

**WINDSOR TOWNSHIP BOARD OF SUPERVISORS**  
April 20, 2015

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, John Klinedinst, Richard Resh, 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 16, 2015 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 Environmental Protection officially informing that the Township has been awarded a 902 Recycling Development and Implementation Grant in the amount of \$148,578.00 These funds will be used to purchase a one man leaf truck which has been ordered. The Board authorized the Chairman to sign the agreement.
  - C. Mrs. Gunnet advised that she has received notification from Comcast that they will be increasing installation fees effective April 19th.
5. Windsor Township Fire & Rescue Association - Chad Arnold was present. He stated that at their next meeting they are hoping to approve the uniformity agreements. They will also be electing a Vice President as that position is vacant.

Mrs. Gunnet questioned how the Felton Relief Association was addressing the comments from their audit. Mr. Arnold stated that the bond limit has been increased.

6. York Area Regional Police Department - No one was present.
  - A. Chief Gross presented the 2014 Annual Report. He noted that the report was also highlighted at the Police Commission Meeting. He advised that the department earned its accreditation which is valid for three years. He noted that there was a decline in crime in 2014 and he provided handouts specific to Windsor Township. He reviewed the figures on the number of crimes, traffic accidents, arrests and miscellaneous calls. He noted that the Part 1 crimes were at the lowest in four years. He stated that they plan to focus on more DUI enforcement in 2015. There were no questions for him.
  - B. The monthly reports for February and March are available for review. Sergeant Good reviewed the reports noting that the Township is over our coverage by 21 hours. He stated that thefts from motor vehicles has been an issue lately as has tax fraud. He advised that the officers are now carrying

narcan. Mr. Sechrist questioned how many motorcycle officers the department has. Chief Gross stated that there are three primary drivers and there is another in training.

7. **Kathleen Barnaba - Crestview Acres - Request for waiver of setbacks** - Mr. Allison advised that Ms. Barnaba had a deck with a pergola constructed on her property at 311 Robin Drive. Under the current Ordinance it does not meet the setback requirements. However, it will meet the setbacks in the proposed Subdivision and Land Development Ordinance. Ms. Barnaba is requesting a waiver of the current setback requirements.

Mrs. Shovlin questioned if this was a violation. Mr. Allison explained that the deck and pergola were constructed without obtaining a permit. There was a complaint filed and a couple violations were found in the development. Some of the others were able to obtain permits to come into compliance. He stated that he cannot issue a permit to Ms. Barnaba because she is not able to meet the setback. Mrs. Shovlin stated that she takes issue with the situation because a permit was not obtained prior to starting the work. She asked Ms. Barnaba if she or her contractor checked to see if a permit was required. Ms. Barnaba informed that her contractor did not think a permit was needed.

**On the motion of Rodney Sechrist seconded by Dean Heffner, the Board granted the waiver of setbacks for 311 Robin Drive. Motion carried. Three votes yes.**

8. **Kensington - Fence Agreements - Carol Holmes (Lot 33), Brian & Justine Strayer (Lot 34), Michael Royer & Kandrea Heffner (Lot 32) and Stephen & Lauren Belschner (Lot 35)** - Mrs. Gunnet advised that there were two agreements listed on the agenda but an additional two were received. Mr. Allison advised that the Board had previously approved for the placement of fences within the stormwater easements in Kensington with a recorded agreement. He stated that they are meeting all of the requirements of the agreement and he will inspect the fencing once it is installed. He commented that there are four properties adjacent to one another that have gone together to install fencing. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the Fence Agreements for Lots 32, 33, 34 and 35 in Kensington. Motion carried. Three votes yes.**

9. Subdivision Plans for Approval:

- A. **PLEASANT VIEW AUTO SALES** - Land Development Plan #L-5511 by Gordon L. Brown & Associates, along Rt. 74 - Mrs. Gunnet advised that they were unable to secure their bonding prior to the meeting. The plan was tabled.

10. Emergency Management:

- A. Mr. Fromm advised that the Board has received a copy of the minutes from the March 18th staff meeting.
- B. Mr. Fromm advised that the Board has received a copy of the EMA News. He stated that the Township was highlighted for the table top exercise that had been recently held.

- C. Mr. Fromm advised that the Board has received a copy of the 1st Quarter 2015 Report. He stated that they have been doing a lot of training.
- D. Mr. Fromm advised that he received a letter from the Red Lion Senior Center thanking him and his staff for the presentation that they gave.
- E. Mr. Fromm stated that he was very pleased with the results of the Table Top exercise and he is taking the recommendation from Mr. James and incorporating into their process. He commented that the fire departments, police department and ambulance services should be included in the next one.
- F. Mr. Fromm advised that Bernell Kohler is resigning from his staff. He stated that he has been a great asset and will be missed.

11. Solicitor:

- A. **406 Boyd Drive - Settlement held - Clarification on splitting of funds** - Attorney Rausch advised that settlement was held on April 10th. Mrs. Gunnet stated that there was a profit of \$124,800 on the sale of the home. It had been decided that the profit would be used toward a community center. She noted that there had been discussion on the installation of an additional field behind the Township Office and she questioned if the Board wanted to pay for it from these funds. The fees would include a fence, backstop, diamondtex, excavation and engineering fees for the layout. The Board has received a quote of \$7,280 for the fence and backstop and \$6,400 for the diamondtex. It was noted that more research is needed to see if it is possible to install the fence in this location. The Board requested that Mr. Shaffer attend the May Board meeting and provide additional information. It was the consensus of the Board to deposit all funds into the Community Center Fund and then transfer funds for the installation of the ballfield.
- B. Attorney Rausch advised that an Executive Session will be held after the meeting to discuss the acquisition of an easement on the Knaub property for the Cranberry Lane sewer extension.

12. Township Engineer:

- A. Cranberry Lane/Dietz Road Sewer Extension - Status Report #6, Kraft Easement Agreement, Kreiger Easement Agreement, Knaub Easement - Executive Session, Bid Results - Mr. Resh advised that a voluntary prebid meeting was held on April 7th. Addendums were prepared on April 6th and April 10th. The bids were opened on April 16th. There were 6 bidders. The low bid is from PACT One, LLC from New Jersey. Mr. Resh advised that there was one informality with their bid. They did not acknowledge receipt of addendum #2. However, his office received a returned receipt from the emailed addendum and the bid was submitted in accordance. He stated that a minor informality can be waived by the Board.

Mr. Resh advised that they have reviewed their references and found that their name had changed. He was informed that PACT One, LLC was established for construction projects and their previous name is still used for pump station projects. They have done two projects in York County.

The bid came in under budget at an amount of \$586,713. An alternate bid was submitted in the amount of \$862,273 for the additional extension on Dietz Road which was still under budget. He noted that the Board has the option to accept the alternate bid. Mr. Klinedinst commented that the price is good and will not get cheaper, especially since the contractor is already on site.

Mr. Heffner expressed his concern about forcing the people on Dietz Road to connect to public sewer. Mr. Resh stated that there would be 8 properties affected by the extension, with 3 of those being vacant lots.

John Cheeseman questioned if Keystone Custom Homes has a timeframe for their development on Ness Road. Mr. Allison stated that they have submitted a plan but they do not have a timeline at this point. Mr. Cheeseman questioned if the plans would need to be redesigned if the Board did not accept the alternate bid. Mr. Resh advised that they would not needed to be redesigned but the project would need to be rebid. He noted that grinder pumps would be needed in some of the homes on the alternate bid. Mrs. Shovlin commented that more push is being made toward the connection of properties to public utilities but she also understands Mr. Heffner's concern.

**On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bid to the low bidder with all alternates and waived the bid informality. Motion carried. Three votes yes.**

Discussion ensued on fees. Mr. Resh explained that the Connection Fee is assessed for the cost of the lateral installed between the sewer main and the right-of-way. The Township's current fee is \$1,620. However based on trends, the fee can be increased to \$1,760. Mr. Resh explained since the Township has received construction costs, it would warrant the fee being increased to \$3,153. He is recommending the fee be set at \$3,000. Mr. Resh explained how the Tapping Fee is calculated based on capital improvements and future anticipated costs. As part of the Tapping Fee, there will be a Special Purpose Fee for the Panorama Hills extension area. That fee is unable to be determined at this time.

Mr. Klinedinst stated that the Township has received the construction cost and has grounds to increase the connection fee to \$3,000. He feels that if it is not increased, the Township is subsidizing the fee. John Cheeseman commented that although this fee affects him directly, he feels that the right thing for the Township to do is to increase it to \$3,000. Mrs. Gunnet added that the Township is paying for the construction project which amounts to approximately \$25,000 per property.

Jim Kraft stated that he does not think that it makes sense to change the rate now when not all of the fees have been determined. Mr. Resh noted that a letter will be sent to the property owners outlining the fees and noting that the Special Purpose Fee is to be determined.

**On the motion of Rodney Sechrist seconded by Dean Heffner, the Board set the Connection Fee at \$3,000. Motion carried. Three votes yes.**

**Mrs. Gunnet advised that the Krafts and Kreigers have both signed and returned their Easement Agreements. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Agreements. Motion carried. Three votes yes.**

- B. Windsor Manor Pump Station phase out - Mr. Resh advised that Gordon Brown & Associates provided him with asbuilts of the Windsor Borough sewer system. He stated that they are not doing a capacity study so the Township would be responsible to pay for it. Mr. Klinedinst suggested that they prepare a quote to have the study completed and forward that information to Windsor Borough. The Borough could then require that the developer of Walnut Springs pay for the study as a condition of plan approval. **It was the consensus of the Board for C.S. Davidson to prepare a proposal for a capacity study.**

13. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for April. It was asked what the APWA is. Mr. Trout advised that it is the American Public Works Association. They hold a symposium where vendors come and present products and services and topics relevant to public works are discussed. As the host, they will be using the public works building. They also have staff that will be setting up for the event.

Mr. Sechrist stated that he thought that the arm on the Tiger Mower looks unsafe. Mr. Trout stated that he feels that it is functioning properly and that none of the employees have expressed a concern to him.

- B. Wise Avenue Sewer Extension - Update - Mrs. Gunnet advised that the contractor will be coming back soon to complete the restoration and stabilization.
- C. Beaverson Pump Station - Update - Mrs. Gunnet advised that Paul Gross from Buchart Horn had received the initial review from the Pennsylvania Historical and Museum Commission but now they are requiring additional information. Mr. Gross felt as though the Commission was stalling.
- D. **Sewer lien discussion** - Mrs. Gunnet advised that the Board has received information on some of the delinquent sewer accounts. She stated that some have defaulted on payment plans and others have not responded. She questioned if the Board would like to give them a second chance or proceed with the Sheriff Sale process. The Board agreed that the account would have to be paid in full and to move forward with the process.
- E. 2015 Joint Line Painting Bid results - Mrs. Gunnet advised that East Manchester Township was responsible for preparing the bid. The low bidder is **Alpha Space Controls**. They have been used in the past. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.**
- F. Sewer Specialty - Payment Application #3 (Final) - \$48,145.40 - Mrs. Gunnet advised that the last of the 2014 work has been completed and Sewer Specialty is requesting their final payment. **On the**

**motion of Jo Anna Shovlin, the Board approved the Payment #3 in the amount of \$48,145.40. Motion carried. Three votes yes.**

- G. **Ordinance #2015-04-01 - No Trucks Except Local Deliveries - North Blacksmith Road** - Mrs. Gunnet advised that the Ordinance has been prepared and advertised. It will prohibit trucks greater than 9,001 pounds from using North Blacksmith Road. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Ordinance. Motion carried. Three votes yes.**
- H. **Sewer Maintenance Bid results** - Mrs. Gunnet advised that the bid results are attached to the Boards agenda. The low bidder is **Sewer Specialty**. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.
- I. **Road Materials Bid results** - Mrs. Gunnet advised that the bid results are attached to the Boards agenda. The low bidder for **blacktop is Highway Materials**. The low bidder for **stone is County Line Quarry**. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bids to the low bidders. Motion carried. Three votes yes.

14. 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 a copy of the Township Manager Report for March. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for March. A copy is available for review.
- D. Mrs. Gunnet advised that the dedication of the Riddle Road bridge in honor of Technical Sergeant Daniel Lee Zerbe was held on Saturday, April 11th. She stated that there was a great turnout. The American Legion Riders motorcyclist group were present. The Township received a nice article in the newspaper as well.
- E. Mr. Heffner advised that the Board has received the Transition Report for March.
- F. **MS4 Discussion** - Mr. Allison advised that the Township is following up on deficiencies found during MS4 related inspections. He noted that homeowners affected will be notified of work that they will need to have completed to come into compliance. He commented that he does not believe that all of the owners will have the work done and in these circumstances the Township will have a subcontractor complete the work and the property will have to be liened. Mrs. Gunnet noted that it is better to use a subcontractor to complete the work rather than Township staff because the cost can be justified. Mr. Heffner questioned if this type of work would need to be bid. Mr. Klinedinst advised that it would need to be bid if the cost would exceed \$19,400. Three quotes would be needed if the cost exceeds \$10,500. He recommended treating each repair as a separate project. Mr.

Allison added that there are areas that need to be repaired which the Township will be responsible for. It was noted that there are funds budgeted.

Mr. Allison noted that the York Township MS4 paperwork was recently audited. Mrs. Shovlin commented that the paperwork is very important and documentation is necessary. Mr. Allison advised that Mrs. Gunnet will be giving out handouts at Community Day and proceeded to give everyone present one of the flyers.

Mrs. Shovlin advised that she is going to be sponsoring a meeting in the fall at which Mr. Klinedinst and John Luciani of First Capital Engineering will be speaking. She suggested that the Township host the event and she can hand out the Township's MS4 educational materials at that meeting.

- G. Facebook account - Update - Mrs. Gunnet advised that the Township's Facebook page is up and running.
- H. Electronics Recycling - Mrs. Gunnet advised that the Electronics Collection was held on April 18th. Approximately 50 boxes were filled with assistance from Boy Scout Troop #155.
- I. Mr. Heffner advised that Community Volunteer Day will be held on Saturday, May 2nd from 9:00 a.m. to 1:00 p.m. He encouraged everyone to attend to help beautify the park.
- J. Workmen's Compensation - Discussion - Return to work and light duty policies & Panel of Providers - Mrs. Gunnet advised that the Township's insurance policy renewed in March and she was able to obtain a 5% discount which amounts to \$1,000 on Worker's Compensation Insurance if a written policy was put into place for a return to work policy and listing a panel of providers. She stated that currently the Township has followed a policy that if an employee has a non-work related injury, they must have a doctor's notice to return with no restrictions. She questioned if the Board would like to follow the same policy. The Board agreed that they would.

Mrs. Gunnet advised that currently the Township does not use a specific panel of providers. She stated that EMC Insurance provided her with a list but most were from out of the area. Workfirst was then able to provide a panel of local doctors. She asked if this panel was acceptable. The Board approved the panel.

- K. Longstown intersection - Update - Mrs. Gunnet advised that the Board has received a copy of an email with an update. The work is to be substantially completed by the end of the year.
- L. Alcohol Referendum - May 19 - Mrs. Gunnet advised that she will be doing a media release and putting information on the sign, message board and Facebook. Local businesses must complete a report of independent expenditures if they spend over \$100 promoting the referendum.

Mrs. Gunnet stated that it had been mentioned about having employees volunteer their time at the polling locations. She questioned if the Board was interested in doing this. Mr. Heffner stated that

the important part is to get them to the polls and does not feel it would be beneficial to have people at the polling locations. The Board agreed.

M. Mr. Heffner advised that an Executive Session will be held to discuss potential litigation and a personnel matter.

15. Unfinished Business:

A. Panorama Hills Pump Station – Update, Deed of Dedication, Agreement - William & Marjorie Dietz & Ann M. Dietz, Initial payment made April 10, 2015 and Electric Service - Pump Station & Odor Station - Mrs. Gunnet advised that the station is in operation. The initial settlement was held on April 10th in the amount of \$7,500,000. Mrs. Gunnet stated that Mr. Holweck would like for the Township to take over the electric billing for the pump station and odor control station. Mr. Heffner commented that he does not want to take over the billings if the station does not belong to the Township.

Mrs. Gunnet advised that the Township has received the Deed of Dedication and the Agreement with the Dietzs which guarantees sewer capacity to them for 10 years. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Deed of Dedication and Agreement. Motion carried. Three votes yes.**

Attorney Rausch advised that with the this approval, the Township is now responsible for the pump station and will need to take over the billing. Mrs. Gunnet commented that she did not think the Township would own it until the final settlement. Attorney Rausch advised that by accepting the Deed of Dedication, the Township now owns the property which includes the pump station. Mr. Resh added that the Township will need to add it to the insurance policy. Mr. Trout noted that the warranties would not start until the Township has final settlement.

B. Proposed change to meeting schedule – It was the consensus of the Board to cancel the meeting scheduled for May 4th.

16. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. John Cheeseman, Cranberry Lane, advised that the street sweeping has not been satisfactory. Mr. Trout explained that there have been two trucks in the Township but one of them has been malfunctioning. He noted that he has contacted Ross Industries about the problems and they are working to rectify the situation.

Christopher Shaffer, Recreation Director, was present. The Board asked him to provide them with information on the ballfield he is proposing. Mr. Shaffer explained that currently 8 teams are sharing 3 fields which is approximately 100 children. He stated that the field would need to have a 60' baseline but no mound. Mr. Trout expressed his concerns with the fields facing each other. Mr. Shaffer commented that he needs to ensure the safety and that is why he is uncertain if the field will fit. Mrs. Shovlin recommended plotting the field out on site before calling C.S. Davidson.

Rick Resh advised that Bernell Kohler is resigning due to the health of his wife. Mrs. Gunnet commented that he was one of Mr. Fromm's original staff members. It was the consensus of the Board to award him with a plaque for his service.

17. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mrs. Shovlin nor Mr. Sechrist had any comments. Mr. Heffner did not have any comments.
18. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.
19. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss potential litigation and personnel issues at 8:10 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

April 20, 2015

Kathleen Barnaba  
Elmer Fromm  
Chad S. Arnold  
Sergeant Joel Good  
Chief Tom Gross  
Lynn & John Cheeseman  
Jim Kraft  
Christopher Shaffer

50 Oak Drive Red Lion PA  
Windsor Township Fire & Rescue  
York Area Regional Police Department  
York Area Regional Police Department  
910 Cranberry Lane York PA  
902 Cranberry Lane York PA  
Windsor Area Recreation Commission