

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 18, 2017

1. The meeting of the Windsor Township Board of Supervisors was called to order by Vice Chairman Jo Anna Shovlin at 6:00 p.m. She advised that the Township Engineer must leave for another meeting so items on the agenda would be addressed in a different order.

Those present: Jo Anna Shovlin, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, P.E., Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble.

2. The Pledge of Allegiance was recited.
3. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the minutes from the November 20, 2017 meeting 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 the Township has received notification from Comcast that they will be launching an international channel package and there will be price changes effective December 20, 2017.
5. Windsor Township Fire & Rescue Association – Scott Gingerich, Felton Fire Company, was present. He stated that he did not have anything to report. He wished everyone a happy holiday. Mrs. Shovlin stated that Red Lion Fire Company had Santa go through her neighborhood on the fire truck but it was about 8:00 p.m. She suggested that they come through earlier. Mr. Gingerich commented that they had some issues with scheduling. He added that Felton had their Santa run last evening because it was snowed out the week before. Mrs. Shovlin thanked the fire companies for their service throughout the year.
 - A. The next Fire Chiefs meeting will be held on December 28th at Felton Fire Company.
6. York Area Regional Police Department – Chief Damon was present. He reviewed the November report, noting that there were more heroin overdoses.
 - A. The Monthly Report for October is available for review.
 - B. Cape Horn Road – High number of motor vehicle accidents – Chief Damon advised that he has sent a letter to Mrs. Gunnet regarding the high number of accidents on Cape Horn Road. He explained that PennDOT would not receive data on all calls because not all are reportable. Attorney Rausch questioned what a reportable call is. Chief Damon advised that it is a call where a vehicle must be towed and there are injuries or a death.

Mrs. Shovlin stated that she had requested that Chief Damon send a letter to the Township and also to York Township so that a traffic study could be requested. She added that she is concerned about the new shopping center opening up adjacent to the Sheetz because there are already

numerous accidents in this area. A joint letter from both York and Windsor Townships is to be sent to PennDOT regarding this.

- C. Chief Damon advised that he met with residents from Taylor Estates in November regarding a neighborhood watch. He noted that he has provided Mr. Trout with signs to have installed.

Mrs. Shovlin thanked him and the Department for their services throughout the year.

7. Township Engineer:

- A. Mr. Klinedinst advised that the Board has received a copy of Status Report #2 for the Windsor Manor Pump Station Phase-Out. He noted that there is no update on the Planning Modules.
- B. Mr. Klinedinst advised that an Engineering Agreement in the amount of \$229,400 was provided to the Board. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Agreement. Motion carried. Two votes yes.

- 8. York County Regional Stormwater Consortium – MS4 Update – Mr. Allison advised that at the November meeting of the Consortium, representatives of the York County Planning Commission stated that PennFutures filed a comment regarding the Consortium’s plan. According to a timeline that was pieced together, the York County Planning Commission was aware of this potential comment as far back as January. However, an official letter was received in August. The comment disputes the reduction calculations that were used for the plan as they deviated from the regulations. John Klinedinst noted that PennFutures has a solid position as the plan has deviated from the regulations. It was added that PennDEP was aware of this but agreed with the calculations methods being used. However, PennDEP did not provide this in writing. The York County Planning Commission has been working with the Center for Watershed Protection and PennDEP on a course of action. Use of “Expert Panel Protocol” was suggested on seven (7) of the projects that are to be funded by the plan. The Center for Watershed Protection has submitted a proposal to execute the “Expert Panel Protocol” at a cost of \$67,000. Mr. Allison added that Gary Milbrand of York Township has suggested that the Consortium should have legal representation. A quote was obtained from Martin Siegel of Stock and Leader in the amount not to exceed \$15,000. John Klinedinst noted that the Consortium is going to need experts to help them get through this.

Mrs. Shovlin asked who would be paying for these additional costs and why this information was not passed on to the members of the Consortium before now. Mr. Allison advised that the costs have not been approved as of yet and it is not known how they would be funded. Mrs. Shovlin expressed her disappointment with the York County Planning Commission. She asked Attorney Rausch to work with John Klinedinst to draft a letter to the York County Commissioners regarding the Township’s displeasure at how this was handled and have it sent to all of the municipalities in the Consortium.

It was noted that PennFutures has sued PennDEP previously so they are putting emphasis on the comment. Mr. Allison advised that he did not know if anyone has contacted PennFutures to see if the “Expert Panel Protocol” is acceptable in addressing their concerns. The next Management

Committee meeting will be held on December 20. Hopefully more information will be provided at that meeting.

9. Public Hearing – Bradley & Marcindie McKinsey – Rezoning of 240 Holtzapple Road – R-1 to C-1 – Mr. Allison advised that Mr. and Mrs. McKinsey own a property adjacent to River’s Truck Center off Cape Horn Road. They are requesting to have it rezoned from R-1 to C-1. The property is 1.45 acres and has a residential dwelling on it. Both the Windsor Township and York County Planning Commissions have recommended approval.

Mrs. Shovlin opened the Public Hearing. She asked if anyone had any comments regarding the proposed rezoning of the property at 240 Holtzapple Road. Being there were none, she closed the Public Hearing. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, Ordinance #2017-12-01 was approved to rezone the property at 240 Holtzapple Road from R-1 to C-1. Motion carried. Two votes yes.

10. 2018 Proposed Budget - Mrs. Gunnet advised that the Proposed 2018 Budget has been advertised for adoption. She stated that the Real Estate Tax is proposed to increase from .6 mills to .85 mills. This is due to the rising cost of public safety and MS4 requirements. Public safety accounts for 56% of the budget expenses and public works at 24%. The Fire Hydrant Tax millage rate will remain at .1 mills and the sewer bill rate will remain at \$112 per quarter. The Beaverson pump station elimination project is included in the budget and 2018 is the last year for the Pump Station Rehabilitation Plan costs to be included in the budget. The last installment from Republic Services for the Community Center will be received in 2018.

On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the 2018 Budget, Resolution #2017R-12-01 to set the Tax Levy and Resolution #2017R-12-02 to set the Pension Contribution Rate at 2%. Motion carried. Two votes yes.

11. Solicitor:

- A. Taylor Estates, Phase II, Section A - Update - Attorney Rausch advised he does not have an update.

12. Public Works:

- A. Mrs. Shovlin advised that the Board has received the monthly report for December. There were no questions.

- B. CDL costs – Period of time to remain in Township employment – Mrs. Gunnet advised that there has been some employee turnover in the Highway Department. The positions require a CDL but most that apply for the job do not have one. It has been practice that once hired, they obtain their CDL within a specific timeframe. In the past, the employees have assisted the new employee with training but this is not always feasible. She stated that there is a third party company that trains people to get their CDL. The training costs approximately \$2,000. She commented that

this is a large amount of money to invest in someone with no guarantees that they will remain in employment with the Township.

Mrs. Shovlin questioned if she is proposing that a contract be set in place that the new employee would be required to pay back a portion of the training costs if they leave the Township within a certain period of time. Mrs. Gunnet stated that she thinks this would be an option and had asked Mr. Heffner for his thoughts knowing he would not be present this evening. He had suggested that the period be set at 5 years. Mrs. Shovlin commented that she thinks that is too long. Attorney Rausch advised that he would have to look into how a contract could be worded as to how the Township could recoup the fees.

- C. Repairs – 2009 F350 Service Truck - Mr. Trout advised that the Board has information regarding this truck. He noted that it has an issue with the engine. He added that the truck body is in good shape though. He questioned what the Board would like to do with the truck.

Mrs. Shovlin questioned the life expectancy of the truck. Mr. Trout stated that he did not know but there is not much difference in cost between a refurbished and new motor. Mrs. Gunnet reported that Mr. Heffner would like to sell the truck on Municibid.

Mr. Trout stated that the cost for a new truck would be approximately \$33,000 and a new body \$25,000. Mr. Allison questioned if this truck had already been replaced. Mr. Trout advised that they would like to have two service trucks in the Sewer Department. He commented that by using the body, that would save money on the replacement. Mrs. Gunnet questioned if the bodies are interchangeable since they have changed to aluminum and this one is steel. Mr. Trout thought they would be.

The topic was tabled.

13. Other Business:

- A. Mrs. Shovlin advised that the Board has received the Zoning Report for November. There were no questions.
- B. Mrs. Shovlin advised that the Board has received a copy of the Township Manager Report for November. There were no questions.
- C. Mrs. Shovlin advised that the Board has received a copy of the Animal Control Officer's Report for November. There were no questions.
- D. Mr. Sechrist advised the Reorganizational meeting will take place on Tuesday, January 2, 2018 at 6:00 p.m.
- E. Mr. Sechrist advised that the Auditors meeting will take place on Wednesday, January 3, 2018 at 10:00 a.m.

- F. KENSINGTON - Baseball field - Additional discussion - Mr. Allison advised that C.S. Davidson has done some preliminary work to verify the possibility of placing a ballfield on the property owned by Peter McCreesh off White Oak Road and it has been determined that a field would fit. He stated that he has also tried to think of other alternative locations. He noted that talks between the Township and Jamie Tolton have stalled. He stated that other locations that he had come up with include the Fishel tract off Lombard Road and the Mitzel tract across from Freysville Park on Windsor Road. The Fishel tract is zoned R-2 so it would likely be of higher monetary value. It was suggested that it would be beneficial to find out if it is feasible to place a field on these properties before contacting the owner to see if there is interest in selling a portion of their property. The Board agreed.
- G. Building Permit Fee – Policy discussion for no refunds once permit issued – Mr. Allison advised that there have recently been numerous occasions with people requesting refunds for building permit fees after they have been issued. He stated that the purpose of the permit fee is to cover the cost for the review, preparation and issuance of a permit. He advised that he polled the York County Zoning Officers Association and of the 10 that responded, 9 do not issue refunds. Attorney Rausch stated that he does not see an issue with not refunding the fee so long as it is not a larger amount that would exceed \$1,000. He recommended adding a clause to the Fee Schedule that states the fee is not refundable. The Board agreed to no longer issue refunds for Building Permits.
- H. Community Development Block Grant – ADA doors – Mrs. Gunnet advised that she has been contacted by the York County Planning Commission informing that additional CDBG funds have become available and the ADA doors at the Township Office will be included in the project list once officially approved by the County Commissioners. The project will occur within the next 3 years but it is unknown exactly when at this point. The County is responsible for bidding and awarding the job.
- I. Transfers to: Vehicle & Equipment Fund, Sewer Capital Improvements Fund and General Fund – Mrs. Gunnet advised that the Board has received information on the transfers. She stated that the transfer to Vehicle & Equipment Fund will be 5,503.24. The transfer to the Sewer Capital Improvements Fund of the unused pump station rehabilitation projects will be \$516,095. An amount up to \$300,000 had been budgeted from Solid Waste Fund to General Fund. She stated that it appears that the deficit will be just over \$84,000. The Board advised they wanted to transfer the minimal amount and agreed to transfer \$85,000. On the motion of Rodney Sechrist, the Board approved the transfers. Motion carried. Two votes yes.
- J. Mrs. Gunnet advised that the Board has a copy of the Final Report of the Community Center Feasibility Center for review. A meeting will be held on January 8, 2018 at which recommendations will be discussed to bring before the Board.
- K. Resolution #2017R-12-03 – Disposition of Public Records – Mrs. Gunnet advised that a Resolution is required for the destruction of any public record. She explained that the Township uses a check scanner for deposits and has records from July 1, 2011 through December 29, 2016 that are no longer needed. The documents will be taken to the York County Solid Waste

Authority for destruction. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Resolution. Motion carried. Two votes yes.

L. Issuance of interim checks - Mrs. Gunnet advised that during a recent discussion group, the issuance of interim checks was discussed and it was recommended that a Resolution be approved to allow for this practice. She noted that it would cover payment of invoices to avoid late fees, take discounts and other items such as filing with the magistrate, recordings, CDs and payroll. Attorney Rausch will review this for the next meeting.

M. Collection of structural integrity letter of credit – Kenneth & Gladys Stoltzfus - Mrs. Gunnet advised that she received an extension letter today so no action is necessary.

N. An Executive Session will be held after the meeting to discuss contract negotiations.

14. Unfinished Business - There was none.

15. Public Comment – Mrs. Shovlin noted that if speakers do not wish to have their address recorded, they must state this when speaking. There was none.

16. Supervisors Comments – Mrs. Shovlin asked Mr. Sechrist if he had any comments. He did not.

Mrs. Shovlin wished everyone a Merry Christmas and a Happy New Year and thanked the staff for the hard work throughout the year.

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

18. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session at 7:18 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

December 18, 2017

Vera Miller
Chief Tim Damon
Marcindie McKinsey
Brad McKinsey
Evan Gabel
Scott Gingerich
Sherry Arnold
Spencer Seaks
Rodney Weitkamp
Christopher Kraft, P.E.

York Area Regional Police Department
River's Truck Center
River's Truck Center
135 N. George Street York PA
Felton Fire Company
Felton Fire Company
951 Wise Avenue
Yorkana Fire Company
C.S. Davidson, Inc.