

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
September 21, 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 Teresa Miller. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Mrs. Shovlin seconded by Mr. Sechrist, the minutes from the August 17, 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 the Annual Convention for the York County Association of Townships of the Second Class will be held on Thursday, November 12, 2015 at Heritage Hills. She asked the Board if they would be attending. All of the Board members responded yes.
5. Windsor Township Fire & Rescue Association – Chad Arnold was present. He advised that he did not have anything to report. There were no questions for him.
 - A. Mr. Arnold advised that the next Fire Chief's meeting will be held on September 24, 2015 at Station 19, Goodwill Fire Company.
 - B. Mr. Arnold advised that testing of ladders and hoses has been planned.
 - C. Mrs. Gunnet asked if there were any updates to the bylaws. Mr. Arnold advised not at this time.
6. York Area Regional Police Department – There was no one present.
7. Emergency Management:
 - A. Mr. Heffner advised the Emergency Management Coordinator Elmer Fromm would be resigning effective September 21, 2015. Mr. Fromm advised he appreciated all the help and support he received while doing his job. He advised he would be around for another month helping to train and transition the job over to the new coordinator. Mr. Heffner advised the Township appreciates all the work Mr. Fromm has done. Mrs. Shovlin advised it has been a pleasure to work with him.
 - B. Appointment of Temporary Emergency Management Coordinator – Eric Myers - **On the motion of Mr. Sechrist seconded by Mrs. Shovlin, the Board approved the appointment of Eric Myers as the Temporary Emergency Management Coordinator. Motion carried. Three**

votes yes. Mrs. Gunnet advised that she would forward the appointment to the County who in turn will forward it to the Governor to make the official appointment of Mr. Myers.

8. Keystone Kommunities – Waiver request of the Subdivision and Land Development Ordinance for minimum setback requirements in a mobile home park – John Runge advised he was requesting a waiver to allow the installation of a 16’ wide mobile home at 303 Blue Jay Drive that is larger than the previous mobile home. He advised that the installation of this mobile home would make the side yard setback 21’ for both sides, which does not meet side yard setbacks required by the Subdivision and Land Development Ordinance. Mr. Allison advised that the mobile home that was removed did not comply either. **On the motion of Mr. Heffner seconded by Mr. Sechrist, the Board granted the waiver. Motion carried. Three votes yes.**

9. Plans for Approval:

- A. DELTA ROAD PUMP STATION REPLACEMENT – Final Subdivision Plan #0829.6.40.00 by C.S. Davidson – Mr. Allison explained the purpose of this plan is to obtain a small piece of land from Mr. & Mrs. Dobbie to create Lot 1A which would then be combined with existing Lot 2 that currently houses the existing Delta Road Pump Station. He advised there were several waivers that needed to be addressed and reviewed. Mr. Allison advised that the Windsor Township Planning Commission recommended approval of the waivers for the installation of curbs & sidewalks along Delta Road, widening of Delta Road and the installation of lot markers for Lot 1. **On the motion of Mr. Heffner seconded by Mr. Sechrist the waivers were granted. Motion carried. Three votes yes.**

On the motion of Mr. Sechrist seconded by Mrs. Shovlin, the plan was approved. Motion carried. Three votes yes.

- B. KIM P.C. & MARION B. RAUB & JANICE L. RAUB – Final Subdivision Plan #L-5587 by Gordon L. Brown & Assoc. – 4 lots along Woodridge Road - Mr. Runge advised the plan is a subdivision with 7 lots that are being combined to create a total of 4 lots. He advised that waivers for the location & easements of existing gas service, verification of property markers and the installation of curbs & sidewalks were being requested. **On the motion of Mrs. Shovlin seconded by Mr. Sechrist the waivers were granted.**

On the motion of Mr. Sechrist seconded by Mrs. Shovlin, the plan was approved. Motion carried. Three votes yes.

10. Public Hearing & Possible Adoption – Windsor Township Subdivision and Land Development Ordinance – The Board of Supervisors recessed at 6:18 p.m. into a Public Hearing to discuss the adoption of the Windsor Township Subdivision and Land Development Ordinance. Mr. Allison reviewed some of the changes that were made in the revision of the Ordinance. He advised that the revised Ordinance had been reviewed by the York County Planning Commission as well as the Windsor Township Planning Commission and both have given a favorable recommendation for approval. Attorney Rausch asked if there were any comments from the public. There were none. The Public Hearing was adjourned at 6:20 p.m.

On the motion of Mr. Heffner seconded by Mr. Sechrist, the revised Windsor Township Subdivision and Land Development Ordinance was adopted. Motion carried. Three votes yes.

11. Solicitor:

- A. **SHAWNEE MANOR – Letter or Credit** – Attorney Gilbert Malone advised that Mr. & Mrs. Stolftzfus requested he meet with the Board of Supervisors to address some concerns they have regarding the amount of funds that needed to be held for security. Attorney Malone questioned why security had to be held for the installation of stormwater pits on individual lots. He felt that since this was something that was required to be installed once a Building Permit was issued there should not be a need to hold money for it. He advised that if a home was constructed and no stormwater controls were installed than the Township could deny occupancy of the home until it was done. Attorney Rausch asked how much money was being held for the installation of stormwater management controls. Attorney Malone advised \$17,500.00 as of 2012. Attorney Rausch asked how many lots were left to complete. Attorney Malone advised he did not know, but thought at least half were incomplete.

Attorney Malone also questioned how long the Township wanted the road to remain in its current unfinished state. He advised they were willing to complete the road anytime the Township wanted it to be completed and were willing to turn it over as a public road. Mrs. Shovlin advised she felt the road should not be completed until all construction was done, due to potential damage from construction vehicles. Mrs. Gunnet advised that this was something the Township could look into over the winter to see if they wanted to start to allow developers to complete roads prior to the completion of the actual development. Mr. Trout advised that even if the roads were installed prior to completion of the development the Township could do a punch list prior to final adoption of the street to make sure the road is repaired if needed before the Township takes it over.

Attorney Malone also advised that it was his feeling that holding security for the installation of sidewalks was unnecessary. He advised that it was his belief that this should be something that was addressed when the Building Permit was issued. He felt that the Township had the capability of holding occupancy of a home if the sidewalks were not constructed.

Attorney Malone requested that the Bond being held by the Township for this development should only be for the completion of the road and any retention basins.

It was the consensus of the Board of Supervisors that the discussion be tabled so they can discuss it further. Attorney Malone requested the deadline of October 1, 2015 for the increase in surety be deferred until a decision was made by the Board of Supervisor. Mrs. Gunnet advised that was acceptable. Attorney Rausch advised that the Board would make the decision at the October 19, 2015 meeting.

12. Township Engineer:

- A. **Cranberry Lane/Dietz Road Sewer Extension - Status Report #11, Payment Application #2 - \$436,847.54** - Mr. Resh advised the pipe line has been completed as well as the paving. He advised the contractor returned last week to restore some areas that had been washed out. He advised the only outstanding work left to be done by the contractor is the lining of the interior of the manholes. He advised that Abel Recon has been contracted to do the lining. Mr. Trout advised that Abel Recon was hoping to get started on the work tomorrow.

Mr. Trout advised that the paving of Dietz Road was completed today. He advised next year a final wearing and base repairs would be done.

Mr. Resh advised that once the contractor completes the manhole work there will be a final inspection. Following inspection, hook up notices will be mailed to the property owners. He advised copies of the notices that would be mailed to the residents had been given to the Township.

Mr. Resh advised that PactOne is requesting their second payment in the amount of \$436,847.54. **On the motion of Mr. Heffner seconded by Mrs. Shovlin, the Board approved Payment Application #2. Motion carried. Three votes yes.**

Mr. Resh advised they were working with the contractor for the final application of payment.

- B. **Capital Charges Study** - Mr. Resh advised that the Capital Charges Study was complete. Mr. Resh advised the study recommended the connection fee be set at \$3,000.00. He advised there was no recommended change to the customer facilities fee or the administration fees. He advised the new tapping fee for capacity will be \$1,420.00, for collection the fee will be \$1,095.00, the special purpose fee, which is for the connection to Panorama Hills Pump Station force main and interceptor is \$1,830.00. Mr. Resh advised the total fee schedule will be \$7,345.00.

Resolution #2015R-09-01 – Setting tapping for connection to sewer system – Attorney Rausch advised this resolution addressed the fees for connection to the sewer outside of the Panorama Hills District.

Resolution #2015R-09-02 – Setting tapping fee for connection to Panorama Hills Interceptor District – Attorney Rausch advised this resolution addresses the fees for properties that are within the Panorama Hills District.

Resolution #2015R-09-03 - Amended Fee Schedule – Mrs. Gunnet advised this resolution amends the current fee schedule.

On the motion of Mr. Heffner seconded by Mrs. Shovlin, the Board approved Resolution #2015-09-01, Resolution #2015-09-02 and Resolution #2015-09-03.

Mrs. Cheeseman asked if there was a permit fee. Mrs. Gunnet advised yes, she advised it was \$40.00 administrative fee and a \$50.00 inspection fee. Mr. Resh advised there would also be a \$100.00 close out fee. Mrs. Gunnet explained that this was a fee for closing out the existing septic tank. Mrs. Gunnet advised this information would be in the hook up letter that would be mailed to the residents. Mr. Resh advised the letter to the residents would be mailed either the end of September or early October. Mr. Woltkamp questioned whether only the residents on Cranberry Lane were paying for the Panorama Hills connection. Mr. Resh advised no, he advised that everyone that connected to Panorama Hills would be paying the \$1,830.00.

Motion carried. Three votes yes.

C. **Bid Results – Delta Road Pump Station Rehabilitation** – Mr. Klinedinst advised that bids were opened for the project and the lowest bidder was PSI Pumping Solutions with a bid of \$488,071.15. Mr. Klinedinst advised that the references for this company had been checked and it was his recommendation that they be awarded the bid. **On the motion of Mrs. Shovlin seconded by Mr. Sechrist, the bid was awarded to PSI Pumping Solutions. Motion carried. Three votes yes.**

D. **Burkholder Road Pump Station – Payment Application #1 - \$147,129.98** – Mr. Klinedinst advised that SWAM Electric is requesting their first payment of \$147,129.98. **On the motion of Mr. Heffner seconded by Mr. Sechrist, the Board approved payment. Motion carried. Three votes yes.**

13. Public Works:

A. Mr. Heffner advised that the Board has received the monthly report for September. There were no questions. Mr. Sechrist commented that he thought the Township did a good job hosting the Symposium that was held at the Public Works facility. Mr. Trout advised that he had also received compliments from other Municipalities that attended.

Mr. Heffner asked if leaf collection would begin on October 12, 2015. Mrs. Gunnet advised yes.

Mr. Heffner asked if the wet well at Panorama needed to be cleaned since it has only been in service for a short time. Mr. Trout advised yes. He advised he wanted to get it added to the regular schedule for cleaning. He also advised that it was actually in need of cleaning now due to issues with grease. Mr. Trout also advised that it may be necessary to clean it every six months and possibly add an aerator in order to help it function better.

B. **Wise Avenue Repayment Agreement – Spencer S. Seaks, Jr.** - Mrs. Gunnet advised there was one repayment agreement for Spencer S. Seaks, Jr. **On the motion of Mr. Heffner seconded by Mr. Sechrist, the Board approved the repayment agreement for Spencer S. Seaks, Jr. Motion carried. Three votes yes.**

- C. **Propane Bid results** - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. The low bidder is Suburban Propane at a rate of \$1.10. The rate last year was \$1.689 per gallon.

On the motion of Mrs. Shovlin seconded by Mr. Sechrist, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.

- D. **Longstown Intersection - "New local road"** – Mrs. Gunnet advised that the proposed name of Natalie Lane for the new local road was submitted to the Harrisburg post office and approved. Mrs. Gunnet advised that the contractor is not ready at this point for the Township to install the new road sign. She advised that the property owners affected by this change have not been notified. She advised the contractor would let the Township know by the end of October when it could be installed so the property owners could be notified.

Mrs. Gunnet advised that it still needed to be determined who would be responsible for maintaining Natalie Lane. She advised that approximately 2/3 of the road is within Windsor Township and approximately 1/3 is within York Township. She advised all the residents on the street are Windsor Township residents and the road is accessed via an existing Windsor Township road. Mrs. Shovlin questioned whether the median was going to be stone or grass. Mrs. Gunnet confirmed it would be stoned, however the area at the intersection of Natalie Lane, Starlight Drive and Route 24 would be grass that would need to be maintained by Windsor Township. Mrs. Gunnet advised there are two additional areas in front of Stan Shaffer's business that he requested remain grass. She advised those areas are within York Township and would not be the responsibility of Windsor Township. It was the consensus of the Board that Windsor Township maintain Natalie Lane.

- E. **Sewer Lien – Payment Non-Compliance for two properties** – Mrs. Gunnet advised that the Board received a copy of a Payment Non-Compliance list with their agenda. She advised there are two properties where the property owners have entered into payment agreements and have defaulted. Mrs. Gunnet advised approval from the Board was needed to have Attorney Rausch move forward with collections. **On the motion of Mrs. Shovlin seconded by Mr. Heffner the Board approved Attorney Rausch to move forward with collections. Motion carried. Three votes yes.**

14. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for August. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for August. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for August. There were no questions.

- D. Mrs. Gunnet advised that the Board has received the Transition Report for August. There were no questions. Mrs. Gunnet noted that the Mount Rose and I-83 projects as well as Longstown Intersection will remain on the report for a while. Mrs. Shovlin advised PennDOT is pushing to get the work done at the Longstown Intersection because they want to make sure it is done before work begins on the Mount Rose and I-83 projects.
- E. **Update - Field resting schedule & possible improvements to ballfield at Larry J. Macaluso Elementary School** - Mrs. Gunnet advised that Windsor Area Recreation was approached by Red Lion Recreation to partner with them for a baseball program next year. She advised that by partnering with Red Lion, there will be two ballfields at Nitchkey Park and one at the Junior High that would be part of the baseball program. She further advised that Windsor Area Recreation at their last board meeting approved the partnership, so there is no longer a need to make improvements to the field at Larry J. Macaluso Elementary School. Mrs. Gunnet also advised that with the use of these fields the Township can revert to the original resting schedule for the township fields.
- F. **First Energy – HVAC incentive rebate** – Mrs. Gunnet advised that she had applied for a HVAC rebate. A check was received for \$1,734.57.
- G. **Electronics Recycling** - Mr. Heffner advised that an Electronics Collection will be held on Saturday, October 17th from 9:00 a.m. to 12:00 p.m. Mrs. Gunnet advised she has contacted the Boy Scouts to help out, but is still waiting to hear from them.
- H. **Closing of Recycle America** – Mrs. Gunnet advised that Recycle America closed as of the end of business on August 24, 2015. She also advised that Modern Landfill is accepting recycling at their location at no charge.
- I. **Open and Confined Burning Ordinance – Ordinance #2015-09-01** – Mr. Allison advised that the ordinance had been changed to identify who could enforce it, require notification to County Control and eliminate setbacks for confined burning. **On the motion of Mr. Heffner seconded by Mrs. Shovlin, Ordinance #2015-09-01 was adopted. Motion carried. Three votes yes.**
- J. **MS4 – Partnership with Red Lion Municipal Authority – Decals** – Mr. Allison advised that he participates in a Source Water Protection Planning Committee with Red Lion Municipal Authority as well as other Municipalities. He advised that he has been working with Red Lion Municipal Authority to partner with them to install markers on inlets that fall within the Cabin Creek Watershed. He advised that the cost for the markers would be split 50/50 between Windsor Township and the Red Lion Municipal Authority. He advised the Township and the Municipal Authority would also share in the responsibility of installing the markers. Mr. Allison also advised that in order to educate the residents of the community why these markers were being installed, a letter would also be mailed. Mr. Heffner asked how the markers would be installed. Mr. Allison advised that when you purchase the marker it comes as a kit that includes epoxy, rubber gloves and a cleaning solution. Mr. Heffner expressed concern about unauthorized individuals removing the markers. Mr. Allison advised the cost of everything would be

approximately \$1,000.00, which means the Township's share would be approximately \$500.00. It was the consensus of the Board that Mr. Allison could proceed with the partnership.

- K. Minimum Municipal Obligation – Police Pension - Non-Uniform Pension** – Mrs. Gunnet advised that in September of each year it is required that a summary of what the plans will owe in the coming year be given to the board. She advised that the Police Pension will owe nothing because there are no active members. She advised the Municipal Pension contribution for 2016 will be \$96,002.00 which is \$1,352 more than 2015. Mrs. Gunnet advised that the \$96,002.00 will be offset by the state aid that the Township receives which is usually between \$60,000.00 and \$65,000.00. She advised that the final total that the Township will have to pay will be between \$30,000.00 and \$32,000.00 for pension costs. Mrs. Gunnet advised that state aid should arrive in October depending on the approval of the state budget.
- L. Sale of property adjacent to Public Works Building** – Mrs. Gunnet advised that the 32 acre parcel that is adjacent to the Public Works Building is up for public sale on October 22, 2015. Mrs. Gunnet asked the Board if they were interested in making an offer on the property. She advised that if the Board was interested than an appraisal would need to be done. Mrs. Gunnet advised that she had asked John Klinedinst to take a look at the topography of the property to provide a recommendation as to whether it would be feasible for the Township to pursue acquiring the property. Mrs. Gunnet advised that there is currently a house, swimming pool, garage and turkey barns on the property. Mr. Klinedinst advised that he felt some areas are usable and some are not. It all depends on what you want to use the property for. Mrs. Gunnet advised that Mr. Sowers was here this evening and would answer any questions the board had. She also advised that he has agreed to allow a site visit on Tuesday, September 22, 2015 at 3:45 p.m. Mrs. Shovlin questioned whether the turkey barns would be usable for Public Works. Mrs. Gunnet advised she was unsure if Public Works could use them without seeing them first. Mrs. Shovlin expressed concern about having to subdivide the property later to remove the house and then not being able to sell the house because of the condition of the housing market.

Mrs. Gunnet advised that an appraisal would need to be done on the property if the Township was interested in purchasing it. Attorney Rausch asked Mr. Sowers if a recent appraisal had been done. Mr. Sowers answered no, not since the Township purchased from him several years ago. Attorney Rausch advised that the Township is obligated to get an appraisal and can only offer the appraised amount. However the property owner can also get an appraisal and the offer can be an average of the two appraisals. Attorney Rausch asked Mr. Sowers if the Township decided to make an offer if he would cancel the auction of the property. Mr. Sowers advised that his Attorney had advised him that he could not cancel the auction, but he would need to talk to the auctioneer. Mrs. Shovlin asked how much an appraisal would cost. Mrs. Gunnet advised it would probably be around \$1,500.00 to \$1,800.00. Mrs. Gunnet advised she had spoken with Ed Heindel who previously did agricultural appraisals to find out if an agricultural appraiser would need to handle the appraisal or if a general appraiser could handle it. She advised that Mr. Heindel had advised her that either type of appraiser could handle the appraisal. It was the consensus of the Board that following the walk through scheduled for September 22, 2015 if it was determined the property would be beneficial to the Township, Mrs. Gunnet has approval to obtain an appraisal.

- M. Mr. Heffner advised that Board of Supervisors meeting scheduled for Monday, October 5, 2015 has been cancelled. He advised that a Budget Workshop will be held in its place on Monday, October 5, 2015 at 5:00 p.m. He advised the next regularly scheduled board meeting will be Monday, October 19, 2015 at 6:00 p.m.
- N. Mr. Heffner advised that the Board will recess into an Executive Session to discuss a personnel matter and contract negotiations.
15. Public Comment – Mrs. Cheeseman asked for clarification on the tapping and connection fees that were being charged for the Cranberry Lane/Dietz Road sewer extension. Mrs. Cheeseman asked if the fees that were approved were specific for the residents on Cranberry Lane or if everyone who connected to the new line would pay these fees. Attorney Rausch advised that the \$3,000.00 fee is for the connection applies when the Township installs a lateral from the main to the right-of-way. He advised that because the Township did the installation, the fee is paid by the property owner who is making the connection. Attorney Rausch advised that the \$1,420.00 is what gets paid to Springettsbury Township for using their system, the \$1,095.00 is the cost for the lines and the \$1,830.00 is for connecting specifically to the Panorama Hills Pump Station. He advised that property owners or developments that do not have to connect to the Panorama Hills Pump Station will not pay the \$1,830.00. Mrs. Gunnet explained that typically when a new development is proposed that requires connection to sewer, the developer will install the mains and the laterals to each home. She advised that in this case the \$3,000.00 fee would not be charged because the developer did all the work.
16. Supervisors Comments – There were none.
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 to discuss personnel matters and contract negotiations at 7:24 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

September 21, 2015

Vera Miller	
John Runge	6039 Old Hanover Rd., Spring Grove, PA
John & Lynn Cheeseman	910 Cranberry Lane, York, PA
Mark Sowers	195 Shaw Road, Windsor, PA
Spencer Seaks	951 Wise Avenue, Red Lion PA
Robert Woltkamp	907 Cranberry Lane, York, PA
Mr. & Mrs. McCullough	700 Dietz Road, York, PA
Dottie Moquin	695 Dietz Road, York, PA
Ross Moquin	695 Dietz Road, York, PA
Donna Hoke	670 Dietz Road, York, PA
Chad S. Arnold	Windsor Township Fire & Rescue Assoc.
Elmer Fromm	50 Oak Drive, Red Lion PA
Eric Myers	12 E. Main Street, Windsor, PA