

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

May 15, 2017

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, Attorney Charles Rausch, Christopher Kraft, Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble.

2. The Pledge of Allegiance was recited.
3. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the minutes from the April 17, 2017 meeting were approved. Motion carried. Two votes yes.
4. The following items of correspondence were presented (see also 6A-D):
 - 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 copy of the Audit Report from the Auditor General's Office for the Laurel Volunteer Firemans Relief Association of Windsor PA. It covers the period of January 1, 2013 to December 31, 2016. She stated that there was one finding that was a carryover from the previous audit. She noted that Dan Orwig is present.

Mr. Orwig advised that Shawn Gunnet will also be arriving shortly. He explained that the original finding was due to the Relief Association having a larger balance than the bonding limit of \$30,000. He stated that the bonding amount was increased to \$35,000 and they amended the By-Laws in April 2013 which they thought satisfied the infraction. However, on this audit, they called it out as another finding because it was not worded exactly as they wanted.

Mr. Gunnet arrived and provided the Board with a packet of information. He explained that after the exit interview, the auditor listed additional findings. He stated that one was that they did not have two signatures on the checks. Mr. Gunnet advised that they do have two signatures and provided copies of several checks that the auditor requested to see as proof.

Another finding that they are trying to have corrected is based on a payment that was made for physical exams for their truck drivers. Mr. Gunnet explained that firefighters are not required to have a CDL to drive a fire truck but they are required to pass a physical examination. It is a State law that anyone who drives fire apparatus over 21,000 pounds must pass a physical examination. These tests cost approximately \$70 each and are paid for with relief association funds. However, when they were classified, they were called CDL exams and therefore, they are requiring the funds to be reimbursed. Mrs. Gunnet noted that this is not in the official audit though. He stated that he has also enlisted assistance from the PA Fire Commission and Representative Saylor's office.

Mrs. Shovlin questioned where this stands now. Mr. Gunnet advised that they have changed the wording regarding the bonding which will be approved at their next meeting. He believes the issue with the check signing has been rectified. They are still working on the physical examination issue.

The Board tabled the topic.

5. Windsor Township Fire & Rescue Association – Dan Orwig advised that hose and ladder testing is currently being done for all of the companies. He stated that all of the quarterly reports should be submitted to the Township soon. Shawn Gunnet advised that Laurel Fire Company will be doing the portrait and donation fundraiser again this year. The Solicitation Ordinance limits the timeframe that the solicitors can be out. He requested a time extension. It was the consensus of the Board to allow the solicitors for this fundraiser to be allowed to solicit until 8:00 p.m.
 - A. Mrs. Gunnet advised that the next Fire Chiefs meeting will be held on June 22nd at Yoe.
 - B. Mrs. Gunnet advised that due to a fire, representatives from the Yorkana Community Volunteer Fire Company were not able to be present at the Township's Appreciation Dinner where donation checks were presented to each of the fire companies. Mr. Heffner presented the check to Rod Weitkamp and thanked him for their service. Mr. Weitkamp thanked the Board for their donation.
 - C. Follow Up from April 27 Association meeting - Update of Constitution & By-Laws, Township hold Association funds, False fire alarms, Knox Box System - No longer supported, Missed calls and Contracts expire February 28, 2018 - Mrs. Gunnet advised that the Constitution and By-Laws are being revised as it was discovered that practices were not in accordance.

Mrs. Gunnet stated that Laurel Fire Company had been holding funds that were set aside for training. The Association has requested that the Township hold these funds in the future. Mr. Orwig stated that currently there are no funds. The Board agreed to this.

Mrs. Gunnet advised that the Association had requested that the Township enact an Ordinance to allow for them to collect a fee for repeated false fire alarms. She stated that she contacted them for additional information and no one was able to provide her with how many calls there might be. The request will not be pursued at this time.

Mrs. Gunnet reported that the Knox Boxes that are located in the fire trucks are no longer being supported by Knox Box. A newer bluetooth system is now being used. She stated that funds will need to be budgeted for 2018 to update to this system. It is estimated to cost \$10,000.

Mrs. Gunnet advised that at the last meeting, it was brought up that Red Lion was missing calls. She stated that when this was discussed at the Fire Chiefs meeting, all of the companies acknowledged that they sometimes miss calls. It was noted that the most difficult time for volunteer companies to respond is 4:00 a.m. to 7:00 a.m. because the fire fighters are unsure if

they will be able to arrive at their place of employment on time and do not want tardiness to count against them.

Mrs. Gunnet advised that the current contract with the fire companies expires on February 28, 2018. However the contribution amounts include 2018. This will allow time for the Board to negotiate a new contract for 2019.

- D. Mrs. Gunnet advised that Felton Fire Company has received their QRS certification and are requesting that Alarm Boxes 43-401 and 43-402 be changed. The QRS certification allows for medical aid to be administered until a medic service arrives. Mr. Weitkamp explained that this is typical in an area where the ambulance company is further away than the fire company. Mrs. Gunnet advised that the Red Lion Ambulance Company has signed off. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Box Alarm changes. Motion carried. Two votes yes.**
- E. Mr. Heffner advised that he attended Laurel's banquet and the meal was delicious. Mr. Gunnet advised that the food was from Hess's BBQ in Lancaster.

6. Additional items of correspondence were presented:

- A. Mrs. Gunnet advised that she has received a copy of the 2016 York County Real Estate Market Report from the Realtors Association of York & Adams County. She stated that the Board has a copy of the section on homes sold in Windsor Township. In 2012, there were 160 homes sold in Windsor Township and in 2016 there were 252. A copy of the full report is available for review.
- B. Mrs. Gunnet advised that she has received notification from Comcast that they will be having 13 changes for the channels over 1,000.
- C. Mrs. Gunnet advised that a request has been received from Attorney Sean Fields of CGA Law Firm for the rezoning of a parcel. The Board has received a memo from Mr. Allison regarding the request. Mr. Allison advised that Mr. McKinsey, the owner of River's Truck Center, purchased the property at 240 Holtzapple Road which adjoins his property. No plans have been submitted but it is Mr. McKinsey's intention in the future to expand one of the buildings at River's which would be near this property. They are proposing to rezone the property from R-1 to C-1. Mr. Allison stated that he does not have an issue with the rezoning. He noted that the petition that was submitted had the wrong tax map and parcel and Attorney Fields is working on correcting this. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the concept of rezoning the property at 240 Holtzapple Road. Motion carried. Two votes yes.**

The request will now be submitted to the Windsor Township and York County Planning Commissions.

- D. Mrs. Gunnet advised that she has received a letter from Charles Rexroth requesting to add two properties to the Agricultural Security Area. No action is necessary as they will automatically be

added after a 180 day wait period. One of the farms is located at the corner of Snyder Corner and Burkholder Roads which they recently purchased. The other is a tract that they already owned.

7. York Area Regional Police Department - Chief Tim Damon was present. He reviewed the report for the first quarter as well as April. He announced that today is National Law Enforcement Day.

Chief Damon stated that there had been a robbery at White Jewelers in which the suspect had been arrested. However, Rule 600 sets requirements for a speedy trial. The trial was not done within the required timeframe and now the case has been dismissed. They will look to indict him federally now.

Chief Damon thanked the Board for their donation to the Quick Response Team. He stated that the funds will be well spent on training. Mrs. Shovlin commented that she is aware that the QRT is unable to pay for overnight expenses if the training location is within a two hour drive. There was discussion on who to make the check payable to so that the overnight expenses will be covered. It was decided to make a \$2,500 check payable to York Area Regional Police Department and a \$2,500 check payable to York County Quick Response Team.

Mr. Heffner questioned how often they deal with the heroin epidemic. Chief Damon stated that they deal with it daily. He commented that it is a very serious issue and some of the strains are highly toxic. He explained that although it tends to be more prevalent with late teens and early 20s, it affects all age groups and genders. He reported that there have already been four deaths department wide this year which is how many there were last year. Chief Damon advised that people are now having Narcan parties in which they overdose and then call for emergency services to be revived with Narcan. Mrs. Shovlin questioned what the state of the people are that are brought back. Chief Damon stated that some are combative because they are not sure what is happening and others are angry because they were broken out of their high. Mrs. Gunnet commented that she did not think it was required for someone to be treated at a hospital after they have been administered Narcan. Chief Damon confirmed that this is correct and they have had to respond to the same property in the same night because of this.

A. The monthly report for March is available for review.

8. Jeanette Bell - Milner Heights detention pond repairs - Mr. Allison advised that the Board has received a memo from him. He reported that Ms. Bell has changed her position on the repairs to the detention basin on her property in Milner Heights. He stated that she would like the Township to take over the basin or increase the maintenance agreement timeframe from 5 years to 10 years. She requested that he approach the Board with these options.

Mrs. Shovlin commented that the Township and Red Lion Municipal Authority have gone out of their way to get a grant to help her with the repairs to the basin. Mrs. Gunnet stated that she heard part of the phone conversation Mr. Allison had with Ms. Bell and he told her that the Township would fix the basin and lien the property if the grant funds were not received. Mr. Allison added that the basin must be repaired and he does not understand her position. He noted that much time and effort has been given to get to the point that we are at and the Board had already agreed to extend the maintenance timeframe from 3 to 5 years.

It was the consensus of the Board to deny her requests. A letter will be sent to Ms. Bell giving her a specific date to sign and return the Agreement as presented or the Township will complete the work and have the property lien.

9. Jessica Dixon - Request to amend Recreation Vehicle Ordinance - Mrs. Gunnet advised that the Board has a copy of the letter from Ms. Dixon as well as a memo from Mr. Allison. Jessica Dixon was present and addressed the Board. She stated that she is new to the area. Her son races motorcross bikes and practices on their property which is approximately 4 acres. She advised that she is aware of the Recreational Vehicle Ordinance and her son has been riding in accordance with the regulations. She commented that it is very restrictive and is requesting that the Board consider making an amendment to allow for a longer ride time.

Attorney Rausch advised that this was a hugely controversial ordinance as it applies across the Township. Mrs. Shovlin stated that based on this, since the full Board is not present, they would like to table the topic until the July 17th Board meeting when all three members will be present.

Mr. Allison advised that he created a chart that represents the current regulation, Ms. Dixon's proposal as well as another option. He commented that this may help the Board to see how the time is broken down.

Ms. Dixon questioned if she needed to be present at the July meeting. The Board advised that the topic would be discussed regardless if she was present or not.

10. **Ramon Reinhart - 947 Wise Avenue - Time extension to collapse septic tank** - Mrs. Gunnet advised that Mr. Reinhart had until May 12th to have his septic tank collapsed. On Tuesday, May 9th, he contacted the Township to request a time extension from the Board. He had explained that the rain had slowed the process and his contractor was running behind schedule. **The Board agreed that Mr. Reinhart had ample time to come into compliance and it was the consensus to file a citation.**

11. Solicitor:

- A. Steve Schiding - Deed of Dedication - Windsor/Ness Road left turn lane - Attorney Rausch advised that a subdivision had been done at the intersection of Windsor and Ness Roads and the additional right-of-way that was granted was not formally accepted within 21 years after the subdivision was approved. He stated that he contacted the developer, Steve Schiding, and he has signed off on the Deed of Dedication. It was noted that the deeds for these properties reference ownership to this right-of-way line. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Deed of Dedication. Motion carried. Two votes yes.**
- B. Sewer liens - Minton - 531 Milner Drive - Attorney Rausch advised that the Minton property was to be foreclosed on in 2013 but it did not occur. Mr. Minton has defaulted on two payment agreements. The Writ of Scire Facias, Judgment and Execution have been filed. Attorney Rausch advised that he was contacted by Mr. Minton's attorney requesting a new payment plan on

behalf of his client. They are proposing to pay half of the balance and then the rest over a period of 14 months. He noted that he provided the attorney with the history of this case.

It was the consensus of the Board to decline the request for a payment plan and that the balance would need to be paid in full. Attorney Rausch advised that the Sheriff Sale is scheduled for August. That sale will be postponed to give second notice to their mortgage company and a new sale date will be scheduled. Ultimately, he may have six months to pay in full but additional fees will accrue from the Sheriff's Office the longer it takes.

12. Township Engineer:

- A. Windsor Manor Pump Station elimination - Update - Mr. Kraft advised that the Township had decided that staff would be contacting the property owners and developer regarding the possibility for the elimination of the Windsor Manor Pump Station. Mrs. Gunnet stated that she will need an exhibit to present to them. Mr. Kraft noted that Mr. Resh is working on this.
- B. 2016 Pump Station Projects - PSI, Inc. - Payment #4 (Final) \$99,726.43 & Change Order #2 -\$16,961.03 - Mr. Kraft advised that the 2016 Pump Station Project with PSI, Inc. has been completed. There is a negative change order as well as the final payment for approval. The amount of the final payment incorporates the Change Order. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved Change Order #2 in the amount of - \$16,961.03 and Payment #4 (Final) in the amount of \$99,726.43. Motion carried. Two votes yes.

13. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for May. There were no questions.
- B. East York Interceptor Upgrade (Beaverson Pump Station Elimination) - Update - Mr. Trout advised that a preconstruction meeting will be held with the contractor on May 17th. A work schedule will then be provided. It was noted that only 300 to 400 lineal feet is located in Windsor Township.
- C. Sewer main repair - Tennyson Garth - Mr. Trout advised that the Board has received information from him. He stated that it will be necessary to shut off the water service in order to repair the sewer line. He noted that he spoke with Abel and they will have two crews working on the project to have it completed within 24 hours. Red Lion Municipal Authority has agreed to streamline the testing. A boil advisory will be necessary for a period after the completion. Mrs. Gunnet stated that the Township would provide bottled water to the properties affected. Mr. Heffner suggested a 5 gallon bottle. Mrs. Shovlin questioned how many houses would be impacted. Mr. Trout stated that he thought it would be 8 but could be higher depending upon the location of the shutoff valve.

Mr. Trout stated that the Red Lion Municipal Authority had suggested installing additional valves while the repairs are being made. This is estimated to cost an additional \$9,000 and would take

more time. Mrs. Gunnet stated that this work is not required. The Board agreed. Mr. Trout added that pipe bursting is not an option.

- D. VALLEY MEADOWS - Status of surety increase - Mrs. Gunnet advised that on April 20th, Mr. Adams contacted her to inform that he has found a bank that will increase his surety amount. She stated that he has until the end of May to provide the updated Letter of Credit.
- E. **Oil & Chip** Bid results - Mrs. Gunnet advised that the bid results are attached to the Board's agenda. The low bidder is **Martin Paving**. Mr. Trout advised that they have done work in the Township before and is recommending approval. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.
- F. **Pave-In-Place** Bid results - Mrs. Gunnet advised that the low bidder for the Pave-in-Place is **Highway Materials**. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.

14. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for April. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for April. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for April. There were no questions.
- D. Windsor Manor's Outdoor Classroom Grand Opening Ceremony - Update - Mrs. Gunnet advised that Mr. Sechrist and Mr. Allison attended the ceremony and they were given a thank you card. She stated that pictures were provided to the Board.
- E. **Randy & Kim Metzger - Snyder Corner Road - Exemption to encroach into well isolation distance** - Mrs. Gunnet advised that an Agreement has been prepared and signed by the Metzgers. They need to replace their septic system and will be within 100' of the well as there is no other location for the system on their lot. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the Agreement. Motion carried. Two votes yes.
- F. Intergovernmental Insurance Cooperative - 2016 Claim Fund surplus - Mrs. Gunnet advised that there was a surplus over \$38,000 of which 75% has been received. She stated that she was surprised that the amount was this high as there were some larger claims last year. She stated that she asked the Township's representative about this and he informed that if there were any 2016 claims that needed to be paid this year, they would be deducted from the 2017 funds.
- G. Mr. Heffner advised that the Township has received the second installment toward the Community Center from Republic Services.

- H. Gaga Ball Pit - Update - Mrs. Gunnet advised that the gaga ball pit has been completed and has been used. She stated that Isaiah Gingerich had left a ball there but it was taken. A plaque has been ordered to place on the structure.

Mr. Heffner questioned if anyone uses the horseshoe pit. Mrs. Gunnet advised that she had asked Mr. Kerchner to monitor the use.

- I. Community Development Block Grant - ADA Improvements - Resolution #2017R-05-01 - Mrs. Gunnet advised that at the last Board meeting, Mr. Klinedinst informed that there are CDBG funds available for ADA projects. Mrs. Gunnet advised that she contacted Hershocks to obtain a quote on the replacement of the front entrance doors at the Township Office. She stated that the quote for sliding doors on both sets of doors is approximately \$22,000. The quote for a push button system is approximately \$7,800. These quotes do not include wiring and electrical work. Mrs. Gunnet explained that the Township gets more points based on the percentage of funding that is put toward the project cost. She stated that she prepared Resolutions with the option of 0%, 10% and 20% contributions. The Board agreed that they would like to have the sliding doors and would do a 20% contribution. Mrs. Shovlin asked if the doors will still chime when someone enters the building. Mrs. Gunnet advised that they would. Mrs. Gunnet noted that the project would need to be advertised and bid. The project contractor may not be Hershocks.
- J. 2018 Regional Chesapeake Bay Pollutant Reduction Plan cost sharing/funding scenarios - Mr. Allison advised that the Board has received a letter from him. He stated that there are several different funding options. However, the Township's share does not change much. It is unknown if there will be contributions from other sources and how this will impact the overall cost of the plan. It is in the Township's best interest to participate in the Regional Plan. It was noted that the contribution amount will significantly increase from the current plan and it may be necessary to raise taxes to cover this expense. Mrs. Gunnet commented that Conewago Township in Adams County is sending an invoice twice a year for \$39 to each household.

Mr. Allison advised that MS4 municipalities need to submit their Notice of Intention and application in September for the 2018 cycle. Attorney Rausch commented that in a few years the County may consider creating a Stormwater Authority.

One of the options for funding is to spread the cost across all municipalities, not just those that are MS4. Mr. Allison explained that the MS4 municipalities would share the project costs and the non MS4 and advanced waiver municipalities participating would be responsible for splitting the administrative costs for the 5 year plan. The Board agreed that they preferred this option.

Mr. Allison suggested that a letter be sent to the York County Planning Commission expressing the Township's concerns regarding the level of assumed grant funds, participation and financial contributions from non MS4 and advanced waiver municipalities. The Board agreed. He added that neither he nor Mrs. Gunnet will be present at the next Regional Plan meeting. Derek Rinaldo from C.S. Davidson will be present on behalf of the Township.

- K. Girl Scout Troop - Use of Freysville Park - August 18 from 8:00 p.m. to 10:00 p.m. - Mrs. Gunnet advised that she has received a request from a girl scout troop to use the pavilion after the park closes. They would like to host a movie night for several troops in the area. The park closes at dusk and they would like to show the movie from 8:00 p.m. to 10:00 p.m. They have an inflatable screen that they would set up in the grass. The Board agreed to allow the troops to use the park after closing and to also have the pavilion rental fee waived. Mrs. Gunnet stated that she will contact the police department so they are aware of the situation.
- L. Mr. Heffner advised that the Board meeting scheduled for June 5, 2017 will be cancelled.
- M. Electric Generation quotes - Mrs. Gunnet advised that an updated quote has been provided to the Board this evening. She explained that the current contract with Direct Energy expires in March 2018. The broker, APPI, has obtained new quotes that can be locked in now and will go into effect after the current contract expires. The lowest quote is for a 46 month contract from Tri-Eagle at a rate of 5.2 cents. Currently the Township is paying 6.3 cents. She stated that although this seems like a minor reduction, it adds up due to the number of pump stations and signals. APPI is recommending approval of the contract with Tri-Eagle. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the 46 month contract with Tri-Eagle. Motion carried. Two votes yes.** Attorney Rausch will review the Agreement.
- N. Stormwater Maintenance Agreement - Robert F. & Joanne M. Ryer - Mrs. Gunnet advised that the Ryers are installing an addition and other improvements on their lot in excess of 2,000 square feet. The Stormwater Ordinance requires a Stormwater Maintenance Agreement be approved and recorded to establish future maintenance responsibilities. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the Stormwater Maintenance Agreement with Robert F. & Joanne M. Ryer for their property at 900 Jefferson Lane. Motion carried. Two votes yes.**
- O. Mr. Heffner advised that an Executive Session would be held after the meeting to discuss contract negotiations.

15. Unfinished Business:

- A. Fire Tax - Possible millage rates - The Board advised that this should be removed from the agenda.

16. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. There was none.
17. Supervisors Comments – Mr. Heffner asked Mrs. Shovlin if she had any comments. She did not.

Mr. Heffner commented that cyber security is very important and asked that Mrs. Gunnet remind the employees not to click on unknown items.

18. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the bills were approved. Motion carried. Two votes yes.
19. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss contract negotiations at 7:58 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 15, 2017

Vera Miller
Rod Weitkamp
Daniel Orwig
Shawn Gunnet
Ajay & Jessica Dixon
Charlie Wilson
Spencer Seaks
Chief Tim Damon

Yorkana Fire Company
Laurel Fire Company
Laurel Fire Company
3050 Freysville Road Red Lion PA
1105 Windsor Road Red Lion PA
951 Wise Avenue Red Lion PA
York Area Regional Police Department