

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

February 6, 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, 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 16, 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 Tennis for Kids requesting use of the tennis courts at Freysville Park this summer and a waiver of the rental fee. She stated that the Red Lion Area School District will be resurfacing their courts this summer and they will be unavailable. She added that she had contacted Tennis for Kids and informed them that it would be likely that the Township would also be resurfacing our courts. They stated that they would still like to schedule with the Township as a fall back. Mrs. Gunnet advised that the rental fee is \$25 per day. Mr. Smith commented that he had thought that this program had requested use of our courts before. Mrs. Gunnet advised that she will look into this. Mr. Sechrist noted that the School District allows them to use the courts free of charge. Mr. Smith stated if the Township does the same, it could set precedence for other programs.

- C. Mrs. Gunnet advised that she has received the Liquid Fuels Audit Report for 2010. The Board has received a copy. There were no findings.

- D. Mrs. Gunnet advised that she has received a letter from **Sewer Specialty Services Co.** requesting an extension of the Sewer Maintenance Contract until July 31, 2012 due to the weather. Mrs. Gunnet noted that the ground has been too wet to access the right-of-ways. **It was the consensus of the Board to grant the extension.**

- E. Mrs. Gunnet advised that she has received an invitation to the Yorkana Volunteer Fire Company Appreciation Dinner which will be held on March 10, 2012 at Kerry's Green. She asked the Board to let her know if they plan to attend so she can RSVP.

- F. Mrs. Gunnet advised that she has received a letter from the SPCA of York County which included a proposed **tethering ordinance** that they are requesting all municipalities in York County adopt. She stated that she and Mr. Allison are not in favor of the ordinance. Mr. Allison stated that under this ordinance, it would be an offense to tether a dog which could result in a fine of up to \$500. **The Board was not in favor of adopting the Ordinance.**

5. Windsor Township Fire & Rescue Association – No one was present.
6. York Area Regional Police Department – No one was present.
 - A. Mrs. Gunnet advised that the monthly reports for November and December are available for review.
7. Emergency Management:
 - A. Mr. Fromm advised that the Board has received the 4th Quarter Report for 2011. He noted that the big event was the snowstorm around Halloween.
 - B. Mr. Fromm advised that the Board has also received the 2011 Year End Report. He reviewed the report noting that there were many hours spent on training and a considerable amount of mileage. He stated that he has a really great staff and they have put in a lot of effort throughout the year. He added that one of the things that they did in 2011 was donate the radios that had been given to them. He stated that they have been sent all over the United States.
 - C. Mr. Fromm advised that there is a fee of \$85 for 5 years to transmit on licensed frequencies which he will be enrolling in. He added that one of the radios that they have is not a scanning radio and it will need to be converted. He estimated the cost to be approximately \$150. Mr. Smith asked if funds are budgeted for these expenses. Mr. Fromm advised that they are. The Board agreed to the expenditures.
 - D. Mr. Fromm introduced Deputy #2, Jim Wilson. He noted that Mr. Wilson has completed many training courses and his Advanced Certification has been sent to PEMA for approval.
8. Windsor Township Fire & Rescue Association – Joseph Yahnke arrived. He advised that he will see that a full material list is emailed to Mrs. Gunnet for the roof simulator. Mr. Allison advised that he is also looking for an overall layout for the proposed structures as well as some additional information. He stated that he will email him a list of the information that he needs.
9. York Area Regional Police Department – Officer Sampere arrived. He advised that he did not have anything to report. There were no questions for him. Mr. Sechrist advised that he has been informed that there is a property on Burkholder Road that has drug issues and he has spoken with a neighbor. He asked that the officers keep an eye on it. Officer Sampere noted that they have procedures that they are required to follow and they have been working with the neighbor.
10. Solicitor:
 - A. Attorney Rausch reported that the developer for Brookfield Crossing and Rockledge did not accept the offer of compromise that the Board had offered.

11. Township Engineer:

- A. Discussion – Conditional Uses – Mr. Hess advised that Conditional Uses had been discussed at the last Board meeting. Additional information has been provided to the Board. He stated that the Board needs to make three decisions. They include whether the Board wants to include Conditional Uses in the new Zoning Ordinance, if the Rural Residential Zone should be its own zone or an overlay and if they want Open Space Development.

Mr. Sechrist questioned what Rural Residential is. Mr. Hess advised that it consists of the larger tracts within the R-1 zone. He explained that if developed, the lots sizes are larger and the number of lots permitted is limited. Mr. Smith asked if this will tighten development. Mr. Hess advised that it would. Mr. Sechrist questioned if this is different than the Agricultural Zone. Mr. Hess stated that it is. Mr. Sechrist asked what the R-1 zone is. Mr. Hess stated that it is a low density residential and listed some of the permitted uses. Mr. Allison showed the Board a copy of the Comprehensive Plan map and explained the location of the different zones.

Mr. Sechrist questioned if a development like Longstown Village would be permitted. Mrs. Gunnet advised that Longstown Village was developed as a Planned Residential Development which is not permitted in the current Ordinance. Mr. Hess commented that an Open Space Development is similar to a PRD where the houses are grouped together with an open area.

Mr. Sechrist asked the difference between an R-1 zone and an R-2 zone. Mr. Hess advised that R-2 is a higher density residential that would permit townhouses or stacked apartments.

Mr. Smith questioned what impact an Open Space development would have on the number of lots that could be subdivided. Mr. Allison stated that it would be significant. Mr. Smith asked how this could affect the Panorama Hills sewer upgrade. Mr. Allison advised that there would be more capacity available at the station. Mr. Smith questioned if there would be grandfathering of any plans. Mr. Allison stated that there are a few subdivisions that had preliminary plans submitted.

Mr. Hess advised that Article 7 gives regulations for Conditional Uses. It would be at the discretion of the Board as to whether they meet the criteria. The Conditional Use would allow the Board to have flexibility when approving the concept of the subdivision.

Mr. Smith stated that he feels that an Open Space development option would be beneficial. Mr. Heffner agreed. Attorney Rausch asked why this type of development would be handled as a Conditional Use rather than a Special Exception. Mrs. Gunnet advised that some of the information would be technical. Mr. Hess added that engineering calculations may need to be provided. Mrs. Gunnet noted that the Zoning Hearing Board would have no flexibility. Mr. Allison asked if it is typical for this type of use to go before the Zoning Hearing Board. Attorney Rausch advised that it varies. He commented that it would be more work for the Board. A stenographer would be required for the application. He added that he feels it is better to have flexibility to determine what is best for the Township. He asked if the Rural Residential Zone is not permitted to have public water or sewer. Mr. Hess stated that some of the tracts of land would have access to utilities and others

would not. Based on the size of the lots, some may not warrant public utilities. There would be no density change whether or not utilities would be connected.

It was the consensus of the Board to allow for Open Space developments, Conditional Uses and a Rural Residential Zone.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Township Manager's Report for January. There were no questions.
- B. Mr. Heffner advised that the Dog Officer's Report for January is available for review.
- C. GIS Database Project – Update – Mr. Allison advised that the consultant has the website under construction and the Township is able to view it. He displayed the website on the overhead projector and demonstrated some of the capabilities that are available to date. He stated that they have worked on the location of fire hydrants and manholes. Mr. Allison advised that due to the favorable weather conditions so far this winter, the consultant has made great progress. He stated that it would be beneficial to keep moving forward with the project. However, the next step is budgeted for 2013. He commented that the Board has received a memo from him regarding the additional work. He noted that they will not be plotting signage. Mr. Smith questioned how long the signage could be delayed. Mrs. Gunnet advised that they would need to be plotted by 2015 but it sounds as though the regulations may change and it may not be required at all. If GIS work needed to be completed after 2015, a quote would need to be obtained for the work.

Mr. Allison noted that the GIS work and the back scanning proposal tie together and will be very useful. Mr. Heffner questioned how the manholes are labeled. Mr. Allison explained that Mr. Trout has a spreadsheet with locations and the names that are associated to them. Attorney Rausch questioned where the information is stored. Mr. Allison advised that the system is internet based and is stored on HRG's server. The Township staff can access the website but cannot make any changes. He added that the Township owns the information so if we wanted, a different consultant could be used in the future.

Mrs. Gunnet advised that the cost is \$23,500 which is not budgeted in 2012. Mr. Smith commented that he is fine with moving forward with the work if it was able to be worked into the budget. Mrs. Gunnet stated that she will look into this.

- D. **Back scanning proposal** – Mr. Allison advised that the purchase of a wide format scanner had been discussed but he does not feel that this is a good expenditure. He stated that there is a back scanning option that would be more useful and can be linked to the GIS program. Mr. Sechrist questioned what back scanning is. Mr. Allison explained that all paper copies of subdivision plans and other documents such as asbuilts would be scanned so that they can be accessed on the computer. He advised that it is unknown exactly how many sheets will need to be scanned and requested approval of a price not to exceed \$5,000 as this was the amount budgeted. He added that the lowest quote is from Quality. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved**

the back scanning proposal with the cost not to exceed \$5,000. Motion carried. Three votes yes.

- E. Windsor Manor PTO – Use of pavilion on May 31st – Waiver of fee – Mrs. Gunnet advised that the Windsor Manor PTO would like to rent the pavilion at Freysville Park and are requesting a waiver of the rental fee. She noted that the school district charges WARC to use their facilities. Mr. P. Smith asked Mrs. Gunnet to see if the school district would be willing to exchange rental fees.
- F. **Tropical Storm Lee reimbursement** – Mrs. Gunnet advised that the first reimbursement has been received in the amount of \$5,242.52. She explained the breakdown of the reimbursement. She noted that when there was reimbursement for the snowstorms, the refund for the **vehicle usage** were deposited into the **Vehicle/Equipment Fund**. She asked if the Board would like this to be handled the same way. **It was the consensus of the Board to use the same process.**
- G. Mrs. Gunnet advised that an Executive Session would be held after the meeting to discuss potential litigation due to a sewer backup.
- H. Update – PennDOT improvements to Rt. 124 and Rt. 24 intersection – Mrs. Gunnet provided information on PennDOT’s proposed schedule, noting that the Longstown intersection work is scheduled to begin in the spring of 2013 and the Mt. Rose interchange work will begin after the Longstown project.
- I. **Husson Road** – Mr. P. Smith advised that he requested that this topic be placed on the agenda. He asked the Board if they would consider approval of roadwork on Husson Road if the Township was able to obtain a matching grant. He noted that based on the cost for the project, it still may not be feasible. Mr. Heffner stated that he would want the Township Engineer to look at it before taking any action. Mr. Sechrist advised that he spoke to some of the residents in the area of the flooding and the consensus is that they would be satisfied with having the road oil and chipped.

Mr. Hess advised that the area of the road that would need to be raised is approximately 1,000 feet long and will require an extensive amount of fill. He noted that if these changes are made, it could effect the flood elevations, including the flood plain and floodway. Mrs. Gunnet questioned to what extent the Board would like to proceed. **It was the consensus to prepare the information to the point when a grant could be applied for.**
- J. There was discussion on when to meet with the Public Works employees. It was determined that it would be held at the end of April or beginning of May.
- K. There was discussion on a date for the Salary Board to meet. It was the consensus of the Board to meet on February 21st at 1:00 p.m.
- L. Update – Upgrade of radio system – Mrs. Gunnet advised that the Board had received information on the upgrade during budget preparation. She noted that the radio band will be changing in January 2013 and the radios will not work unless upgraded.

- M. **Resolution No. 2012R-02-01 – Authorization for Destruction of Records** – Mrs. Gunnet advised that she is requesting permission to destroy records. She stated that it includes intergovernmental sewer billing and EDU reports. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the Resolution. Motion carried. Three votes yes.**
- N. Chapter 94 changes due to amendment regarding reserving sewer capacity – Mrs. Gunnet advised that due to the amendment that had been approved for reserving sewer capacity, the gallons per day decreased to 508,000 gallons per day for 2012 from the 1,300,000 gallons per day in 2011.
- O. **Liability & Property insurance deductibles** – Mrs. Gunnet advised that an increase in deductibles was discussed during the budget workshop. She checked with the insurance company to see if there would be a decrease in the insurance premiums if the deductible was increased from \$1,000 to \$1,500. She stated that the insurance company does not offer a \$1,500 deductible. She stated that the next deductible increase would be \$2,500 for Property, \$2,000 for Automobile and \$2,500 for Inland Marine. Based on these changes, the savings would be \$840. **It was the consensus of the Board to make no changes.**

13. Unfinished Business:

- A. Panorama Hills Pump Station – Mrs. Gunnet advised that she has signed Utility Easement Agreements from **Edgar & Linda Reed and Charles & Kathleen Banevicius**. Approval is needed for the Chairman to sign. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved for the Chairman to sign the agreements. Motion carried. Three votes yes.**

Mr. Holweck advised that the Board and Attorney Rausch have received a list of the properties that are impacted who will not sign the agreement or are not motivated to sign. He stated that he feels it is best to have Attorney Rausch proceed with these. Mrs. Gunnet advised that a few of the property owners are requesting multiple sewer mains be installed. Mr. Holweck noted that the cost for the installation would offset the payment for the right-of-way. Mr. Smith questioned what the target date is for right-of-way acquisition. Mr. Holweck stated that it was the end of 2011. Attorney Rausch questioned when the project is scheduled to be bid. Mr. Holweck stated that he is hoping for May 2012. Attorney Rausch advised that if the properties must be condemned, appraisals will be required and Resolutions will need to be approved. He stated that he will make contact with the property owners on the list.

- B. Community Center Feasibility Study – Mrs. Gunnet advised that the Board had requested time to review the information that had been presented by Ms. Yost and Mr. Strodoski. Mr. Hess stated that he is also reviewing the information and will have additional information for the Board at the next meeting. Mr. Sechrist questioned if there is land available at the Public Works Building. Mrs. Gunnet advised that the Township had purchased approximately 20 acres behind the building. Mr. Hess asked if the Board had any specifications for the building. Mrs. Gunnet advised that it would need to have a full size gym. Mr. Smith stated that at this point, they are looking to see if it is a possibility to put a Center on the park property.

C. Renegotiation of Host Municipal Agreement – Mrs. Gunnet advised that she spoke with Mark Pederson of Modern Landfill and he will be meeting with his attorney at the beginning of February.

14. 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.
15. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Mr. Sechrist advised that he would like to discontinue the performance evaluations. He stated that he feels that based on the number of employees, it is not worthwhile. Mr. Smith explained that the purpose of the evaluations is to identify training needs, to give direction on situations that need to be addressed and are a means of communications. **On the motion of Rodney Sechrist seconded by Dean Heffner, the Board agreed to postpone the performance evaluations. Motion carried. Three votes yes.**

Mr. Sechrist stated that he has been informed that a decision had been made that the skid loader would not be loaned to other municipalities. He asked if there was merit to this. Mr. Smith advised that this is correct. Mr. Sechrist commented that Lower Windsor Township loans equipment to the Township. Mr. Smith noted that there had been a situation in which the crack sealer had been loaned out and when returned, it needed repairs. Mr. Sechrist stated that he feels there should be cooperation with other municipalities. Mr. Smith advised that perhaps it would be acceptable to loan equipment to another municipality if we provided an operator.

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

16. On the motion of Rodney Sechrist seconded by Paul Smith, the bills were approved. Motion carried. Three votes yes.
17. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss potential litigation due to a sewer backup at 7:46 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

February 6, 2012

Vera Miller

Robert Holweck

Elmer Fromm

Gene & Bobbie Zimmerman

Jim Wilson

Joseph Yahnke

Officer Sampere

Dallastown PA

50 Oak Drive Red Lion PA

860 Zimmerman Road Red Lion PA

309 Larkin Drive Red Lion PA

Windsor Township Fire & Rescue Association

York Area Regional Police Department