

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
March 18, 2019

1. The meeting of the Windsor Township Board of Supervisors was called to order by Vice Chairperson Kathy Kerchner at 6:00 p.m.

Those present: Kathy Kerchner, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, P.E., 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 Kathy Kerchner, the minutes from the February 18, 2019 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 an invitation from the Green Thumb Garden Club to their dedication ceremony of the Blue Star Memorial Marker for Armed Forces Day at the Keystone Welcome Center. It will be held on Saturday, May 18th. There is no need to RSVP.
 - C. Mrs. Gunnet advised that she has received a letter from an anonymous homeowner in the Whisper Run Development regarding snow removal from sidewalks. Mrs. Gunnet noted that if the Township receives a complaint, the entire development is canvassed for violations. She commented that the letter informed that the Township did not take action. She noted that the Township did issue citations but we do not shovel the walks. Mrs. Gunnet advised that she will change the wording for the article that is placed in the Township newsletter to clarify this matter.
 - D. Mrs. Gunnet advised that she has received an invitation from Felton Volunteer Fire Company to their appreciation banquet on April 6, 2019. She asked the Board to let her know if they are planning to attend so she can RSVP.
 - E. Mrs. Gunnet advised that she has received a letter from the SPCA of York County informing that there will be a change in leadership. She stated that the Executive Director, Melissa Smith, will be retiring after 30 years. There will be co-directors in charge until a new Executive Director is appointed.

5. Windsor Township Fire & Rescue Association – Scott Gingerich was present.
 - A. Mrs. Gunnet advised that the next Fire Chief’s meeting will be held on Thursday, April 25, 2019 at 7:00 p.m. at Dallastown Fire Company.
 - B. Merger Update & Questions – Mr. Gingerich advised that the bylaws have been drafted and are being reviewed. He stated that the new company will need a name. They had suggested Windsor Township Fire and Rescue but thought that may be too close to the existing Windsor Township Fire and Rescue Association. The Board agreed.

Mrs. Gunnet noted that a host municipality will also be required. She questioned if the Township can be the sponsor municipality since none of the stations are located in the Township. Mr. Gingerich advised that because it is the duty of the Township to provide emergency services for the residents, they can also serve as a host.

Mrs. Gunnet questioned what is involved with hosting. She questioned if the Township would be required to provide workers compensation insurance. Mr. Gingerich advised that the new organization will be handling their workers compensation insurance as well as automobile, liability and other insurances.
 - C. Use of former Spring Valley Pool as a training facility – Mrs. Gunnet advised that the association is interested in using the Spring Valley Pool site as a training facility. She noted that they cannot use the parking lot since it is leased. Also, the buildings would need to be kept secure. Mr. Gingerich did not know specifically what training would be taking place but he would keep Mrs. Gunnet informed. It was the consensus of the Board to allow the fire association to use the former Spring Valley Pool Site as a training facility as long as it is kept secured.
 - D. Mr. Gingerich advised that there are still issues with locating house numbers on properties. Mrs. Gunnet noted that an article was placed in the newsletter reminding people to post their address. Mr. Gingerich questioned if there is an Ordinance that requires properties to be posted. Mrs. Gunnet advised that there is. Mr. Gingerich asked if he could report properties that do not have numbers posted to the Township. Mrs. Gunnet stated that he can.
6. Kyle Truett – Eagle Scout Project – Coding fire hydrants – Mr. Truett advised that he would like to code the fire hydrants for his Eagle Scout Project. It would involve painting 45 fire hydrants based on their water output.

Mr. Sechrist asked Mr. Gingerich if he has any concerns. Mr. Gingerich stated that he did not.

Mrs. Gunnet advised that the hydrants that would be painted are all within the Red Lion water district. All of the hydrants will be located within developments to keep the kids off the main roads. Safety vests are required and cones will be placed where they are working. York Area Regional will also be notified when the work is taking place. Mr. Truett stated that the scouts need a meeting place and requested use of the Township Office. He noted that it would take place on a Saturday during the summer.

Mrs. Gunnet questioned if he would be able to raise all of the funds needed. Mr. Truett stated that he hoped that they would but asked if the Township would be willing to cover the balance if they are unable.

It was the consensus of the Board to approve the project, allow for use of the building as a meeting location and to cover the balance of any necessary funding.

7. York Area Regional Police Department – Chief Damon was present.
 - A. The monthly report is available for review.
 - B. 2018 Annual Report – Chief Damon advised that the Board has a copy of the Annual Report. He asked the Board if they had any questions. They did not. The Report is also available on the Department's website.

Chief Damon reviewed the Report noting that the total number of calls has increased department wide as well as in Windsor Township. For the Township, Part 1 crimes and criminal arrests were down compared to 2017 but miscellaneous crimes, accidents and citations increased. He stated that the intersection of Sheldon Drive and Steinfeld Road has become a high crash area. He noted that DUI arrests were down department wide and he attributes this to the ride sharing businesses. Chief Damon reported that DUI arrests due to drugs is a high percentage.

Chief Damon advised that there is new training course called Stop the Bleed that citizens can enroll in to learn how to handle emergency medical situations. He added that the Department recently held a public meeting at which anyone could file complaints regarding speeding and other traffic issues. He noted that they now have an email to directly report these types of concerns to the department. It is trafficconcerns@yapd.org.

Mr. Sechrist questioned if there is an update on the use of radar. Chief Damon stated that he does not have any new information.

Mr. Sechrist asked if the department can use body cameras. Chief Damon advised that they can. The Federal government was providing funds to purchase the

equipment but there are fees to maintain it and he has found that many departments are discontinuing the use due to maintenance costs.

Chief Damon reported that he has learned that any officer that obtains a medical marijuana card will be decertified.

- C. Possible amendment to Soliciting/Peddling Ordinance – Chief Damon advised that there was an issue with a solicitor selling meat in another Township in which an assault occurred. He stated that under the Township’s current Ordinance, this vendor would be exempt. He suggested that the Township make a change to the wording so that a permit would be required and identification would be provided. He stated that some solicitors can be pushy and intimidating and some lead to burglary. Mr. Allison advised that he has provided a revised ordinance to the Board. It would make changes to the solicitors that may be exempted. He added that a separate section could be added to require Board approval for a waiver for those involved with fundraising for emergency services. Mrs. Kerchner questioned who is responsible for getting a permit. Chief Damon stated that anyone going door to door should have a permit. The Board agreed to make necessary changes to the Ordinance.
8. William Brander – Waiver of late fee on quarterly sewer bill – Mr. Brander was not present. No action was taken.
9. Scott & Jolene Brady – Request to amend Zoning Ordinance – Wedding & Event Venues – Scott Brady advised that he had filed a Zoning Application for a wedding venue in a barn at his property at 1140 Felton Road but it was denied by the Zoning Hearing Board. He stated that it was applied based on there being no provisions for this type of use in the Ordinance. However, the Zoning Hearing Board determined that it would be considered a Rural Occupation. One of the requirements for approval for this use would be that the owner resides at the property but they do not live there. He stated that his attorney has sent a request to the Township to have regulations for this specific type of use be added to the Ordinance.

Mr. Allison advised that Mr. Brady had applied for a Special Exception for a Use Not Provided For but the Zoning Hearing Board determined that it should be considered a Special Exception. He stated that he does not feel that a wedding/event venue meets the intent of a Rural Occupation.

Attorney Rausch advised that this is a use that is becoming more common. He noted that Mr. Brady’s attorney had sent information to him with wording for a potential amendment to the Township’s Zoning Ordinance. He stated that this is a commercial use and parking and traffic would need to be considered. Mr. Allison commented that with

these factors in mind, is the Board interested in pursuing an amendment to add regulations for this type of use.

Mr. Brady stated that in his situation, they want to rent out the house and barn for events. It would not be a large operation and would not change the nature of the area. He would need to update the barn and add a parking area. He noted that part of the farm is in the Land Trust so he is limited with the improvements that can be made. Attorney Rausch reminded that regulations would apply to all properties for which the use would be permitted.

Mr. Sechrist asked Mr. Allison if he objects to a possible amendment. Mr. Allison advised that his biggest concerns would be noise and traffic so that would need to be addressed in an amendment. He stated that he has obtained Ordinances for similar uses from Dover and Hellam Townships but he has not spent time reviewing them because he wanted the Board's input first. He added that he feels the Rural Occupation has more of a business intent but he understands how the Zoning Hearing Board came to their decision based on the definition in the Ordinance.

Mr. Brady advised that he would be willing to pay for the costs to have his attorney draft an Ordinance and for the Township to review it. Mrs. Gunnet questioned if he needs to get approval from the Land Trust before moving forward. Mr. Brady stated that the Land Trust requires approval from the Township first.

It was the consensus of the Board for Mr. Brady's attorney to draft an Ordinance to present to the Township and all associated fees with the possible amendment to be paid by Mr. Brady.

10. Tennisha Gilkes – 115 Ava Drive – Plowing of snow – Ms. Gilkes stated that she wanted to give some information about her family before she addressed the Board. She commented that she is a wife and mother of two. She is from Brooklyn, New York and moved to the Township to have a better place to raise her children. She is a member of the Army Reserve and is a middle school teacher.

Ms. Gilkes advised that on February 20, 2019 her mailbox was uprooted by a snow plow. She stated that she thought the Township would cover the cost for the repair but when she contacted the Township office she was informed otherwise. She advised that she is before the Board to request that this policy be changed or reimbursement for the replacement of her mailbox be authorized. She noted that it will cost approximately \$110 to replace the mailbox. Because her development has a homeowner's association, she is required to have a specific mailbox. She added that she has not replaced it yet because she is having difficulty finding the parts or a replacement box. She questioned if there is a policy for the employees in regards to mailbox damage.

Mr. Sechrist advised that this policy has been in effect for several years. Mrs. Gunnet stated that she had spoken with Ms. Gilkes and informed her that damages are tracked by each employee's route. If there is a specific driver that has an excessive amount of damages, they are addressed. She added that employees typically report that they struck a mailbox if they are aware.

Mr. Trout advised that in many instances, it is the snow that is causing the damage to the mailboxes not the plow physically striking them. He noted that many of the snowstorms this year ended with rain making the snow even heavier. He added that to open the entire road, it must be plowed multiple times. Ms. Gilkes stated that she does not believe that the snow caused this damage because it was not high enough. She added that she does not feel that there are any consequences for the drivers either.

Scott Brady advised that he is a mail carrier. He stated that the most common misconception is that plows are hitting the mailboxes but it is the snow that is causing the damage.

Ms. Gilkes thanked the Board for their time and asked them to reconsider changing the policy.

11. Solicitor – Attorney Rausch advised that he did not have anything to report.

12. Township Engineer:

A. Windsor Manor Pump Station Phase-Out – Update – Mr. Klinedinst advised that the bids will be opened on April 3rd and the prebid meeting will be held this week. Mrs. Gunnet stated that she has not had much success obtaining right-of-ways. She questioned how much time she has to secure them. Mr. Klinedinst advised that the Township will have 60 days to take action on the bid but this timeframe can be extended if the contractor agrees.

B. Proposal for Design & Construction of Community Center – Mr. Klinedinst advised that the Board has a copy of the design for review. Mrs. Gunnet stated that she had spoken with Mr. Heffner about this. He would like to start a committee to pursue the design phase since it is broken into phases. A Board liaison is needed. He informed her that he is willing to serve if Mrs. Kerchner cannot since most of the meeting will be during the day. The Board agreed for Mr. Heffner to be the Board liaison. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the proposal for the design of the Community Center. Motion carried. Two votes yes.

- C. Security Reduction – IMAAW & York Excavating Company – Mr. Klinedinst advised that he received a request for security reduction for the IMAAW/York Excavating land development plan. He stated that he is recommending a reduction in the amount of \$521,043.05 which will leave a balance of \$140,661.05. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the security reduction based on the recommendation of the Township Engineer. Motion carried. Two votes yes.
- D. Windsor/Ness Road improvements – Deeds of Easement & David Bowen – Easement Agreement – Mr. Klinedinst advised that the Bufflap property was sold and a new easement agreement was needed with the buyer. He stated that the new property owner has signed off. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the Agreement. Motion carried. Two votes yes.

Attorney Rausch advised that the Township can do the deed of dedication to transfer our rights to PennDOT. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Deeds of Easement. Motion carried. Two votes yes.

- E. ADA Doors – Mr. Klinedinst advised that he has finalized the paperwork for the grant for the ADA Doors. He noted that there is a balance due to Hershocks for the doors. He explained that the grant was for \$18,616 but the doors were \$26,755. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the payment of the difference. Motion carried. Two votes yes.

13. Public Works:

- A. Mr. Trout advised that the Board has received the monthly report for March. Mr. Sechrist questioned who would be attending the vac truck training. Mr. Trout stated that all the sewer department employees would but he was unsure yet which highway department personnel would attend. Mr. Sechrist questioned how often this truck would be used by the highway department. Mr. Trout advised that with the MS4 regulations it will be used often to clean inlets and discharge pipes.
- B. 2019-2020 Line Painting bid results – Mrs. Gunnet advised that Manchester Township was responsible for the bidding of the joint line painting this year. The bid results are attached to the Board's agendas. Alpha Space Controls is the low bidder. Mr. Sechrist questioned how many municipalities participate. Mrs. Gunnet advised that it is six. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.

- C. Resolution #2019R-03-01 - Authorization of Vice-Chairman to sign Utility Relocation Reimbursement Agreement with PennDOT for SR 0024-027 (Winterstown Road) project – Mrs. Gunnet advised that PennDOT is paving where the Township has manholes. This Agreement ensures that PennDOT reimburses the Township for the materials that are used for the project. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the Resolution. Motion carried. Two votes yes.
- D. 2018 Chapter 94 Report – Reduction in flows – Mrs. Gunnet advised that in 2017, the Township was at 46.6% of our capacity at the Springettsbury Township Wastewater Plant. In 2018, it was reduced to 40.78%. She stated that this proves that the lining of manholes and mains are making a difference. Mr. Sechrist questioned how long the lining is supposed to last. Mr. Klinedinst advised that the latest application is projected to last 50 years.
- E. Plowing around vehicles – Mrs. Gunnet advised that the Board has pictures of a vehicle that was plowed around in the Stone Crest Development. She stated that the driver plowed around a vehicle but could not get back close enough to the curb to open the road at the next driveway and mailbox so he then plowed from the opposite direction. She commented that the owner of the vehicle complained that the driver was trying to plow the vehicle in but when she spoke with them and explained the situation they were understanding.
- F. Road Materials bid results – Mrs. Gunnet advised that the bid results are attached to the Board’s agendas. The low bidder for stone is County Line Quarry and the low bidder for blacktop is Highway Materials. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board awarded the bids to the low bidders. Motion carried. Three votes yes.

14. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for February. There were no questions.
- B. Mrs. Kerchner advised that the Board has received a copy of the Township Manager Report for February. There were no questions.
- C. Mrs. Kerchner advised that the Board has received a copy of the Animal Control Officer’s Report for February. There were no questions.

- D. Mrs. Kerchner advised that the Township will be holding an Electronic Recycling collection on Saturday, April 27, 2019 at the Public Works Building from 9:00 a.m. to noon. This event is for Township residents only.
- E. Mrs. Kerchner advised that the meeting scheduled for April 1, 2019 will be cancelled.
- F. Windsor Area Recreation Commission – Update – Mrs. Kerchner reported that at their last meeting WARC decided that they were not going to pursue the use of the Lombard Road building for batting cages. They also wanted to thank the Board for purchasing diamondtex.
- G. Mrs. Kerchner advised that Community Volunteer Day at Freysville Park will be held on Saturday, May 18th beginning at 9:00 a.m. Mrs. Gunnet noted that lunch will be provided for those that attend. Mrs. Kerchner asked if any sports teams will be helping. Mrs. Gunnet stated that the baseball and football teams may be helping.
- H. Fire Tax – Exempt properties – Mrs. Gunnet advised that when the Fire Tax was added to the tax bills, all properties that were exempt from Real Estate tax are also exempted from the Fire Tax. She questioned if this is the intention of the Board since everyone in the Township receives fire services. She stated that she had spoken with Mr. Heffner about this and he feels all properties should be responsible for paying this tax. It was the consensus of the Board to have the Fire Tax added to every property on the 2020 tax bill.
- I. Proposed Zoning Ordinance Amendment – Creation of an agricultural lot in AG zone – Mr. Allison advised that a Zoning Hearing Board application was submitted in March to appeal his decision for the maximum lot size to be subdivided in the Agricultural Zone. He explained that his interpretation of the Zoning Ordinance is that a lot subdivided in the Agricultural zone must be a minimum size of 1 acre and a maximum size of 2 acres. He stated that the proposal was to subdivide 19 acres from a 160 acre farm. The applicant appealed to the Zoning Hearing Board and his position was overturned. Based on their decision, lots 10 acres or more in size are permitted to be created through subdivision. He commented that he feels that the intent of the Ordinance was to preserve large tracts. He questioned if the Board is interested in an amendment to prohibit larger lots to be subdivided.

Mr. Sechrist questioned if they are planning to building houses on this farm. Mr. Allison explained that they wanted to subdivide the house, barn and pond from the balance of the farm. The property had been up for auction but did not sell because the farmer that was interested in the property did not want the improvements.

Attorney Rausch questioned if there is a minimum lot size to be considered a farm. Mr. Allison advised that it is 10 acres. He added that in this case, he felt the use was for residential purposes and not agricultural. Mr. Klinedinst stated that Chanceford Township has regulations for Prime Farmstead lots.

It was questioned how quickly the amendment would go into effect if it was pursued. Mr. Allison advised that it would as soon as it was approved.

It was the consensus of the Board to table the topic.

- J. First Capital Community Transport Partners (West York, York Regional and Grantley Ambulances) – Update – Mrs. Gunnet advised that she went to their ceremony. She stated that while she was there it was expressed that there is a need for routine transports. First Capital Community Transport Partners will be starting up a different division that is for this purpose only. No ambulances will be taken out of service. They will use smaller vehicles for the transports. She advised that the association is working on a website, www.firstcapitalems.org.

Mr. Sechrist questioned how this will affect the White Rose Ambulance Association. Mrs. Gunnet stated that she was unsure but she thought they had a contract with York Hospital.

- K. Possible amendment to Windsor Township Personnel Policy – Sick leave – Mrs. Gunnet stated that Mr. Sechrist had questioned what the Township's policy was regarding sick time and retirement. She explained that the current policy is based on the employee's pay rate multiplied by the number of accumulated sick days with a maximum payout of \$5,000. This benefit has been in the personnel policy since 1993 and has never been increased. She stated that she did a value search and the current amount would be \$8,852.47. Mr. Sechrist had suggested that it be increased to \$10,000. She noted that she had spoken with Mr. Heffner about this change and he was in agreement. Mrs. Kerchner asked if an employee is paid for sick time if they quit. Mrs. Gunnet advised that they are only paid if they retire. It was the consensus of the Board to change the personnel policy to increase the sick leave payout at retirement to \$10,000. Mrs. Gunnet will prepare a resolution to make this amendment.
- L. Mrs. Kerchner advised that a snow emergency was declared on February 20, 2019 at 12:00 p.m. until February 21, 2019 at 7:00 a.m. Mrs. Gunnet reported that she and Mr. Allison canvassed the Township for vehicles parked on the streets and 42 vehicles were cited. Mr. Sechrist questioned how residents are notified of a snow emergency. Mrs. Gunnet advised that it is posted on the Township's website, Facebook page and is on various television stations. Mrs. Kerchner questioned how

the Township determines when to declare a snow emergency. Mrs. Gunnet advised that is based on the forecast. They are typically done when a large storm is anticipated. Mr. Allison commented that he feels that staff is going to need to go out sooner to ticket vehicles because in instances there are visual signs that a vehicle was parked on the street during the emergency but has been removed prior to them getting there. Mrs. Kerchner questioned if vehicles are towed. Mrs. Gunnet explained that method had originally been tried but due to accidents and the condition of the roads, the tow truck drivers were unable to respond.

M. Resolution #2019R-03-02 – Adoption of Hazard Mitigation Plan that was prepared by York County – Mrs. Gunnet advised that the County Commissioners had authorized the York County Planning Commission to prepare a Hazard Mitigation Plan. The Township is able to adopt their plan rather than creating our own. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution #2019R-03-02 to adopt the Hazard Mitigation Plan prepared by York County. Motion carried. Two votes yes.

N. Mrs. Kerchner advised that an Executive Session will be held after the meeting to discuss a personnel matter.

15. Unfinished Business - There was none.

16. Public Comment – Mrs. Kerchner asked if there were any public comments. Lynn Cheeseman, 910 Cranberry Lane, commented that the Township did a good job snowplowing this winter.

Brian Kocher, Whisper Run, advised that he was one of the residents cited for snow removal. He suggested that the Township provide new residents with information on these types of regulations. Mr. Sechrist questioned how long the residents have to remove snow from the sidewalks. Mr. Allison informed that the walks must be cleared within 24 hours after the snow has stopped. He added that the Township has sent letters to entire developments in the past reminding of this regulation. Mrs. Gunnet noted that there is also an article in the Township newsletter. Mr. Kocher commented that he is enjoying living in the Township and thanked everyone for what they do.

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

18. On the motion of Rodney Sechrist seconded by Kathy Kerchner, 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 a personnel matter at 7:57 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

March 18, 2019

Scott Brady
Jolene Brady
Lynn Cheeseman
Spencer Seaks
Elizabeth Myers
Ben Samson
Brian Kocher
Scott Gingerich
Craig Lusco
Alex Lusco
Mini Truett
Kyle Truett
Tennisha Gilkes
Chief Tim Damon

250 Zion Church Road Red Lion PA
250 Zion Church Road Red Lion PA
910 Cranberry Lane York PA
951 Wise Avenue Red Lion PA
5347 Twilight Lane York PA
1739 Winters Road Windsor PA
Whisper Run York PA
Windsor Township Fire & Rescue
215 Palomino Drive York PA
215 Palomino Drive York PA
170 Rosalia Circle York PA
170 Rosalia Circle York PA

York Area Regional Police Dept.