

WINDSOR TOWNSHIP BOARD OF SUPERVISORS  
September 16, 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 Rodney Sechrist seconded by Kathy Kerchner, the minutes from the August 19, 2019 meeting were approved. Motion carried. Three 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 notice from Comcast informing that the Turner Classic Movies channel will move to the sports entertainment package.
  - C. Mrs. Gunnet advised that she has received a letter from the Pennsylvania Department of Military & Veterans Affairs. They received an application from David Sims who lives at 1205 Nugent Way, York, requesting exoneration from the real estate tax. Mr. Simms is totally and permanently disabled from his service. They are recommending approval of the request. Mrs. Gunnet advised that if approved, Mr. Sims would be exempt from real estate taxes and the fire tax. He would need to make the request to the County and school district to be exempt from their taxes. It was the consensus of the Board to exonerate Mr. Sims from real estate taxes.
  - D. Mrs. Gunnet advised that she has a copy of the Laurel Volunteer Firemen's Relief Association audit from the Department of the Auditor General. The audit covered the period of January 1, 2017 to December 31, 2018. There were no findings.
  - E. Mrs. Gunnet advised that she has received an email from Diane Distefano from Brittany Court expressing her opposition to cell towers that promote 5G technology. She noted that the Township has been working with Dan Cohen to adopt regulations on small towers. She commented that this looks like a form letter.
5. Windsor Township Fire & Rescue Association – Jim Pritchard was present. He stated that the fire companies recently completed a training session with the York Area regional Police Department on active shooters.

Mr. Pritchard announced that they will be having a presentation at the Windsor Commons Shopping Center to Celebrate Fire Prevention Week on Saturday, October 5<sup>th</sup> from 10:00 a.m. to 2:00 p.m.

- A. Mr. Pritchard advised that the next Fire Chief's meeting will be held on Thursday, October 24, 2019 at 7:00 p.m. at Yorkana Fire Company.

Mr. Pritchard asked Mrs. Gunnet if she had received information on box alarms that he had requested. She stated that she did. Mr. Pritchard stated that they will be reviewing how the apparatus is dispatched so that better response can be provided for calls. He commented that currently the box alarms list two pieces of equipment from a station. They would like to change it to one piece from two different stations because it is likely the second piece of equipment will fail due to lack of manpower.

- B. Merger – Update – Mr. Pritchard advised that the by-laws were accepted. Half of the policies were presented and a meeting will be held in October to discuss the rest. He is hopeful that a vote will take place in November and if all departments vote yes, the merger will occur in the second quarter of 2020.

- 6. York Area Regional Police Department – No one was present.

- A. The monthly report is available for review.

- 7. C.J. Weigle – Kaltrieder-Benfer Library – Clair Weigle reported that in 2018 over 325,000 items were checked out or sessions logged. He commented that if these items were to be purchased, it is estimated to cost \$856,000. The library held over 280 events that were attended by more than 7,000 people. He noted that 50% of Township residents have a library card. Mr. Weigle stated that they are planning an addition to the library which will be approximately 4,000 square foot. Grants have been applied for and received in the amount of approximately \$1.2 million. He stated that it will be a flexible floor plan. He thanked the Board for their continued support of the library.

Mrs. Gunnet questioned when the expansion is scheduled to begin. Mr. Weigle stated that construction should begin in about one year. Mr. Heffner questioned where the addition would be located. Mr. Weigle advised that the library owns the basketball courts and it would be in that area.

- 8. Kasie Ream – Golden Connections Community Center – Kasie Ream advised that she is the Director of Social Services for Golden Connections Community Center. She provided the Board with information and gave a presentation that focused on the history of aging services in the United States and how it has evolved over time. She stated that the Red Lion Senior Center opened their doors in 1974 at St. Paul's United Methodist Church. In 1982 they moved to the multi-purpose room at Gotham Place and then purchased the rest of the building in 2008. In July of 2016 the Red Lion Senior Center changed its name to Golden Connections Community Center as a way to encourage

membership and this has occurred. She commented that they have outgrown their facility and are looking to expand or build a new center.

Mrs. Gunnet questioned if they have found a property to build on. Ms. Ream stated that they have not. She added that the plans to build on the former Red Lion Country Club site fell through because an endangered turtle was discovered there and it was not financially feasible to pursue due to the environmental requirements.

Ms. Ream thanked the Board for their continued support.

9. Solicitor:

A. Gemcraft Homes – Taylor Estates, Phase 2 detention pond – John Murphy P.E., Brian Fromme, Jon Juffe and Attorney Jeffrey Scherr were present. Mr. Murphy reported that he has been working with Gemcraft Homes on the completion of the detention basin. He noted that the three homes are all under contract. He stated that he is aware that there were some missteps on their part but they are looking for relief from the Township to obtain the Certificate of Occupancies so they can settle on the homes.

Mr. Murphy advised that the Township has sufficient bonding in place to complete the work. He stated that they had C.S. Davidson to the site to ensure this. He noted that they have been working on the pond and the structures have now been delivered and need to be installed.

Mr. Allison advised that the purpose of this situation is to have the basin completed. He stated that notes were put on each Building Permit specifically stating that the Certificate of Occupancy would not be issued until the basin was done.

Mr. Fromme commented that they were here a year and a half ago and much work has been completed but it has taken longer than anticipated. He explained that once it rains, the pond fills and then work cannot take place. He stated that he thought the work could be completed in two months but this was not possible.

Attorney Rausch acknowledged a letter that was dated September 12, 2019 that was sent by Attorney Scherr. He noted that the letter stated that it could take months to complete the work. He questioned, aside from seeding, what work still needs to be finished. Mr. Trout advised that there is an end wall that needs to be poured in place, an outlet structure and a low flow channel that need to be installed. He added that there have been plenty of days with good weather in which they could have been working but were not. Mr. Murphy stated that they have to coordinate with their contractors.

Mr. Allison noted that the Township has already adopted the streets. If the Township releases the Certificate of Occupancies, there is no pressure or incentive to complete the basin. Attorney

Scherr commented that calling the bonds is pressure as this has a negative impact on Gemcraft. Attorney Rausch reported that the bonds have already been called. The Township has extended the agreement with Gemcraft and the bonding company. In addition, the Certificate of Occupancy had been issued for the first house that was completed.

Mr. Klinedinst advised that the outlet structure could be installed and plated. Mr. Joffe stated that they met with Eric Jordan from the York County Conservation District today and he will not allow them to convert the pond yet. Mr. Allison stated that Mr. Jordan cannot prevent them from installing the structure.

Mrs. Kerchner advised that in May there were three houses completed and the Township allowed for the one Certificate of Occupancy to be released. She questioned why the Township should release the others now when the basin work has not been completed. Mr. Murphy stated that they have made good progress since then. Mr. Heffner advised that he wants the basin to be completed before the release. Mrs. Kerchner agreed. Mr. Murphy asked if they could obtain temporary occupancy permits. Mr. Allison stated that the Township does not issue temporary permits. He asked the Board if they would be agreeable to him issuing the Certificate of Occupancies once Mr. Klinedinst approves the work rather than waiting to come back before the Board at a future meeting. The Board agreed to this.

Mr. Joffe commented that the Township did have insufficient funds to complete the work but this has been rectified. He stated that it should be a simple conversion now. Mr. Klinedinst stated that he does not disagree but there is a difference between a stormwater basin and a sediment basin.

Mrs. Kerchner commented that this issue has been ongoing for several months. It is the responsibility of Gemraft Homes to determine how to get the work completed and then the Occupancy permits will be issued. Mr. Joffe questioned what "done" means. Mr. Klinedinst stated that if all of the structures are in place and the area is seeded and the basin is converted, then it is complete.

Attorney Rausch advised that in 2016, the remaining work was under bonded. The Township agreed to not increasing the bond if the work was completed within one year. An Agreement was then signed in 2017. He stated that this has always been about completing the work.

It was agreed on by all parties that a meeting would be held on site as soon as possible to review the remaining improvements and how to proceed.

#### 10. Township Engineer:

- A. Windsor Manor Pump Station Phase-Out – Update – Mr. Klinedinst advised that they are still waiting on the bankruptcy to have the easement approved. He noted that the contractor has been

willing to work with the Township but a Change Order will be required in regards to the timeframe. The contractor can submit a payment request for the materials that were purchased.

- B. Community Center – Update – Mr. Klinedinst advised that the next meeting will be held on September 18<sup>th</sup>.

Mrs. Gunnet advised that she was contacted by York Excavating Company stating that they would be willing to donate up to \$10,000 in services. Mr. Heffner stated that the silo bases need to be removed. Mr. Klinedinst stated that the septic tanks would also need to be found and removed. Mrs. Gunnet commented that Attorney Rausch was concerned about liability issues at the site. Mr. Klinedinst suggested having them issue a Certificate of Insurance form. Attorney Rausch added that it should be determined what \$10,000 covers before starting the job. It was the consensus of the Board to accept the donation and to have the project quoted before beginning to ensure it does not exceed \$10,000.

- C. Security Reductions: Wisheaven Condominiums (Rosegate Manor) & Laurel Vistas – Phase I – Mr. Klinedinst advised that they did not receive an official reduction request letter for Rosegate Manor so he is recommending denial of the request. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board denied the security request for Wisheaven Condominiums (Rosegate Manor) based on the recommendation of the Township Engineer. Motion carried. Three votes yes.

Mr. Klinedinst advised that he received a security request for Laurel Vistas – Phase I in the amount of \$83,554.79 which would leave a remaining balance to \$263,966.35. He stated that he is recommending the reduction. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the security reduction for Laurel Vistas – Phase I based on the recommendation of the Township Engineer. Motion carried. Three votes yes.

#### 11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for September. There were no questions.
- B. 2018 – 2019 Snow Plow Equipment Contract – 1 year extension – Mrs. Gunnet advised that when the current contract was awarded in 2017, it allowed for two (2), one (1) year extensions. She stated that the contract was extended in 2018. All Seasons Lawn & Landscape has agreed to maintain the same rates for the 2019-2020 winter and have agreed to the contract extension. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the Snow Plow Equipment Contract extension with All Seasons Lawn & Landscape for the 2019-2020 season. Motion carried. Three votes yes.

- C. 2019 – 2020 Propane Bid Results – Mrs. Gunnet advised that the bid results are attached to the Board’s agenda. The low bidder is Aero Energy at a rate of \$1.109 which is \$0.32 cheaper than last winter. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board awarded the bid to the low bidder, Aero Energy. Motion carried. Three votes yes.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for August. There were no questions.
- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for August. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for August. There were no questions.
- D. Mr. Heffner advised that the meeting scheduled for October 7, 2019 will be cancelled.
- E. Windsor Area Recreation Commission – Update – Mrs. Kerchner advised that WARC is proposing a 1% increase for 2020. She stated that the driveways at the Yorkana field and the Bingo Hall have ruts. They are asking if the Township could stone over the areas to fill the potholes. It was the consensus of the Board to stone these areas. Mrs. Gunnet questioned if the owners of the Bingo Hall ever contacted Chris regarding a contract for the fields. Mrs. Kerchner stated that he did not.
- F. Shred-It Event – Mr. Heffner advised that a shredding event will be held on Saturday, November 9, 2019 from 9:00 a.m. to 12:00 p.m. at the Township Office. The event will be for Township residents only and there will be a limit equivalent to two paper boxes.
- G. Electronics Recycling – Mr. Heffner advised that an electronics recycling event will be held at the Public Works Building on Saturday, October 5 from 9:00 a.m. to 12:00 p.m. Mrs. Gunnet added that the Boy Scouts will be there to assist.
- H. 2020 Minimum Municipal Obligation – Non-Uniform Pension Plan & Police Pension Plan – Mrs. Gunnet advised that every September she is required to present the next year’s MMO to the Board. No action is required. She stated that the Police Pension is \$0 because there are no active officers. Attorney Rausch questioned who pays for the Police Department’s pension plan. Mrs. Gunnet stated that since they are all York Area Regional Police Officers, it is handled by them.

Mrs. Gunnet advised that the Non-Uniform Pension Plan will be increasing \$1,660. The Township receives State Aid to offset the municipal bill. She advised that she projects the

Township's share to be between \$30,000 to \$35,000. She commented that although the amount for 2020 is increasing, there is potential that the State Aid amount may increase as well.

- I. Morgan Stanley – Update – Mrs. Gunnet advised that she was concerned that her Treasurer's bond would not cover the amounts in the accounts while the transition occurred to transfer funds from Morgan Stanley to Peoples Wealth Advisors. However, with the exception of one, all of the funds were electronically transferred to Peoples Wealth Advisors on September 13<sup>th</sup>.
- J. Milner Heights detention pond – Update – Mr. Allison advised that at the last meeting the Board approved a Change Order for significant modifications. He stated that he is recommending that the approval be rescinded. He commented that he believes the remaining funds may cover the work that needs to be completed but he is waiting to hear back from the contractor. He added that fees outside of the grant are split in half with the Red Lion Municipal Authority and they were not in favor of the change order. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board rescinded the Change Order. Motion carried. Three votes yes.
- K. Resolution #2019R-09-01 – Revision to Act 537 Plan – Stephen Douglas subdivision plan – Mrs. Gunnet explained that the Act 537 Plan is the method required by PennDEP to verifying how sewage disposal is managed within the Township. She advised that because there is currently no method of sewage disposal on the lots proposed by the Stephen Douglas subdivision, the Act 537 Plan must be amended. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved Resolution #2019R-09-01. Motion carried. Three votes yes.

Mr. Heffner questioned where the sewage would flow to from the Burger King under construction at Chapel Church Road. Mrs. Gunnet advised that it flows out the back of the property to the development.

Mrs. Kerchner questioned if the lady that threatened the Township paid her sewer bill. Mrs. Gunnet stated that she did with the credit card. She added that she does not know the status of the charges.

### 13. Unfinished Business:

- A. Replacement of playground equipment – Mrs. Gunnet advised that the Board has received an updated quote for the project. She presented two colored renditions for the playground with different colored schemes. She stated that the options are green and blue or yellow and orange. It was the consensus of the Board to go with the yellow and orange option. Mrs. Gunnet noted that the design will need to be posted for review due to this project possibly being done with grant funds.

Mrs. Gunnet added that Security Fence has provided a quote of \$8,500 for a chain link fence to replace the picket fence.

The intention is to submit for the grant in April 2020.

14. 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.
15. 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 either.
16. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the bills were approved. Motion carried. Three votes yes.
17. The meeting of the Windsor Township Board of Supervisors adjourned at 7:36 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary



CITIZENS PRESENT  
September 16, 2019

Christopher Kraft  
John Murphy, P.E.  
Jon Juffe  
Brian Fromme  
Attorney Jeffrey Scherr  
James Pritchard  
Clair Weigle  
Kasie Ream

C.S. Davidson, Inc.  
115 Limekiln Road New Cumberland PA  
Gemcraft Homes  
Gemcraft Homes  
Kramon & Graham, P.A.  
Laurel Fire Company  
152 Overview Circle East Red Lion PA  
Golden Connections 20 Gotham Pl. Red Lion PA