

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
July 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 Dean Heffner, the minutes from the June 18, 2018 meeting were approved. Motion carried. Two votes yes. Mr. Sechrist 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 letters from Susquehanna Area Senior Center, Kaltreider-Benfer Library and Golden Connections thanking the Board for the donations to their organizations.
 - C. Mrs. Gunnet advised that the Township has received notification from Comcast informing that there will be changes to video services and package equipment.
5. Windsor Township Fire & Rescue Association – Jim Pritchard, Windsor Fire Company, was present. He advised that Mrs. Gunnet has the Second Quarter Report from the Association. There were 190 total calls.
 - A. The next Fire Chiefs meeting will be held on Thursday, August 23rd at 7:00 p.m. at Windsor Fire Company. Mr. Pritchard questioned if Mrs. Shovlin was able to schedule for someone from the Auditor General's office to attend. Mrs. Shovlin advised that she has not heard back from them yet but continue to keep this as a tentative date.
 - B. Fire Hydrant coding - Mr. Pritchard advised that there is a standard coding procedure based on the amount of gallons that can be pumped from a fire hydrant. He explained that the cap and barrel of the hydrant are painted a specific color based on the amount. Mr. Heffner questioned if you have to test to determine the amount of gallons. Mr. Pritchard advised that the Red Lion Municipal Authority already has this information. It was noted that this could be an Eagle Scout project but there is specific paint that must be used. Mr. Sechrist questioned if the responding Chief determines which hydrant to pull from. Mr. Pritchard stated that it is the Chief or the person in charge if he is not present. He added that they have

the information in their GIS program but this would be useful to visually see and to help any out of the area companies that may respond.

- C. Mrs. Gunnet advised that the Red Lion Fire Company Relief Association is working on corrections to the audit findings. She stated that the Township does not have a scheduled donation to them until September. She commented that the Association was hopeful to have everything corrected by next month.
 - D. Act 172 of 2016 - Volunteer Firefighter Tax Credit - Mrs. Gunnet advised that the Board has been provided with a summary of the law from DCED. The firefighter must be a member in good standing which is determined by the individual fire company as to the percentage of calls that they must respond to. She stated that the individual would continue to pay their taxes. After payment, the Township would verify that they meet the criteria to be eligible and a refund would be issued. Mrs. Gunnet advised that the Township would need to determine the refund amount. She commented that if 20% of real estate was to be refunded, she estimates that it would be an average of \$35. She stated that there is an option to go through the York Adams Tax Bureau and set a flat amount. This would only apply to firefighters who live in the Township and volunteer for a company that the Township has a contract with. A Resolution and Ordinance would be required.
 - E. Mr. Pritchard expressed his concern that properties are not marked with their address. Mrs. Gunnet stated that she will put an article in the newsletter about this.
 - F. Mr. Pritchard informed that the Yorkana fire company has voted not to pursue a merger.
6. York Area Regional Police Department – Chief Damon was present. He reviewed the mid year summary. He reported that Part 1 crimes are lower than this time last year but Part 2 crimes are higher. Calls, accidents and citations are predicted to be higher in 2018, but arrests lower. There have been 12 overdoses so far in 2018.

Mrs. Gunnet commented that on the last report there were 8 PFA calls. She stated that she thought this was high. Chief Damon reported that there were 88 in the first half of the year plus other domestic calls that are categorized differently.

Mr. Sechrist questioned if there are many accidents at the Windsor and Delta Road intersection. Chief Damon advised that he would have to pull reports to answer the question but added that it is difficult to pull out from Windsor Road.

Mrs. Gunnet advised that the Board has received a copy of the latest revision of York Township's Fireworks Ordinance. Chief Damon stated that he has not seen this version. He reported that there are properties that are affected by the 150' setback but the law is not clear as far as time, debris and landing areas. Mr. Heffner commented that he does not know how an Ordinance

could be enforced. Mrs. Gunnet advised that Mr. Allison was copied on an email that was sent to Representative Saylor from a resident. Mr. Allison stated that Representative Saylor had responded that the legislation would need to be revisited and so that an Ordinance could be enacted that is enforceable. Chief Damon commented that since the fireworks regulations are part of a Tax Ordinance and not the crimes code, he is not sure how this effects enforcement by a police department.

- A. The monthly report is available for review.
- B. Mrs. Gunnet advised that she submitted Earl Hinton's name to the York Area Regional Police Commission for the vacancy on the Civil Service Commission.
- C. Collective Bargaining Agreement - Update - Mrs. Shovlin advised that the Police Department will be signing the Agreement. It will be for 4 years.

7. Plan for Discussion:

- A. HOWARD/SNOOK PROPERTIES WEST – Preliminary Subdivision Plan #120817 by James R. Holley and Assoc., Inc., 292 lots along East Prospect Rd, Stonewood Rd., Freysville Rd. and Mountain Rd
 - 1. Rt.124/Freysville Rd. - Traffic signal/Four way stop/Roundabout
 - 2. Delay of installation of traffic signal
 - 3. Waiver of Windsor Township Sanitary Sewer Ordinance – Section 2.11 – Reservation of Capacity
 - 4. Waiver of Windsor Township Recreational Fee Ordinance

Attorney Stacey MacNeal advised that Mike Nazmack, Keith Howard and Jon Seitz are also present this evening. Attorney MacNeal advised that that the owner and developer would like to move forward with the development planning and the issue of the traffic controls at the Freysville Road/East Prospect Road intersection needs to be addressed. She stated that this development will consist of 285 single family dwellings. They will be designed with two bedrooms and promoted as a 55+ community but they will not be pursuing a legal restriction for the age requirement.

Attorney MacNeal advised that the Traffic Impact Study was completed based on 350 total units and a traditional development. This would double the proposed trips as compared to a 55+ community. She stated that the developer is proposing a 4 way stop at the Freysville/East Prospect Road intersection as this would satisfy the requirement.

Jon Seitz, TRG, Inc., advised that this intersection has more east/westbound traffic during the day but has more north/southbound peak AM and PM trips. He provided the Board with a chart detailing existing and projected 2030 traffic volume. He explained that the amount of

delay determines the service level. He stated this intersection is 87% straight through traffic and that would help with travel time as two cars can pass at the same time.

Attorney MacNeal stated that the Township's Capital Improvement Plan recommended a 4 way stop and this is ideally suited as it can be installed immediately. She commented that there was concern expressed for the safety but she feels this option is safe and adequate. She added that a roundabout had been suggested and she feels there is a challenge due to the truck traffic, grading and amount of right-of-way that would need to be obtained.

Attorney Rausch questioned what the level of service would be if a roundabout would be installed. Mr. Seitz advised that this is not on the table but it would be a favorable design and PennDOT is in favor of the use of roundabouts. He stated that it would be difficult to install in this location due to the grading.

Mr. Allison clarified that the Capital Improvements Plan states that the 4 way stop would be used as a temporary measure prior to the installation of a full intersection.

Mr. Seitz advised that the study takes into account a full buildout but this is a phased development. Mr. Allison questioned if it takes into account the East development. Mr. Seitz stated that it does. Mrs. Gunnet questioned the number of phases. They are proposing 12 phases so that the bonding and security is manageable.

Attorney MacNeal stated that her clients are ready to move forward with the development and feel that the 4 way stop meets the Township's requirements. She noted that they will be paying traffic impact fees and those funds can be used to upgrade the intersection to a roundabout or traffic signal if desired.

Mrs. Gunnet questioned if a roundabout can be oblong shaped. Mr. Seitz stated that it can but would likely be a circle in this situation as the streets intersect at 90 degrees. However, he has not done full planning for a roundabout. Mrs. Shovlin advised that the Township is waiting to hear from PennDOT on their opinion on a roundabout in this area.

Attorney MacNeal commented that since this is a phased development, there will be minimal impact at first. She added that the process for obtaining right-of-ways would take months just to compile information and her client would like to move forward. Mr. Allison advised that they do not have an NPDES Permit at this time. Attorney MacNeal stated that they should have it soon. Mr. Allison informed that the Township has not received a current set of plans that details the phasing.

Mr. Allison noted that the owner received a letter dated June 21, 2018 that gave the Township's position. Attorney MacNeal advised the letter does not state that the 4 way stop does not meet the Ordinance requirements. She added that they are looking for approval

from the Board stating that a 4 way stop meets Township Ordinances so they can move forward with PennDOT.

Mr. Klinedinst stated that the Township was concerned about the truck traffic going to the landfill. Mr. Seitz stated that they ran outside the heaviest traffic time for commuters. The truck traffic would occur within the 6:00 a.m. hour.

Attorney Rausch questioned why they are looking for approval for a 4 way stop. Attorney MacNeal explained that PennDOT will not issue a Highway Occupancy Permit to allow them to make a connection onto East Prospect Road without a traffic control measure installed at the Freysville/East Prospect Road intersection. She stated that they are willing to discuss other methods for future controls but want to move forward with the development.

Vera Miller questioned if the traffic study could be revised to start at 6:00 a.m. Mr. Seitz explained that the traffic study is based on the busiest times. He noted that a traffic count was done during the 6:00 a.m. hour.

Mrs. Gunnet advised that she is concerned that the Township will end up having to install a traffic signal at this intersection. Mr. Klinedinst asked what the plan would be if the 4 way intersection does not work. Attorney MacNeal stated that a new study could be done after a few phases are in. Mrs. Shovlin questioned what leverage the Township has to make a change to the measure at a later time. Attorney MacNeal stated that an agreement could be put in place that an updated study be required after a specific number of homes are built. Mike Nazmack commented that they plan to build 4 units per month.

Mr. Allison advised that he feels that the Township needs to further review the Ordinance to make sure that it does meet the requirements. He added that at this time, the Township does not even have an updated preliminary plan to review. He stated that he does not feel comfortable providing a letter that a four way stop is compliant at this time. Mrs. Gunnet questioned if the Township is liable if there is an accident at this intersection if we choose to delay it. Attorney Rausch advised that he does not believe so.

Mrs. Shovlin directed the Township Engineer to review the Traffic Study and Ordinances to make sure that a 4 way stop meets the regulations.

The other items on the agenda were not discussed.

8. Solicitor:

- A. TAYLOR ESTATES, PHASE II, SECTION A - Agreement for Completion of Improvements - Expiration date of July 31, 2018 - Attorney Rausch advised that the latest update from Gemcraft Homes stated that they are actively working at the site and it will take

several weeks to complete. Two of the lots have been sold. Mr. Allison advised that they have applied for two Building Permits but have not picked them up yet. He stated that a note can be added to the permits noting that a Certificate of Occupancy will not be issued until all improvements have been completed.

9. Township Engineer:

- A. Windsor Manor Pump Station Phase-Out - Status Report #10 - Mr. Klinedinst advised that the Board has received a copy of Status Report #10.
- B. Security Reduction - Laurel Vistas - Mr. Klinedinst advised that he is recommending a security reduction for Laurel Vistas in the amount of \$16,963.79. He stated that this does not reduce the retainage amount. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the security reduction based on the recommendation of the Township Engineer. Motion carried. Three votes yes.
- C. 2017 Pump Station Improvements - Mr. Klinedinst advised that he is recommending approval of Payment Application #1 in the amount of \$137,005.88 which is on the bills list. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the payment. Motion carried. Three votes yes.
- D. Milner Heights Detention Basin - Payment Application #1 - \$39,866.75 & Change Order #1 - \$0 - Time Extension - Mr. Klinedinst advised that he is recommending approval of Payment Application #1 in the amount of \$39,866.75 which is on the bills list. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the payment. Motion carried. Three votes yes.

Mr. Klinedinst advised the contractor is also requesting a time extension to complete the work. On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved Change Order #1 for a time extension. Motion carried. Three votes yes.

10. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for July. There were no questions.
- B. Sale of Generators - Bid results - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board awarded the sales to the high bidders. Motion carried. Three votes yes. Mr. Trout added that there are more to sell.

- C. Mr. Trout reported that the Beaverson pump station was bypassed and sewage is able to run gravity to Springettsbury Township today.

11. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for June. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for June. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for June. There were no questions.
- D. Due to the summer meeting schedule, there will be no meeting on August 6, 2018.
- E. Date for work session - Kensington ballfield - Mrs. Gunnet questioned if the Board would like to set a date to discuss the location of a ballfield that is required for the Kensington development approval. She stated they did not request a meeting at this time but will eventually want plan approval. It was the consensus of the Board to not set a date at this time.
- F. Fire Hydrant - N. Camp Street/Manor Road - \$3,000 - Mrs. Gunnet advised that the Red Lion Municipal Authority would like to relocate the fire hydrant at the intersection of N. Camp Street and Manor Road to the other side of the intersection. She stated that there are no funds budgeted for this project. Red Lion Municipal Authority has agreed to pay the fee for the piping which is approximately \$3,500 if the Township will pay for the purchase of the hydrant which will be approximately \$3,000. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the purchase of the fire hydrant for the relocation. Motion carried. Three votes yes.
- G. Mr. Heffner advised that the Board has received a copy of the first half 2018 Building Permit Summary. The permits issued are similar to 2017.
- H. Windsor/Ness Road left turn lane - Temporary Construction Easement Agreement with Jeffrey & Sharon Miller - Mrs. Gunnet advised that a temporary construction easement is required on the Miller's property at 960 Windsor Road. The amount due to them is \$260. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the agreement and payment with Jeffrey and Sharon Miller. Motion carried. Three votes yes.
- I. Fall Newsletter - Mrs. Gunnet advised that she is working on the fall newsletter and asked the Board if there were any topics that they would like to have included. The Board asked

her to add an article on the Fire Tax, fireworks and recycling. She stated that she will also have articles on the late fee for sewer billing as well as the posting of house numbers.

- J. Recycling program - Mrs. Gunnet advised with the change in the recycling program, the amount of trash will increase, causing the solid waste fee to go up as well. The amount of the recycling performance grant that the Township receives will decrease.

12. Unfinished Business:

- A. VALLEY MEADOWS - Collect on letters of credit - Mr. Trout advised that Fitz and Smith has completed all of the work except the paving. Mrs. Gunnet stated that they will not meet the September 1st deadline. Mr. Trout suggested that the developer pay the Township for the amount that would be received from Liquid Fuels and the Township would then maintain the street.
- B. Noise regulations - Mr. Allison advised that he will ask other Zoning Officers at the next countywide association meeting if they have any regulations regarding noise. He stated that he did speak with the Zoning Officer at York Township and they have less regulations than the Township. Mr. Heffner commented that he knows it would be hard to enforce.
- C. Fireworks regulations - Discussed under 6.

13. 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.

14. 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.

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

16. The meeting of the Windsor Township Board of Supervisors adjourned at 8:36 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

July 16, 2018

Vera Miller

Mike Nazmack

Stacey MacNeal

Jon Seitz

Kathy Kerchner

Keith Howard

Chief Tim Damon

James Pritchard

4904 Libhart Mill Road York PA

345 E. Market Street York PA

2 E. Market Street York PA

3067 E. Prospect Road York PA

165 Country By Way York PA

York Area Regional Police Dept.

Laurel Fire Company