heffner advised that he had spoken with a resident who is having trouble getting to the Township Office during normal business hours. He needs to have inspections done and would like to meet with Mr. Allison. He asked if the Township would consider extending the office hours. Mr. Heffner stated that he feels that the work should be done during normal hours and feels that a lot of time could be involved if the hours were extended. Mr. P. Smith commented that he would only consider one evening per month that would fall on a meeting date. Mrs. Gunnet advised that if it were extended before a meeting, it would need to be cut off early enough that he could make it to the meeting on time. Mr. Allison noted that the idea of evening hours had been discussed in house. Mr. Heffner stated he does not feel that a Saturday is fair.

Mr. Heffner added that he does not see why an individual could not take half a vacation day to handle these types of matters. He stated that he told the individual that he would discuss it at the meeting and has done that. The Board agreed to not make any changes.

Mr. J. Smith advised that at PSATS, he had attended a session on radon. They will be giving a presentation that will be open to the public at the Delta Senior Center on May 26th at 5:30 p.m. He asked that information be posted on the website. He added that there is additional information on the rear counter on Dos and Don'ts for how to contact your local representatives.

Mr. P. Smith advised that there was an article in the newspaper on April 21st from Jason Snyder, Township Engineer from North Hopewell Township, regarding the Husson Road Bridge. He gave a copy of the article to Mrs. Gunnet and the Board. He stated that he would like to respond to the article regarding the contradiction and would like to set the record straight. Mrs. Gunnet advised that when she spoke with representatives from North Hopewell Township, they stated that they do not have any funds set aside for additional work. Mr. P. Smith stated that he will send his response to Mrs. Gunnet for review.

Mr. P. Smith questioned if the fields are available at the new school. Mrs. Gunnet advised that they were originally scheduled to be available in the fall but Windsor Area Recreation has been granted permission and is currently using them. Mr. P. Smith stated that he does not feel that WARC should be in contact with the School District regarding the fields. He commented that there has been discussion of WARC installing benches and fencing at the fields. He advised that WARC does not have a right to have this discussion and cannot step in and have improvements done. Mrs. Gunnet noted that due to the lack of benches and fencing, they will only be able to have practices at the school. WARC is to be informed of the Board's wishes.

Mr. P. Smith advised that he would like the staff to come up with a plan to change the engineering for the Panorama Hills Pump Station upgrade from C.S. Davidson to Arro. Mrs. Gunnet noted that when invoices come from C.S. Davidson, they were forwarded to Mr. Holweck for approval before paying.

Mr. P. Smith asked if the grub work at the Public Works Building was included in the quote from W. Craig Adams. Mr. Trout advised that the stone work was included but the clearing of the wooded area was not. Mr. P. Smith asked if it would be a general expense. Mrs. Gunnet advised that it would. Mr. Trout explained that by clearing the area, it gives Mr. Dehoff a larger area to farm. Mr. J. Smith advised that he thought the Highway Department was going to do this work. Mr. Trout stated that W. Craig Adams could do it more quickly.

14. Mr. J. Smith questioned what the bucket is for the Highway Department. Mr. Trout advised that it was for the backhoe and was included in the budget. Mr. J. Smith asked what the bait stations are for. Mr. Trout advised that they will be used at the pump stations. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
15. The meeting of the Windsor Township Board of Supervisors recessed at 8:50 p.m. until Tuesday, May 4, 2010 at 2:30 p.m. at the Windsor Township Public Works Building, 970 White Oak Road for a quarterly meeting with the Public Works employees.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 3, 2010

Vera Miller	830 Marvell Drive York PA
John C. Snyder, Esq.	Attorney for Ray Clinton
Jack Carpenter	45 Carson Lane Red Lion PA
Ron Heindel	655 Kendale Road Red Lion PA
Junior Herbst	730 Kendale Road Red Lion PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Gene & Bobbie Zimmerman	860 Zimmerman Road Red Lion, PA
Dennis Cacciola	Windsor Road Red Lion PA
Christine Kimmel, Esq.	Attorney for WalMart
Jim Stine	655 Nottingham Way Red Lion PA
Sam Anderson	1120 Windsor Road Red Lion PA
Jim Howard	1070 Windsor Road Red Lion PA
Karin Ellinger	210 Meggon Lane Red Lion PA
Charles Wilson	1105 Windsor Road Red Lion PA
Charles Silar	1500 Windsor Road Red Lion PA
Kirk Shenberger	3425 East Prospect Road York PA
Glen Neuhs	Spotts, Stevens & McCoy
Steve Seitz	60 Carson Lane Red Lion PA