

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

August 15, 2016

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, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, 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 Rodney Sechrist seconded by Dean Heffner, the minutes from the July 18, 2016 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 that she has received a letter from the Public Employee Retirement Commission with the Distress Determination for the Township's Non-Uniform Pension Plan. The letter acknowledges that the plan has a distress value of 0 which means that it is 99% funded.
  - C. Mrs. Gunnet advised that she has received a letter from Representative Saylor regarding the Commonwealth Financing Authority grant program. She explained that it is for public water and sanitary sewer projects. The grant amounts vary from \$30,000 to \$500,000. The application period is open until October 31st. She stated that Mr. Klinedinst will be applying for the grant for the 2017 sewer projects.
  - D. Mrs. Gunnet advised that she has received an invitation from Boy Scout Troop 155 to their spaghetti dinner which will be held on Sunday, September 18th at Chapel Church. She asked the Board to let her know if they would be attending so she can RSVP.
  - E. Mrs. Gunnet advised that she has received a letter of resignation from Mary Harris Animal Control Services effective December 31, 2016. She stated that she will be interviewing another person to fill the position.
  - F. Mrs. Gunnet advised that she has received a letter from Golden Connections Community Center, formerly the Red Lion Senior Center, thanking the Board for the donation.
  - G. Mrs. Gunnet advised that she has received a letter from the York County Conservation District regarding Chesapeake Bay Related Farm Regulatory Inspections. The Board has received a copy. PennDEP has requested that the Conservation District take responsibility for these inspection. Their Board has declined.

- H. Mrs. Gunnet advised that she has received a copy of a letter from the Township's liability insurance carrier, Employers Mutual Casualty Insurance, that was sent to the attorney for Harry T. Hogan, Jr. regarding the lawsuit that was filed due to an accident on Felton Road. The insurance company will not be considering the claim as the Township had no involvement.
  - I. Mrs. Gunnet advised that she has received a copy of the Audit Report from the Pennsylvania Department of the Auditor General for the audit of the Liquid Fuels Tax Fund. The audit covered the period of January 1, 2013 to December 31, 2015. There were no findings.
5. Windsor Township Fire & Rescue Association – Eric Myers was present. He stated that they are looking for an area to train with hydrants that would be in an area that is not along a main road. He suggested a school. Mrs. Gunnet advised that she will check with the school district to see if there is a location that would be suitable.
- A. Mr. Myers advised that the next Fire Chiefs meeting will be held on September 22nd at Felton.
  - B. Mrs. Gunnet advised that there is currently a burn ban in effect. She questioned if it should be lifted yet. Mr. Myers stated that it should remain in effect.
  - C. Mrs. Gunnet advised that the Board has received a copy of the 2015 Fire Company Report showing the number of calls for the year.
6. York Area Regional Police Department - Sergeant Ken Schollenberger was present. He reviewed the report for July. There were no questions for him.
- A. The monthly report for July is available for review.
7. June Lloyd - Kaltreider Benfer Library - Ms. Lloyd thanked the Board for their continued support of the Kaltreider Benfer Library. She provided a handout to the Board which outlined statistics, services, programs and future plans for the library. She noted that 44% of Windsor Township residents have a library card and many took part in the summer reading program which has really grown over the years. She noted that the library also offers computers and internet services. She stated that there is something for everyone at the library. Ms. Lloyd advised that in the future, they would like to expand the building. If this is not possible they may consider reconfiguring the inside. She commented that it is a well run and used library and asked that the Board consider a larger donation in the future.
8. Heather Goebeler - Golden Connections Community Center - Ms. Goebeler advised that she is Executive Director for the newly renamed Red Lion Senior Center. She provided a packet to the Board with information on the center. She noted that the Senior Center recently changed its name to the Golden Connections Community Center. She explained that they chose to remove "Red Lion" to encourage residents in other areas to attend. Golden was chosen to still represent that it is intended for older citizens. She reviewed the purpose for the center and some of the programs and services provided, noting that through research, the National Council on Aging has concluded that people who attend these types of centers delay the onset of chronic diseases. Ms. Goebeler stated that in 2015, the number of lunches serviced, meals on wheels deliveries and attendance increased. There was a 3% increase in

members that reside in Windsor Township and they currently have 945 active members. She stated that the center is running out of space and they have put in an offer to purchase an adjoining property to expand. She commented that with an expansion, they envision a gym, fitness center, pool, internet cafe and additional parking areas. She thanked the Board for their continued support to the center.

9. MS4 and Stormwater Planning presentation - Mr. Allison advised that there will be significant changes for MS4 requirement in the next 5 year permit cycle. He explained that in the past, it was necessary to explain what the Township planned to do but now action will be required. He noted that there are detention basins within the Township that are able to be retrofitted that will help to meet the requirements. Being part of the Chesapeake Bay Pollution Reduction Plan is also a benefit to the Township. Mr. Klinedinst added that there is a new Model Stormwater Ordinance to be followed. The C.S. Datum program will also be able to be used for submission. He noted that there will now be a submission fee for reporting.

Jeff Walker questioned if these requirements are for new construction. Mr. Allison advised that it is for both new construction and retrofitting existing conditions to enhance water quality.

#### 10. PLANS FOR APPROVAL:

- A. INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS - Preliminary/Final Subdivision Plan - Plan #428.6 by Site Design Concepts, 3 lots on East Prospect Road - Adam Anderson with Site Design Concepts and Jeff Walker with York Excavating Company were present. Mr. Anderson advised that they had been before the Board and had obtained several waivers in March. They have now secured permitting for all other agencies and have addressed all outstanding comments. On the motion of Rodney Sechrist seconded by Dean Heffner, the Board approved the plan. Motion carried. Two votes yes.
- B. IAMAW & YORK EXCAVATING - Final Land Development Plan - Plan #428.6 by Site Design Concepts, 3 lots on East Prospect Road - Mr. Allison advised that this plan shows the proposed buildings on the lots that were just approved. All outstanding comments have been addressed. On the motion of Rodney Sechrist seconded by Dean Heffner, the plan was approved. Motion carried. Two votes yes.

#### 11. Solicitor:

- A. **Kenneth Stoltzfus property - Lombard Road - Agreement to Modify Subdivision Plan -** Attorney Rausch advised that the property owned by Kenneth Stoltzfus adjacent to the former Spring Valley Pool is for sale. The building was being marketed as storage for a commercial use. Mr. Allison did not agree that this was a permitted use for the property and sent a letter stating the Township's position that the property was used for residential storage, not commercial. The owner did not agree and filed an appeal application with the Zoning Hearing Board. He stated that he felt the best option to handle this situation would be to record an Agreement limiting the uses.

Attorney Rausch advised that when the subdivision was approved to create the lot in 1983, the property was zoned residential. A note was put on the plan that this lot was to be used as an

accessory to agriculture. He stated that he has prepared an Agreement to modify the subdivision to prohibit commercial uses and allow for inside storage only. The Agreement will need to be recorded and he recommended that the Board approve it. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the Agreement to modify the subdivision plan. Motion carried. Two votes yes.

An Executive Session will be held to discuss the potential purchase of the property.

- B. Attorney Rausch advised that all of the easements have been obtained for the Beaverson Pump Station elimination project. The project can now be bid.

12. Township Engineer - Mr. Klinedinst advised that he did not have anything to report.

13. Public Works:

- A. Mr. Heffner advised that a monthly report was not provided.
- B. Wise Avenue - Connection Update - Mrs. Gunnet advised that Mr. Reinhart has still not connected. He has pled guilty to the citation that had been filed. He is unable to apply for the York County Planning Commission program because he has an outstanding debt with the Township. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board agreed to cite Mr. Reinhart again. Motion carried. Two votes yes.**
- C. **Delta Road Pump Station - PSI Pumping Solutions - 120 Day Time Extension, Liquidated Damages** - Bob and Mike Aiello were present. Mr. Klinedinst advised that the Board has been presented with time extension requests and the potential to collect liquidated damages. He stated that he does not feel that the contractor has provided justification for a time extension. The first time extension request covered until July 30th. The second time extension request is from July 31st until the station was put into operation on August 10th. He noted that the Township is entitled to \$500 per day for liquidated damages. He stated that his concern is that another bidder could have provided a lower bid if there was no timeframe for completion. He recommended approving the first time extension request but not the second. **On the motion of Rodney Sechrist seconded by Dean Heffner, the Board approved the time extension request until July 30th based on the recommendation of the Township Engineer. Motion carried. Two votes yes.**

Mike Aiello responded to the issues with the project. He explained that the original enclosure that was submitted for approval to C.S. Davidson was incorrect and so they had to go back to the supplier to obtain the correct item. This delayed the project from the beginning. Once the pipe was received, they began work on the project and once the enclosure was received they started that portion of the job. He stated that he does not feel the liquidated damages should be incurred as they did the work as quickly as they could. Mr. Aiello commented that he did notify the Township to inform that they had run into issues and the project would be delayed. He stated that they would be open to discuss reimbursing the Township for any additional costs accrued during this period. He noted that they tried to correct the mistake as soon as they could because it also costs their company money when a

project is not finished on time. He advised that the station is now complete and they have 30 days to complete the other improvements which include the fence and pavement.

Mr. Klinedinst asked if they could explain how the wrong enclosure was ordered. Bob Aiello stated that their supplier quoted an enclosure that met the regulations for the generator but there was not enough extra spacing. This caused additional time for the correct enclosure to be approved by C.S. Davidson and for it to be received. Mike Aiello acknowledged that it was their mistake from the beginning. Mr. Klinedinst advised that he will research to determine the additional costs that were accrued by the Township due to the project not being finished on time and that can be presented at the next Board meeting. Mike Aiello stated that he would prefer to see this handled as a Change Order rather than liquidated damages.

- D. **Resolution #2016R-08-01 - Adoption of the streets in WINDSOR MEADOWS** - Mrs. Gunnet advised that all of the work has been completed in Windsor Meadows and the maintenance bond has been received. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the Resolution to adopt the streets in Windsor Meadows. Motion carried. Two votes yes.**
- E. **Resolution #2016R-08-02 - Adoption of the streets in Whisper Run - Phases I & II** - Mrs. Gunnet advised that there is one outstanding item. There was an issue with incorrect signage. Mr. Trout noted that he spoke with D.E. Gemmill earlier in the day and they will be correcting the issues. Due to the deadline for street adoption being September 1st, the developer is requesting conditional approval. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved Resolution #2016R-08-02 to adopt the streets in Whisper Run, Phases I & II with the condition that the signage is corrected by August 25th. Motion carried. Two votes yes.**
- F. **Longstown Intersection & Natalie Lane Update** - Mrs. Gunnet advised that the project has received substantial completion. She stated that approximately two thirds of Natalie Lane is located within the Township. The corner of Cape Horn Road, Starlight Drive and Natalie Lane will be the responsibility of the Township to maintain. Mr. Trout questioned if the Board is interested in having the trees removed. It was the consensus of the Board to have them removed. Mrs. Gunnet noted that "No Parking" signs will need to be posted at the end of the street in the turn around area to ensure that there is sufficient area for vehicles to turn around.
- G. **TAYLOR ESTATES, PHASE II, SECTION A - Reconsider surety increase** - Mrs. Gunnet advised that at the last meeting the Board had discussed the request from Gemcraft Homes to shift their surety reduction from Section B to Section A in Taylor Estates, Phase II. She stated that she informed them that an agreement would be required to do so. However, it has been determined that there are two different bonding companies involved. Gemcraft Homes is now requesting to not be required to increase the surety amount.

Mr. Klinedinst advised that depending when they plan to complete the work, there could be an impact due to the lack of funds held. He recommended setting a deadline to have the work completed. Mr. Trout questioned if the Township could complete the work like it was handled in

Windsor Meadows. Attorney Rausch stated that this could be done. It was the consensus of the Board that the deadline to complete the work will be June 30, 2017 or the Township will complete it.

H. Mr. Heffner questioned if the salt shed should be sealed. Mr. Trout stated that he could obtain a quote.

14. Other Business:

A. Mr. Heffner advised that the Board has received the Zoning Report for July. There were no questions.

B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for July. There were no questions.

C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for July. He commented that there were no calls.

D. Mr. Heffner advised that in accordance with the summer meeting schedule there will not be a meeting on September 5th.

E. **Former Spring Valley Pool Property update** - Recreation Plan, Insurance coverage, Rental of grass area along driveway & Filling in of pool - Mrs. Gunnet advised that the Recreation Plan that was completed in 2007 can be updated. It would become site specific and the demographics would be updated. The process would be to plan for what is desired prior to starting any designs.

Charlie Wilson, 1105 Windsor Road, complimented the Board on the purchase of the property. He stated that he visited the site with Mr. Allison. He suggested partially filling in the pool leaving enough water to create an ice skating rink. Mr. Heffner questioned if the weather would remain cold enough for it to freeze.

Mrs. Gunnet advised that the Board had agreed on a \$5,000 limit for contents for the insurance policy but the intent for the pool needs to be determined. Mr. Trout advised that he obtained a quote to demolish the pool. It would be approximately \$10,000 to jackhammer the concrete plus there would be cost to torch the rebar. Mr. Klinedinst stated that it may be able to breach the pool. Mrs. Gunnet noted that the current liability insurance policy will not cover the pool and a separate policy would be required. Mr. Allison suggested purchasing the additional policy since no planning has taken place.

Mrs. Gunnet advised that it is too late in the season for the area along the driveway to be farmed. The Board agreed to allow the gentleman who had been growing hay to continue for this year and it can be rented to Mr. Dehoff next year.

Mrs. Gunnet advised that she received correspondence from the Assessment Office and they have agreed to grant us tax exemption status if the Township withdraws the appeals that had been filed for the property for 2017. Now that the School District knows what the County is doing they can then

address the request for tax exemption. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board withdrew the appeals. Motion carried. Two votes yes.

- F. Electronics Recycling Event - Mr. Heffner advised that an Electronics Recycling Event will be held on October 29th from 9:00 a.m. to 12:00 p.m. at the Public Works Building. It will be limited to Township residents only.
- G. **Vacancy on Planning Commission** - Mrs. Gunnet reported that Mr. Allison tried to contact a gentleman who had previously applied for a vacancy on the Zoning Hearing Board but he has not responded. Todd Kurl had also applied for that vacancy and is interested in this position. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board appointed Todd Kurl to the Planning Commission. Motion carried. Two votes yes.**
- H. **Garage Quotes** - Mrs. Gunnet advised that the Board has received copies of several quotes for the construction of a garage at the Township Office. The lowest quote was from Kohler & Kohler and it is under the bidding limit. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the quote from Kohler & Kohler. Motion carried. Two votes yes.**
- I. Sewer Utility Billing - Update - Mrs. Gunnet advised that MuniLink had issues with the conversion of the liens into their program. They are hopeful that the issues will be rectified and the bills will be mailed this week. Mr. Heffner questioned storage and security. Mrs. Gunnet informed that the program is cloud based.
- J. Schedule dates for 2017 Pre-Budget Workshop & Proposed 2017 Budget Workshop - Mrs. Gunnet advised that she had contacted Mrs. Shovlin for a list of dates that she would be available for the workshops. After discussion, it was determined that the Pre-Budget Workshop would be held on October 11th at 10:00 a.m. and the Budget Workshop would be held on November 7th at 10:00 a.m.
- K. Windsor Area Recreation Commission - Use of rested field for Flag Football - Mrs. Gunnet advised that Mr. Shaffer is having difficulty finding a field for the flag football program. She stated that the Board has received a letter from him requesting to use the field that is currently being rested. The area that would be used would be in the outfield. The program is eight weeks long and is for 6 to 9 year olds. On the motion of Rodney Sechrist seconded by Mr. Heffner, the Board approved the request to use the rested field. Motion carried. Two votes yes.
- L. Mr. Heffner advised that the Board would be recessing into an Executive Session at the end of the meeting to discuss the possible purchase of land.

15. Unfinished Business:

- A. Personnel Policy - Firearms - The Board tabled this topic until all Board members are present.
- B. Zoning Ordinance - Chickens - Mr. Allison advised that he does not have anything to present to the Board this evening. The topic was tabled.

16. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. Charlie Wilson, 1105 Windsor Road, stated that he is glad to have Todd Kurl join and bring his talents to the Planning Commission.

Mr. Wilson reported that at the auction there were two bidders on the Clinton house located at the corner of Windsor and Freysville Roads. He stated that he understands that the person who purchased it plans to fix it up and live there. He noted that at one time it was a hotel and then a boarding house and the property is eligible to be added to the National Register of Historic Places. He commented that even years ago, this intersection was the center of the Township.

17. Supervisors Comments – Mr. Heffner asked Mr. Sechrist if he had any comments. He did not and neither did Mr. Heffner.

18. On the motion of Rodney Sechrist seconded by Dean Heffner, the bills were approved. Motion carried. Two votes yes.

19. The Board recessed into an Executive Session at 7:40 p.m. to discuss the possible purchase of land.

20. The Board reconvened at 7:52 p.m.

21. On the motion of Rodney Sechrist seconded by Dean Heffner, the Township authorized an offer of \$95,000 for the Stoltzfus property at 975 Lombard Rd. Motion carried. Two votes yes.

21. The meeting of the Windsor Township Board of Supervisors adjourned at 7:53 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

August 15, 2016

Eric Myers  
Vera Miller  
June Lloyd  
Michael Aiello  
Bob Aiello  
Paul Ilyes Jr.  
Wade Elfner  
Chas. Wilson  
Bud & Bobbie Zimmerman  
Spencer Seaks  
Heather Goebeler  
Jeff Walker  
Adam Anderson  
Sergeant Ken Schollenberger

Windsor Township Fire & Rescue  
  
Kaltreider Benfer Library  
PSI Pumping Solutions  
PSI Pumping Solutions  
65 Kendale Road Red Lion PA  
45 E. Broadway Red Lion PA  
1105 Windsor Road Red Lion PA  
860 Zimmerman Road Red Lion PA  
951 Wise Avenue Red Lion PA  
Golden Connections Community Center  
York Excavating Company  
Site Design Concepts  
York Area Regional Police Department