

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

March 21, 2016

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, 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 February 29, 2016 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 notification from Comcast that they will be eliminating the WLYH-Grit TV channel effective April 12, 2016. A notice will be included with the customer's invoices.
 - C. Mrs. Gunnet advised that she has received two letters from the Pennsylvania Department of Environmental Protection notifying that the Township has been awarded Act 101 Recycling Program Performance Grants for 2013 and 2014. The grant for 2013 is in the amount of \$18,110 and 2014 is \$17,969. She explained that these amounts are based on the tonnage of materials recycled.
 - D. Mrs. Gunnet advised that she has received the 2015 home sale information for Windsor Township from the Realtors Association of York & Adams Counties. The summary includes the past five years. She stated that the sales have slightly increased over this time. The report for the entire County is available for review.
 - E. Mrs. Gunnet advised that she has received an invitation from the Laurel Fire Company to their Appreciation Banquet which will be held on Saturday, May 7th. She asked the Board to let her know if they would be attending so she can RSVP.
5. Windsor Township Fire & Rescue Association – Eric Myers was present. He advised that he did not have anything to report.
 - A. Mr. Myers advised that the next Fire Chiefs meeting will be held on March 24th at Yoe. He noted that he would obtain clarification for Mrs. Gunnet as to whether there were no calls for certain months or if they were missed being on the reports.

6. York Area Regional Police Department – Chief Tim Damon was present. He reviewed the statistics for February. He advised that they have been focusing on speed traps in the area of Witmer, Freysville and East Prospect Roads. He commented that they cited an individual for going 80 mph in a 35 mph zone.

Chief Damon advised that the 2015 Annual Report has been completed. Mrs. Gunnet stated that the Board has received a copy of the report. He explained that Windsor Township's municipal cost accounts for 25% of the department's budget and 21% of their calls. He stated that crime has decreased overall but some classifications have increased. He reviewed the figures from the report. Mr. Sechrist questioned if there have been any repeated drug overdosing. Chief Damon was not aware of any. The Board thanked Chief Damon for his report.

Mrs. Gunnet advised that she wanted to recognize the actions of Chris Shaffer, the Recreation Director as well as officers from York Area Regional Police Department. She stated that he was at the park and witnessed a tractor trailer hit the pole of the traffic signal and then leave the scene. Mr. Shaffer was able to get the license plate number and when the truck came back through the intersection, he was pulled over by a YARP officer based on the license plate number Mr. Shaffer had gotten.

A. The monthly report for February is available for review.

7. **Domenick Argento - Possible adoption of the streets in Whisper Run, Phase I & II** - Mrs. Gunnet noted that the Board has a copy of the plan showing the separation of the two phases. Domenick Argento advised that he is present to request that the Board consider the adoption of the streets in Whisper Run. He explained that there are currently 16 lots remaining in the development. Mr. Allison noted that 4 lots remain in Phase I and 12 lots remain in Phase II. He added that of the lots in Phase II, 4 of them front on Dietz Road.

Mr. Heffner stated that he does not have an issue with adopting the streets as long as there is a damage waiver that is signed. Mrs. Shovlin agreed. Mr. Argento advised that he does not have an issue signing a waiver and working with the Township. Mr. Allison stated that he would be working with Attorney Rausch on the agreement.

Mr. Trout commented that he is concerned with the timing to have the streets adopted this fall based on the amount of work that needs to be completed. Mr. Argento advised that he has already had a walkthrough with his contractor, Kinsley, so he is aware of the work that needs to be completed. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved for the process to begin to have the streets adopted in Whisper Run. Motion carried. Three votes yes.**

8. George Fradiska - OLDS waiver - Mr. Allison explained that Mr. Fradiska owns the property at 200 Country By Way which is located in Septic District 4. He is required to have his septic system pumped this year. He currently does not have an access port for his system as the Ordinance requires. Mr. Allison noted that the Board has received a copy of a drawing of Mr. Fradiska's property. He explained that prior to Mr. Fradiska owning the house, an inground pool

was installed in the yard and the utility lines were run over top of the septic tank. Mr. Fradiska added that the prior owners also laid a patio with an asphalt base over the system and an underground rainspout drain also runs close by. In order to have the access port installed, he would have to relocate the water return lines, electric and other piping.

It was asked how deep the system is and if it can currently be cleaned. Mr. Fradiska advised that it is approximately 4.5" below grade and has a 6" cleanout pipe. The system has been pumped. Mr. Allison noted that the 20" access manhole that is required in the Ordinance is a requirement of PennDEP. It allows for better cleaning and inspection of the system. Mrs. Shovlin stated that she feels if there is a problem with the system, that they must comply but does not have an issue granting a waiver for this cycle.

On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board granted a waiver of the OLDS Ordinance for the installation of an access port for George Fradiska, 200 Country By Way, for the 2016 cycle. Motion carried. Three votes yes.

Mr. Fradiska thanked the Board. He added that the Township Highway Department did an excellent job with snow removal this year and thanked them for their services.

9. Constable Michael Smith - Introduction - Mr. Smith introduced himself to the Board as the newly elected constable for the Township. He gave a description of the duties of a constable. Mrs. Shovlin asked how he was doing on the job so far. Mr. Smith advised that he has passed his basic training but must still receive his firearm certification. He stated that he is anticipating being in the field on May 15th. He stated that he was previously a deputy with the Game Commission. Mr. Heffner questioned if he needs an office space. Mr. Smith stated that he has a home office.

10. PLANS FOR DISCUSSION:

- A. **KENSINGTON, PHASE II - Plan by Site Design Concepts for 37 lots off Ness Road - Connection to sewer main** - Mr. Allison advised that he spoke with both Bill Briegel of Keystone Custom Homes and Robert Holweck regarding the sewer connection at Swiftwater Drive. Mr. Holweck has prepared a list of conditions which will be forwarded to Keystone Custom Homes. He stated that he thinks it seems reasonable. It was noted that there was separate security held for Swiftwater Drive and once the improvements are completed, it will be returned to Bob Ward and then a structural integrity bond will be posted by Keystone Custom Homes. The Township will then take over the street and sewer lines.
- B. **INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS - Preliminary/Final Subdivision - Plan #428.6 by Site Design Concepts, 3 lots on East Prospect Road** - Adam Anderson and Brad Peters with Site Design Concepts and Jeff Walker of York Excavating were present. Mr. Anderson advised that they are present to request several waivers for the proposed subdivision and proposed land development plans that are being proposed to create three building lots in the Neighborhood Commercial Zone along East Prospect Road. It was noted that although the plans are separate, some of the

waiver requests apply to both plans. He added that he has received favorable recommendations from the Windsor Township Planning Commission.

Mr. Anderson advised the lot currently has two residential homes, the Union Hall, a stormwater basin and a stream on it. There are two access points onto East Prospect Road and the property has public water and sewer. The proposed plan would subdivide the existing uses onto one lot and create three additional lots. Lot 1 is proposed to have a 3,000 square foot office building. Lot 2 would have a 5,000 square foot building that would be the office for York Excavating Company. Lot 3 would also have a 5,000 square foot building that would be the offices of the Union Hall. Each of the lots would be approximately 1 acre in size and would share an access drive.

A powerpoint presentation was loaded and Mr. Anderson proceeded to address the waiver requests.

1. Sections 304.2.B and 305.2.B - Plan scale and sheet size. Mr. Anderson advised that they would like to use a 1:60 scale and 24" x 36" sheet size.
2. Section 502.2.J - Widening of East Prospect Road - Mr. Anderson advised that the Ordinance requires a 32' wide cartway. Currently at their road frontage, the street is 28' wide which is consistent along the roadway. There are poles and embankments located along the shoulder which would need to be relocated and removed. A traffic study has been completed and neither road widening nor the installation of turning lanes have been warranted by PennDOT.
3. Section 503.1.A - Installation of curbing - Mr. Anderson advised that there is no curbing in this area but they are willing to add a note to the plan that they would install the curbing within 6 months of notification by the Township.
4. Section 503.2 - Installation of sidewalks - Mr. Anderson advised that there are no sidewalks in this area but they are willing to add a note to the plan that they would install them within 6 months of notification by the Township.
5. Section 505.4.D - Number of lots from an existing parcel - Mr. Anderson advised that this property was previously subdivided to create a residential building lot for Mr. Walker's house. With this subdivision, they will be creating three new lots in addition to the parent tract. The Ordinance only allows for 4 total lots. He noted that 3 of the lots will share an access onto East Prospect Road so there are only 3 points of access onto the existing roadways.
6. Section 505.4.E - Number of lots fronting on an arterial street - Mr. Anderson advised that there will only be one access point for the three lots. Mr. Allison added that a note had been added to the plan stating that no additional access to East Prospect Road is permitted for Lots 2 and 3. Mrs. Shovlin questioned how many employees Mr. Walker will have at York Excavating. Mr. Walker estimated 9 to 12. He stated

that he was unaware how many the Union Hall has and Lot 1 would be for a future tenant. Mr. Allison explained that this subdivision was originally designed for 2 lots however based on the Zoning Ordinance requirements, the lots exceeded the maximum lot size so to comply, 3 lots are being proposed. Mr. Sechrist commented that one access onto East Prospect Road is safer. It was noted that the access drive lines up with the entrance to York Excavating. An emergency access is also being provided.

7. Section 504 - Geometry for access drive - Mr. Anderson stated that due to the buffer strip, they are unable to meet the radius requirements for the access drive. Mr. Allison advised that the width of the access drive varies. Mr. Anderson noted that they ran templates for box and tanker trucks and there are no issues with accessing the property.
8. Section 515.1 - Two points of access for development exceeding 20,000 square feet - Mr. Anderson advised that they are proposing one access drive and one emergency access which will connect to the existing parking area on Lot 4.
9. Section 306.S - Fencing around detention basin - Mr. Anderson advised that the detention basin already exists. There is a stream that provides a natural barrier on one side and there is fencing on the other. He stated that they do not feel that it is necessary to install fencing. Mrs. Shovlin stated that she is concerned about this. Mr. Anderson advised that the pond is currently there and they are not proposing to change the size.
10. Section 306.R - Setbacks of Stormwater Management facilities - Mr. Anderson advised that not all of the conveyance system will be located outside of the building setback lines as required.

On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved all of the waivers with the exception of the installation of curbs and sidewalks but allowing for the 6 month installation period from date of notification. Motion carried. Three votes yes.

- C. IAWAW & YORK EXCAVATING - Preliminary/Final Land Development - Plan #428.6 by Site Design Concepts, 3 lots on East Prospect Road - This was addressed under the International Association of Machinests & Aerospace Workers - Preliminary/Final Subdivision Plan listed above.**

11. Solicitor:

- A. Beaverson Pump Station elimination - MacNamara appraisal - Attorney Rausch advised that he has received a copy of the appraisal that the MacNamaras had completed for their property. He stated that it does not take into affect the loss of trees outside the right-of-way nor a temporary construction easement. He noted that he has not spoken to their attorney yet.

Mr. Heffner questioned how many right-of-ways still need to be obtained. Attorney Rausch stated that easements are still needed on the Wooley property in Windsor Township and the Cookson and Wallingford Development properties in Springettsbury Township.

- B. **Windsor Meadows Surety & Minutes of March 18, 2013** - Attorney Rausch advised that a draft settlement agreement has been prepared. He stated that based on the onsite inspection done by C.S. Davidson at the end of last year, there are sufficient funds to complete the work. However, should the work exceed \$410,000, the Township would need to meet with the surety company to discuss the overage. The agreement will be between the Township and the surety company and will release Stonebridge Bank.

It was noted that there was a security reduction at the March 18, 2013 Board of Supervisors meeting, which was incorrect. Mrs. Gunnet questioned if the minutes need to be amended. Attorney Rausch advised that he did not believe this was necessary.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved for the Chairman to sign the Agreement. Motion carried. Three votes yes.

12. Township Engineer - Mr. Klinedinst advised that he did not have anything to report.

13. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for March. There were no questions.
- B. Stone & Blacktop bid results - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. The low bidder for **stone is County Line Quarry**. The low bidder for **blacktop is Highway Materials**. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board awarded the bids to the low bidders. Motion carried. Three votes yes.
- C. Wise Avenue - Connection update - Mrs. Gunnet advised that the property owner that is working with the York County Planning Commission still has not connected. The County is still awaiting documentation from the property owner and are sending a letter with a deadline.
- D. Cranberry Lane/Dietz Road Sewer Extension - Update on connections - Mrs. Gunnet advised that there are still two properties that have not connected yet but they were previously granted extensions until April 18th
- E. DEP 902 Grant - Receipt of funds - \$148,578.00 - Mr. Heffner advised that the Township has received the 902 Grant money.
- F. Approval to purchase roller - Mr. Trout advised that the Board has received information on the Bomag roller. It has a liquid cooled engine. The old roller will be sold on Municibid.

On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the purchase of a Bomag roller. Motion carried. Three votes yes.

- G. Clarification of Street Name - Gay Street - Mrs. Gunnet advised that Dirk Posey stopped at the office earlier in the day because he was having an issue with a delivery to his property. She stated that there are different variations for Gay Street. She stated that East Gay Street and Gay Street Extended are just two of the variations. Mrs. Gunnet advised that one name needs to be determined. She noted that she contacted the Red Lion Post Office and they do not have a preference. It was the consensus of the Board to use Gay Street.

14. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for February. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for February. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for February. There were no questions.
- D. Mr. Heffner advised that the meeting scheduled for April 4th has been cancelled.
- E. Mr. Heffner advised that Community Volunteer Day will be held on Saturday, April 30th from 9:00 a.m. to 1:00 p.m. at Freysville Park. He encouraged everyone to come help
- F. Mr. Heffner advised that an Earth Day Public Workshop will be held on Saturday, May 14th. The exact time is to be determined. Mr. Allison noted that he has a meeting tomorrow with the Master Watershed Stewards.
- G. Electronics Recycling Rebate - Mr. Heffner advised that the Township has received an electronics recycling rebate in the amount of \$310.20. It will be given to the Boy Scout Troop that assisted with the collection.

Mrs. Gunnet advised that a news release has been sent out informing that the York County Solid Waste Authority will be starting up a new electronics collection program. It is scheduled to begin in April but an exact date has not been determined yet. The collection will take place at their facility and will be open on Tuesdays, Wednesdays and Thursdays every week from 3:00 p.m. to 5:30 p.m. Mrs. Gunnet advised that the Township can piggyback on their program but it will be our responsibility to pick up the gaylords and return them to the Authority. Mr. Sechrist questioned if they could be hauled on our trailers. Mr. Trout stated that it would take multiple trips. Mr. Allison suggested contacting River's Truck Center to see if they would have a way of transporting them. Mrs. Gunnet will look into this option.

- H. Met-Ed rebate program update - interior/salt shed lights at the Public Works Building - Mrs. Gunnet advised that the cost to replace the lights at the Public Works facility will be \$13,788. The Township would be able to obtain a rebate for \$6,000. The rate of return is 2.6 years and the projected savings per year is \$2,939. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the replacement of the lights at the Public Works facility. Motion carried. Three votes yes.**
- I. **Sewer - Non-Compliance with payment agreements** - Mrs. Gunnet advised that the Board has a list of owners who had a payment agreement for the liens filed against their properties and have now defaulted. She stated that the next step is turn them over to Attorney Rausch to continue the legal proceedings. **It was the consensus of the Board to forward the information to Attorney Rausch.**
- J. Floodplain compliance - Update - Mr. Allison advised that he received an email on March 15th that stated that Windsor Township is compliant but the official letter has not been received yet. Mrs. Shovlin stated that if the letter is not received shortly, to contact Representative Saylor's office to ensure we receive it.
- K. Partnership with Red Lion Municipal Authority - Grant for repairs to Milner Heights detention pond and future maintenance - Mr. Allison advised that C.S. Davidson has prepared a report for the rehab of the Milner Heights detention pond. Mr. Klinedinst advised that his firm partnered with Land Studies to complete the report because they focus on these types of projects. It was noted that the type of plantings determine the cost for the project. Typically if the plant costs more up front, it requires less maintenance. Mr. Sechrist questioned who determines what plantings are used. Mr. Allison advised that a landscape architect would do that. Mrs. Shovlin questioned if a grant will be applied for. Mr. Allison stated that it will and he is hopeful that it would be 100%. He explained some of the repairs that need to be made to the basin. He added that the York County Conservation District is not requiring that they issue a permit.
- Mr. Allison advised that the future maintenance of the pond will need to be determined. He stated that he does not feel it is in the best interest of the Township to take ownership of the pond but agreed that it would be acceptable to help with the maintenance for 10 to 15 years. This will allow for it to be properly maintained by the property owner then. Mr. Allison noted that this pond will not be like the Starview Pond that needs to be mowed monthly. The responsibilities of the pond maintenance will need to be worked out with the Red Lion Municipal Authority as well.
- Mrs. Shovlin stated that if we do not receive a full grant, we will need to have a backup plan. Mr. Allison commented that hopefully since this is a joint project, it will be looked on favorably. Mrs. Shovlin advised to get a letter of recommendation from Representative Saylor.
- L. Audit of franchise fee from Comcast - Mrs. Gunnet advised that Cohen Law Group has completed the audit to ensure that the Township is received the proper franchise fee. It was

determined that Comcast owes the Township approximately \$110,000. The attorney is drafting a letter that will be sent to Comcast notifying them of the findings.

- M. Mr. Heffner advised that the Board has received a copy of the Transition Report from ARRO for February. There were no questions.
- N. **PA Fiscal Year 2015-2016 budget - Future of Penn State Extension** - Mr. Allison advised that due to the 2015 State Budget cuts and not being passed, the future of the Penn State Extension is uncertain. He explained that the Extension presents a webinar series each year that has proven to be beneficial. A petition is being circulated to restore their funding in the budget and Mr. Allison questioned if the Board is interested in signing it. **It was the consensus of the Board to sign the petition.**
- O. Sureties that have not been increased to 2015 construction values - Mrs. Gunnet advised that the Board has received a copy of a spreadsheet that lists the subdivisions in which the sureties have not been increased to the 2015 values. She stated that Mr. Holweck is working on Rose Brook and Shadow Ridge has now been posted. She noted that Taylor Estates, Phase II, Section A, Lot 1 was foreclosed on by BB&T and the lots have now been sold. Gemcraft Homes has informed her that since they had filed bankruptcy they cannot take action to increase the surety for Taylor Estates, Phase II, Section A, Taylor Estates, Phase II, Section B, Taylor Estates, Phase I and Taylor Estates, Phase IV. Mr. Allison advised that Dan Templeton is currently working on his project. Wisheaven Condominiums has been sold and the new owner will be posting surety for the development. Mrs. Gunnet questioned how the Township should proceed. Attorney Rausch advised that he will look into the options.
- P. **Kimberly Lawn Care - Treatment costs - Spring 2016/Bank Area at Freysville Park** - Mrs. Gunnet advised that the spring 2016 estimate is \$294 more than last year and the bank areas are \$20 more. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the quote for the lawn care as presented. Motion carried. Three votes yes.

15. Unfinished Business:

- A. Merger request from Felton Borough - Update - Attorney Rausch advised that he sent a letter today to Felton Borough requesting financial records and other information for the past three years. Mr. Heffner questioned if the process goes straight to a referendum. Attorney Rausch explained that an Agreement would be approved between Felton Borough and Windsor Township. It would then proceed to a referendum on the ballot. Mr. Heffner expressed his concern for the potential cost of extending public water if necessary. Mrs. Shovlin stated that she is concerned about the condition of the roads in the Borough.
16. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. There was none.
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 either.

18. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
19. The meeting of the Windsor Township Board of Supervisors adjourned at 7:51 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

March 21, 2016

Vera Miller	
Lynn & John Cheeseman	910 Cranberry Lane York PA
George Fradiska	200 Country-By-Way York PA
Robert Holweck	2700 Philadelphia Road Edgewood MD
Adam Lind	555 Boxwood Road Red Lion PA
Michael Smith	355 Barclay Drive Red Lion PA
Domenick Argento	707 Linden Road Hershey PA
Brian Strayer	520 Rosewater Drive Red Lion PA
Eric Myers	Windsor Township Fire & Rescue Assoc.
Spencer Seaks	951 Wise Avenue Red Lion PA
Brad Peters	Site Design Concepts
Adam Anderson	Site Design Concepts
Jeff Walker	York Excavating Company
Chief Timothy Damon	York Area Regional Police Department