

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

April 16, 2018

1. The meeting of the Windsor Township Board of Supervisors was called to order by Chairperson Dean Heffner at 6:00 p.m.

Those present: Dean Heffner, 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 Jo Anna Shovlin seconded by Rodney Sechrist, the minutes from the March 19, 2018 meeting were approved. Motion carried. Two votes yes. Mr. Heffner abstained from voting due to not being present at the meeting.
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 an invitation from Laurel Fire Company No. 1 to their appreciation dinner which will be held on May 12, 2018. She asked the Board to let her know if they plan to attend so she can RSVP.
  - C. Mrs. Gunnet advised that she has received a letter from the York County Economic Alliance. The York County Commissioners have approved the creation of a Land Bank Authority to deal with blighted properties. There will now be a \$15 recording fee added to all deeds and mortgages.
5. Windsor Township Fire & Rescue Association – Scott Gingerich, Felton Fire Company, was present. He noted that the Box Alarm changes for Station 37 have been submitted and also the quarterly report has been submitted. He added that there is no update on the potential fire company merger that Felton is a part of.

Mrs. Shovlin thanked Mr. Gingerich for the invitation to their appreciation dinner.

- A. Mr. Heffner advised that the next Fire Chiefs meeting will be held on Thursday, April 26th at 7:00 p.m. at Dallastown Fire Company.
  - B. Mr. Heffner advised that a burn ban was declared on Thursday, April 12 until Saturday, April 14 at 8:00 p.m. Mr. Gingerich thanked the Township for posting the information on the website and sign.
6. York Area Regional Police Department – Officer Miller was present. He reviewed the report for March. Mr. Heffner questioned if the number of overdoses has decreased. Officer Miller stated that unfortunately they are not as there were 5 over the weekend and 1 today. Mrs. Shovlin welcomed him back to work.

Mrs. Gunnet stated that there have been quite a few vehicles cutting through the Freysville Park parking lot to avoid the traffic signal. Signage had been installed to prohibit this. She requested that the department monitor the area.

7. Damon McDowell - Closure of a portion of Chatham Lane for block party - Mrs. Gunnet advised that the Township has received a request from Damon McDowell to allow him to close a portion of Chatham Lane to hold a block party. She stated that the Board has received a copy of a map of the area. She noted that she forwarded the request to Chief Damon and he did not take issue with it since there are multiple ways in and out of the development.

Mr. McDowell was present. He explained that last year he had 72 people celebrate Memorial Day at his home and he is expecting more this year. He commented that there are many neighbors in the development that do not go away for the holiday and they are invited to attend. He commented that this year he would like to have a bounce house and provide portable toilets. After discussion, it was the consensus of the Board to allow for the closure of the portion of Chatham Lane. Mr. Trout will have barricades delivered.

8. Stanley & Gretchen Yost - 2490 Freysville Road - Daycare regulations - Gretchen Yost advised that she sent a letter to the Board last week. They confirmed that they received it. She stated that after the last meeting, she read through the State regulation for family daycares. She stated that there is a lot that is similar to commercial daycares and it forces home based daycares to be regulated like a facility. She commented that the regulations have not been updated since 2008.

Mrs. Yost advised that she spoke with Galen Weibley who works with Kristin Phillips-Hill and went over all of the information with him. They compared the in-home regulations to the commercial regulations. He is going to do some research into this matter. She added that she plans to contact Representative Saylor as well.

Mrs. Yost stated that parents should have the right to choose who watched their children. She commented that she wants her home to continue to feel that way. She noted that in a commercial daycare, one person is permitted to watch a large number of children and she is only permitted to watch three. She advised that she does not believe that the children that she supervises before and after school should count toward the total number of children. Mr. Sechrist questioned how long she has the children that she watched before and after school. Mrs. Yost stated that the most amount of time is about an hour and three-quarters in the morning and an hour in the afternoon.

Mrs. Yost advised that she had sent a survey to some of her friends and then they also posted it on Facebook requesting feedback as to what parents look for in a daycare. She asked where people take their children and what their top priority is when looking for daycare. She stated that a large percentage responded they want an individual that they trust watching their children. She stated that she has been providing that to the families she serves.

Mrs. Yost requested that the Township lobby with her to the State Representatives requesting that changes be made for in-home daycare regulations. Mr. Heffner advised that he has concerns about liability issues. He stated he feels that it would be better for her to be licensed for her safety, too.

Mrs. Shovlin added that she does not want to lobby to the State for something that they regulation and added that she feels they should be licensed also.

Mr. Allison advised that after the last meeting he and Mrs. Gunnet met with Jennifer Browne. She has a daycare in the Township and has her license. He stated that he does not have an issue amending the Zoning Ordinance to reflect the same regulations as the State as far as the number of children but research would need to be done as to how the Special Exception requirements would be handled. Mrs. Yost questioned if they have read the regulations. Mrs. Shovlin stated that she has not. Mrs. Yost commented that they are overwhelming and set up like a business. Mrs. Shovlin stated that perhaps the regulations are overprotective for safety reasons. Mrs. Yost acknowledged that the laws are likely in place because of an incident that occurred.

Mr. Trout questioned if she would take care of her children differently if she were to become licensed. Mrs. Yost advised that she would have to. She noted that there would need to be additional record keeping, an inspector could go into any room in her house and would be permitted to speak with the children, she would need to require additional information from the parents and would be required to have additional training.

Mr. Heffner commented that he understands that she may be providing exceptional service but there are others who do not. Mrs. Yost noted that parents will know what is best for the kids. She added that she is hoping to have more support to request changes. Attorney Rausch recommended that she research where the regulations originated from to help understand why they were put in place and how to propose changes.

9. Solicitor:

- A. Sale of fireworks - Letter from Katherman, Heim & Perry - Attorney Rausch advised that a letter was sent to him from Katherman, Heim & Perry regarding the changes that were recently made regarding fireworks. Now the retail sale of display fireworks is permitted. A license is required from the Department of Agriculture and there are bonding requirements. Mr. Allison advised that the Township typically has a tent that is setup each year around July 4th and they had been selling novelty fireworks. Mrs. Gunnet questioned if it is now necessary to ask what type of fireworks they are selling. Discussion ensued and the topic was tabled.
- B. Windsor Meadows - HOA - Wendy Telewicz advised that she has gotten the signed agreement from the Homewoner's Association regarding maintenance of the stormwater trench. She stated that she will be paying the invoice that the Township had sent and she will also be cleaning the trench. Mrs. Shovlin commented that there were other items that were within the easement that need to be removed. Mrs. Telewicz stated that the Homeowner's Association has sent letters telling them that they need to comply. Mr. Allison advised that the Township has also sent letters to these properties.

Attorney Rausch advised that this agreement needs to be recorded so that it can be attached to the deed. He believes that the signature needs to be notarized and he is going to check into this. Mrs. Gunnet stated that she will follow up with her.

10. Township Engineer:

- A. Windsor Manor Pump Station Phase-Out - Status Report #7 - Mr. Klinedinst advised that the Board has received a copy of Status Report #7. He noted that a flow meter has been installed to monitor capacity.
- B. Community Development Block Grant - ADA Doors - Engineering update – Mr. Klinedinst advised that Lower Windsor Township opened bids for engineering but only received one quote. They are required to rebid and if more bids are not received, they can choose to award to that bidder. He stated that he is going to proceed to work on the Township's design.

11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for April. There were no questions. Mr. Heffner informed Mr. Trout that there is a bolt missing on a speed limit sign on Second Street.
- B. East York Interceptor (Beaverson Pump Station elimination) - Update & closure of Wilmington Trust (formerly M&T Bank account) - Mrs. Gunnet advised that the contractor was hoping to have the project completed by the end of May. She stated that the Township has an account through Wilmington & Trust that she needs approval to close so the funds can be used toward this project. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the closure of the Wilmington Trust account with the funds to be applied toward the Beaverson Pump Station elimination. Motion carried. Three votes yes.

Mr. Heffner questioned the demolition of the existing station. Mr. Trout advised that the Township will be taking any parts that we want and the contractor is responsible for the demolition and disposal of the rest. The concrete pad will remain.

Attorney Rausch questioned how the connection is made. Mr. Trout explained that the line that went to the pump station is routed to a flow meter to determine the Township's flows.

Mrs. Gunnet noted that she confirmed with Bucharth Horn that any additional costs that are incurred due to the contractor doing work outside of the right-of-way are being tracked.

- C. Bid results - Road Materials & Pave-In-Place - Mrs. Gunnet advised that the bid results are attached to the Board's agenda. The low bidder for stone is County Line Quarry and blacktop is Highway Materials. The low bidder for Pave-In-Place is Highway Materials. Mr. Trout recommended approval of all. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bids to the low bidders. Motion carried. Three votes yes.

Mrs. Shovlin questioned how much salt is in stock. Mr. Trout stated that we had quite a few small storms and the amount is lower than he would like. Mrs. Gunnet advised that the Township took the 60% that is required and the price is good until July. Mrs. Shovlin suggested replenishing the stock.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for March. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for March. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for March. There were no questions.
- D. Mr. Heffner 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. He noted that this is for Township residents only and identification is required.
- E. Mr. Heffner 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. Mrs. Gunnet commented that she had requested a donation from Stauffers and they gave the Township a \$25 gift card. Mr. Allison stated that the Master Watershed Group will also have a stand at community day to raise awareness. There will be events for kids.

Mr. Heffner asked if there will be any volunteers from the school students. Mrs. Gunnet advised the Mr. Shaffer had spoken with the baseball coach. She noted that John Stewart will be there with his tractor and mulch has been ordered.

- F. Mrs. Gunnet advised that a Snow Emergency was declared from 5:00 p.m. on March 20, 2018 until 9:00 p.m. on March 21, 2018. She informed that she and Mr. Shaffer and Mr. Allison and Mrs. Coble drove through the Township to check for vehicles on the streets. Approximately 50 vehicles were cited.
- G. PennDEP 902 Grant application - Update - Mrs. Gunnet advised that the application has been submitted. They will be awarded in the fall.
- H. Red Lion Salvage - Update - Mrs. Gunnet advised that there was a posting on the message board that there was a fire on Easter. Mr. Allison checked with the owner and there was a controlled burn to which the fire company responded. The fire was put out because he was burning items that are prohibited to be burnt.

It was noted that the original fire was on July 13, 2017. Mr. Allison stated that they have contracted with Gordon L. Brown & Associates but they have been unable to obtain information from PennDEP. An Industrial Stormwater Permit has been applied for. The York County Conservation District has also been contacted and an erosion and sedimentation plan approved. Mrs. Shovlin advised that a representative from Gordon Brown's office should contact Kevin Eck at Representative Saylor's office so that they can push PennDEP to provide answers on how to proceed.

Mr. Allison noted that the York County Conservation District was onsite in February and did not find any contaminants at that time.

- I. Valley Meadows - Update on completion of improvements and authorization to collect on letters of credit - Mrs. Gunnet advised that a letter had been sent to Mr. Adams giving until April 30th to make base repairs to the street and pave it and also to repair the sewer main. She stated that the sewer main has been repaired but nothing has been done with the street. She commented that she tried to call Mr. Adams regarding this matter but she was unable to leave a message and he has not returned her call. Mrs. Gunnet advised that there are two letter of credits which total \$107,630.80. Mr. Klinedinst recommended collecting on both of them. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved to collect on both letter of credits for Valley Meadows. Motion carried. Three votes yes.

Mr. Trout noted that a punch list was completed in 2016 and there were damages to inlets. Another walk through will need to be done. Mr. Klinedinst advised that he will certify that the work was not completed.

- J. Appointment of Deputy Tax Collector - Mrs. Gunnet advised that since Mrs. Heindel is starting a new term, a Deputy Tax Collector will need to be appointed. Mrs. Heindel is recommending Elizabeth Adcock who is the tax collector at Hellam Township. Mr. Sechrist questioned why she is choosing someone that does not live in the Township. Mrs. Gunnet advised that she uses the same collection program. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board appointed Elizabeth Adcock as the Deputy Tax Collector. Motion carried. Three votes yes.
- K. Republic Services - Community Center donation - Mrs. Gunnet advised that the last installment from Republic Services toward the Community Center has been received. A total of \$850,000 was donated by Republic Services. She stated that she will send a thank you letter.
- L. Stormwater Maintenance Agreement - Tae Hwan Song - 1247 Delta Road - Mr. Allison advised that Mr. Song is building a new home on his property and a stormwater plan was required due to the amount of impervious area being added. The Operation and Maintenance Agreement has been signed and must be approved by the Board. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Stormwater Agreement for Tae Hwan Song.. Motion carried. Three votes yes.
- M. Stormwater Management Ordinance - Jared & Amanda Lighty - Racetrack Road - Waiver to allow the stormwater management facilities within the building setback - Mr. Allison advised that Mr. Kraft has reviewed the Stormwater Plan for Jared and Amanda Lighty and is recommending approval of a waiver to allow for the stormwater management facilities to be located within the building setback. It was noted that this is a flag lot. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board granted a waiver of Section 306.R of the Windsor Township Stormwater Management Ordinance. Motion carried. Three votes yes.
- N. Mr. Heffner advised that the meeting scheduled for May 7, 2018 will be cancelled.

O. Mr. Heffner advised that an Executive Session will be held after the meeting to discuss contract negotiations.

13. Unfinished Business:

A. York County Quick Response Team - Request for funds - Mrs. Shovlin advised that Officer Schollenberger is resigning from the from the QTR but another officer will be added to the technical side. She suggested a donation of \$1,000 this year and \$500 in future years. Mrs. Gunnet noted that this amount is not budgeted. After discussion, it was the consensus of the Board to donate \$500.

14. Mr. Sechrist advised that it has been brought to his attention that the School District is looking to work with the Township and the Windsor Area Recreation Commission to install three batting cages in the former Stoltzfus building at the Spring Valley site. He stated that this property was purchased for recreation purposes and he would like to pursue this endeavor. Mr. Heffner commented that the recycling bins that are being stored in the building could be kept elsewhere.

Mr. Trout questioned if it would be the entire building. Mr. Sechrist advised that it would be. Mr. Trout stated that this building only has 100 amp service and no heat. Mrs. Gunnet questioned if it would need to be insulated. Mr. Sechrist stated that there are details that need to be worked but he would like to move forward with this opportunity. It was noted that the school district will help with financing.

15. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. Jennifer Browne, 330 Kormit Drive, advised that she has a daycare at her residence and she is licensed. She questioned what the Township's stance is with changing regulations to match those of the State. The Board stated that they are agreeable to changing the regulations.

Mrs. Shovlin questioned if it was difficult for her to get her license. Ms. Browne stated that the regulations are not unreasonable but in home daycares are treated more like a commercial center. She added that there are separate regulations for a family daycare. She noted that it is more difficult to get a license in Maryland. She commented that she is also a military provider which adds additional requirements.

Mr. Allison advised that she has a family daycare which limits her to three children per day so she is meeting both the Township and State regulations. Ms. Browne commented that she does not think that the State regulation should be changed.

Attorney Rausch questioned how churches are regulated. Mr. Allison stated that they are likely looked at as a commercial facility.

Mr. Allison stated that the Township needs to review the Special Exception regulations. Ms. Browne noted that a fence is required as part of the Special Exception and this is an expense for her. Attorney Rausch commented that the Township will need to evaluate the commercial use in a residential zone

and how intensive it could be. Mr. Allison noted that there have been complaints filed recently about two other in home daycares in the Township. More research will be done.

16. Supervisors Comments – Mr. Heffner asked if the Board had any comments.

Mrs. Shovlin questioned when street sweeping will begin. Mr. Trout advised that they started in the north end of the Township the week of April 9th.

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 contract negotiations at 8:00 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

April 16, 2018

Damon McDowell  
Jennifer Browne  
Chris & Wendy Telewicz  
Gretchen Yost  
Scott Gingrich  
Chad Arnold  
Sherry Arnold  
Chris Kraft  
Todd Sindlinger  
Officer Miller

250 Wimbledon Way  
330 Kormit Drive Red Lion PA  
100 Ava Drive Red Lion PA  
2490 Freysville Road Red Lion PA  
Felton Volunteer Fire Company  
Felton Volunteer Fire Company  
Felton Volunteer Fire Company  
C.S. Davidson, Inc.  
  
York Area Regional Police Department