

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 21, 2015

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

Those present: Dean Heffner, Jo Anna Shovlin, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, Richard Resh, 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 Jo Anna Shovlin seconded by Rodney Sechrist, the minutes from the November 16, 2015 and December 7, 2015 meetings were approved. Motion carried. Three votes yes.
4. The following items of correspondence were presented:
 - A. Mrs. Gunnet advised that any Form U applications that had been received from Modern Landfill would be on the counter in the rear of the room.
 - B. Mrs. Gunnet advised that she has received a letter from Flaherty & O'Hara regarding the intermunicipal transfer of a liquor license into Windsor Township for the Giant Food Store. She stated that she has forwarded the letter to Attorney Rausch. A fee will need to be created for the transfer. She noted that Springettsbury Township charges \$500. The fee can be added to the Fee Schedule which will be approved at the reorganizational meeting in January. Attorney Rausch advised that a public hearing will need to be held. Mrs. Gunnet stated that the letter indicates that the applicant will reimburse all costs that the Township incurs. The Board agreed to set the fee at \$500.
 - C. Mrs. Gunnet advised that she has received a letter from the Windsor Township Tax Collector, Jill Heindel, requesting to change the Deputy Tax Collector. She stated that she would like Elizabeth Adcock as her Deputy. Ms. Adcock is the current tax collector at Hellam Township and she uses the same program. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved Elizabeth Adcock as the Deputy Tax Collector. Motion carried. Three votes yes.**
 - D. Mrs. Gunnet advised that she has received a letter from the Office of the Governor, Tom Wolf, appointing Eric Myers as the Emergency Management Coordinator. She stated that Mr. Myers is working on obtaining all of his certifications and has received four of the six so far. The Board agreed that they do not want the Emergency Management program to decline. Mrs. Shovlin asked Mrs. Gunnet to request that Mr. Myers attend the Board meetings.
 - E. Mrs. Gunnet advised that she has received an invitation to the Rescue Fire Company's annual appreciation banquet which will be held on Saturday, January 16th. She asked the Board to let her know if they plan to attend so she can RSVP.

- F. Mrs. Gunnet advised that she has received information for a 2016 elected official's seminar which will be held on Saturday, February 6th at the York County Emergency Services Center. She asked the Board to let her know if they were interested in attending.
 - G. Mrs. Gunnet advised that she received correspondence from Comcast informing that they will be having pricing changes effective December 20, 2015.
5. Windsor Township Fire & Rescue Association – No one was present. Mrs. Gunnet advised that an election was held for the Association and a president was not elected.
- A. Mrs. Gunnet advised that the next Fire Chiefs meeting will be held on January 28th at Dallastown.
6. York Area Regional Police Department – Sergeant Tim Damon was present. He reviewed the November report, noting that the Township had a 54 hour shortage. He added that there was a police incident on Appaloosa Way on December 18th when the department tried to serve a warrant. The person surrendered on his own.

Mrs. Shovlin thanked the department for the extra patrols in her neighborhood over the weekend when there were people going door to door in the evening.

7. **Intersection of Rt. 124 & Freysville Road** - Sergeant Damon advised that on December 10th, there was a fatal accident at the intersection of East Prospect and Freysville Roads. He reported that there was dense fog that morning. He noted that there are some conflicting reports and the blood results from the driver and the vehicle's mechanical report are still pending.

He stated that he is aware that since the accident the Township was contacted by numerous people regarding the intersection so he pulled accident data and obtained information from a traffic study that was done in 2013. The traffic study was focused on traffic heading north on Freysville Road as this is the direction of traffic for most of the accidents. He advised that there have been 44 accidents over the past 15 years. Of those, 9 were due to the vehicle not stopping at the stop sign, as appears to be the case in the recent accident. The rest were errors in judgment. There was a fatal accident on June 5, 2013, in which the north bound driver on Freysville Road failed to stop at the stop sign. Improvements were made to the intersection after this accident to make the stop sign more visible. He noted that there is a "stop sign ahead" sign located 454 feet from the stop sign on the southern side of Freysville Road, near the Panorama Hills Pump Station. The speed limit on East Prospect Road was also reduced from 45 mph to 40 mph. PennDOT would not release the full study but a signal light was not warranted at that time.

Sergeant Damon advised that there are three options for improvements at the intersection. He stated that a flashing light could be installed, a four way stop could be created or a traffic signal could be installed. He noted that since both East Prospect and Freysville Roads are state roads, PennDOT would need to grant approval.

Mrs. Shovlin advised that through Representative Saylor's Office, she requested a copy of the traffic study that was done. She reiterated that there have only been 2 fatalities in 15 years. She contacted Mike Keiser and Jason Bewley from PennDOT and neither feel that a traffic signal is warranted. They did state that they would be agreeable to flashing lights. She advised that Representative Saylor is not in favor of a signal light at the intersection but he is also agreeable to the flashing lights. Mr. Heffner questioned if the State would pay for the lights to be installed. Mrs. Shovlin stated that since she is working on this with Representative Saylor, it should be. However, the Township would become responsible for the maintenance.

John Cheeseman, 910 Cranberry Lane, questioned if there could be flashers installed prior to the intersection for more awareness. Mrs. Shovlin stated that she could check with PennDOT on this. Mr. Trout added that there is specific criteria that needs to be met in order for them to be installed.

Leslie Temples, Valley Road, York Township, stated that she travels in this area frequently. She stated that heading southbound on Freysville Road, it is difficult to see in both directions when crossing East Prospect Road. She stated that many cars are speeding as well. She commented that she is concerned about the safety of the intersection.

Mrs. Shovlin advised that she will have Mrs. Gunnet contact both Mike Keiser and Jason Bewley and have them pull the 2013 traffic study and also provide them with Sergeant Damon's accident figures so that they can move forward. She will then follow up with them after the new year.

Sergeant Damon noted that the fatality in this accident was unbelted and if he had been, he likely would not have been killed.

8. Brian & Belinda Bonini - Prohibit tractor trailers from turning onto Smith Road from Rt. 74 - Mrs. Gunnet advised that Mrs. Bonini contacted her earlier in the day and requested that they be removed from the agenda.
9. Dirk Posey - Surety Questions - Mr. Posey advised that he and his father had a subdivision approved in 2010. As part of the requirements, security was held for stormwater management controls. He stated that since there is an updated Stormwater Management Ordinance, there are new requirements that would have to be met. He questioned if it is still necessary for him to post the security for improvements that will be addressed on a Stormwater Site Plan required at the time of the Building Permit submission.

Mr. Klinedinst advised that security was posted for seepage pits, grading, inlets, pipe, soil erosion controls and an additional amount for road improvements. He stated that if the entire security was released there are still improvements that need to be completed. He noted that the most he could see reducing would be \$15,000 which represents \$5,000 for a house seepage pit on each of the three lots.

Mr. Allison stated that the Township had previously decided that they would not release funds as they were tied to an NPDES permit but that does not apply in this situation. He added that he feels that this should be looked into further before a decision is made. Mr. Posey advised that he wanted to

come before the Board so the process could be started. The Board agreed for Mr. Klinedinst, Mrs. Gunnet and Mr. Allison to move forward.

10. **Adoption of 2016 Budget** - Mrs. Gunnet advised that the proposed 2016 Budget has been open for review and has been advertised for adoption this evening. She noted that the Real Estate Tax millage rate will remain at .6 and the Fire Hydrant Tax millage rate will remain at .1. Public Safety accounts for 54% of the budget and Public Works for 24%. The quarterly sewer bill will increase to \$112 beginning February 1st. This is the fifth year of the Pump Station Rehabilitation Plan but it is operating one year behind. Funds for the elimination of the Beaverson Pump Station are included in the budget, however it may not occur in 2016. The budget also reflects the new Host Municipal Agreement rates.

- A. Resolution #2015R-12-01 - Tax Levy - Mrs. Gunnet advised that this resolution sets the Real Estate and Fire Hydrant Tax millage rates.
- B. Resolution #2015R-12-02 - Non-Uniform Pension Contribution Rate for 2016 - Mrs. Gunnet advised that this resolution sets the employee contribution rate at 2%.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved Resolution #2015R-12-01 and #2015R-12-02. Motion carried. Three votes yes.

On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board adopted the 2016 Budget. Motion carried. Three votes yes.

11. Solicitor:

- A. Beaverson Interceptor Right-of-Way - MacNamara - Attorney Rausch advised that the appraisal for the right-of-way for the MacNamara property is \$20,600. Mrs. Gunnet stated that she contacted the appraiser to discuss the amount. He informed her that since the property is 6 acres it is able to be subdivided. She explained to him that it is not financially feasible but he stated that it is still possible. Attorney Rausch noted that the MacNamaras stated that they were going to obtain an appraisal as well. Since there are other appraisals needed in Springettsbury Township, the Board did not take action.

12. Township Engineer:

- A. **Cranberry Lane/Dietz Road Sewer Extension - Status Report #14, Update on connections** - Mr. Resh advised that they ran into a problem at 670 Dietz Road. It is likely that the contractor over compacted the pipe and now that it has settled, there is a crack that needs to be repaired.

Mrs. Gunnet advised that as of today, 24 sewer permits have been issued and 12 have been connected. There are 5 properties remaining that have not applied for a permit. A letter will be sent reminding them of the January 13th deadline.

Mr. Resh stated that through the December 7th billing period, the project was approximately \$70,000 under budget for the engineering fees. Mr. Klinedinst noted that they are doing the work based on time and materials.

Mr. Resh advised that he will be retiring on January 15th but will continue to work part-time 2 to 3 days per week. He stated that it was a pleasure working with the staff.

- B. Surety reduction - Kensington, Phase I & Windsor Meadows** - Mr. Klinedinst advised that he has received two requests for security reductions. He stated that he is recommending a reduction for Kensington, Phase I in the amount of \$61,047.37 to bring the balance to \$394,635.95.

Mr. Klinedinst advised that he did an inspection last week at Windsor Meadows and he is not recommending a reduction. He stated that he believes the surety company is going to complete the work and feels that the amount that is being held is sufficient.

On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the security reduction for Kensington, Phase I and denied the request for Windsor Meadows. Motion carried. Three votes yes.

13. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for December. There were no questions.
- B. Wise Avenue - Repayment Agreement - Ramon W. & April L. Reinhart & Connection update** - Mrs. Gunnet advised that Mr. and Mrs. Reinhart are working with the York County Planning Commission. The project will be bid so it will be a longer process until they are connected. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the Repayment Agreement with Ramon & April Reinhart. Motion carried. Three votes yes.**

Mrs. Gunnet advised that the other three properties have been connected.

- C. Purchase of portable generator (2016 Budget)** - Mr. Heffner questioned if the Township already has a portable generator. Mr. Trout stated that the one they are interested in purchasing is smaller and would be used at the vaults at the Panorama Hills Pump Station. He stated that they are going to try to eliminate the leakage by fixing seals. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the purchase of the portable generator from the 2016 budget. Motion carried. Three votes yes.**
- D. Sale of 1994 Ford L-8000 Dump truck, plow & spreader** - Mrs. Gunnet advised that the truck was bid through Municibid. The high bidder is Michael Nugent from ABC Construction in Bensalem, Pennsylvania. **On the motion of Rodney Sechrist seconded by Dean Heffner, the Board awarded the bid to Mr. Nugent. Motion carried. Three votes yes.**

- E. **Engineering Quote - Pump Station Rehabilitation - \$73,000** - Mr. Trout advised that the Board has received a copy of the quote from C.S. Davidson for engineering fees for the pump station rehabilitation. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the quote. Motion carried. Three votes yes.**
- F. Mr. Trout advised that Ford is having a new model year for 2016 and there is a longer lead time and a price increase effective January 7th. He stated that yellow is a high dollar paint but that is what we want. He commented that he still feels that his budgeted amount will be close.

Mr. Heffner questioned the rust on the sewer truck. Mr. Trout stated that he thinks the water lays around the toolboxes. Mr. Heffner commented that the truck was powder coated to avoid this. Mr. Trout stated that they may be able to purchase a replacement door if necessary.

14. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for November. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for November. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for November. There were no questions.
- D. Mr. Heffner advised that the Board has received a copy of the Transition Report for November. There were no questions. Mrs. Gunnet questioned if the Board still wants to receive this report since most of ARRO's projects have been completed. The Board decided that they would like to see a quarterly report.
- E. Mr. Heffner advised that the Reorganizational meeting will be held on January 4, 2016 at 6:00 p.m. Mrs. Shovlin stated that she may not be able to attend.
- F. Mr. Heffner advised that the Auditor's meeting will be held on Tuesday, January 5, 2016 at 6:30 p.m.
- G. Transfers to: Vehicle & Equipment Fund, Sewer Capital Improvement Fund and General Fund - Mrs. Gunnet advised that the Board has received a breakdown of the transfers. She stated that a transfer will be made in the amount of **\$11,723.80 from General Fund to Vehicle & Equipment Fund**. This transfers the balances left in the capital purchases and small tools accounts. Mr. Heffner stated that he recently saw that there was an abundance of small tools purchased. He questioned why so much was purchased and if tools were broken. Mrs. Gunnet stated that they returned broken tools to Sears to be replaced and some new tools were purchased.

Mrs. Gunnet advised that a transfer in the amount of **\$526,921 will be transferred from Sewer Fund to Sewer Capital Improvements Fund** for the work that was budgeted under the Pump

Station Rehabilitation Plan. Projects that were scheduled to be paid from the 2015 budget will now be paid from the Sewer Capital Improvements Fund.

Mrs. Gunnet reported that the transfer **from the Solid Waste Fund to General Fund is not needed**. She stated that both the real estate transfer taxes and earned income taxes, as well as the cable franchise fee, produced more income than budgeted. Mr. Heffner commented that the mild weather so far has also led to less overtime and materials.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the transfers. Motion carried. Three votes yes.

- H. **Investment Accounts for General Fund & Sewer Fund** - Mrs. Gunnet advised that the investment accounts are currently at Peoples Bank. They are still offering the highest rate at .7%. She stated that these funds must be liquid due to necessary transfers. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved to keep the General and Sewer Fund investment accounts at Peoples Bank. Motion carried. Three votes yes.**
 - I. Solid Waste Fund - Mrs. Gunnet advised that when there were excess funds in the Solid Waste Fund due to the Panorama Hills Pump Station payments, the Board required two signatures on the checks. She questioned if the Board would like to keep or remove this requirement. It was the consensus of the Board to still require two signatures.
 - J. United Way - Book Drive - Mrs. Gunnet advised that between Windsor Township, York Township and the York Area Regional Police Department, 101 boxes of books were collected. The United Way stated that this was their largest collection ever.
 - K. Paul Redifer - Continued use of Conference Room - Mrs. Gunnet advised that Paul Redifer was not re-elected as constable for Windsor Township. However, he is attempting to become constable in surrounding areas as each municipality can appoint a constable if one was not elected. He questioned if the Board would allow him continued use of the conference room if he was appointed in another municipality. Mrs. Shovlin stated that she feels that he should have an office in the municipality in which he is serving. After discussion, the Board agreed to allow Mr. Redifer to use the conference room until June 30, 2016.
 - L. Mr. Heffner advised that an Executive Session will be held after the meeting to discuss potential litigation and the purchase of land.
15. Unfinished Business - There was none.
16. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking.

John Cheeseman, 910 Cranberry Lane, stated that he saw that the York County Solid Waste Authority is no longer accepting electronics for recycling. Mrs. Gunnet advised that the Authority had a contract in place for 2016, however, there is no longer a demand for the electronics because the

State law caused an abundance of the commodity. They are directing people to contact Best Buy and Staples but they both have restrictions.

Leslie Temples, Valley Drive, stated that she had requested a copy of the accident reports for the East Prospect and Freysville Road intersection from the York Area Regional Police Department and it also lists a fatality on February 16, 2014 but Sergeant Damon did not mention this. She asked that the Board state again how they were going to proceed. Mrs. Shovlin stated that Mrs. Gunnet will be contacting PennDOT to have them pull the 2013 traffic study and provide them with Sergeant Damon's report. She will then follow up with them to discuss the installation of flashing lights. She stated that she may not have anything to report at the January 18th meeting but should have information for the February 15th Board meeting. Mrs. Gunnet added that she will follow up with Sergeant Damon regarding the third fatal accident in question. It was noted that accident reports are sent to PennDOT if they are reportable. A reportable accident is one in which a vehicle is towed or there is an injury.

Ms. Temples questioned if the landfill could help to pay for the signal since East Prospect Road is heavily traveled by the garbage and recycling trucks. Mrs. Gunnet stated that the Township could not force them to assist with the payment.

Mark Sowers, 195 Shaw Road, commented that if the Township would accept a fee-in-lieu of providing land for recreation from developers, those funds could be used toward the purchase of land. He noted that an appraisal report for his property was given to Attorney Rausch.

17. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Mrs. Shovlin wished everyone a Merry Christmas and Happy New Year.

Neither Mr. Sechrist nor Mr. Heffner had any comments.

18. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.
19. The meeting recessed into an Executive Session to discuss potential litigation and the purchase of land at 7:20 p.m.
20. The meeting reconvened at 7:51 p.m. Mr. Heffner wished everyone a Merry Christmas. He also thanked the Board, Township staff and Public Works for their hard work.
21. The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

December 21, 2015

Vera Miller

Dirk Posey

Leslie Temples

Spencer Seaks

Mark Sowers

John & Lynn Cheeseman

Sergeant Timothy Damon

285 Posey Lane Red Lion PA

767 Valley Drive

951 Wise Avenue Red Lion PA

195 Shaw Road Windsor PA

910 Cranberry Lane York PA

York Area Regional Police Department