

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

June 20, 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, Attorney Charles Rausch, Christopher Kraft, 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 Dean Heffner, the minutes from the May 16, 2016 and May 26, 2016 meetings were approved. Motion carried. Two 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 Willow Creek, LLC withdrawing Phases 2 and 3 of Laurel Vistas and requesting a reduction of surety for the reservation of sewer capacity. The Board has a copy of the letter. Mrs. Gunnet advised that a revised subdivision plan has been submitted for Phases 2 and 3 which will reduce the number of lots from 101 to 13. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board acknowledged the withdraw of the plan and approved the reduction. Motion carried. Two votes yes.
 - C. Mrs. Gunnet advised that she has received notification from Comcast that they will be having several channel lineup changes effective June 22nd.
 - D. Mrs. Gunnet advised that she has received a copy of the Audit Report from the Pennsylvania Department of Labor and Industry for the administration and enforcement of the accessibility requirements of the Uniform Construction Code. Mrs. Gunnet advised that there were no findings with the Township's records or administration. There were minor findings at one of the three sites that were audited. Mr. Allison explained the specifics of the findings noting that the changes were likely made after the Certificate of Occupancy was issued. The business is not required to make changes based on the results of the audit.
5. Windsor Township Fire & Rescue Association – Eric Myers was present.
 - A. The next Fire Chiefs meeting will be held on July 28th at Yorkana Fire Company.
 - B. Mr. Myers advised that there are three abandoned homes in the Township and the Association is questioning if the Township has any current regulations or can enact an Ordinance to require them to be demolished. Mrs. Gunnet advised that there was a situation in the past in which a home was not structurally sound and the regulations were enforced through the PA Uniform Construction Code. Mrs. Shovlin asked Mr. Myers if he knew the condition of the three homes. He stated that he did not. Mr. Allison advised that there is not a simple way to enforce those types of situations. He added that a letter can be sent to the property owner requesting that the homes be demolished but

there is not an Ordinance to require it. It was the consensus of the Board to have a letter sent to the property owners.

- C. Mrs. Gunnet advised that she was contacted by Jim Pritchard informing that one of the stations is not participating in meetings or trainings and he questioned if there is anything that the Township can do. Mrs. Shovlin questioned if the training is mandatory. Mr. Myers stated that some of it is. Mrs. Shovlin advised Mrs. Gunnet to send a letter to the station and a copy to the others regarding this situation and the required training.
 - D. Mr. Myers announced that the Laurel Fire Company has been awarded a grant for \$91,000 for air packs.
6. York Area Regional Police Department - Chief Damon was present. He reviewed the report for May. Mr. Heffner stated that he noticed that the hours were down for Dallastown Borough. Chief Damon advised that they will be holding several events that will help catch them up on their hours. He acknowledged that with retirements, they were short staffed and so some municipalities were short on hours.
- A. The monthly reports for April and May are available for review.
7. Sulman Syed - Windsor Meadows - Planter boxes in easement - Mr. Allison advised that Mr. Syed did not file a formal request but he wanted to address the Board this evening. He was not present and it was suggested that the topic be tabled.
8. **Dan Templeton - Requirement to install sidewalk along East Prospect Road** - Mr. Templeton advised that as a requirement of his Land Development plan that was approved several years ago, sidewalks were to be installed along East Prospect Road. There was a note on the plan stating that they needed to be installed within 6 months notice by the Township. He acknowledged that he was informed to install the walks but had not done so. Mr. Templeton explained that this sidewalk does not connect to any other walks. He advised that the note remains on the plan so that if they were to connect to other sidewalks in the future, the Township could require the installation at that time. He requested that the Township reconsider the installation of sidewalks.

Mr. Allison noted that a Highway Occupancy Permit for the sidewalks was never obtained from the State when the plan was approved because they were not required at that time. Mr. Heffner questioned if there are sidewalks required for the condominiums adjacent to this lot. Mr. Allison advised that the development only has 50' of road frontage.

On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board rescinded the previous decision to install sidewalks along East Prospect Road with the condition that the note remains on the plan that the sidewalks be installed within 6 months notice by the Township. Motion carried. Two votes yes.

9. PLAN FOR APPROVAL:

- A. BRENT E. & JULIE M. SPYKER - Final Reverse Subdivision Plan #12028 by Shaw Surveying, Inc - 1 lot on Craley Road - Mr. Allison advised that the plan is not ready for approval this evening.

10. Solicitor:

- A. **Ordinance #2016-06-01 - Adoption of stub section of Schoolhouse Lane** - Attorney Rausch opened the public hearing. Chris Paules, 43 First Street, advised that his property abuts the stub street and questioned how he will be effected. Mrs. Gunnet explained that Keystone Custom Homes will be attaching to this street as an additional point of egress for the proposed Walnut Creek (formerly Winthrop Manor) development in Windsor Borough. In order for the Township to require improvements, the street must be public. The right-of-way will not change as there is already 50' dedicated. Mr. Paules questioned if the street will be widened. Mrs. Gunnet stated that it would but she could not provide a timeframe. Mrs. Shovlin suggested attending the Windsor Borough meetings for additional information since the development is located there. There were no further questions and the hearing was closed. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, Ordinance #2016-06-01 was approved for the adoption of the stub section of Schoolhouse Lane. Motion carried. Two votes yes.**
- B. **Freysville traffic signal update (14A)** - Attorney Rausch advised that a letter was sent to Bay Crane informing them of the damage that was done and that the cost for the repairs is \$6,500. They responded stating that they do not believe that they are responsible for the damage. Mr. Heffner commented that he does not feel that it is worth the Township's time and money to push the issue as he does not feel that the Township would win in arbitration. Mrs. Shovlin asked if there are any other loads coming through from Bay Crane. Mrs. Gunnet advised that she receives reports for all oversize loads and she is not aware of any at this time. She added that a new pole has been ordered.
- C. Attorney Rausch advised that William and Glenda MacNamara have signed the Easement Agreement for the Beaverson Pump Station elimination. There are still 2 outstanding right-of-ways that need to be obtained. Once all are obtained, Springettsbury Township will put the project out for bid. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the Sewer Easement Agreement. Motion carried. Two votes yes.**

11. Township Engineer:

- A. **Security Reductions - Taylor Estates, Phase II, Section B & Taylor Estates, Phase IV** - Mr. Kraft advised that he has received a request for surety reduction for Taylor Estates Phase II, Section B in the amount of \$90,153.70 which will bring the balance to \$0. He advised that he also received a request for surety reduction for Taylor Estates, Phase IV in the amount of \$311,857.25. He is recommending approval of both. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the security reductions for Taylor Estates, Phase II, Section B and Taylor Estates, Phase IV. Motion carried. Two votes yes.**

12. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for May. There were no questions.
- B. Wise Avenue - Connection Update - Mrs. Gunnet advised that the last property has still not connected to the public sewer. He has not contacted the York County Planning Commission to reapply for their program. She questioned how the Board would like to proceed. It was the consensus of the Board to cite the property owner.
- C. **Delta Road Pump Station - PSI Pumping Solutions - 120 Day Time Extension, Liquidated Damages & Payment Application #1 - \$151,299.34** - Mrs. Gunnet advised that C.S. Davidson is recommending that the Board table the discussion on a time extension and liquidated damages. She stated that the project should be completed prior to the next Board meeting and it can be discussed at that time. They are recommending approval of the Payment application which is approximately one third of the cost. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved Payment Application #1 in the amount of \$151,299.34. Motion carried. Two votes yes.**
- D. 2016 Sewer Pump Station Rehabilitation Bid results - Mrs. Gunnet advised that the work completed by PSI Pumping Solutions has been satisfactory. However, their timeframe has been poor. Their bid is approximately \$60,000 less than the next bidder. C.S. Davidson does not believe that they are a non responsive bidder and are recommending awarding the bid to PSI Pumping Solutions. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.**
- E. **Adoption of streets - Update** - Mrs. Gunnet advised that she has provided information to the Board updating the status for the developments that are working to have the streets adopted yet this year. She added that the developer for Valley Meadows has also had his punch list mailed to him and is hopeful for adoption this year.
- F. **York Township - Request for connection of main to Chapel View Pump Station** - Mr. Trout advised that he was contacted by Gary Milbrand from York Township about the possibility of connecting several properties on Cape Horn Road to the Chapel View Pump Station. He stated that there are 2 properties across from the station that have septic systems and there are an additional 10 on Chapel Church Road. Mr. Trout explained that they would like to install a main to connect to the manhole in front of the Chapel View station. C.S. Davidson has confirmed that there is sufficient capacity. Mrs. Gunnet noted that the commercial property to the north of the Dunkin Donuts has been purchased but there have been no plans submitted for development. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the conceptual request to connect to the Chapel View Pump Station. Motion carried. Two votes yes.**
- G. **Surety reduction - Shadow Ridge** - Mrs. Gunnet advised that work has been completed for the Shadow Ridge development off Burkholder Road. She stated that the bank stabilization has been completed and they are requesting a total release. **On the motion of Dean Heffner seconded by Jo**

Anna Shovlin, the Board approved the surety reduction in the amount of \$24,798.40 for Shadow Ridge. Motion carried. Two votes yes.

H. Beaverson Pump Station Elimination - Resolution #2016R-06-01 - Revision to Official 537 Plan - Mrs. Gunnet stated that because the Township approved the revision to the 537 Plan prior to the York County Planning Commission, PennDEP is requiring that a new resolution be approved. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved Resolution #2016-06-01. Motion carried. Two votes yes.

13. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for May. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for May. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for May. There were no questions.
- D. Mr. Heffner advised that in accordance with the summer meeting schedule there will not be a meeting on July 4th.
- E. Building Permit Program - Update - Mr. Allison advised that they have had some training sessions and are planning to start officially using it on July 1st.
- F. Sewer Utility Billing Program - Update - Mrs. Gunnet advised that a training session was held and they encouraged us to work in the system to familiarize ourselves. Mr. Heffner questioned who puts the barcode on the bills. Mrs. Gunnet explained that it is part of the system and that should help eliminate keypunching errors.
- G. **Former Spring Valley Pool Property** - Mrs. Gunnet advised that the Township's offer was accepted by the bankruptcy trust. A security deposit was sent to Blakey, Yost, Bupp & Rausch. She questioned what funds the Board wanted to use for payment of the property. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board authorized the use of Solid Waste Funds to pay for the property. Motion carried. Two votes yes.**

Mrs. Gunnet advised that the agreement states that the Township is buying the property as is with contents. She stated that there are approximately 50 picnic tables that are in good condition and does not want them to be damaged. She asked the Board if they were interested in securing the property. She stated that the tables could be stacked in one of the buildings. The Board agreed to secure the property. Attorney Rausch advised that he would contact the bankruptcy trust for approval.

H. Treasurer's & Assistant Treasurer's Bonds - Mrs. Gunnet advised that in order to pay for the Spring Valley Pool Property, there will be funds in excess of the bond limit. She stated that this occurred in

the past with the Panorama Hills project and the auditor stated that as long as it is documented and is short term, it is acceptable. There was discussion as to whether Blakey, Yost, Bupp & Rausch could hold the funds in trust. Attorney Rausch will look into this option.

- I. **2016 - 2017 Junk Yard Licenses - Discrepancy between Junk Yard Ordinance and Zoning Ordinance** - Mr. Allison advised that the Board has received a memo from him outlining the discrepancies between the Ordinances. Attorney Rausch is recommending that the Township issue the licenses this year referencing that changes may be made for 2017-2018. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the Junk Yard licenses for Prospect Metals, Red Lion Salvage and TC Auto Salvage with the potential for changes upon expiration. Motion carried. Three votes yes.**
- J. Joint venture with Red Lion Municipal Authority to make improvements to Milner Heights detention pond - Update - Mr. Allison advised that he had received a voice mail message from the owner stating that she is interested in moving forward. Mrs. Shovlin asked if she understands that if a grant is not received that the project will not move forward. Mr. Allison stated that she is aware of the situation.
- K. Mrs. Gunnet advised that the State Liquid Fuels Fund has been audited for the period of 2013 to 2015. There were no findings. A formal report will be received in a couple weeks.
- L. Proposed amendment to Personnel Policy - Mrs. Gunnet advised that she is proposing several changes to the Personnel Policy. Attorney Rausch has reviewed and approved the changes. She explained that the first change would be regarding bereavement. Recently the York Adams Tax Bureau had an employee whose stepchild passed away. Their policy did not specify stepchildren and their attorney informed that the employee did not qualify for bereavement. The Township's policy does not specifically address stepchildren and she stated that she believes it should be added.

The second change would deal with firearms. It is proposed that firearms be prohibited on Township property, in Township vehicles and in Township buildings. She acknowledged that this could cause a problem for employees that go hunting directly after work. Attorney Rausch advised that he would research to see if there are any State or Federal laws that would supersede the Township's policy.

The third change deals with misconduct toward other employees or residents.

The next change would address retaliation toward an employee who filed a grievance.

The final change would address what happens following a reasonable suspicion testing.

The Board took the matter of firearms under advisement but were agreeable with the other proposed changes.

- M. Mrs. Gunnet advised that the Board has received the Transition Report from ARRO.

- N. Hacking into telephone system - Mrs. Gunnet advised that on June 6th, she had a voice mail from AT&T Global Fraud Management informing that the Township's phone lines were being used to make international calls. AT&T put a block on the lines to prevent further calls. Emulous Communications has installed a security package on the system to prevent future calls. The cost for this was \$200. AT&T is waiving the fees for the international calls. Mr. Heffner questioned how this occurs. Mrs. Gunnet stated that it was explained to her as phishing. Mr. Heffner questioned if the computer system is safe. Mrs. Gunnet advised that there is virus software on the system.
- O. Receipt of Comcast payment for underpayment - Mrs. Gunnet advised that based on the franchise fee audit, the Township was owed funds. She stated that there was no pushback from Comcast and the Township has received the \$112,089.03 that was owed. She stated that there were other municipalities that were underpaid as well but we were the highest. One municipality owed money but she did not believe that Comcast was requiring them to reimburse the funds.

14. Unfinished Business:

- A. Freysville traffic signal update - Discussed under 10B

- 15. 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.
- 16. Supervisors Comments – Mr. Heffner asked Mrs. Shovlin if she had any comments. She did not. Mr. Heffner did not have any either.
- 17. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the bills were approved. Motion carried. Two votes yes.
- 18. The meeting of the Windsor Township Board of Supervisors adjourned at 7:13 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

June 20, 2016

Eric Myers
Vera Miller
Chris Paules
Dan Templeton
Chief Tim Damon
Spencer Seaks

Windsor Township Fire & Rescue
43 First Street Windsor PA
3775 Rimrock Road York PA
York Area Regional Police Department
951 Wise Avenue Red Lion PA