

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

January 16, 2012

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, Paul Smith, Rodney Sechrist, Attorney Charles Rausch, Mike Hess, 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 Paul Smith, the minutes of the January 3, 2012 meeting 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 the United States Environmental Protection Agency acknowledging that the Township is now in compliance with the Administrative Order that had been issued regarding the MS4 Report.
 - C. Mrs. Gunnet advised that she has received a letter from York County Commissioner Steve Chronister requesting that the Township send letters to Representative Saylor and Senator Waugh expressing our support of property tax reform. The Board agreed that they would like to send letters of support.
 - D. Mrs. Gunnet advised that she has received a letter from the American Cancer Society advising that an informational meeting will be held on February 13th for the Windsor/Red Lion Relay for Life. She noted that she could attend. Mr. Smith commented that he did not think that last year's event went well and they would not be holding the event at Freysville Park. Mrs. Gunnet stated that she does not know where they intend to hold the event this year.

5. Approval of Plans:

- A. **NELSON L. & GAIL STEIN & JOHN G. & THERESA A. STEIN – Final Subdivision Plan #L-5389 by Gordon L. Brown & Associates for 4 lots along Freysville Road** – Lee Faircloth of Gordon L. Brown & Associates advised that this subdivision is located along Freysville Road across from Manor Road. The purpose is to realign the property lines. He noted that there is a private driveway to access the properties and an agreement has been prepared and recorded. He stated that all other comments have been addressed.

Mr. Faircloth advised that they are requesting three waivers. They are for contours, installation of curbing and installation of sidewalks. Mr. Allison stated that there is a note on the plan that requires the installation of the curbing and sidewalks within 6 months of notification by the Township. **On the motion of Paul Smith seconded by Rodney Sechrist,**

the Board approved the waiver for contours and denied the waiver requests for curbing and sidewalks with the note requiring installation within 6 months of notification by the Township. Motion carried. Three votes yes.

Mr. Hess advised that Section 407.2 requires that any subdivision where public water is available must be located within 600' of a fire hydrant. The closest hydrant is approximately .2 miles away. He stated that to be in compliance with the ordinance, a hydrant must be installed or a waiver must be granted. Mr. Faircloth advised that the closest hydrant is located in Royale Manor and there is another nearby in Shawnee Manor. He added that there are no new improvements being proposed. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board granted the waiver to not require the subdivision to be located within 600' of a fire hydrant. Motion carried. Three votes yes.**

Mr. Faircloth advised that he can remove the notes on the plan regarding the denied waivers and add the waiver for the fire hydrant. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the plan with the noted changes. Motion carried. Three votes yes.**

6. Solicitor:

- A. Attorney Rausch advised that an Executive Session would be held after the meeting to discuss potential litigation regarding the engineering fees for Brookfield and Rockledge.

7. Township Engineer:

- A. Discussion – Conditional Uses – Mr. Hess advised that they have been working on the Zoning Ordinance rewrite and need input from the Board. He stated that they are proposing Conditional Uses and he is aware that in the past, the Board had looked at the use unfavorably. He noted that the Conditional Uses would be directed toward different types of open space development. He asked the Board if this is a route that they would like to take.

Mr. Hess advised that the second item that requires Board input is whether they would like to see a separate zoning classification for Rural Residential or have it handled as an overlay district. He explained that the Rural Residential zone deals with larger parcels located within the residential zone.

Mr. Heffner commented that he is not in favor of Conditional Uses. Mr. Sechrist asked for clarification on this type of use. Attorney Rausch explained that it is a method in which the Board of Supervisors takes on the role of the Zoning Hearing Board to make a decision on a proposal. It is a formal proceeding with a stenographer. Mr. Allison questioned what the benefit would be. Attorney Rausch advised that often there are highly technical details that need the input of an engineer. He noted that an engineer does not typically attend a Zoning Hearing Board meeting. He added that some Conditional Use cases can be over controversial issues.

Mr. Hess advised that the Municipalities Planning Code allows certain criteria to be set. He stated that if the Board would like to proceed, this could be discussed when the draft is ready. Mr. Smith asked the opinion of the Planning Commission. Mr. Hess stated that they were apprehensive of the Board's opinion. Mr. Smith asked if Conditional Uses would be required in the new ordinance. Attorney Rausch advised that they do not need to be included. For these types of development, specific regulations would be set. He noted that with the Conditional Use, it allows for the Board to give more flexibility. Mr. Smith asked if the new ordinance would include a Cluster Overlay. Mr. Allison advised that it would not be included.

Mr. Sechrist asked for Mr. Allison's opinion on Conditional Uses. Mr. Allison advised that the Conditional Use would provide more opportunity to review specific details of plans. He questioned that if the open space developments were permitted by Special Exception rather than Conditional Use, if engineering costs could be built into the fee.

Attorney Rausch asked Mr. Hess why they are proposing Conditional Uses. Mr. Hess advised that it would allow the Board to see the plan prior to a preliminary submission and weigh the pros and cons of each development.

Mr. Smith noted that Mr. Wilson was present and asked his opinion as a Planning Commission member. Mr. Wilson advised that he worked on a Planned Residential Development when he lived in another part of the state so he is familiar with these developments. He stated that with a Cluster Overlay, the Board cannot be litigated against. He commented that he feels having these types of development as a permitted use is the worst option and he would rather see them as a Conditional Use.

Attorney Rausch suggested having the Board review the open space development information prior to making a decision. He added that it would probably be best for them to review the Rural Residential information as well. Mr. Hess advised that he would provide the information to Mrs. Gunnet. The information will be discussed at the February 6th meeting to keep the project on schedule.

Mr. Smith asked if the open space developments would be permitted by Special Exception if the Board would be able to appeal. Attorney Rausch advised that the Board could take a stand but the appeal would go through the Court of Common Pleas.

- B. **Kendale Pump Station – Payment Requests #5 & #6 – \$1,101.00** – Mr. Hess advised that he is recommending a payment in the amount of \$1,101 which would leave a balance of \$13,300. He stated that there is still one outstanding item. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the Payment Request. Motion carried. Three votes yes.**

8. Public Works:

- A. Mr. Heffner advised that the Board has received a copy of the Monthly Report for January. There were no questions.

- B. Approval to purchase – Wash bay steps – Mr. Trout advised that the Board has received information on the steps for the wash bay. He noted that the purchase is included in the 2012 budget. Mr. Sechrist asked if the size is large enough. Mr. Trout stated that it is. **On the motion or Rodney Sechrist seconded by Paul Smith, the Board approved the purchase of the wash bay steps. Motion carried. Three votes yes.**

- C. Husson Road – follow up – Mrs. Gunnet advised that after Mr. Voytek’s comments at the last meeting, she did some research into the history of the issues on Husson Road. She stated that she has provided the Board with copies of previous minutes, correspondence and a report from Mr. Klinedinst from C.S. Davidson. She noted that according to the Engineer’s report, the ultimate solution was to elevate the road by 4’ because the stream bed is a higher elevation than the street. Mr. Trout noted that this would require a substantial amount of dirt as the area that would need to be raised is approximately 1,700 lineal feet. Mr. Sechrist commented that this is not practical. Mrs. Gunnet stated that Mr. Voytek had asked why the pavement stopped prior to his property. She advised that the minutes state that the pavement should stop prior to the location where the flooding has occurred. Mr. Trout added that the paved portion of the road is higher than the stream bed. Mr. Smith asked what the distance is from the bridge to the end of the payment. Mr. Trout estimated it at approximately 2/3 of a mile.

9. Other Business:

- A. Freysville Intersection – Update regarding Verizon – Mrs. Gunnet advised that she had met with representatives from Verizon in December to discuss the costs that were incurred from their delay. She stated that she received a phone call from them on Friday informing her that they are in negotiations with Met-Ed regarding compensation to the Township.

- B. Mr. Heffner advised that the Board has received the Township Manager’s Report for December. There were no questions.

- C. Public Protection Classification – Update – Mrs. Gunnet advised that she checked with the Township’s insurance agency to see if there would be a reduction in the premium since the Fire Company has lowered their ISO rating from a 5 to a 4. She stated that she was informed that commercial and industrial businesses that they serve would see a decrease in their premium. She added that the residential rate would be dependent upon the insurance company and each homeowner would need to contact their insurance agent to find out. She advised that she will put an article in the next newsletter.

- D. Request to close Christensen Road – Mrs. Gunnet advised that she has been contacted by the daughter of a Township resident regarding the closing of Christensen Road. She stated that they are planning to hold a wedding at the property located at the corner of Dietz Road and Christensen Road. The wedding would be held at the pond and the reception would be held across the street at the tennis courts. They do not have adequate room to park vehicles on the property and are requesting to close Christensen Road. Mrs. Gunnet advised that a traffic study would need to be completed. A detour route would need to be posted, which would require signs to be purchased. Attorney Rausch added that fire police may be required as well.

She noted that this would all be at their expense and had explained that to her and she asked the Township to proceed. Mr. Sechrist suggested that they find a place to park and bus people to the site. Mr. Allison added that they may be able to park at the golf course and walk to the site. Mrs. Gunnet stated that she would make these suggestions to the requestor. The Board agreed to proceed with the traffic study if they still wished to. Attorney Rausch advised that the Township would need to prepare an estimate and receive payment up front.

- E. **Reserve sewer capacity surety reduction – Windsor Meadows, Stapleton/Kensington & Laurel Vistas** – Mrs. Gunnet advised that security had been posted for sewer capacity in these three developments. A reduction is required based on the number of sewer permits obtained in 2011. She stated that Laurel Vistas obtained 11 permits which is a reduction of \$12,485. There were 7 permits issued in Stapleton/Kensington which results in a reduction of \$7,945. Windsor Meadows had obtained 11 permits which would require a reduction of \$11,000. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the sewer capacity surety reductions for Laurel Vistas, Stapleton/Kensington and Windsor Meadows. Motion carried. Three votes yes.**
- F. Mr. Heffner advised that the Zoning Report for December is available for review. There were no questions.
- G. Mr. Heffner advised that the Board has received a copy of the 2011 Building Permit Report. There were no questions. Mr. Heffner commented that he likes the layout of the report.
- H. **Approval to purchase – copier** – Mrs. Gunnet advised that the staff has demoed two colored copiers to replace the printer. She stated that the copier from Quality would cost \$8,319 and the one from Phillips Group is in the amount of \$9,989. She added that the staff prefers the copier from Quality. Mr. Sechrist asked if would be better to repair the printer. Mrs. Gunnet advised that the cost to repair the printer is almost as much as the original purchase price. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the purchase of the copier from Quality. Motion carried. Three votes yes.**
- Mrs. Gunnet advised that the estimate for a trade in value for the old copier was based on a specific number of free copies. She stated that once converted it to a dollar figure, it is \$375. She noted that WARC is interested in purchasing the copier for this amount. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved to sell the old copier to WARC for \$375. Motion carried. Three votes yes.**
- I. **PennDOT reimbursement agreement – Rt. 124 “S” curve – Authorization for Chairman to sign** – Mrs. Gunnet advised that the agreement has been prepared and requires the signature of the Chairman. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board authorized the Chairman to sign the reimbursement agreement. Motion carried. Three votes yes.**
- J. Mr. Heffner advised that the Dog Officer’s report for December is available for review. There were no questions.

- K. Optional life insurance coverage – Mrs. Gunnet advised that she was approached by employee asking if they were able to purchase additional life insurance coverage through the Township. She stated that she has contacted the insurance company and it is possible and would have to be handled through a payroll deduction. She asked the Board if they were interested in offering this. The Board agreed that they were.
- L. Approval to revise EMS Boxes 36-401, 36-402, 36-403, 36-404 and 36-405 – Mrs. Gunnet advised that the Board has received information from Ted Hake of Yoe Ambulance explaining the reasons for the changes. **It was the consensus of the Board to allow the revision to the EMS Boxes.**

10. Unfinished Business:

- A. Panorama Hills Pump Station – There was no update.
- B. Community Center Feasibility Study – Ann Yost and Chuck Strodoski from YSM were present. Ms. Yost advised that the Township had requested that they perform a site analysis at Freysville Park for the construction of a Community Center. She stated that they have looked at the site and reviewed the Township's Ordinances. A drawing was shown to the Board that depicted the current layout of the park. Ms. Yost explained that the site is steeply sloped, ranging from 10% to over 25% in the open area. There is approximately 3.2 acres of open area south of the tennis courts. However, there is a sanitary sewer line that separates the area into two sections. She estimated that there could be bedrock at 4' to 6' and the water table would be approximately 5' deep.

Ms. Yost advised that they are suggesting a two level, 30,000 square foot building, each level being 15,000 square feet. Mr. Strodoski used a scaled template of a building and a parking lot to overlay on the drawing as well as on another drawing that showed the profile of the land.

Ms. Yost advised that in their opinion, the best location for a Community Center is on the existing basketball and volleyball courts. This recommendation is due to the grade of the property. It would be likely that the basketball and volleyball courts could be relocated. Mr. Heffner asked if the tennis courts would remain with this location. She stated that they would. Mrs. Gunnet asked the Board if they would be interested in placing the building on the courts. Mr. Heffner stated that he did not have a problem with this as long as they would be relocated. Mr. Trout suggested placing the building on the existing tennis courts. Ms. Yost stated that this could be an option as well.

Mr. Smith asked Ms. Yost and Mr. Strodoski if they felt it was feasible to continue to pursue a Community Center at this site. Ms. Yost advised that there would be some aggressive grading plans. She stated that a Center may work at the site and would recommend that it be located on the existing courts. It was the consensus of the Board to take the matter under advisement.

- C. Renegotiation of Host Municipal Agreement – There was no update.

11. 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.
12. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mr. Sechrist nor Mr. Smith had any comments. Mr. Heffner did not have any either.
13. On the motion of Rodney Sechrist seconded by Paul Smith, the bills were approved. Motion carried. Three votes yes.
14. The meeting of the Windsor Township Board of Supervisors adjourned at 7:32 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

January 16, 2012

Vera Miller

Lee Faircloth

Nelson Stein

Lynn & John Cheeseman

Ann Yost

Chuck Strodoski

Charles Wilson

Gene & Bobbie Zimmerman

Gordon L. Brown & Associates

3130 Freysville Road Red Lion PA

910 Cranberry Lane York PA

YSM

YSM

1105 Windsor Road Red Lion PA

860 Zimmerman Road Red Lion PA