

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

March 19, 2018

1. The meeting of the Windsor Township Board of Supervisors was called to order by Vice-Chairperson Jo Anna Shovlin at 6:00 p.m.

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.

Mrs. Shovlin advised that she would like to wish Mr. Sechrist a happy birthday. Those present sang happy birthday to him.

3. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the minutes from the February 19, 2018 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 she has received a letter from the York County Planning Commission requesting that the Township appoint a representative to the Local Government Committee to assist with the development of the York County Stormwater Authority. She recommended that Mr. Allison be appointed since he also sits on the Management Committee of the York County Stormwater Consortium. It was the consensus of the Board to appoint Mr. Allison.

C. Mrs. Gunnet advised that she has received a letter from the Leo Independent Fire Engine Company No. 1 formally inviting municipal leaders of any municipality they receive funding from to attend their monthly meetings. She stated that there is no need to RSVP. Mrs. Shovlin thanked them for this open invitation.

D. Mrs. Gunnet advised that she has received notification from Comcast that they will making channel changes.

E. Mrs. Gunnet advised that she has received a copy of the audit report from the Department of the Auditor General for the Yorkana Firefighters Relief Association. The audit covers the period from January 1, 2015 to December 31, 2016. She stated that there were two findings. The first was for insufficient security. She explained that they were bonded for \$100,000 but at one point had a balance of \$144,000. She noted that they have corrected this by increasing their bond amount.

The second finding was for the payment of an expense which was not allowable. The issue was corrected as the Fire Company reimbursed the Relief Association.

Mrs. Shovlin advised that she is glad that the findings have been rectified. She noted that the audits are very thorough now and the companies should be aware of this.

Mrs. Shovlin advised that once a year, grants are awarded from the Fire Commission. She stated that this year grants were awarded to Felton Fire Company, Red Lion Fire Company and Red Lion Ambulance Association.

5. Windsor Township Fire & Rescue Association – Scott Gingerich, Felton Fire Company, was present. He did not have anything specific to report.
  - A. The next Fire Chiefs meeting will be held on Thursday, April 26th at 7:00 p.m. at Dallastown Fire Company.
  - B. Fire Company contracts - Update - Mrs. Gunnet advised that all of the signed contracts have been received and are ready for approval. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the contracts with the fire companies. Motion carried. Two votes yes.
  - C. Mrs. Gunnet advised that the Board has a copy of the redacted minutes from the January meeting of the Leo Independent Fire Company. The Board agreed to keep a copy of the minutes but take no action.
  - D. Mr. Gingerich advised that he is aware that there are requested changes to several box alarms. Mrs. Gunnet advised that the changes are between Windsor/Yoe and Yoe/Yorkana. The Chiefs are recommending approval. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the changes to the box alarms. Motion carried. Two votes yes.
  - E. Mrs. Gunnet advised that the fire companies had previously requested to use the Spring Valley Pool Property for training. She questioned if there is a timeframe in which they are interested. Mr. Gingerich noted that the building would be destroyed but they would use it to practice procedures such as search tactics and line training. Mrs. Gunnet advised that currently the property is secure but they could stop at the office for a key.
  - F. Mr. Gingerich commented that in regards to the finding on Yorkana's audit report, he knows that everyone is working hard to not get a finding but the auditors are always looking to find something. Mrs. Shovlin commented that she is aware that they are harder now than in the past and are not always consistent.
6. York Area Regional Police Department – Chief Damon was present.
  - A. The Monthly Report for February is available for review.
  - B. Chief Damon advised that he has prepared the 2017 Annual Report. The Board has received a copy. He reported that department wide, calls, crime, accidents, citations and arrests increased from 2016. He noted that in Windsor Township, Part I and Part II crimes and citations decreased. Arrests were the same.

Chief Damon stated that in 2017, two officers retired and one resigned.

Chief Damon advised that he attended an Opioid Roundtable. He commented that he feels it would be helpful if there was a better way to hold people accountable. Mrs. Shovlin questioned if there is a common demographic for DUI or opioid use. Chief Damon stated that there is not. Mrs. Shovlin stated that she is glad that he attended. Chief Damon commented that there were a few law enforcement officers. He noted that many were from the court system and treatment facilities.

Mr. Sechrist questioned if the officers are trained to respond to drug overdoses. Chief Damon advised that each patrol car is supplied with two doses of Narcan. However, sometimes it can take more than those doses to revive someone. He added that there is a grant that pays for the Narcan.

Chief Damon presented Mrs. Gunnet with a photograph of all of the officers in the department.

- C. Cape Horn Road traffic concerns - Update - Mrs. Gunnet advised that she has received a response from PennDOT to the letter that was sent jointly from York and Windsor Townships. They will have a consultant meet with both municipalities. Mrs. Shovlin advised that she would like to be part of the discussions and added that Representative Saylor is aware of this matter.
7. Stanley & Gretchen Yost - 2490 Freysville Road - Zoning Ordinance In-home Daycare regulations - Gretchen Yost advised that the Board has received a letter from her. She explained that she graduated from Messiah College in 1998 with a Bachelor's Degree in education and taught Kindergarten for three years at Locust Grove Elementary. She stated that after she had her first child, she chose to be a stay at home mother. She then had friends who asked her to watch their children. Mrs. Yost advised that that she now has four children of her own, ages 10, 11, 13 and 15. She has had a daycare in her home for 13 years. She commented that she feels that in addition to providing care for them, she runs a ministry. She has never advertized her business and knows her limitations and capabilities. She stated that just because she is not licensed, does not mean that she does not provide quality care for the children that she watches. She added that the parents are aware that she is not licensed and have placed their trust in her. Mrs. Yost commented with the rise in working mothers, they need the opportunity for cost effective care. She stated that she wants to be able to continue to provide this service.

Stan Yost advised that he is a teacher at the Red Lion High School and that he is a volunteer with the Windsor Area Recreation's baseball program. He stated that parents strive to do what is best for their children and his wife is doing the same thing.

Mrs. Shovlin questioned what they are looking for from the Board. Mrs. Yost advised that she would like to continue to provide child care as she does currently. She added that she was not aware of the Ordinance regulations. Attorney Rausch questioned what requirement she is not meeting. Mr. Yost stated that she does not have a license from the State. He commented that the State regulations do not require a license for the watching of one to three children. His wife currently watches six children and offers before and after school care for others. Attorney Rausch noted that based on these numbers, she would need to be licensed. Mr. Yost commented that there are some municipalities that do not require a license for under six children. Attorney Rausch explained that the

State requirements would supersede the municipal regulations and the Township would not be able to override those regulations.

Mrs. Yost commented that the Township became aware of her daycare because someone complained about the traffic from her driveway, not about the care the children were receiving. She reiterated that the parents are choosing to bring their children to her knowing that she is not licensed by the State. Mrs. Shovlin stated that the Township is now aware that she has a daycare and cannot overlook the situation. Mr. Sechrist questioned why she does not obtain her license. Mrs. Yost advised that there are regulations that need to be met such as fencing and proper diet. She stated that she wants her home to remain just as it is to provide the children with this type of atmosphere and not that of a commercial daycare facility.

Danielle Tyson advised that she is a teacher and Mrs. Yost watches her children, ages 8, 3 and 1. She stated that she had a terrible experience with her oldest child at a local daycare facility and he now has learning issues because of it. Attorney Rauch commented that the regulations are in place for the safety of the children.

Mr. Allison noted that it would be considered a Commercial Daycare if more than six children are being watched in a calendar day. Mrs. Yost stated that she does not have more than six children during the day. She added that she does not count the children she watches before and after school because they help with the younger children. She commented that every morning she provides a bible study for them. Mrs. Shovlin noted that she is still supervising them. Mrs. Yost questioned the difference if this was a party. Attorney Rausch noted that she is being compensated for watching the children and therefore it is a business.

Mr. Allison advised that he has spoken with Mr. and Mrs. Yost about filing for a Special Exception for a Group Daycare but they have not submitted an application yet. This would allow her to watch from four to six children in a calendar day. He commented that there are many Group Daycare facilities in the Township and he has not had any applicants tell him that it was difficult to obtain a license. Mrs. Yost stated that these regulations are splitting families as some have received permission to attend a different elementary school because of her location. Mr. Yost added that he wants their home to feel like a home and if they were to obtain a license, the regulations would cause it to feel more like a facility. He commented that he does not want the State to come into his home to do an audit which would occur if they had six children. He stated that at a minimum, she would like to continue to watch three children without obtaining a license. Mr. Allison advised that the Zoning Ordinance requires that anyone watching children must have a license from the State. He questioned if she would be limiting the number of children to three. Mrs. Yost confirmed that she does not want to but would do so. Attorney Rausch advised that since the State does not require a license for the care of three children and under, he feels that the Township can honor that regulation as well.

Mrs. Yost questioned if the regulations for daycares were the same in previous ordinances. Mr. Allison advised that it was the same in the previous ordinance but does not know how it was handled before that without researching. Mr. Sechrist questioned if they are insured. Mr. Yost explained that it is covered through their homeowner's insurance.

It was the consensus of the Board that they would allow her to have three children without requiring a license which would match the State's regulation. Mrs. Shovlin suggested that Mrs. Yost send a letter proposing changes to Senator Wagner. Attorney Rausch noted that it should be specific about what changes they would like to see.

Parker Keiser, a child watched by Mrs. Yost, stated that she makes them feel loved. He commented that they have a bible lesson everyday and she gives them a quiz on what they learned. If they get it right, they earn a prize. He added that he feels grateful to be with her. The following children, David Howell, Cade Willwert and Addison Bell, came forward and read bible verses that they were taught. Mrs. Shovlin thanked the children for speaking out.

Chad Keiser advised that he is the Dean of Students at the Red Lion Junior High. He commented that if the Township believes the State's daycare regulations should be changed, that we should also send a letter. Through his job, he stated that they have found that many children that have been in a commercial daycare center have behavioral issues. There is also a statistic that 78% of children do not have a place to go between 4:00 p.m. and 7:00 p.m.

Sarah Warner stated that she does not understand why traffic from the driveway is the issue. She stated that there are other houses nearby and a large development that accesses onto Freysville Road. She questioned if the Township will still have an issue if Mrs. Yost does reduce the number of children she watches but there are still many trips in and out of the driveway. Mr. Allison advised that he would acknowledge that the daycare has come into compliance if there were any further complaints.

Robert Willwert questioned if the Board would be open to changing the Ordinance if she would get her state license. Mr. Allison advised that the Township allows for the watching of four to six children if she obtains a Special Exception. One of the requirements is that she has the state license. Attorney Rausch added that because this would be a business within a residential zone, there are other regulations that would need to be met. There was confusion as to what a Special Exception is. Mr. Allison clarified that it is a zoning term for different types of uses. It does not mean that it is an exemption.

Barbara Myers advised that she lives across the street from Mr. and Mrs. Yost. She stated that the issue is not with the traffic coming in and out of the Yost's driveway, but rather with cars speeding on Freysville Road. She commented that she has had cars drive through her yard and one almost struck her husband.

Mrs. Shovlin thanked everyone present for their time. She commented that she can see the passion that Mrs. Yost has for child care.

8. Community Development Block Grant - ADA Doors - Public information meeting - Mr. Klinedinst advised that Joiann Galiano, the Chief of the Community Development division with the York County Planning Commission is present. He advised that as part of the grant process, it is necessary to hold a public information meeting. He stated that this project is for the replacement of the swinging doors on the Township Office building with automatic sliding doors. The estimated total

project cost is \$30,715. The grant is in the amount of \$18,616 leaving the Township's portion of \$12,099.

Mr. Klinedinst commented that Lower Windsor Township has also received a similar grant. A proposal for the engineering is required for their grant. There is potential for financial savings if the same engineer is selected and the projects are bid together.

Ms. Galiano advised that C.S. Davidson is the representative for Lower Windsor Township as well. However, three competitive engineering quotes are required. The quotes are due March 31st. Mr. Klinedinst recommended that the Board hold the project for another month as it could be financially beneficial. The Board agreed.

Mrs. Gunnet advised that she had also contacted the York County Community Foundation to see if there are grants available through the Agency on Aging to cover the balance. They informed that there are grants but it would be necessary to prove that elderly people avoid coming to the Township Office because of the doors. Since this is not able to be proven, the Township would not qualify.

9. Solicitor - Attorney Rausch advised that he did not have anything to report.

10. Township Engineer:

A. Windsor Manor Pump Station Phase-Out - Status Report #6 and Resolution #2018R-03-01 - Revise Official Plan for planning module - Mr. Klinedinst advised that a Resolution must be approved in order to submit the planning modules for the project. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved Resolution #2018R-03-01. Motion carried. Two votes yes.

Mr. Klinedinst stated that he has asked Mr. Kraft to prepare a quote to review the site for artifacts. He commented that the Township will be likely to spend less money by doing to work rather than be ordered to do so.

B. Milner Heights Detention Pond Retrofit – Bid results – Mrs. Gunnet advised that the bid results are attached to the Board's agenda. Mr. Klinedinst advised that the low bidder is Clearview Excavation in the amount of \$54,528. He noted that this amount would be covered by the grant. He recommended approval of the bidder. Mr. Sechrist questioned where they are from. Mr. Klinedinst stated that they are from Glen Rock. He added that he had spoken with them and they understand the project. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the bid to the low bidder. Motion carried. Two votes yes. It was noted that the Red Lion Municipal Authority will also need to approve the bid.

11. Public Works:

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

- B. Repairs to Bahn's Mill Road garage - E&D Construction - \$2,880 – Mr. Trout advised that the Board has received a copy of the quote to repair the garage at the Bahn's Mill Road property. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the repairs. Motion carried. Two votes yes.
- C. Approval to purchase – Cement mixer - \$2,900 – On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the purchase of a cement mixer. Motion carried. Two votes yes. Mrs. Gunnet noted that this will be paid out of the Vehicle & Equipment Fund.

12. Other Business:

- A. Mrs. Shovlin advised that the Board has received the Zoning Report for February. There were no questions.
- B. Mrs. Shovlin advised that the Board has received a copy of the Township Manager Report for February. There were no questions.
- C. Mrs. Shovlin advised that the Board has received a copy of the Animal Control Officer's Report for February. There were no questions.
- D. Mrs. Shovlin advised that an Electronics Recycling collection will be held on Saturday, May 5<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at the Public Works Building. She noted that this is for Township residents only and identification is required.
- E. Mrs. Shovlin advised that Community Volunteer Day will be held on Saturday, May 5<sup>th</sup> from 9:00 a.m. to 12:00 p.m. Mr. Allison stated that in conjunction with this event, they will also be working with the Master Watershed group to do a community day to raise awareness. He added that they are hoping to distribute flyers to the schools to advertise the event.
- F. Insurance renewal update – Mrs. Gunnet advised that she has received the insurance quote for this year and it is \$968 less than 2017. She added that the worker's compensation insurance dividend that was received was \$9,800. She stated that although the quote from the McGowan Group seemed lower, she believes that they would have been higher. Mrs. Shovlin questioned where the refund is deposited. Mrs. Gunnet advised that it is split and put back into the workers compensation line items.
- G. Stormwater Management Agreements: Joanne M. Dawson – 880 Jefferson Lane & Curt Rumsey – 3445 East Prospect Road – Mr. Allison explained that when a project over 2,000 square feet of impervious area is done, a Stormwater Plan is required. As part of this, a Maintenance Agreement is required to be recorded. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Agreements for Joanne Dawson and Curt Rumsey. Motion carried. Two votes yes.

- H. Windsor Township Non-Uniform Pension Plan – Act 205 Actuarial Valuation Report and funding percentage - Mrs. Gunnet advised that she has received a letter from the Pennsylvania Municipal Retirement System informing that the Township is 93% funded.
- I. Installation of bullet resistant glass in doors – \$10,606.36 - Mrs. Gunnet advised that \$15,000 was budgeted for the installation of bullet resistant glass. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the purchase. Motion carried. Two votes yes.

Mrs. Shovlin commented that when she was recently in the office, Mr. Allison had mentioned needing a new computer program. Mrs. Gunnet advised that when the computers are being replaced, this program is on the new system. Mrs. Shovlin stated that she would like to have a new computer purchased for Mr. Allison using leftover funds that were budgeted for the glass.

- J. Purchase of a desktop computer – Quality Digital Office Technology – \$1,069 - Mrs. Gunnet advised that the purchase of a computer for Mrs. Miller was included in the budget. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the purchase. Motion carried. Two votes yes.
- K. PennDEP 902 Recycling Grant – Leaf Truck – Update - Mrs. Gunnet advised that at the pre-application meeting, PennDEP questioned what the plans were for the leaf truck that had previously been purchased with grant funds. When she told them the Township was looking to sell it, she was informed that because it was purchased with PennDEP funds, they must approve the sale and receive 90% of the funds. They suggested that the truck be traded in. Mr. Trout estimated that the trade value at \$25,000. The Board agreed to this. Mrs. Gunnet commented that only four municipalities in York County applied for a grant.
- L. Ordinance #2018-03-01 – Recycling of Solid Waste Ordinance - Mrs. Gunnet advised that in dealing with the 902 Recycling Grant it was determined that there needed to be some changes to the existing Recycling of Solid Waste Ordinance. She advised that she added a definition for “community activities” and made changes to the section regarding recycling bins. The Ordinance has been advertised for adoption. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved Ordinance #2018-03-01. Motion carried. Two votes yes.
- M. Windsor Meadows HOA – Update - Mr. Allison advised that Ms. Telewicz talked to her Homeowners Association but they did not provide much clarity. She has agreed to pay the legal fees and clean the trench. Once this is completed, the HOA has agreed to sign the Agreement. He stated that he spoke with the HOA Treasurer. He had stated that he thought that there was a performance bond in place to cover the trench repairs. Mr. Allison stated that he informed him that it was only for the streets and noted that the subdivision plan specifically states that the HOA is responsible for the maintenance of the trench. He commented that he has not heard back from him since that conversation.

Mr. Allison noted that there are still other items that need to be removed and questioned if the Township wants to enter into an Agreement without the other items being addressed. Mrs. Shovlin questioned if the Township needs to send them a letter telling them that the items need to



be removed. Mr. Allison advised that this has already been done but not since the discussion of the Agreement. Attorney Rausch recommended that once the HOA has signed the Agreement and it is in place, to send a letter to the other property owners giving them a deadline to remove the items from the easement or the Township will arrange to have it done at their expense.

N. Filing cabinet – Update – Mrs. Gunnet advised that the old cabinets are not salvageable. One new filing cabinet was ordered to make sure that it was acceptable for the space. Once it was determined that it was, five additional filing cabinets were ordered. However, when they arrived, they were all damaged. The Staples representative questioned if the Township would consider keeping them at a reduced cost. She stated that she informed them that she did not want them as they are for the main office space and they were too damaged. Mrs. Gunnet explained that the manufacturer has now gone out of business and they are unable to replace the cabinets. She stated that she is going to cancel the order.

O. York County Quick Response Team – Request for funds – Mrs. Shovlin advised that she had spoken with Chief Damon regarding this request and reminded the Board that a large donation was made in 2017. She noted that the funds were to be used for training purposes and she is aware that one of the officers from York Area Regional Police is no longer going to be on the QRT. She stated that she would like to table this request until she is able to discuss the matter at the next Police Commission meeting.

P. Mrs. Shovlin advised that the meeting scheduled for April 2, 2018 will be cancelled.

13. Unfinished Business – There was none.

14. 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.

15. Supervisors Comments – Mrs. Shovlin asked Mr. Sechrist if he had any comments. He did not and neither did Mrs. Shovlin.

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

17. The meeting of the Windsor Township Board of Supervisors adjourned at 8:00 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

March 19, 2018

Vera Miller

Joiann Galiano

Scott Gingrich

Jennifer Willwert

Robert Willwert, Jr.

Stan & Gretchen Yost

Chad & Lindsay Keiser

Mitch & Sarah Warner

April Bell

Danielle Tyson

David & Lindsey Howell

Chief Tim Damon

Chris Kraft

Barbara Myers

York County Planning Commission

Felton Volunteer Fire Company

2490 Freysville Road Red Lion PA

665 Strayer Drive Windsor PA

8289 Fulton School Road Felton PA

100 Biglar Court Windsor PA

2730 Meadow Cross Way York PA

3795 Delta Road Airville PA

York Area Regional Police Department

C.S. Davidson, Inc.

Freysville Road