

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 21, 2020

1. The meeting of the Windsor Township Board of Supervisors was called to order by Vice-Chairperson Kathy Kerchner at 6:00 p.m. via Zoom.

Those present: Kathy Kerchner, Rodney Sechrist, Atty. Charles Rausch, Christopher Kraft, P.E., Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble. See the attached list of citizens present.

2. Mrs. Gunnet read the Zoom Guidelines. She advised that Windsor Township will be conducting their public meetings through the Zoom video conferencing software while the gathering limit or social distancing orders are in place. Zoom video conferencing is being used to allow Windsor Township to conduct business transparently and allow the public an opportunity to participate in the meeting and provide public comment. She stated that public comment was to be submitted by 4:00 p.m. today and none had been received.
3. The Pledge of Allegiance was recited.
4. Mrs. Kerchner advised that an Executive Session was held on December 7, 2020 at 10:00 a.m. to discuss a personnel matter.
5. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the minutes from the November 16, 2020 meeting were approved. Motion carried. Two votes yes.
6. The following items of correspondence were presented:
 - A. Mrs. Gunnet advised that no Form U applications had been received from Modern Landfill.
 - B. Mrs. Gunnet advised that she has received a letter from the York County Board of Commissioners informing that the Township has been awarded a grant in the amount of \$30,000 from the Marcellus Shale Legacy Fund Grant. These funds will be used toward the replacement of the playground equipment at Windsor Wonderland. She noted that she has sent a letter thanking the Commissioners. She added that she has not heard yet if the Township will receive the grant from DCNR.
 - C. Mrs. Gunnet advised that she has received notification from Comcast that they will be having widespread price changes effective December 20, 2020.
7. Windsor Township Fire & Rescue Association – No one was present.
 - A. Mrs. Kerchner advised that the next Fire Chief's meeting will be held on February 25, 2021 at 7:00 p.m. at Alliance Fire Company #2 Felton.

- B. York County Control – Change all box alarms to one engine, one truck response – Mrs. Gunnet advised that Yorkana Fire Company had presented paperwork to change their box alarms and it was recommended by County Control that a letter be sent changing all departments at one time. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Box Alarms to be changed to one engine, one truck response for Stations 36, 37, 38 and 77. Motion carried. Two votes yes.
 - C. Mrs. Gunnet advised that Rescue Fire Company and Yoe Fire Company are requesting a letter of support for their merger. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution #2020R-12-03, supporting the merger of Rescue Fire Company and Yoe Fire Company to form Southern Area Fire and Emergency Rescue (SAFER). Motion carried. Two votes yes. Mrs. Gunnet noted that they anticipate that the merger will be official sometime in the first quarter of 2021.
 - D. Mrs. Gunnet advised that 8 people have taken advantage of the Firefighter Earned Income Tax Credit. Mrs. Kerchner asked if this is more than last year. Mrs. Gunnet advised that it is lower as there were 11 in 2019.
8. York Area Regional Police Department – No one was present. Mrs. Gunnet advised that Chief Damon did not have anything to report. Mrs. Kerchner advised that another meeting will be held tomorrow to continue discussions on the merger.
- A. The monthly report is available for review.
9. Plan for approval:
- A. PATRICK J. & DEBRA A. CROTTY – Final Subdivision Plan #L-5854 by Gordon L. Brown & Associates, Inc. for 2 lots along Manor Road – Mr. Allison presented a copy of the plan on his screen. Lee Faircloth with Gordon L. Brown & Associates, Inc. advised that this is a two lot subdivision. The property is currently 5 acres in size. A one acre lot will be subdivided off to create a new lot to building a new home. The existing home will be on the remaining 4 acre parcel. The new lot will have an on lot septic system and will have public water. He noted that all comments have been addressed and they have received recommendation for approval from the Windsor Township Planning Commission.
- Mr. Faircloth noted that they are requesting 4 waivers. They are of Sections 304.2.B for sheet size, 502.2.J for road widening, 503.2.A for installation of sidewalks and 506.5.A for connection to public sewer. He stated that the Board had previously approved the waiver for connect to sewer in November 2019.
- Mr. Kraft advised that C.S. Davidson does not have any issues with the waiver requests and all comments have been addressed.

On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the waivers as presented and the plan. Motion carried. Two votes yes.

10. Tim Pasch – Proposed Access for ALDI – Cape Horn Road – Tim Pasch advised that ALDI is interested in building a store on the property he owns on Cape Horn Road across from the Tractor Supply and just south of the Rite Aid. He stated that an issue has arose with access to the site. He has been informed that PennDOT is agreeable to the installation of a full movement intersection but they want a letter from the Township granting approval as well. Mr. Pasch noted that the entrance was approved as a full movement access years ago when he had originally installed the road cut but the land was never developed. The new access point will be aligned with the entrance with Tractor Supply. Mr. Pasch advised that he is aware that Mark Henise of ELA, who is the Township’s Traffic Engineer, is not recommending a full movement access without restrictions.

Mr. Kraft advised that the traffic study that was submitted rates the Level of Service as an “F”, which is the lowest rating. This would mean that the Township is aware that a failing access point would be installed. Mr. Henise feels that there are not enough gaps in traffic to make a left hand turn during peak hours which could cause people to take chances pulling out. He stated that it was discussed having two exit lanes onto Cape Horn Road; one for each direction but PennDOT rejected this design.

Mr. Allison advised that the Township cannot ignore Mr. Henise’s recommendation and is trying to determine PennDOT’s stance. He noted that this regulation cannot be tied to an Ordinance requirement. Mr. Kraft commented that this would be a different situation if the intersection at Lombard Road and Cape Horn Road would be made a failing intersection but this only deals with a municipal access drive.

Mr. Pasch advised that he had written letters to the owners along Lombard Road to see if they would be willing to sell land so he could gain another point of egress but had not heard from any. He stated that a property owner on Cape Horn Road wanted a very high amount for an acre of land. M&T Bank was not interested in allowing him to use the easement that is already on their property. He noted that there is quite a grade difference between the M&T Bank site and this property so he is not sure that the connection would be able to be made.

Mrs. Kerchner questioned if this issue is the only thing holding ALDI back. Mr. Allison advised that they have not submitted a land development plan yet. This is the main outstanding item. Mr. Pasch commented that he was told that if they were not able to have a full movement access, they would not be interested in pursuing the project.

Attorney Rausch commented that he is not sure how you would enforce the regulations to not allow traffic to turn left during peak hours. He stated that he does not believe this is a traffic control device. Mrs. Gunnet commented that an officer came in the room during a meeting that

she and Kipp had with Mr. Pasch. The officer was asked that question and he confirmed that the signs are enforceable by their department.

Mr. Allison stated that if someone is not able to make a left, they will make a right hand turn and wrap back around to head south. Attorney Rausch questioned if someone could make a right hand turn while others wait to turn left. Mr. Allison stated that they would not as it would only be one lane exiting the property. Attorney Rausch advised that it would be his recommendation to request having two lanes. He questioned if ALDI would be agreeable to this. Mr. Pasch stated that he does not know.

It was the consensus of the Board to send a letter of support with the recommendation that there is a dual lane egress.

11. Adopt 2021 Budget – Resolution #2020R-12-01 – Adopt tax levy & Resolution #2020R-12-02 – Non-Uniform Pension Contribution Rate – Mrs. Gunnet advised that tax levy is the same as 2020 and the pension contribution rate remains the same at 2%. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution #2020R-12-01, Resolution #2020R-12-02 and the 2021 Budget. Motion carried. Two votes yes.
12. Solicitor – Attorney Rausch advised that he did not have anything to report.
13. Township Engineer:
 - A. Windsor Manor Pump Station Phase-Out – Update – Mr. Kraft advised that the contractor started mobilizing last week and began digging today. They are hopeful to have it completed by the end of January.
 - B. Surety Reduction – Whisper Run – Phase II – Mr. Kraft advised that he has received a surety request in the amount of \$5,000 for Whisper Run – Phase II which will leave a remaining balance of \$109,205.55. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the surety reduction based on the recommendation of the Township Engineer. Motion carried. Two votes yes.
 - C. Mr. Kraft advised that he had provided a report to the Board and asked if they had any questions. They did not.
14. Public Works:
 - A. Mrs. Kerchner advised that the Board has received the monthly report for December. There were no questions.

- B. Kendale Pump Station generator – Update – Mr. Trout advised that the new generator has been installed and startup was done on December 16th. He commented that everything is now back to normal operations. He added that PSI did a great job on the hookup.
- C. Quarterly Sewer Bill – Late fee & 30 day delinquent letters – Mrs. Gunnet advised that the current quarter is due December 31st. She commented that the Board waived the late fee the past two quarters and asked what they would like to do for this quarter. Mrs. Kerchner asked for Mrs. Gunnet’s opinion. Mrs. Gunnet stated that it will help those that are still struggling. It was the consensus to waive the late fee for the bills due December 31st but reinstate the late fee for the next quarter.

Mrs. Gunnet advised that 222 thirty (30) day delinquent letters were sent out at the beginning of December. Due to the additional restrictions for York Water Company to be permitted to terminate water for the Township, a second letter was sent to 48 residents in their service area. The normal 10 day posting will begin on January 6th.

- D. Mrs. Gunnet advised that a Snow Emergency was declared from 3:00 p.m. on December 16th until 3:00 p.m. on December 17th. She advised that two teams of employees went out on Thursday to enforce cars parking on the street during the emergency. There were 19 vehicles which will be receiving citations. Mrs. Kerchner asked if this is more or less than other times. Mrs. Gunnet advised that it is less.

Mrs. Kerchner questioned how the plowing went. Mr. Trout advised that one truck broke down so he and another employee split the route with smaller trucks. He stated that they plowed in three different segments; one Wednesday afternoon, then again in the evening and lastly in the early morning on Thursday. Mrs. Kerchner questioned if our plows have backup alarms. Mr. Trout stated that they do and some of the newer trucks also have backup cameras.

- E. DEP 902 Recycling Program Development & Implementation grant – Mrs. Gunnet advised that she received an email that the grant application period is open. She stated that if the Township receives a grant in 2021, we could not apply for this grant again for two years. She noted that she had contacted them about preapplication meetings and they are not scheduling them right now because they do not know what is happening with their budget so it is essentially on hold. Mrs. Gunnet advised that the Township has received this grant before and has used it toward the purchase of a leaf truck and recycling bins. It was noted that the oldest leaf truck is a 2015. Mr. Trout stated that he feels we should apply for the most that we can. Mrs. Gunnet agreed. She added that if the Township only needs to pay out 10% of the cost of a leaf truck, that is a huge savings to the Township. It was the consensus of the Board to apply for a grant for a leaf truck.

- F. Mr. Trout advised that he has received a phone call from Phil Holloway. He had owned a property on Chapelwood Drive that had a detention pond. There has been litigation between him and the new owner. He has now agreed to make repairs. They will be working with Mr. Kraft to ensure that the work is done correctly.

15. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for November. There were no questions.
- B. Mrs. Kerchner advised that the Board has received a copy of the Township Manager Report for November. There were no questions.
- C. Mrs. Kerchner advised that the Board has received a copy of the Animal Control Officer Report for October and November. There were no questions.
- D. Windsor Area Recreation Commission – Update – Mrs. Kerchner advised that the Windsor Area Recreation Commission ended the year with a profit. Mr. Shaffer is holding off on his newsletter as he is unsure what programs will be able to occur. He is taking registrations for spring sports with hopes that they will be able to be held.
- E. Coronavirus related matters – Effects of COVID-19 on Revenues & York County CARES Act Funds \$28,992.73 – Mrs. Gunnet advised that the Board has received an updated spreadsheets with revenues to date. She stated that there ended up being no concerns with the lack of revenue. She stated that she applied for York County CARES Act Funds for reimbursement for the salary that was paid when the staff was split into different shifts in the spring. She noted that the Township received \$28,992.73.
- F. Mrs. Gunnet advised that the shredding event was held on Saturday, November 21st. There were 88 cars and 2.28 tons of paper were recycled. Mrs. Kerchner commented that this is a good event and that the Township should continue to hold the collection.
- G. Stormwater Agreement for Operation & Maintenance – Spade & Seitz – Dietz Road – New Home & Lawrence – 405 Zion Church Road – New Home – Mr. Allison advised these are the standard agreements. He noted that both had been previously approved but have been revised. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the Agreements. Motion carried. Two votes yes.
- H. Modern Landfill expansion – Update – Mrs. Gunnet advised that Lower Windsor Township has decided that they are not going to negotiate a new Host Municipal Agreement with Modern Landfill. Also, they are not going to rezone parcels for the expansion of the landfill. She stated that she spoke with Tim O'Donnell with Modern Landfill and he believes they

have about 5 years left and are evaluating what they plan to do. He will update us as it does have an impact on the Township. Mrs. Kerchner asked if a new Township Board could revisit this expansion request. Mrs. Gunnet advised that they could but there are many residents that are against it. Mr. Sechrist questioned if they could put an incinerator there but commented that it would probably be competition with the York County Solid Waste Authority. Mrs. Gunnet added that she believes they currently convert the methane gas to electricity.

- I. Health Insurance Premium revision – Mrs. Gunnet advised that Benecon was renegotiating another consortium’s plan and Highmark drastically reduced the administrative fees for them. Benecon then went back to Highmark to renegotiate the administrative fees for our consortium and they agreed to the reduction of the administrative fee for our consortium as well. This reduction leaves the Township’s health insurance plan with a 2.7% decrease for 2021.
 - J. Transfers – From General Fund to Vehicle & Equipment Fund - \$8,091.81 & From Solid Waste Fund to General Fund - \$0 – Mrs. Gunnet advised that the Board has copies of spreadsheets with the transfer information. She advised that \$8,091.81 will be transferred from General Fund to Vehicle & Equipment Fund. She stated that a transfer will not be needed from Solid Waste Fund to General Fund as it estimated that there will be a surplus of approximately \$360,000.
 - K. 2021 PSATS Conference – Mrs. Gunnet advised that the Board has information for the PSATS Conference that is scheduled to be held in April. She asked if the Board was interested in attending. Mrs. Kerchner asked if the classes are informational. Mrs. Gunnet and Mr. Sechrist advised that they are. Mrs. Gunnet advised that the benefit to registering early is that you can choose the hotel you want to stay at if you are not commuting. The Board members will let Mrs. Gunnet know their wishes.
- Mrs. Gunnet advised that there is a magazine called Township New that the Board can subscribe to. She stated that the Township receives one. She asked if they would like one sent to their homes. Neither Mrs. Kerchner nor Mr. Sechrist were interested.
- L. Mrs. Kerchner advised that the Reorganization Meeting will be held on Monday, January 4th at 6:00 p.m. There was discussion as to whether it should be held in person or via Zoom. It was the consensus of the Board to hold it via Zoom.
 - M. Mrs. Kerchner advised that the Windsor Township elected auditors meeting will be held on Tuesday, January 5th at 10:00 a.m. Mrs. Gunnet stated that the auditor’s set the salary for the Board members if they do administrative work.

N. Purchase of 2 AEDs – Mrs. Gunnet advised that when the Township has CPR training, the AEDs in the office are checked to make sure they are working properly. It was found that the batteries were dead in both of the units. Replacement batteries are no longer available for these models so new units will need to be purchased. She advised that she received quotes for two different models. The one is \$2,279 each and the other is \$1,700 each. It was the consensus of the Board to order two of the cheaper models.

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

17. Public Comment – There was no public comment submitted.

18. Supervisors Comments – Mrs. Kerchner asked Mr. Sechrist if he had any comments. Mr. Sechrist wished everyone a Merry Christmas and a Happy New Year.

Mrs. Kerchner also wished everyone a Merry Christmas and a Happy New Year. She thanked the staff for all they do and for assisting her throughout the year.

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

20. The meeting of the Windsor Township Board of Supervisors adjourned at 7:18 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
December 21, 2020

Lee Faircloth
Patrick Crotty
Tim Pasch

Gordon L. Brown & Associates
1100 Manor Road Windsor PA
Pasch Companies