

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
March 16, 2020

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, 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 Rodney Sechrist, the minutes from the February 17, 2020 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 an invitation from Yoe Fire Company & York Regional Emergency Medical Services, Inc. to their Appreciation Banquet which will be held on Saturday, April 18, 2020 at Rescue Fire Company. She asked the Board to let her know if they would be attending so she can RSVP.
 - C. Mrs. Gunnet advised that she has received a letter from the York County Planning Commission regarding the Safety Project Evaluation that was completed at the Freysville intersection. She explained that a study is performed five years after a traffic signal is installed. She commented that there have been more accidents at the intersection since the signal has been installed. It was recommended by the YCPC for the Township to contact PennDOT to see if a supplemental traffic study could be done to determine if other measures are warranted. Mrs. Gunnet advised that she contacted the YCPC to see what this could mean and they stated that it could be the installation of "No turn on red" signage. Mrs. Kerchner questioned if the increase in traffic over the 5 year period is taken into consideration. Mrs. Gunnet stated that she did not know. Chief Damon reported that some of the accidents are due to cars running red lights. He commented that he feels there is a need for arrows for the turning lanes.
 - D. Mrs. Gunnet advised that she has received a letter from the Pennsylvania House of Representatives informing that after the 2020 Census is completed the State legislative districts will be revised.
 - E. Mrs. Gunnet advised that she has received the 2019 York County Real Estate Market Report from the Realtors Association of York & Adams Counties. The Board has received a copy of the statistics for Windsor Township. She stated that the full report is available for review.

- F. Mrs. Gunnet advised that she has received notice from Comcast informing that they will be moving the Cartoon Network to the digital preferred package effective May 5, 2020.
5. York Area Regional Police Department – Chief Damon was present.
- A. The monthly report is available for review.
 - B. Chief Damon reviewed the 2019 Annual Report. He advised that department wide in comparison to 2018, Part 1 and 2 crimes, burglaries, motor vehicle theft, overall theft, accidents, DUI arrests and emergency calls decreased. Robberies and retail theft have increased. Within Windsor Township, Part 1 crimes decreased but Part 2 crimes increased. Chief Damon reported that there were 115 DUI arrests department wide and 56 included narcotic use. He noted that there has been an increase in methamphetamines.

Chief Damon advised that there were two officers that were promoted in 2019. He noted that their pool for hiring is smaller because of the civil service requirement. He added they are looking to remove it.

Chief Damon informed that 3 new vehicles were purchased in 2019. He stated that the house bill dealing with the use of radar has been removed. He commented that he is unsure how the fees that would be charged to all municipalities for the Pennsylvania State Police will be handled.

Chief Damon advised that in response to the COVID-19 virus, the department is limiting public access into their building and cleaning the vehicles more thoroughly.

- C. Mowing – Mrs. Gunnet advised that she has received a quote from All Seasons Lawn & Landscaping for mowing at the police station. She stated that Chief Damon had also received some quotes. Chief Damon advised that he has received another quote that is lower but he needs to clarify what is included.

Mr. Heffner questioned if the department is going to purchase a lawn mower. Chief Damon stated that they are not. It has also been determined that there are ethical issues with children of the officers mowing the property and they will not be pursuing this option.

It was the consensus of the Board for Chief Damon and Mrs. Gunnet to review the quotes and select the contractor.

- D. Proposed amendment to Charter Agreement – Civil Service – Mrs. Gunnet advised that Attorney Hovis has prepared information to remove the civil service language from the Charter Agreement. Chief Damon noted that he is in favor of having it removed. It was the consensus of the Board to prepare an amendment.

- E. Governor Wolfe's 2020-2021 Budget – Pennsylvania State Police fees – Chief Damon expressed his concern on how and where the funds will be going. He commented that he understands why the PSP wants to receive funding. He added that YARP uses them for accident reenactment and their labs but it is not on a daily basis.
6. Windsor Township Fire & Rescue Association – Scott Gingrich was present. He advised that they are cancelling all of their events due to the coronavirus. He stated that they are planning to have a work detail at the roof simulator on March 29th.
- A. The next Fire Chiefs meeting will be held on Thursday, April 23, 2020 at 7:00 p.m. at Dallastown Fire Company.
 - B. Mrs. Gunnet stated that a merger meeting between Dallastown and Yoe Fire Companies is to be held on Friday, March 20th at noon at Dallastown Fire Company. However, with all of the mandates due to COVID-19, the meeting may not be held.
 - C. Mrs. Gunnet advised that she has received a request from Laurel Fire Company for a waiver of the Peddler License fee for the photography fundraiser that they will be doing. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board granted the waiver of the solicitation fee. Motion carried. Three votes yes.
- Mr. Allison asked how much profit is made from this type of fundraiser. Mr. Gingrich stated that he did not know but added that Felton Fire Company had tried to do this in the past and had issues.
- D. Mr. Sechrist questioned how the new County 911 Director is doing. Mr. Gingrich stated that he seems to be doing a good job and is responsive.
 - E. Mr. Gingrich noted that some issues have taken place regarding the 911 CADD not dispatching calls and equipment as proposed. He is working with the 911 system to correct.
7. Attorney Aaron Marines – Behalf of Rose Gate Manor Condominiums Association – Drainage issue – Mrs. Gunnet advised that Attorney Marines had requested that this item be tabled until the April meeting.
8. Jeff Brubaker – Group home in Locust Grove Gardens – Jeff and Deb Brubaker were present. Mr. Brubaker advised that he has worked in a direct support position in the behavioral health field. He noted that there is a group home located at 818 Beaverton Drive which is beside his property in Locust Grove Gardens. He stated that based on his experience in the behavioral health field, he does not believe this property is in compliance with the definition of a Group Home as presented in the Zoning Ordinance. A copy of a job description for a Direct Support Professional for this location and the definition of Group Home had been provided to the Board.

Mr. Brubaker explained that there is only 1 individual who resides at the group home. He is being treated for psychiatric conditions. He advised that he is handled by more than one person. When he is taken from the home, there are typically 3 people with him. Mr. Brubaker advised that the definition states that a group home shall not involve the housing or treatment of persons who could reasonably be considered a threat to the physical safety of others. He stated that he feels that this person is a threat to the community. The job description indicates that it could be a dangerous environment because the individual can be violent and may need to be physically restrained multiple times within a shift. He commented that there are many older people who live near this property that could not handle him if he were to escape the home. He stated that he feels this individual should be housed in an institution or with family.

Mr. Allison advised that the property is owned by Life's New Beginnings. He has had correspondence with them. They have taken all necessary steps to receive their state certifications and ensure they are meeting all regulations knowing that the resident has psychological issues. Their license is up to date. Mr. Allison advised that he has not been contacted by any of the other neighbors.

Attorney Rausch advised that since this use has been approved by the Zoning Officer, they would need to appeal the decision of the Zoning Officer to the Zoning Hearing Board. They would determine if the use is in accordance with the Zoning Ordinance.

Mr. Sechrist questioned how long the group home has been there. Mr. Allison advised that it has been a little over a year.

Attorney Rausch stated that since it has been there for this amount of time they may need to look into the timeframe to appeal. Mr. Allison advised that he has not written a letter to Mr. & Mrs. Brubaker for them to appeal. Attorney Rausch reiterated that they would need to go before the Zoning Hearing Board.

Mr. Brubaker questioned who would be responsible if this individual would get out of the home. Attorney Rausch advised that it would be the responsibility of the people taking care of him.

9. Solicitor: Attorney Rausch advised that he did not have anything to report.

10. Township Engineer:

A. Windsor Manor Pump Station Phase-Out – Update & Change Order – Time extension – Mr. Kraft advised that as of last week there were no updates with the bankruptcy. He stated that he has prepared a Change Order for a time extension. This will extend the completion date from March 17th to October 30th. The contractor has advised that there will be an adjustment for material pricing. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the Change Order. Motion carried. Three votes yes.

- B. Community Center – RACP Program: Mid March, Estimated Schedule, Red Lion Area School District, Outdoor cooler: Jim Markey – Mrs. Gunnet advised that she spoke with Representative Saylor and he informed that the RACP will likely not open until the coronavirus is under control. She commented that due to this delay, there is not an estimated schedule. Mr. Kraft noted that the designs are complete.

Mrs. Gunnet advised that at the last WARC meeting, the Superintendent from the RLASD was present. He expressed his interest in having an agreement with the Township for use of the Community Center similar to the agreement that the Township has for school facilities. Mrs. Kerchner stated that they would like to make some kind of contribution to the Community Center but he did not know at this time if it would be monetary. They would like first rights to the facility after Township/WARC use. Mrs. Gunnet commented that they would likely use the facility directly after school dismisses for the day whereas WARC programs would use it later in the evening. The Board was agreeable to an agreement.

Mrs. Gunnet advised that she was contacted by Jim Markey asking if he could purchase the outdoor cooler that is at the Spring Valley property. She stated that when they went to look at it there was still food debris in it. Mr. Markey is offering \$200. It was the consensus of the Board to sell the outdoor cooler to Jim Markey in “as is” condition for \$200.

11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for March. There were no questions.
- B. PennDEP Recycling Grant – Chipper – Permit by Rule – Mrs. Gunnet advised that she attended the pre-application meeting in February. Since then she has been informed that because the Township is chipping the material, we will be considered a processor and will need to have a Permit by Rule. She stated that she has looked into the requirements to get a Permit by Rule and it is very complicated. She explained that engineered drawings will be required to locate the storage area and a drainage plan. She stated that she informed them that the material would be chipped directly into a truck but this was still needed. It was the consensus to not follow through with a Recycling Grant.
- C. Use of shadow vehicles when mowing – Mrs. Gunnet advised that it was the understanding of the Township that if a road had less than 10,000 daily trips, a shadow vehicle was not required and proper markings on the mower were sufficient. She stated that it was recently discovered at an LTAP class that anytime a mower is on the road a shadow vehicle is required. Mr. Trout commented that this requires twice the manpower to complete the mowing. It typically takes 2 to 3 weeks to complete the mowing and it is done 4 times per year. There was discussion on hiring a part time person as a shadow driver. Mr. Heffner

suggested reducing the mowing from 4 times per year to 3. There was also discussion on contacting the Sheriff's Office to see if this is something they could assist with.

- D. Chapel View Pump Station flows – Mrs. Gunnet advised that she spoke with York Township's Manager, Gary Milbrand, about the issue with the over billing for the flows from the Chapel View Pump Station. He asked that this discussion be postponed due to the rising issues with the coronavirus. Mrs. Gunnet noted that the billing was adjusted by 4.1 million gallons for the second quarter of 2019. She commented that if the Township would reduce the bills in half for all the years that were affected, she feels that would be a fair compromise. Mrs. Kerchner stated that if we know that the billing was correct in 2014, bills after that could be pulled for comparison. She advised that this needs to be figured out and she is agreeable to a reasonable compromise.
- E. Bid Results – Road Materials & Line Painting – Mrs. Gunnet advised that the bid results are attached to the Board's agenda. She stated that the low bidder for stone for pickup is County Line Quarry. The low bidder for stone for delivery is Kinsley Materials. She questioned if the bid could be split. She noted that County Line Quarry did not bid on all types of stone. Attorney Rausch advised that this would not be a good bid because the bid documents required all stone to be quoted.

Mrs. Gunnet advised the low bidder for blacktop is Highway Materials.

Mrs. Gunnet advised the low bidder for line painting is D.E. Gemmill.

On the motion of Dean Heffner seconded by Kathy Kerchner, the Board awarded the stone bid to Kinsley Materials, the blacktop bid to Highway Materials and the line painting bid to D.E. Gemmill. Motion carried. Three votes yes.

- F. Mr. Trout advised that the purchase of the Front Mount mower was included in his report. This will replace the Kubota. The existing snowblower will be used. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the purchase of the mower in the amount of \$32,381. Motion carried. Three votes yes.
- G. Mr. Heffner questioned if there is room left in the salt bin. Mr. Trout advised that the Township needed to purchase two loads in order to meet the minimum requirement and there is room for that. Mr. Heffner commented that if next winter is similar to this winter we will be overloaded. Mrs. Gunnet advised that there is an option to store offsite for a fee.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for February. There were no questions.

- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for February. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer's Report for February. There were no questions.
- D. Windsor Area Recreation Commission – Update – Mrs. Kerchner advised that following the closing of the Red Lion Area School District due to COVID-19, WARC has decided to follow the same procedure. Therefore, all spring sports have been postponed. She stated that Mr. Shaffer had just finished the design of his newsletter which will no longer be correct. She noted that she had advised him to not mail it and take the loss on the design cost. Mrs. Kerchner commented that there is the possibility that leagues may cancel and refunds will need to be issued. She added that it may be possible to do in house programs at later dates. She noted that the new website is working very well with online registrations. Mrs. Kerchner advised that Dr. Deisley was at their last meeting. He expressed his delight in working with Mr. Shaffer and had high regards for the work that he is doing.
- E. Mr. Heffner advised that the Board meeting scheduled for April 6, 2020 will be cancelled. Mrs. Gunnet questioned what would happen if the April 20th meeting would need to be cancelled. Attorney Rausch advised that there are other options for holding a meeting. Mrs. Kerchner commented that she read that municipalities should be aware that if meetings are streamed over the internet, people may then expect it all the time.
- F. Ordinance #2020-03-01 – Approval to renew Comcast Franchise Agreement – Mrs. Gunnet advised that the Ordinance has been prepared and advertised for adoption. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved Ordinance #2020-03-01. Motion carried. Three votes yes.
- G. Mr. Heffner advised that the next Electronics Recycling Collection will be held on Saturday, May 9th at the Public Works Building from 9:00 a.m. to 12:00 p.m.
- H. DCNR Grant – Rehabilitation of Windsor Wonderland: Resolution #2020R-03-01 – Authorizing Chairman to sign grant application & Public Comments – Mrs. Gunnet advised that she has completed a portion of the grant application. She asked if there were any public questions. There were none. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved Resolution #2020R-03-01. Motion carried. Three votes yes.
- I. Longstown Village meeting: Response from PennDOT turn restriction, Line painting & Overhead lights – Mrs. Gunnet advised that PennDOT has approved to restrict left hand turns from Windsor Road onto Cape Horn Road from 7:00 a.m. to 7:00 p.m. PennDOT will be responsible for posting signage. A copy of the letter has been sent to Longstown Village and Chief Damon.

Mrs. Gunnet advised that she spoke with an employee from PennDOT York and they will be line painting this area in mid April.

Mrs. Gunnet advised that currently the Township does not have any overhead lights. The residents of Longstown Village had requested lights at the Cape Horn/Windsor Road, Castle Pond Drive/Windsor Road and Hastings Boulevard/Windsor Road intersections. She noted that Hastings Boulevard is a private street. The Township would be responsible for all aspects of the lights, including installation and electric billing. It was the consensus of the Board that overhead lighting would not be installed.

Mrs. Gunnet noted that she has not heard back from a PennDOT representative yet regarding reflectors.

Mrs. Gunnet advised that the next meeting with the residents is scheduled for May 14th.

- J. Mrs. Gunnet advised that the Board has a report listing employee training in 2019.
- K. 2020-2021 Commercial Insurance Policy – Mrs. Gunnet advised that the Board has received information on the new insurance policy. She noted that the cost for worker’s compensation insurance is \$22,000 but a refund dividend of \$14,000 has been received for prior years.
- L. Coronavirus Preventative Measures – Mrs. Gunnet advised that the staff has been trying to follow the recommendations of the CDC. The employees have not been opening the windows from the office area into the hallway and just this afternoon, the office has been closed to the public. She noted that there is a drop box outside the front door for payments. In addition, a recycling toter has been placed outside the front door for larger packages. Mr. Heffner questioned if the outside door could be left unlocked but the inside door remain locked so that items could be left in the vestibule. Mr. Allison explained that the office has a positive air flow which pushes the air directly into the office area. He noted that today was a very busy day and if we are going to take preventative action, it must be done fully. Mrs. Gunnet added that the Township will not be terminating water service due to nonpayment of the sewer bill.

Mrs. Gunnet advised that all Pennsylvania schools have now closed for at least two weeks. Daycares are also closing. She questioned how the Board wants to address employees taking time off. She questioned if the Board is opposed to allow the use of sick time. She noted that there is a Bill in the House that deals with leave. Attorney Rausch advised that he reviewed it and it requires paid leave to be used first. After discussion, it was the consensus of the Board that they wanted to be flexible with time off for the employees during this pandemic. Sick time can be used for any reason without the requirement of a doctor notice and without penalty. Then vacation and comp time can be used. Any unpaid time after that will not be subject to penalty.

Mrs. Gunnet questioned if the Board is considering paying the employees for any time missed up to 40 hours. The Board stated that they are not. It was agreed that if an employee has vacation scheduled at a later point in the year but use all their time now, they will need to come before the Board for approval of any unpaid time.

Mrs. Gunnet advised that the Township was contacted by two different residents today requesting that the playground be sanitized. She stated that she had responded that it is not possible to keep it sanitized at all times.

- M. First Street – No Parking restrictions – Mr. Allison advised that a traffic study has been completed to restrict parking along First Street from Windsor Road to Schoolhouse Lane. He stated that it is warranted as the road does not meet the minimum required width. He noted that the road is different widths in this section. He informed that he also found letters from 1997 in which residents had requested that the street not be posted with no parking signs. He commented that this is a tough situation because the driveways are small. The issue with parking is in the area of Windsor Road. There is not enough space for a snow plow to turn onto the street when a vehicle is parked on the road. He advised that he spoke with the owner on the other corner of Windsor Road and First Street and he does not have an issue with no parking on the street. Mr. Allison suggested that it be posted with no parking from the alley at the school to Windsor Road. Mrs. Gunnet commented that a letter could be sent to the property owners asking for their cooperation. It was the consensus of the Board to restrict parking on First Street from Windsor Road to the alley for the Windsor Manor Elementary School.
- N. Proposed Zoning Ordinance amendments – Mr. Allison advised that the Board has received information on the proposed Zoning Ordinance amendments. He asked if they had any comments. There were none. He noted that all the changes correspond to questions and complaints that had been received about regulations. He stated that it will be sent to the York County Planning Commission for review. He noted that this is the fifth amendment of the Zoning Ordinance and believes it should be done as a rewrite. Attorney Rausch advised that the body of the ordinance can be changed to insert the amendments without doing a rewrite of the entire ordinance. He stated that there just needs to be a notation of the amendment number where the changes are made.
- O. Brayden Dehoff – Eagle Scout Project – Painting of fire hydrants – Mrs. Gunnet advised that she has been contacted by Brayden Dehoff requesting to paint fire hydrants for his Eagle Scout project. He will be painting the hydrants in Indian Springs, Kendale Heights and other side streets off Cape Horn Road in the area of Lombard Road.

13. Unfinished Business – There were no items to discuss.

14. Mr. Trout expressed his concern that the Township is not going to be able to get contractors to work in the Township during this pandemic. Mrs. Gunnet advised that Sewer Specialties is no longer allowed access into the Public Works Building so they will stop working.

Mrs. Gunnet advised that Mrs. Heindel has cancelled her sitting hours. All tax payments will need to be mailed or placed in the drop box.

15. 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 were no comments.

16. 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.

17. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.

18. The meeting of the Windsor Township Board of Supervisors adjourned at 8:14 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
March 16, 2020

Jeff Brubaker
Deb Brubaker
Chief Tim Damon
Scott Gingrich

828 Beaverton Drive York PA
828 Beaverton Drive York PA
York Area Regional Police Dept.
Alliance Fire & Rescue