

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

February 20, 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 Paul Smith seconded by Rodney Sechrist, the minutes of the February 6, 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 York County Department of Emergency Services regarding a Regional Mass Casualty Incident Response Plan. She noted that the Plan for York County has been upgraded and therefore the plans for the local response forces must be as well. Red Lion Ambulance and Yoe Ambulance have both advised that they will meet the regulations of the new Plan but it will likely require out of state services.
 - C. Mrs. Gunnet advised that a letter has been received from Attorney George Eveler, III requesting a zoning change for the property located at 114 Winterstown Road. Attorney Eveler advised that he is aware that the Board will give a preliminary opinion of the possible rezoning of a property. He stated that this property is currently zoned R-1 and he is requesting that it be rezoned to R-2. There are two apartment buildings on the lot with a total of eight units. He noted that Rick's Ace Hardware is located to the east and residential properties on the other three sides. Mrs. Gunnet advised that the Board has received a memo from Mr. Allison.

Mr. Allison commented that he believes that the intention for the rezoning is to add units. Attorney Eveler stated that this is correct. Mr. Allison stated that it would be possible for the owner to request a Special Exception from the Zoning Hearing Board. If approved, it would allow for an additional two units. If the property were to be rezoned, it would be possible to add three units. He noted that this would all be based on meeting the land development regulations. Mr. Sechrist asked if the site could hold additional stormwater. Mr. Allison advised that it would need to be brought up to the current specifications. He added that he is not sure how feasible it would be to add more units on this lot and does not feel that the rezoning would be of any benefit to the Township. **It was the consensus of the Board that they were not in favor of having the property rezoned.**

5. Plans for Approval:

- A. **JAN L. SEITZ, NED LEON SEITZ & LAFEAN SEITZ, JR. – Final Subdivision Plan #L-5409 by Gordon L. Brown & Associates for 2 lots along Boxwood and Springvale Roads** – Byron Trout with Gordon L. Brown & Associates advised that the lot is split by Springvale Road and this subdivision will create lots on either side of the road. One of the lots will be vacant and the other will have the existing house. Mr. Allison noted that all comments have been addressed. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the plan. Motion carried. Three votes yes.**

6. Plans for Signature:

- 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** – Mr. Allison advised that the Board had previously approved this plan and it is now ready for signature. The Board signed the plan.

7. **RIVER’S TRUCK CENTER – Waiver request** – Byron Trout with Gordon L. Brown & Associates advised that they are requesting a waiver of Section 304.B of the Stormwater Management Ordinance. He explained that when the Land Development plan was approved, a reduction in the freeboard had been permitted. He stated that when the basin was installed, there was a half a foot decrease from the approved plan. Mr. Trout advised that they are requesting a waiver for the reduction in the freeboard from .69’ to .65’. It was noted that this detention basin had been installed prior to Tropical Storm Lee and worked sufficiently. Mr. Sechrist asked if this basin would control any runoff from the All About Pets property that River’s had recently purchased. Mr. Trout advised if any land development would take place on that property, the water would likely be controlled on site. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board granted the waiver. Motion carried. Three votes yes.**

8. Solicitor:

- A. Attorney Rausch advised that he has spoken with the attorney for the Lanius family. They are not interested in granting a right-of-way for the Panorama Hills Upgrade. To take the necessary land, it would require that an appraisal be completed, a Resolution be approved and payment sent. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved for Attorney Rausch to move forward. Motion carried. Three votes yes.**

Attorney Rausch advised that he would like to discuss potential litigation regarding the Panorama Hills Upgrade during the Executive Session.

9. Township Engineer – Mr. Hess advised that he did not have anything to report. Mr. Heffner asked if the underground piping for the CVS has been installed yet. Mr. Hess stated that it has.

10. Public Works Department:

- A. Mr. Trout advised that the Board has a copy of the Monthly Report for February. There were no questions.
- B. **Surge protection – Public Works Building** – Mr. Trout advised that quotes have been provided to the Board for surge protection. The lowest quote is from Engles & Fahs in the amount of \$4,578. Mr. Smith asked if this is budgeted. Mr. Trout stated that it is. Mr. Smith commented that there had been lightning rods discussed at one time. Mrs. Gunnet stated that it was very expensive to install them and they are not included. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved for the surge protection to be installed by Engles & Fahs. Motion carried. Three votes yes.**
- C. **Purchase of forklift** – Mr. Trout advised that the Board has received three quotes for the purchase of a forklift. He stated that they are reconditioned with low hours. He commented that he prefers the Mitsubishi brand which is also the lowest quote from Mid Atlantic. Mr. Smith asked if this amount is under the budgeted amount. Mr. Trout stated that it is. Mr. Sechrist asked if there is another brand that was quoted. Mr. Trout stated that there is one by Doosan. Mr. Heffner asked if the Mitsubishi model is a gas unit. Mr. Trout stated that it is LP. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the purchase of the Mitsubishi forklift from Mid Atlantic in the amount of \$14,675. Motion carried. Three votes yes.**
- D. Discussion – East Prospect Road Pump Station – Mr. Trout advised that he had provided the Board with information regarding the East Prospect Road Pump Station. He explained that the generator is failing and the controls need to be replaced. He noted that once the Panorama Hills Upgrade is completed, this pump station could be eliminated.

Mr. Heffner stated that he thought the controls had already been replaced. Mr. Trout advised that the soft start was replaced in 1996 and more recently the bubbler system was replaced with a transducer. He estimated that the annual maintenance is approximately \$15,000. The cost to make the necessary improvements will be approximately \$100,000. Mr. Hess advised that over time an interceptor will be required. Mr. Smith questioned if the station must be eliminated. Mr. Hess noted that it is a recommendation of the Act 537 Report. Mr. Smith asked if it is due to capacity. Mr. Hess stated that it is due to the age of the station.

Mr. Hess advised that the generator, soft start, pump controls and dialer are just some of the items which will need to be repaired or upgraded. Mr. Trout noted that Manor Road is a sister station and parts could be transferred to this station once the East Prospect Road station is eliminated.

Mr. Hess noted that there could be an impact on the flows based on the housing market and the proposed zoning in that area. Mrs. Gunnet noted that funding could be obtained from a developer if the flows would be directed to this station. Mr. Sechrist questioned if there are grants available for this type of work. Mrs. Gunnet advised that there are not. Mr. Sechrist asked what the cost is for the interceptor line. Mr. Hess estimated it at \$700,000 to \$800,000. Mr. Trout stated that he was

requesting the Board's thoughts before proceeding with the improvements. It was the consensus of the Board to proceed.

- E. **Under carriage washer** – Mr. Trout advised that they have demoed an undercarriage washer and were very pleased with the results. He stated that the Board has information on the washer. Mr. Heffner questioned why this is needed if the beds are lifted when cleaned. Mr. Trout stated that only the area under the bed is washed, not under the entire truck. **It was the consensus of the Board to discuss the purchase at budget time.**

- F. **Cable service to Public Works Building** – Mr. Trout advised that the Board has received information on the running of cable to the Public Works Building. He stated that this would allow for email for both the Highway and Sewer departments. Mr. Heffner commented with the new GIS program, it will be necessary to have internet access. Mrs. Gunnet added that with the cable franchise agreement, there would be no cost to have the cable run. **On the motion of Rodney Sechrist seconded by Dean Heffner, the Board approved to have cable service run to the Public Works Building. Motion carried. Two votes yes. Mr. Smith voted no.**

- G. Update – Beaverson Pump Station – Mr. Trout advised that the Board has received additional information. ARRO is working on submitting information to DEP.

- H. Trench drains – Mr. Trout advised that he has met on site with contractors to discuss the repair or replacement of the trench drains at the Public Works Building. He recommended that the drains only be replaced one at a time and suggested starting with the one located in the shop area. It was the consensus of the Board for Mr. Trout to obtain three quotes to replace the trench drain in the shop area.

- I. **Replacement of 1998 GMC dump truck** – Mr. Trout advised that he has received a quote from River's Truck Center for a new truck. He stated that he would like to stick with a Western Star as the Highway Department likes the new truck. Mr. Heffner asked why he is not proposing to purchase a tandem truck. Mr. Trout stated that he does not feel that it is necessary at this time. Mr. Heffner commented that there is not much difference in the cost. Mr. Trout noted that this is for the truck only and the tandem bed will cost more. A single axle truck is satisfactory for the current use. It was noted that if Jackie Trout stops plowing for the Township, it may be necessary to purchase a tandem truck at that time. The southern route is mostly open roads and it would make sense to have a tandem. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the purchase of a Western Star truck from River's Truck Center in the amount of \$100,864. Motion carried. Three votes yes.**

- J. **2009 Sanitary Sewer Main Lining – Payment Request #3/Final – \$337,522.20** – Mrs. Gunnet advised that Miller Pipeline has provided information to C.S. Davidson regarding the material that was used. C.S. Davidson has reviewed and approved the information. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved Payment #3 in the amount of \$337,522.20. Motion carried. Three votes yes.**

- K. Mr. Sechrist questioned if Springettsbury Township would take over the Beaverson Pump Station. Mrs. Gunnet advised that they did not want to do this in the past because the flows would go to their Stonewood Road Station and they did not want to lose capacity there. She stated that she could check with them now. The Board agreed to this.

11. Other Business:

- A. **GIS Database Project** – Mrs. Gunnet advised that there is no location to add the \$23,500 of additional work to the 2012 budget. However, the Township is receiving approximately \$56,000 in reimbursement for Tropical Storm Lee that could be used to cover this cost. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the additional GIS work in 2012. Motion carried. Three votes yes.**

Mr. Smith advised that the balance of the refund be used toward road repairs.

- B. Windsor Manor PTO – Use of pavilion on May 31st – Waiver of fee – Mrs. Gunnet advised that she contacted the lady who made the request but has not heard back from her. She stated that the request came through the PTO, not the school district. Therefore there could be no exchange of fees. Mrs. Gunnet stated that they likely do not need to make a reservation as it is not typically used during a school day. No action was taken.
- C. Tennis for Kids – Tennis Courts – Waiver of fee – Mrs. Gunnet advised that she looked through information but could not find anything on a prior request. Mr. Smith stated that he thought it had went through WARC. He advised that the courts are public and they are welcome to use them if they are available.
- D. Mr. Heffner advised that an Executive Session would be held after the meeting to discuss potential litigation due to a sewer backup and to discuss potential litigation regarding the Panorama Hills Pump Station upgrade.
- E. Mr. Heffner advised that the Zoning Report for January is available for review. There were no questions.
- F. **EMS box number change** – Mrs. Gunnet advised that there was a natural gas leak on Freysville Road between Manor Road and Hope Drive. She stated that the call was dispatched to Yoe first and then to Red Lion. In the past, the response listing was reversed and they would like to change the EMS boxes so that this area is a first call for Red Lion. **It was the consensus of the Board to change the EMS box numbers.**
- G. **Junk Yard Application – Red Lion Salvage** – Mrs. Gunnet advised that the junk yard on Route 624 has changed ownership and the Junk Yard Ordinance does not allow for the transfer of the license. She stated that Lieutenant Redifer and Mr. Allison have performed an inspection and are recommending approval. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the junk yard license for Red Lion Salvage. Motion carried. Three votes yes.**

H. Mr. Heffner advised that the next Fire Chief's meeting will be held on February 23rd at 7:00 p.m. at Dallastown.

12. Unfinished Business:

A. Panorama Hills Pump Station – There was no update.

B. **Community Center Feasibility Study** – Mr. Hess showed the Board a drawing of Freysville Park with his suggestion on the location of the Community Center. He commented that the building would be stepped and would have a full size gym. He advised that with the YSM proposal, the basketball or volleyball courts would be removed. He stated that he feels it be best to orient the building differently to avoid this. He noted that the trees would need to be removed. Mr. Hess advised that this proposal is possible but not optimal. ADA access could be provided but there would be steps to access the other parking areas. A new access would need to be provided onto Freysville Road and it would need to be determined if there was adequate site distance. Several other options for access were discussed. Mr. Hess stated that due to the topography, the construction and excavation costs would be higher.

Mr. Heffner asked for Mr. Hess's opinion on the feasibility. Mr. Hess stated that he feels that it is possible but it would be challenging. Mr. Sechrist commented that he feels many older citizens would be using the building and he does not want to have access problems. Mr. Smith added that he does not want to sacrifice the size of the building. **It was the consensus of the Board to not pursue a Community Center at Freysville Park.**

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

D. **Husson Road** – Mr. Hess advised that he and Mr. Trout have discussed the area of flooding on Husson Road. He stated that he feels there are two options. The first would be to raise the road. The second option would be to replace the piping under an existing driveway with a larger pipe. He recommended the latter since this would be the least expensive. Mr. Sechrist commented that this is on private property. Mr. Heffner stated that the oil and chipped section of Ruppert Road has held up well and suggested the same for Husson Road. Mr. Trout advised that if there was a substantial rainfall, it would likely wash out and need to be redone. Mr. Sechrist commented that this would be a waste of money. Mr. Smith asked if DEP would require a permit to change the pipe under the driveway. Mr. Hess stated that they would. Mrs. Gunnet questioned if the Board was interested in doing the work or requiring the property owner to replace it. **Mr. Smith advised that he would like to have Attorney Rausch send a letter to Mr. Voytek requesting that he replace the pipe with a larger one and then the Township would agree to tar and chip the road in this area.** Mr. Hess stated that he would check with DEP to see if he could obtain a copy of the permit for the original pipe installation.

E. Performance Evaluations – Mr. Heffner stated that he does not feel that they are necessary. The topic will be discussed at the meeting scheduled for February 21st.

F. Skid loader – Mr. Heffner advised that he feels that the Township should work with Lower Windsor Township. It was noted that the crack sealer had previously been repaired by Lower Windsor Township. **On the motion of Rodney Sechrist seconded by Dean Heffner, the Board approved to allow Lower Windsor Township to use the Township’s skid loader. Motion carried. Three votes yes.**

13. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. Gene Zimmerman questioned the cost for the new truck. Mr. Trout advised that it is for the chassis only and is \$100,864.

14. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Mr. Smith questioned when the International Tandem would be advertised. Mr. Trout stated that he wanted to hold onto it during the winter months in case it was needed. Mrs. Gunnet added that once it is advertised, it may not be used. After discussion, it was determined that the awarding of the bid would be held on April 16th.

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

15. On the motion of Rodney Sechrist seconded by Paul Smith, the bills were approved. Motion carried. Three votes yes.

16. The meeting of the Windsor Township Board of Supervisors recessed into an Executive Session to discuss potential litigation due to a sewer backup and the Panorama Hills Pump Station upgrade at 7:45 p.m. The meeting will reconvene on Tuesday, February 21, 2012 at 1:00 p.m. at the Windsor Township Administrative Building for a meeting of the Salary Board.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

February 20, 2012

Vera Miller

Bridget McAvliffe

George Eveler

Byron Trout

Charles Wilson

Gene & Bobbie Zimmerman

Charles Silar

Steve Olkowski

Mike Diehl

748 Ridgelyn Drive Dallastown PA

2997 Cape Horn Road Red Lion PA

Gordon L. Brown & Associates

1105 Windsor Road Red Lion PA

860 Zimmerman Road Red Lion PA

1500 Windsor Road Red Lion PA

Red Lion Auto Salvage

Windsor Township