

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

June 17, 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, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, 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 May 20, 2019 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 an email from Kim Moyer, the developer for Deerfield Crossing, requesting adoption of the streets in the development. She informed that this development is a cul-de-sac street and there are three lots that are not built on. She commented that once the street is completed, notes would be put on the Building Permits for the remaining lots regarding damages to the road. Mr. Allison noted that one of the lots accesses Pleasant Grove Road. He added that the detention basin will need to be converted and he advised Mr. Moyer to contact the York County Conservation District regarding this matter. It was the consensus of the Board to allow Mr. Moyer to proceed with the process for street adoption provided that approval is granted by the YCCD for the pond conversion.
  - C. Mrs. Gunnet advised that she has received a letter from Specialty Finance & Consulting Corporation providing notice pursuant to Worker Adjustment and Retraining Notification Act. She explained that Specialty Industries and NuPak Printing are being sold around July 15, 2019. She stated that the employees are considered an asset and are being laid off. The new company has the option to rehire them. Mr. Sechrist questioned if the company will remain in business. Mrs. Gunnet stated that they will.
  - D. Mrs. Gunnet advised that she has received several thank you letters from children that participated in the Envirothon thanking the Township for their financial support.
  - E. Mrs. Gunnet advised that she has received notice from Comcast informing that there will be channel lineup changes and also changes to the Xfinity packages in regards to Cinemax.

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.
  - A. Mr. Pritchard 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. He commented that he will be requesting that the fire departments provide their reports in a more timely manner.
  - B. Scholarship applications due May 30<sup>th</sup> – Mrs. Gunnet advised that two of the three applications that were received meet all of the requirements and therefore the scholarships are being awarded to Zachariah Silar and Caroline Pritchard. She stated that she will contact them and hopefully they can be present in July to formally award them at the Board meeting.
  - C. Merger – Update & Host municipality – Mr. Pritchard advised that a meeting was held last week. The by-laws were reviewed at the meeting and feedback was given. The policies will be written and reviewed at a future meeting. He noted that they are running about a month behind their anticipated timeline.

Mrs. Gunnet advised that Attorney Rausch researched as to whether the Township could be a host municipality. She stated that based on the definition of host municipality, we could not because the fire company is not located within the Township. Mr. Pritchard questioned if this could change if the fire company paid for their own worker's comp insurance. Mrs. Gunnet suggested he contact the attorney that they have contracted with for the merger.

- D. Mr. Heffner noted that the rough surface treatment was applied on Windsor Road at North Blacksmith Road and between Valley Road and John Norris Boulevard.
6. York Area Regional Police Department – Chief Damon was present. He advised that they are still working on the conversion to their new record keeping program. He reviewed the monthly report and noted there was a robbery today on Bahn's Mill Road where a person stopped to help a stranded motorist and then proceeded to rob them.

Mrs. Gunnet stated that there is a homeless man living out of his vehicle at the park. She commented that other than having his dog outside of the vehicle he is not doing anything wrong by being there during the day. She noted that Officer Dibble was there today to speak with him. Mrs. Kerchner added that a police officer had also spoken with him over the weekend.

- A. The monthly report is available for review.
- B. Spraying/Mowing at Police Station – This was not discussed.

7. Solicitor:

- A. Gemcraft Homes – Taylor Estates, Phase 2 detention pond – Attorney Rausch advised that he met onsite with Kipp to view the project. He recommended to not issue the Certificate of Occupancy on the remaining homes until the work has been completed and approved. Mr. Allison noted that there is an end wall that is failing and they have been informed. Mr. Heffner questioned if the Township is holding enough money to complete the work. Mr. Allison commented that it would be close now that this failure has been discovered. Mr. Trout questioned if we should be in contact with the bonding company again. Attorney Rausch advised that he would contact them.

8. Township Engineer:

- A. Windsor Manor Pump Station Phase-Out – Update – Mr. Klinedinst advised that a preconstruction meeting was held on May 30<sup>th</sup>. Construction is slated to begin at the end of July.
- B. Community Center – Update – Mr. Kraft advised that master plan meeting #2 was held. There are minor changes required based on the environmental study. He recommended that these items be addressed now versus during construction. The Board agreed. Mr. Klinedinst added that the traffic study was completed while school was still in session.
- C. Surety reduction – Wisehaven Condominiums – Mr. Klinedinst advised that he has received a request for surety reduction for Wisehaven Condominiums and is recommending a release of \$44,850 to leave a balance of \$109,795.05 with the condition that the developer provide a letter to the homeowners association documenting the deficiencies in the paving of the street. He informed that the street was paved prior to the Township doing the walk through and creating a punch list. Mr. Klinedinst advised that he will review the letter as he wants the homeowners to be aware since this is a private development. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the security reduction for Wisehaven Condominiums with the condition that an acknowledgement letter is approved as recommended by the Township Engineer. Motion carried. Three votes yes.
- D. Kensington, Phase 2A – Sanitary sewer cost sharing – Mr. Klinedinst advised that there are several houses on Dietz Road that currently do not have access to public sewer. Our 537 Plan lists this area as a future project. The extension of sewer for the Kensington development would provide access in that area. However, the line would need to be installed deeper than what is needed for the development in order to accommodate for the houses on Dietz Road. The Township is requesting that the developer install the line deeper and they would like to discuss cost sharing.

Bill Briegel advised that they have received recommendation for approval from the Planning Commission and they are working to address all comments before they come before the Board. He stated that in order to accommodate the Township's request to install the sewer main deeper, it is being proposed to be 20' deep. Mr. Kraft stated that the length of the line will be approximately 240'. Attorney Rausch questioned how deep the line needs to be for the development. Mr. Briegel estimated is at 8' to 10' deep.

Mr. Klinedinst stated that the two items that need to be determined are what is the cost and how to pay the developer. He asked if the project has been bid yet. Mr. Briegel stated that it has not and he can have it bid both ways. Then the difference can be determined. Mr. Sechrist questioned how many properties will be able to connect to this line. Mr. Klinedinst stated that there will be eight. Mr. Heffner questioned if properties on Ness Rod will connect. Mr. Kraft stated that there will be laterals for some but that is not part of this project. Mr. Klinedinst asked Attorney Rausch if bidding limits would apply to this. Attorney Rausch advised that since the major part of the project is for the developer, they would not. Mr. Briegel stated that the unknown will be if they hit rock. He added that they will need to close Ness Road so a detour plan will need to be put in place.

Mr. Briegel stated that they would like to begin work this summer on the long cross country run. Attorney Rausch questioned if this work is done within the right-of-way. Mr. Briegel stated that the line will be run within easements that have been obtained and will connect to the stub street in Rosebrook. Mrs. Gunnet questioned if they have preliminary plan approval. Mr. Kraft advised that they are doing a preliminary/final plan. Mr. Klinedinst stated that they have an approved design for the sewer main and it will be inspected. Mr. Briegel stated that they will post financial security but all of the easements are located on private land. Attorney Rausch commented that if the line is to be turned over to the Township, Agreements will be required.

Mr. Briegel stated that he is aware that the PennDOT permit has been issued for the Ness/Windsor Road intersection. Mrs. Gunnet commented that she was recently contacted by the Red Lion Area School District asking for a timeframe for the improvements. Mr. Briegel stated that the project has been bid but he does not have a start date. Mr. Trout expressed his concern about doing this work at the same time as the sewer line. Mr. Briegel stated that he would likely be completed with the intersection improvements before he gets to the sewer improvements at Ness Road.

Mr. Allison questioned when they would start the sewer work. Mr. Briegel stated that it would be within a couple weeks. Mr. Allison stated that the next Board meeting is July 15<sup>th</sup> so an Agreement would be needed by then. Mr. Briegel stated that he would get the information that is needed to the Township for review.

9. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for June. There were no questions.
- B. VALLEY MEADOWS – Completion of streets – Expired May 20, 2019 – Mr. Trout advised that the street has been paved. The centerline description needs to be completed. Mrs. Gunnet stated that she met with John Adams and he is planning to have everything completed so that the street can be adopted at the August meeting.
- C. Mr. Trout advised that the replacement of the soffit at the small garage at the Bahn's Mill Road facility was included in the budget and a quote has been received in the amount of \$3,500. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved for the work to be completed. Motion carried. Three votes yes.
- D. Approval to purchase vehicle – Mr. Trout advised that the Board has information on a 2020 Ford Explorer and a 2019 Ford F150 four door truck. He stated that the rebate on the truck is much more than on the SUV and he would prefer the truck. Mr. Sechrist questioned what color the truck would be. Mr. Trout stated that silver was the color quoted. Yellow paint is an upcharge and there is limited supply in this color. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the purchase of the Ford F150. Motion carried. Three votes yes. The truck will be paid from the Vehicle and Equipment Fund.
- E. Meadow Road bridge repairs – Mr. Trout advised that a letter was received from PennDEP regarding the Emergency Declaration for the Meadow Road bridge repairs. He stated that there were specifications for the repair of an endwall included but the reported failure only deals with the decking. He stated that they will remove the secondary repairs and a separate permit will be applied for to address this. This will allow the decking replacement to move forward.

10. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for May. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for May. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for May. There were no questions.
- D. Mr. Heffner advised that the meeting scheduled for July 1, 2019 will be cancelled.

- E. Windsor Area Recreation Commission – Update – Mrs. Kerchner advised that WARC is requesting that Commission member Steve Coble attend future Community Center meetings. The Board was agreeable to this.
- F. Update on Right-to-Know request and destruction of Building Permits, Certificates of Occupancy, Sewer Permits and On-lot Septic System records – Mrs. Gunnet advised that she contacted the right-to-know requester for the sewer permits from 2000 to present and told her they were available for review. They questioned how many there would be and were informed that it would be approximately 1,000 to 1,200. She stated that she has not heard back from them.

Mrs. Gunnet advised that she reviewed the record retention policy regarding different items and found that Sewer Permits must be retained for 5 years after the Certificate of Occupancy is issued, Certificate of Occupancies must be kept permanently and Septic Permits must be kept until the property is connected to public sewer. Mr. Allison stated that the only items that could be destroyed would be the sewer permits. Mrs. Gunnet commented that recently the sewer department was reviewing old permits for information and they would prefer to keep them.

- G. Windsor/Ness Road left turn lane – Update – Discussed under 8D
- H. Shred-It Event – Mr. Heffner advised that the shredding event has been confirmed for Saturday, November 9, 2019 from 9:00 a.m. to Noon at the Township Office. Mrs. Gunnet asked if the Board wanted to set a limit on the amount that a resident could bring. After discussion, the Board determined that there would be a limit equivalent to two paper boxes.

#### 11. Unfinished Business:

- A. Possible amendment to Zoning Ordinance – Wedding & Event Venues – Mr. Allison advised that CGA Law Firm prepared an amendment regarding wedding and event venues and he and Attorney Rausch have reviewed it and provided comments. He added that the Board has also received the information and comments. Mr. Allison stated that he would prefer to see this use as a Special Exception rather than a Conditional Use. Attorney Rausch commented that these types of uses are becoming more popular in the Agricultural Zone but it is a commercial use and items such as noise, parking, traffic and sewage need to be considered. He added that any changes that are made will apply to all properties in the Agricultural zone.

Mrs. Kerchner questioned if by requiring the owner to reside at the property is a way to lessen the commercial aspect. Attorney Rausch commented that similar ordinances in other municipalities are set up this way to help control the use.

Scott Brady advised that he owns the property on Felton Road that he would like to have this type of use but lives on a different property nearby. He stated that this was the comment that he was most concerned with. He added that he would like to rent the house out with the event as a place to prepare. He questioned if the Board would consider requiring the owner to be a resident of the Township but not necessarily reside there. Mr. Sechrist questioned if he currently rents the house. Mr. Brady stated that he has a tenant in the house and the farm land is rented as well.

Jolene Brady commented that there are farmers who own multiple farms and this could impact them as well. She added that in their case, they would still continue to farm a large portion of the property.

Mr. Heffner questioned who would police these events. Mr. Brady stated that they would have someone present to help with parking and cleanup. Mr. Allison advised that criteria would need to be set for the Special Exception and the applicant would have to address all the items in their application. Mrs. Kerchner questioned if the Township would have to approve the use if they can meet all of the criteria. Mr. Allison stated that they would. Mr. Allison asked Attorney Rausch if you can revoke a Special Exception if it is not in compliance. Attorney Rausch stated that it could not be revoked but a violation letter could be issued.

Mrs. Gunnet questioned if portable toilets would be considered an acceptable method for sewage control. Mr. Allison advised that it would be or an on lot system could be installed. Sewage planning would need to be addressed with each application. Monitoring, maintenance and oversight of events would also need to be considered.

Mr. Allison commented that he understands that the Bradys are interested in keeping the use low key but another owner may choose to have many events in one weekend. He added that this type of use would need to remain an accessory use.

Additional information will be provided for the next meeting.

- B. Possible amendment to Zoning Ordinance – Creation of an agricultural lot – Mr. Allison advised that a recent zoning case had an impact on the interpretation of the Zoning Ordinance regarding lot sizes in the Agricultural Zone. He questioned if the Board is interested in rewriting the Ordinance to disallow large lots. In the past, it had been the intent to preserve large agricultural lots by limiting lot sizes. He noted that the sliding scale is still in effect. Discussion ensued regarding the creation of a 10 acre lot for residential or agricultural use. Mr. Allison advised that changes will need to be made to the Ordinance regardless of the Board's position. It was the consensus of the Board to allow for 10 acre or more lots to be subdivided.

- C. Replacement of playground equipment – Mrs. Gunnet advised that the Board had received a copy of the quote from River Valley and the quote from MRC was provided before the meeting. She stated that they are very close in cost. The thicker surface from MRC has a 24 to 30 year life expectancy with no maintenance and the surface from River Valley is expected to last 8 to 10 years and needs to be sealed every 3 to 5 years.

Mrs. Gunnet advised that the tall playground structure is 12' high. A sky run zip track stand alone structure cost \$11,000. She questioned if the Board is interested in adding stand alone equipment. She noted that the current estimate is \$310,000 but does not include site preparation. She commented that she contacted Modern Landfill regarding the existing mulch and they are unable to use it as daily cover but will allow the Township to deposit it at no charge in the leaf storage area. All of the metal pieces can be scrapped and the plastic will be taken to Modern Landfill. It was noted that if the Township makes the stormwater improvements, the top level would be the base for the playground and this would need to be coordinated. Mr. Heffner questioned what would be done with the pickets. It was suggested to offer them back to the people who had purchased them. The designs will continue to be worked on, costs for additional stand alone equipment will be obtained and a quote for the removal of the equipment by the installed will be requested.

12. 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.
13. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mr. Sechrist nor Mrs. Kerchner had any comments. Mr. Heffner did not have any comments either.
14. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the bills were approved. Motion carried. Three votes yes.
15. The meeting of the Windsor Township Board of Supervisors adjourned at 7:46 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

June 17, 2019

Christopher Kraft  
Scott & Jolene Brady  
Bill Briegel  
Cindy Mann  
James Pritchard  
Scott Gingerich  
Chief Tim Damon

C.S. Davidson, Inc.  
250 Zion Church Road Red Lion PA  
Keystone Custom Homes  
4000 Mt. Pisgah Road York PA  
Windsor Township Fire & Rescue  
Windsor Township Fire & Rescue  
York Area Regional Police Dept.