

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
May 20, 2019

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, Kathy Kerchner, Attorney Charles Rausch, Christopher Kraft, P.E., 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 Kathy Kerchner seconded by Dean Heffner, the minutes from the April 15, 2019 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 Pennsylvania Association of Building Code Officials requesting the Township's support to defeat HB349 which requires municipalities to contract with two or more third party inspection agencies for enforcement of the PA UCC. She informed that the Township contracts with only one inspection agency. Attorney Rausch questioned what the drive would be to allow for multiple agencies. Mrs. Gunnet commented that it is likely the option to choose and cost. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved Resolution #2019R-05-02 to support the defeat of HB349. Motion carried. Two votes yes.
- C. Mrs. Gunnet advised that she has received a copy of an email from Borough of West Easton requesting support for changes to be made to the Open Records Act. She stated that overall the Township has not received many cumbersome requests. However, there were recently two requests that were very time consuming. She stated that she spent about five hours with one requestor reviewing documents. Another request was received from an Attorney from King of Prussia asking for copies of all sewer permits from 2000 to present. They are allowing for a listing of those who paid for a permit as an alternative. Mrs. Gunnet estimated that there would be over 1,000 permits. Mr. Allison added that both he and Mrs. Gunnet contacted the attorney's office to try to get additional information as to what they were looking for but they would not provide any details. Mrs. Kerchner questioned if the Township has a record retention policy. Mrs. Gunnet advised that we do, but have not purged sewer permits. Mrs. Kerchner suggested doing so.

Attorney Rausch commented that it sounds like the request from Borough of West Easton is the result of a grieved resident. He stated that there is no way to define harassment with these requests. After discussion, it was the consensus of the Board to table this request.

5. Windsor Township Fire & Rescue Association – Jim Pritchard and Scott Gingerich were present. Mr. Pritchard stated that the Board should have a copy of the first quarter report. He asked if there was an update on the worker’s compensation and whether the Township could serve as the host for the merger. Attorney Rausch advised that he still needs to look into this matter.
 - A. Mr. Heffner advised that the next Fire Chief’s meeting will be held on Thursday, June 27, 2019 at 7:00 p.m. at Yoe Fire Company.
 - B. Merger Update & Questions – Mr. Pritchard advised that the by-laws and a general operations policy have been drafted. They will be reviewed at their next meeting. He stated that he is hopeful by the third quarter of this year, a decision will be made as to whether the merger will happen. Mr. Heffner commented that the discussions seem to be going well. Mr. Pritchard stated that it is better received now that there are written documents to review.
 - C. Scholarship applications due May 30th – Mrs. Gunnet advised that she has received two applications so far. She was informed that there should be two more submitted by the deadline.
6. York Area Regional Police Department – Chief Damon was present. He commented that he understands the frustration with the right-to-know law especially since there is no compensation for the time preparing the information. He stated that on May 14th their records went live so they are now able to be viewed online.

Chief Damon advised that the Department was mentioned in the New York Times for their use of the facial recognition software. He stated that a person recently updated their driver’s license and he was tracked back to a crime.

Chief Damon reported that Don Hopple has been hired as a County Fire Investigator with the District Attorney’s Office. He commented that this should help with the issues with fire investigations and the local fire companies.

- A. The monthly report is available for review.
- B. Support of changes to Act 111 – Chief Damon reported that Act 111 is 50 years old and addresses binding arbitration for police and fire companies. He stated that he is in favor of changes being made to the Act. Mrs. Gunnet questioned if the Board is interested in sending a letter supporting changes. It was the consensus of the Board to send a letter.

Mrs. Kerchner stated that she feels a letter should also be sent addressing the Bill regarding state police funding.

- C. Body cameras – Chief Damon advised that there is a grant available now to increase the allotment of body cameras or start a program. He stated that the Department is going to pursue the grant. He commented that they had partnered with York City the last time. By going through a grant, this will eliminate administration fees.
- D. Requests: Mow property every other year & Spray landscaping for weeds – Mrs. Gunnet advised that she has received a request from York Township asking if the Township would be willing to mow the York Area Regional Police Department’s property every other year and spray the landscaping for weeds. She commented that this would require the Township to trailer mowers to the property. Currently York Township mows the property when they mow their park. She stated that they also requested that the Township handle snow removal at the property but she informed them that we will not. Chief Damon informed that before York Township took over maintenance, the Department had spent \$7,000 to \$10,000 per year for mowing. Mrs. Kerchner questioned if mowing fees are included in the current budget. Chief Damon advised that mowing is not included but the spraying of the grass by a lawn company is included. Mrs. Kerchner questioned how large the property is. Mr. Allison stated that it is 4.89 acres.

Mrs. Gunnet commented that she is not sure if Mr. Diehl’s pesticide spraying license allows him to go outside of the Township. The Board was agreeable to Mr. Diehl spraying the property if permitted by his license. Mrs. Gunnet noted that if the Township does the spraying of the landscaping for weeds, York Township will do the mulching.

Mrs. Kerchner questioned the reasoning behind this request. Mrs. Gunnet did not know. Mrs. Kerchner stated that she would contact one of their commissioners to obtain more information.

Mr. Trout suggested contacting the Sheriff’s Office. He stated that they have inmates do community service work and perhaps through this program, they could maintain the property.

- 7. Kylee Barshinger – Music Wall at Windsor Wonderland – Mrs. Gunnet advised that the Board has information on the Music Wall. She stated that it will be 6’ to 8’ tall. After discussion, it was the consensus of the Board to not allow for the Music Wall as it is not safety approved playground equipment.
- 8. Solicitor:
 - A. Gemcraft Homes – Taylor Estates, Phase 2 detention pond – April 30, 2019 deadline – Attorney Rausch advised that he had contact with Brian Fromme on April 25th in which he was informed that the basin work would not be completed. The houses on lots 6 and 7 have been completed and they are working with the York County Conservation District. Mr. Allison advised that he spoke with the job foreman today and he stated that they do not have a timeframe on when the work will be completed. He stated that they will need more dirt. Mr.

Kraft noted that they did clear and grub the pond. Attorney Rausch advised that he would like to see the property and will contact Mr. Allison to set up a time to meet onsite.

9. Township Engineer:

- A. Windsor Manor Pump Station Phase-Out – Update – Mr. Kraft advised that all agreements are in place with the exception of Mr. Breyer’s which needs signed. The preconstruction meeting will be held next week. He stated that they are approximately two months out to start the job but if they order the materials now, they should be delivered so the project can begin around the end of July. Mrs. Gunnet advised that she will contact the property owners to let them know of the anticipated start time.
- B. Community Center – Update – Mr. Kraft advised that a kickoff meeting was held on May 7th. The Board had received a copy of the agenda from the meeting and the minutes were given to them this evening. The Environmental Study is ongoing and there have been no major findings so far. This study is a requirement of the RACP grant. Mr. Heffner commented that Representative Saylor is optimistic that the Township will receive \$3 million.

10. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for May. There were no questions.
- B. Sale of Shoulder Paver/Road Widener – Mrs. Gunnet advised that the Board has a copy of the bid results from Municibid. The high bid was in the amount of \$3,300 from a person in New Hampshire. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board awarded the bid to the high bidder. Motion carried. Two votes yes.
- C. Sale of 2004 Ford F250 Crew Cab – Mrs. Gunnet advised that the Board has a copy of the bid results from Municibid. The high bid was in the amount of \$3,000 from Brooke Shoffner. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board awarded the bid to the high bidder. Motion carried. Two votes yes.
- D. Public Sale of generators, pumps, etc. – Update – Mrs. Gunnet reported that all of the items were sold and the Township made \$19,353 after all the auction fees were paid.
- E. VALLEY MEADOWS – Completion of streets – Expired May 20, 2019 – Mr. Trout advised that he was contacted today and was informed that work will begin this week and should be completed by May 30th.
- F. Revised Job Description – Highway & Sewer Department – Semi-Skilled – Mrs. Gunnet advised that the Board has received a copy of the revised job description. The description

includes that the employee has three attempts to pass the Uniform Construction Code testing. Mrs. Kerchner questioned if it requires that the employee have a tanker license. Mrs. Gunnet noted that it is not a requirement of this position. The Board approved the job description.

- G. Oil & Chip Bid – Results – Mrs. Gunnet advised that the bid results are attached to the Board’s agendas. There was only one bid which was from Martin Paving, Inc. It was noted that the bid amount was close to the budgeted amount and this company has been used in the past. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.
- H. Resolution #2019R-05-01 – Resolution #2019R-05-01 – Emergency Declaration – Meadow Road bridge repairs – Mrs. Gunnet advised that last fall, the Township received a report from HRG, Inc., the County’s bridge inspector, informing that the bridge decking will need to be replaced on the Meadow Road Bridge. She stated that at the end of March another report was received requiring that the weight limit be reduced from 13 tons to 5 tons. She noted that a fire truck will exceed this limit. C.S. Davidson is recommending declaring an emergency to help speed up the permitting process. Lower Windsor Township has also approved a Resolution for the Emergency Declaration subject to the Township also approving it. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved Resolution #2019R-05-01. Motion carried. Two votes yes.
- I. Mr. Trout advised that he placed an order for bleachers at Workinger Field. He commented that he was able to get a really good deal within budget through BSN, a company that WARC uses. He added that concrete pads will be poured under them.

11. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for April. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for April. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for April. There were no questions.
- D. Mrs. Gunnet advised that an Electronics Recycling collection was held on Saturday, April 27th. Although successful, not as much electronics were dropped off as in previous collections.
- E. Mr. Heffner advised that the meeting scheduled for June 3, 2019 will be cancelled.

- F. Windsor Area Recreation Commission – Update – Mrs. Kerchner advised that she does not have an update for this meeting.
- G. Mrs. Gunnet advised that Community Volunteer Day at Freysville Park was held on Saturday, May 18th. There were members from the Red Lion Football team and a few residents present.
- H. Possible amendment to Fee Schedule – Amendment of a Building Permit – Resolution #2019R-05-04 – Mrs. Gunnet advised that the Board received a copy of an email from Mr. Allison requesting a fee to amend a Building Permit. Mr. Allison commented that it seems lately that many residents are indecisive on what they plan to do when they obtain a Building Permit and then change their plans. He noted that there are too many items to address or review on permits and amending a permit can be equal to or more time consuming as issuing the original permit. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved Resolution #2019R-05-04 to amend the Fee Schedule to add a \$25 fee to amend a Building Permit. Motion carried. Two votes yes.
- I. Approval to purchase – Recycling carts with lids and wheels & Rectangular recycling bins – Mrs. Gunnet advised that she has received a quote from Schafer Systems for recycle totes and from Bush Systems for recycle bins. She stated that each toter costs \$1.50 more than when they were originally purchased. She stated that the costs for the bins is cheaper when purchased in a higher quantity. The Board agreed to purchase 2,000 bins.
- Mrs. Kerchner questioned if the Township still charges for the recycling totes. Mrs. Gunnet advised that the Township charges \$25.00 plus tax. The cost per bin is \$34.00. Currently the purchase of a second bin is \$5.00 plus tax. The cost per bin is \$11.54. After discussion, it was the consensus of the Board to raise the cost for a bin to \$10.00.
- J. Security Reduction from Escrow Account – Rosebrook II – Lot 6 - \$3,600 – Mrs. Gunnet advised that a house has been built and all improvements have been completed on Lot 6 in Rosebrook II. Money had been held in an Escrow account and can now be released. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the release in full. Motion carried. Two votes yes.
- K. Adoption of Ordinance #2019-05-01 – Soliciting and Peddling Ordinance amendment – Mrs. Gunnet advised that the Ordinance has been changed to address meat selling vendors and emergency services fundraisers. The Ordinance has been advertised for adoption. On the motion of Dean Heffner seconded by Kathy Kerchner, Ordinance #2019-05-01 was adopted. Motion carried. Two votes yes.
- L. Adoption of Ordinance #2019-05-02 – On-Lot Septic System Management Ordinance – Mrs. Gunnet advised that the Ordinance has been advertised for adoption. On the motion of Kathy

Kerchner seconded by Dean Heffner, Ordinance #2019-05-02 was adopted. Motion carried. Two votes yes.

- M. Shredding Event – Possible date – November 9 – Mrs. Gunnet advised that a shredding event was budgeted. The cost has increased to \$400 per hour. It had originally been discussed to hold the event for three hours but that will put it over budget. She stated that November 9th is available. There was discussion on whether to hold it at the Township Office or at the Public Works Building. After discussion it was the consensus of the Board to hold the event at the Township Office on November 9th for three hours.
- N. 2003 Suzuki – Mrs. Gunnet advised that when Teresa Miller was driving the vehicle last week, it made a loud noise and started pulling. It was taken on a roll back to Baker’s Service Center. The cross frame is rusted through and will not pass inspection. It has 72,000 miles. She suggested selling it on Municibid and passing the Escape to the Zoning Department and purchasing a four wheel drive vehicle for Mr. Trout. She commented that there are not funds budgeted but they are available in the Vehicle & Equipment Fund. The Board directed Mr. Trout to look into options for a new vehicle.

12. Unfinished Business:

- A. Possible amendment to Zoning Ordinance – Wedding & Event Venues – The topic was tabled.
- B. Possible amendment to Zoning Ordinance – Creation of an agricultural lot – The topic was tabled.
- C. Replacement of playground equipment – Mrs. Gunnet advised that the Board has received additional information on the replacement of the playground equipment. Mr. Heffner commented that the ground work will need to be completed first. Mr. Kraft stated that an underdrain system may be installed. Mr. Trout noted that once the area is regraded the water will sheet flow.

Mrs. Gunnet advised that the cost for the equipment is approximately \$249,000. This does not include any stand alone equipment, surface, equipment removal or stormwater improvements. In order to proceed with the grant process, the equipment and surface need to be decided. There was discussion on the options for the surface. It was noted that if the drainage issue is corrected, the mulch should not decompose. The concern was expressed that the rubber mulch could have metal in it. The poured in place surface is low maintenance but would cost more.

Mrs. Kerchner commented that the current equipment has lasted a long time. She asked if money has been set back over the years for replacement when needed. Mrs. Gunnet stated that specific funds were not designated but there is over \$50,000 in the Recreation Fund. There are funds in both the Solid Waste Fund and Capital Reserve Fund that can be used as well. She

explained that the Solid Waste Fund generates between \$600,000 and \$700,000 each year in interest. Mrs. Kerchner commented that since this would be a matching grant, the Township should take advantage of the free money. Mrs. Gunnet noted that the grant would also pay for half of the stormwater controls. She added that donations could also be requested and she would contact Republic Services.

The Board agreed that they preferred the poured in place surface. Mr. Heffner questioned where the Township could dispose of the existing mulch. Mrs. Gunnet stated that she is hopeful that Modern Landfill will take it for daily cover.

The Board discussed the cost for the improvements, surface and stormwater and came to the consensus to budget \$400,000 for the entire project with half to be covered by the grant.

13. Public Comment – Mr. Heffner asked if there were any public comments and 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 Mrs. Kercher if she had any comments. She thanked C.S. Davidson for the invitation to the Revolution game. Mr. Heffner did not have any comments.
15. On the motion of Kathy Kerchner seconded by Dean Heffner, the bills were approved. Motion carried. Two votes yes.
16. The meeting of the Windsor Township Board of Supervisors adjourned at 7:38 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
May 20, 2019

Chief Tim Damon
Scott Gingerich
Jim Pritchard

York Area Regional Police Dept.
Felton Fire Company
Laurel Fire Company