

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

April 21, 2014

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, Rodney Sechrist, Attorney Charles Rausch, 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 Jo Anna Shovlin seconded by Rodney Sechrist, the minutes from the March 17, 2014 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 Pennsylvania Department of Transportation in response to the Liquid Fuels Fund audit report. As a result of their finding, they are requiring that the General Fund reimburse \$33,483.24 to the State Fund. She noted that Mrs. Shovlin has offered to pursue the basis for the finding. She commented that during the audit, the auditor stated that the reason for the finding was because the refund did not take place within 90 days of the original payment date. However, the audit report states that reimbursement of prior year expenditures is not permissible. Mrs. Shovlin requested that Mrs. Gunnet send a letter to Representative Saylor with all the information and she will look into the matter.
  - C. Mrs. Gunnet advised that she has received the 2013 Annual Report from York Regional Emergency Medical Services. The Board has also received a copy.
  - D. Mrs. Gunnet advised that she has received the Audit Report for the Laurel Volunteer Firefighters' Relief Association from the Auditor General's Office. The report covers 2009 through 2012. There were four findings. They dealt with the amount of bond coverage, their by-laws, use of incorrect EIN and unauthorized insurance payments. They will comply with the findings.
5. Windsor Township Fire & Rescue Association - Chad Arnold was present. He noted that he sent the monthly meeting schedule to Mrs. Gunnet. He stated that they are working on the merger between the York Township and Windsor Township Fire Associations. There was discussion on the implications of being a regional entity. It was determined that the two associations will remain separate but will working together to keep uniformity.
  - A. The next Fire Chiefs meeting will be held on April 24th at Laurel Fire Company.

6. York Area Regional Police Department - Sergeant Montgomery was present. He did not have anything to report and there were no questions for him.

A. The Monthly Reports for February and March are available for review.

7. **Windsor Meadows - Lot 44 (140 Centre Court) - Fence in stormwater easement** - Josh Holland, Cornerstone Fence, advised that he is the contractor for a fence installation at 140 Centre Court. There is a stormwater easement along the property line to the rear of the house and along a portion of the property line to the side of the house opposite of Ava Drive. He is proposing to locate the fence in the easement along the side of the home. The area effected would be 10' x 20'. He stated that there is no underground piping in this area and the drain is 3'8" from the property line. He noted that they are not proposing to encroach into the easement to the rear of the home.

Mr. Heffner asked Mr. Allison for his stance on the request. Mr. Allison stated that the developer for this subdivision went bankrupt and it was taken back over by the bank. There were upgrades that were necessary to the stormwater system in the development so he and Mr. Trout spent a considerable amount of time on site. He advised that he does not feel that the fence should be permitted to be placed in the easement. He added that the Board has received information from him. He explained that there is a note on the subdivision plan that prohibits items to be placed within the easements. Mr. Trout noted that when the work was being done in the development most of the easement area was being utilized.

Mr. Holland stated that there is a wall located in the easement on Lot 45 and he was informed by Mr. Allison that 14' is still enough area to gain access. Mr. Allison advised that the wall that is located on Lot 45 was approved on a minor subdivision plan. He explained that the grading onsite did not allow for the water to flow to the stormwater grate. The wall was used to divert the water to this area. He stated that the issue with the request is not due to access to the easement but rather that they are asking to deviate from the stipulations set forth on the plan. Mr. Trout added that there have been issues in the past with items being placed within easements.

Mrs. Shovlin questioned the purpose of the fence. Mr. Holland stated that the owners have a dog.

Mr. Heffner stated that he agrees with Mr. Allison and experienced firsthand when he was a Township employee how there can be issues. Mr. Allison noted that they can still fence a portion of the yard. Mrs. Shovlin stated that she is concerned that precedence would be set.

**It was the consensus of the Board to deny the request to place a fence in the stormwater easement at 140 Centre Court.**

8. Chris Shaffer - Windsor Area Recreation Commission:
  - A. Yorkana Ballfield/Assistance with costs - Lower Windsor Township field - Chris Shaffer, Recreation Director, advised that the Township has an agreement with Yorkana Fire Company for the use of the Yorkana Ballfield and based on this, it was their intent to use the field for baseball. However, the field is not in a playable condition. He explained that there is a pipe

that runs through the outfield to drain a spring. It has broken and a stream has formed. He stated that there was an issue with the pipe in 2012 and Modern Landfill had fixed it. They were planning to fix this break, however, there is a gas line that runs through the property and they are not allowed to dig because of it. Mrs. Shovlin questioned if the gas company had been contacted. Mr. Trout stated that he had tried to contact a representative from Spectra Energy but received no response. Mrs. Shovlin asked Mr. Shaffer to send her information and she will get in touch with her contact at Spectra Energy.

Mr. Shaffer stated that not having this field causes issues since this is the only field that is designed for this age group baseball team. The scheduling needs to be completed soon. He noted that he contacted Windsor Borough for their field availability but it is limited due to the Susquehanna League. He advised that Eastern York Recreation/Lower Windsor Township has a field available that would be the appropriate size that could be rented. A mound and baselines would need to be installed. The cost for the rental is \$30 per hour and he estimated that it would be needed 4 hours per week. Mr. Shaffer advised that he was working with the interim Recreation Director and she was going to contact their Board to see if they could reduce the rental fee.

Mrs. Shovlin commented that \$5,000 is a large amount of money to spend on field rental. She suggested sending a letter to present to their Board. She asked if there are other fields. Mrs. Gunnet advised that the field at Felton Borough does not work. Mr. Sechrist questioned if we could use private property because there is a field on Bahn's Mill Road. Mr. Allison stated that he does not feel that field would be large enough.

Mrs. Gunnet suggested approving a not to exceed amount or scheduling all away games. Mr. Shaffer commented that other teams may not have field availability to host additional home games. The Board advised that a letter be sent to Eastern York Recreation and Lower Windsor Township requesting that the fee be reduced in half.

9. Rick Gipe - Windsor Borough - Fishing Creek Project - Rick Gipe advised that the Joint Municipal project at Fishing Creek began in March of 2013 and is still moving forward. He thanked the Board, Mrs. Gunnet, Mr. Hess, Mr. Brath and Mr. Shaffer for all the hard work that has gone into the project. He stated that the County Commissioners have awarded \$150,000 toward the project, PECO has donated funds and a DCNR grant has been submitted. Mrs. Shovlin stated that she would also like to thank Representative Saylor for securing the donation from PECO. Mr. Sechrist thanked Mr. Gipe for his effort on the project as well.

10. Solicitor:

- A. **406 Boyd Drive** - Attorney Rausch advised that the Judicial Sale for the Mungai property at 406 Boyd Drive was held on April 14th. There were no bidders so the **Township has purchased the property**. He explained that the property owner has 20 days to file objections. After that, the Township will receive the deed. The owner will still have 9 months to redeem the property. He noted that they are still living in the house. Action will need to be taken to evict them. Mrs. Shovlin questioned if the Township will need to maintain the property.

Attorney Rausch advised that we would and an auction or sealed bid could be done to sell the home. Mr. Heffner stated that the Township should keep the property for 9 months so that it cannot be redeemed after it would be sold to another party.

Attorney Rausch estimated that the Township's costs are approximately \$11,000. Since the bank did not purchase the property, the mortgages are released. Mrs. Gunnet added that the Township has purchased homeowner's insurance.

- B. Attorney Rausch advised that he met with Mrs. Gunnet and Mr. Trout regarding the elimination of the Beaverson Pump Station. A meeting will be held with Springettsbury Township to discuss.

11. Township Engineer - There was nothing to report.

12. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for April. There were no questions.
- B. Stone/Blacktop Bid Results - Mrs. Gunnet advised that the bid results are attached to the Board's agenda. The low bidder for stone is Kinsley. Mr. Trout stated that it is much closer to get stone from County Line Quarry and in the past the Board had approved a split bid for delivery and pickup due to the time and distance involved with traveling to the Kinsley plant.

The low bidder for blacktop is Highway Materials. Mr. Trout advised that they have been used in the past and there have been no issues. He noted that the option for warm mix asphalt was included in the bid but they are not proposing to use this material. He explained that it is a new material that is better when used for large continuous paving projects.

**On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bid to Kinsley for delivered stone, County Line Quarry for stone picked up at the plant and Highway Materials for blacktop. Motion carried. Three votes yes.**

- C. Wise Avenue Sewer Extension: Bid Results, Community Development Block Grant contract and Public Meeting - Mrs. Gunnet advised that the bid results are attached to the Board's agenda. There was a large range in the bids. Mr. Brath advised that he contacted the low bidder, Macmor Construction LLC and informed them that they could withdraw their bid but they feel they can do the work for what they quoted. Mr. Brath stated that he has researched the company. He noted that they have been in business for less than 5 years so they do not have a corporate seal. Because of this, there is not much available for references. The owner previously worked for a company that went out of business. He noted that he is aware of a project that this company had done that had no issues.

Mr. Sechrist asked if this is a local company. Mr. Brath advised that they are located in Dillsburg. Mrs. Gunnet noted that the bid requires that the project be completed within 180

days. Attorney Rausch added that the Township will have a bond for the completion of the work. It was the consensus of the Board that they would award the bid to Macmor Construction.

Mrs. Gunnet advised that as a condition of the contract for the Community Development Block Grant, the Township should not incur any expenses until the grant funds are received. Any expenses incurred prior to receiving the funds are not reimbursable. She stated that once the bid is awarded, the timeframe to complete the work begins. Mr. Brath estimated that the funds would be received in May or June.

**On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bid for the Wise Avenue Sewer Extension to Macmor Construction LLC in the amount of \$75,210 with the condition that the Notice to Proceed is received from the York County Planning Commission. Motion carried. Three votes yes.**

Mr. Heffner advised that a public meeting will be held on Thursday, May 8th at 6:00 p.m. at the Township Office for the property owners that are affected. Letters have been sent notifying them of this meeting.

- D. **Beaverson Pump Station Elimination - Engineering Quote** - Mrs. Gunnet advised that she has reviewed the quote and discovered that the elimination of the Penn Oaks pump station in Springettsbury Township is included. She stated that she needs to review the quote more in depth before any action is taken. The topic was tabled.
- E. **Purchase of van** - Mrs. Gunnet advised that the Board has received two quotes for a new van. She stated that they are almost identical. One is in stock and the other needs to be ordered. The only van available through Costars is a Dodge Caravan. Mr. Heffner questioned what was going to be done with the old van. Mrs. Gunnet advised that it could be sold on Municibid or WARC may be interested. She noted that Kelley Blue Book gives a value of \$3,100 in fair condition but she is not sure that it is worth that. It does need painted. She added that WARC does not have money budgeted for the purchase of a vehicle. **Mrs. Shovlin stated that she feels it should be given to WARC. The Board agreed. It was the consensus of the Board to purchase the van that is in stock and give the old van to WARC.**
- F. **Manor Road, Freysville & East Prospect Road Generators: Payment Applications #10 - \$14,354.04, #11 - \$1,091.76 & #12 - \$10,151.56** - Mrs. Gunnet advised the Township Engineer is recommending payment applications 10, 11 and 12 to Monacacy Valley Electric. The Township is still holding the \$5,000 retainer. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the payment applications for the Manor Road, Freysville and East Prospect Road generators. Motion carried. Three votes yes.**
- G. Mr. Trout advised that paperwork for the Pleasant Grove & Zimmerman Road generator project needs to be signed. Mrs. Gunnet advised that the Board had previously approved the bid. It was the consensus of the Board to sign the paperwork.

13. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for March. A copy is available for review.
- B. Mr. Heffner advised that the Board has received the Manager's Report for March. There were no questions.
- C. Mr. Heffner advised that the Dog Officer's Report for March is available for review.
- D. Mr. Heffner advised that Community Volunteer Day will be held on Saturday, April 26th at Freysville Park from 9:00 a.m. to 1:00 p.m. He encouraged everyone to attend.
- E. **Governor's Award for Local Government Excellence** - Mrs. Gunnet advised that on April 15th, she, Mr. Heffner and Mr. Trout went to Harrisburg to accept the Governor's Award for Local Government Excellence for our cooperation with Lower Windsor Township after the fire at their Public Works building. She stated that Chanceford Township and Hellam Township also received the award. Mrs. Gunnet advised that a plaque and Citation from the House of Representatives was received.

Mr. Trout thanked the Highway Department for their assistance to Lower Windsor Township.

- F. **Woody Waste Drop Off** - Mrs. Gunnet advised that she has received several requests for a drop off woody waste collection in May. She stated that she was concerned that it would not be advertised enough to make it worthwhile. Mrs. Shovlin stated that if information is sent to her, she can have it placed on Representative Saylor's website. The Board agreed to hold a collection on Saturday, May 10th.
- G. **Update - Chesapeake Bay Pollution Reduction Plan** - Mrs. Gunnet advised that it has been voted to use the weighted fee formula to establish the cost to each municipality for the Chesapeake Bay Pollution Reduction Plan that the County is preparing. Based on this method, the Township's fee will be approximately \$34,000 over 5 years.
- H. **Freysville Park - Additional cameras** - Mrs. Gunnet advised that it is in the budget to purchase **2 additional cameras** at Freysville Park. They will face Freysville and Windsor Roads. The cost is **\$1,298**. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the purchase. Motion carried. Three votes yes.
- I. Kensington - Lot 29 (580 Rosewater Drive) - Fence Waiver - Mr. Allison advised that in the Kensington development there are individual seepage pits for the homes and there is a blanket stormwater easement on the lots. The Board had previously approved to allow fences to be placed within the easements with certain stipulations and the condition that an Agreement is approved and recorded. He showed the proposal for Lot 29 to the Board, noting that one of the adjoining houses already has a fence and that the property owners will comply with the conditions listed in the agreement. **On the motion of Rodney Sechrist seconded by Jo Anna**

**Shovlin, the Board approved the Agreement to allow for a fence in the stormwater easement at 580 Rosewater Drive. Motion carried. Three votes yes.**

- J. Mrs. Gunnet advised that the Board has received a copy of the Engineering Transition Report for April.
- K. Update - Longstown Intersection - Mrs. Gunnet advised with the removal of the traffic signal at Chambers Road, a temporary signal light is going to be installed on Cape Horn Road at Skylight Drive and Covenant Moravian Church. PennDOT is also considering improvements to the intersection of Chambers Road and Camp Betty Washington Road in York Township.
- L. Can-Am Police-Fire Games - July 13-20, 2014 - Mrs. Gunnet advised that York County is going to be the host location of the Can-Am Police-Fire Games. The Board has received a copy of the events and locations. None will be in Windsor Township. Organizers came before the Manager's Association requesting assistance with logistics during the events. They requested that each municipality provide a piece of equipment and an operator for one day during the games. Mrs. Shovlin asked if there was feedback from other managers as to whether they would be willing to assist. Mrs. Gunnet stated that she had not heard from any. She noted that all of the events listed may not take place but they are expecting 2,000 to 3,000 participants and their families to take part. The Board tabled making a decision.
- M. **Ordinance No. 2014-04-01 - Amendment to On-Lot Septic Disposal System Ordinance** - Mrs. Gunnet advised that the Amendment to the OLDS Ordinance for the exemption waiver has been advertised for adoption. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Ordinance was adopted. Motion carried. Three votes yes.
- N. Electronics Recycling recap - Mrs. Gunnet advised that the electronics collection was well attended. She stated that this year household products were also accepted. The total collected filled 40 boxes. **Boy Scout Troop #155** assisted with the collections. Mr. Heffner questioned if we give them anything for their help. Mrs. Gunnet stated that the Township provides snacks and they get credit for community service hours. **It was the consensus of the Board to make a \$100 donation to the troop.**

14. Unfinished Business:

- A. Panorama Hills Pump Station – Update - Mrs. Gunnet advised that the Board has been provided with a list of additional costs that have been incurred on the project. She stated that most of this is due to issues with wetlands. She stated that since the plan was prepared, the wetlands have expanded. PennDEP is requiring that all wetlands be redelineated. Manholes are not permitted to be located within the wetland and permitting is required for the sewer line that is located within the newly delineated wetland area. Additional right-of-way will be needed across the Buser and Spartan Heights properties. The permit applications will be sent to PennDEP by May 9th. It can take up to 180 days for the permits to be approved. Work is permitted to continue in other areas.

Mrs. Shovlin stated that these new regulations and mandates are being driven by the Federal Government and are affecting previously approved projects statewide. She stated that if a letter is sent to Representative Saylor when the applications are submitted, she can push to have the permit approved more quickly since this is a previously approved project.

Attorney Rausch advised that Mr. Dobrinoff's son-in-law is no longer his legal representative and he was contacted by a different attorney regarding the right-of-way. He had informed the attorney that an appraisal was required to justify the additional payment request but he has not heard back.

B. Proposed change to meeting schedule – May 5th – Mrs. Gunnet stated that she is not aware of anything that would need to be addressed at this meeting. It was the consensus of the Board to cancel the May 5th meeting.

15. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking.

Elmer Fromm advised that Mr. Heffner had asked about evacuation procedures at the last meeting and he did not feel that he answered him properly and wanted to clarify. He explained that there are no written procedures. Each incident is evaluated to see what is involved and if something needs to be pursued. He noted that there are different agencies that assist depending on the situation. He added that the Red Lion Area Senior High School is the evacuation location for the Township. Mr. Fromm advised that comfort stations can also be set up.

Mr. Fromm stated that there is a PennDOT Tower located on Cape Horn Road across from the entrance to the Apartments at Waterford that may be able to support a repeater for the EMA. He stated that he is requesting permission to research if this is a possibility and if so, what maintenance or costs would be associated. Mrs. Shovlin advised that Mr. Paules had contacted her at Representative Saylor's office regarding this. She noted that the tower is not currently being used. Mr. Heffner commented that he would rather see a repeater located at the Township office because there would be less cost. He added that the tower will eventually need to be relocated due to road improvements to Cape Horn Road. It was the consensus of the Board to allow for Mr. Fromm to prepare a report on the tower.

John Cheeseman, 910 Cranberry Lane, stated that at the last meeting there was discussion regarding extending the walking trail at Freysville Park. He suggested adding fitness stations along the trail. The Board thought this was a good idea. Mr. Allison will look into different options.

16. Supervisors Comments – Mr. Heffner asked the Board if they had any questions. Neither Mrs. Shovlin nor Mr. Sechrist had any comments. Mr. Heffner did not either.

17. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.

18. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session at 8:20 p.m. to discuss contract negotiations.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

April 21, 2014

Vera Miller	
Elmer Fromm	50 Oak Drive Red Lion PA
Sergeant Peter Montgomery	York Area Regional Police Department
Stephanie Knaub	903 Cranberry Lane York PA
Donald Knaub	903 Cranberry Lane York PA
Chad Arnold	Windsor Township Fire & Rescue
Chris Shaffer	Windsor Area Recreation Commission
Rick Gipe	Windsor Borough
Lynn & John Cheeseman	910 Cranberry Lane York PA
Phillip Brath	ARRO Consulting
Josh Holland	Cornerstone Fence, Millersville PA
Charles Silar	1500 Windsor Road Red Lion PA