

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

July 19, 2021

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

Those present: Kathy Kerchner, Dean Heffner, Rodney Sechrist, Attorney Charles Rausch, John Klinedinst, P.E., Jennifer Gunnet, Kipp Allison, Jeremy Trout and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Dean Heffner seconded by Kathy Kerchner, the minutes from the June 21, 2021 and July 1, 2021 meetings 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 located on the counter in the rear of the room.
  - B. Mrs. Gunnet advised that she has received information from the Pennsylvania State Association of Township Supervisors regarding their Annual Business Meeting and Centennial Celebration which will be held on October 14<sup>th</sup> and 15<sup>th</sup>. She noted that the Board has received the information. She asked that the Board let her know if they plan to attend so she can RSVP. A voting member will need to be appointed. Registration opens in August.
  - C. Mrs. Gunnet advised that the Board has received a copy of the 2020 Audit Report of the Township's financial records from Kochenour, Earnest, Smyser & Burg. There was one finding. The Township paid sales tax on Amazon purchases. This finding has been corrected.
5. Windsor Township Fire & Rescue Association – Scott Gingrich was present.
  - A. The next Fire Chief's meeting will be held on August 26, 2021 at 7:00 p.m. at Yorkana Fire Company.
  - B. The next meeting date for Contract Negotiations will be held on August 11, 2021 at 6:30 p.m. at the Township Office.
  - C. Mrs. Kerchner advised that scholarships are being awarded this evening to Faith Golembiowski and Kaitlyn Hopple. Both recipients will receive a \$1,000 scholarship. Certificates were presented to Ms. Golembiowski and Ms. Hopple and pictures were taken. Mrs. Kerchner congratulated them.

6. York Area Regional Police Department – Corporal Curt Hempfing was present. He reviewed the monthly report for June.
  - A. The monthly report is available for review.
7. Plan for signature:
  - A. REXROTH EQUITIES (BUILDING IMPROVEMENT) – Final land Development Plan by James R. Holley & Associates – Mr. Allison advised that the Board had previously approved this plan but when it was taken to Red Lion, a few revisions to the plan were required by Red Lion Municipal Authority. The changes have been made and Mr. Klinedinst has reviewed and approved the plan. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved the plan. Motion carried. Three votes yes.
8. Unfinished Business:
  - A. Tammy Dickson – Request to Amend Zoning Ordinance – Livestock/poultry – Mrs. Gunnet advised that the Board has received additional information from Mr. Allison. Mr. Allison explained that the table that was presented to the Board at the last meeting has been completed to show the impact to residentially zoned parcels that are 1+ acre in size. He stated that there is minimal impact to lots within developments as there are not many lots that are a minimum of one acre. More impact is seen in the outlying parcels. Mr. Allison advised that he has also provided the Board with definitions regarding livestock and agriculture. He commented that his concerns are noise, smell, setbacks, enclosures and flying. He stated that he was not aware prior to doing research that chickens can fly up to 10 feet high for a distance of 50 feet.

Mr. Allison advised that he has not drafted any changes. Mrs. Dickson stated that her request is for not more than four chickens. She commented that in her experience, once a chicken is cared for, they stay at that location. She added that perches can be put in the coup area to discourage them from flying.

Mr. Heffner advised that he is not in favor of changing the Ordinance. He expressed his concerns regarding enforcement.

Mrs. Kerchner stated that she understands Mrs. Dickson’s position for caring for the birds and being responsible for them but if changes are made, it will affect the Township as a whole. Mrs. Dickson questioned if approval could be issued by a special permit. Attorney Rausch advised that this is not legal. Mrs. Kerchner stated that she is not opposed to chickens but does not feel that all residents would abide by the rules.

Mrs. Dickson questioned how taking care of dogs is different than taking care of another animal. Mr. Allison advised that the Township has a Dog Officer to address issues.

It was the consensus of the Board to not make changes to the Zoning Ordinance regarding livestock/poultry in residential zones. Mrs. Dickson thanked the Board for their time and consideration.

- B. Windsor Area Recreation Commission – Community Center operation questions & Name of Facility – Mrs. Gunnet advised that research was done to determine the procedure to dissolve or withdraw from WARC. She stated that if the Township chooses to withdraw from WARC, one year notice must be provided to Windsor Borough. In order to dissolve WARC, agreement would be needed from Windsor Borough and the Red Lion Area School District.

Mr. Sechrist questioned if we would still have access to the Borough field. Mr. Shaffer stated that he does not know for sure. He added that he does not feel that the services that the Borough would be receiving would change. Mrs. Kerchner asked if there is a downside for the Red Lion Area School District. Mrs. Gunnet stated that she cannot think of anything as they are not a financial contributor. Mr. Shaffer commented that the Township already has an agreement with RLASD for usage of some fields.

Mrs. Kerchner asked if there would be a recreation budget if the Township took over WARC. Mrs. Gunnet advised that Mr. Shaffer would be responsible for a budget that would be incorporated into the Township's budget.

Mrs. Kerchner stated that a meeting should be scheduled with a representative of Windsor Borough. Attorney Rausch commented that the Township could offer that they have a representative on the recreation commission. Mrs. Kerchner added that if WARC was dissolved, Windsor Borough would not have this annual cost.

Mr. Heffner asked if there is a baseball field proposed at Spring Valley. Mrs. Gunnet stated that there will not be. Mr. Sechrist asked who maintains the field in Windsor Borough. Mr. Shaffer stated that Nate Neff does most of the maintenance.

It was the consensus of the Board to meet with Windsor Borough to discuss the dissolving or withdrawal from WARC. Mrs. Kerchner advised that it should be made known that the Township intends to withdraw from WARC if Windsor Borough is not in favor of dissolving.

Mrs. Gunnet advised that we have been calling the building the Windsor Township Community Center. She asked if this was going to be its official name. It was suggested that the residents be asked for names. An article will be included in the fall newsletter.

9. Township Engineer:

- A. Engineer's Report – Mr. Klinedinst advised that Mr. Kraft had provided his report to the Board. There were no questions.

- B. Windsor/Ness Road intersection – Update – Mr. Klinedinst advised that the project should be completed within a month. Mrs. Gunnet noted that paving is supposed to start on Tuesday. However, a super load is scheduled to come through the area so the start date may need to be adjusted.

10. Solicitor:

- A. Act 65 of 2021 – Posting of agendas – Attorney Rausch advised that on June 30, 2021, Act 65 of 2021 was adopted. This amends the Sunshine Law regarding agendas. This Act requires that agendas be posted on the Township website at least 24 hours prior to the meeting. The agenda must also be posted on the door at the Township Office. This will also apply to the Windsor Township Planning Commission and WARC.

He explained that there are exemptions to discuss items at a meeting that were not included on the agenda. He stated that if an emergency arises within 24 hours of the meeting it can be acted upon as long as it is considered de minimis and is not financial in nature. If an item is brought before the Board by a resident, the Board can refer to staff to address the matter or can take action on it if it is deemed de minimis and not financial in nature. An item may be added to the agenda if the majority of the Board needs to discuss a topic. In this circumstance, the item can be acted on. However, an amended agenda must be reposted. The Act does not change regulations for Executive Sessions. These regulations will be in effect for the September Board meeting.

Mrs. Gunnet advised that the cutoff to be on the agenda is noon on the Friday prior to the meeting, so there is less chance that anything needs to be added. Mr. Allison stated that it may be better to place items on the agenda that may need to be discussed and they can be tabled if not necessary.

11. Public Works:

- A. Mrs. Kerchner advised that the Board has received the monthly report for July. There were no questions.
- B. Taylor Estates, Phases I & IV – Completion deadline – May 30, 2021 – Mr. Trout advised that he has not received an update from York Excavating Company regarding the paving schedule for Taylor Estates. He noted that additional base repair was required in Phase IV. Mrs. Kerchner questioned if blacktop is behind in manufacturing like other products. Mr. Trout advised that it is not. Mr. Klinedinst added that there will soon be a price increase for blacktop so it is to their benefit to start soon. Mr. Allison commented that he thought York Excavating Company was waiting for the go ahead from the developer.

- C. Line Painting – Freysville Park – Mr. Trout advised that the Board has received a copy of the quote from D.E. Gemmill for the line painting at Freysville Park. He stated that the quote for the lining of the parking area at Windsor Wonderland is \$1,424. This amount was not budgeted. Mrs. Gunnet advised that the cost for the paving of the lot was \$4,000 over budget but there are two other line items in Capital Reserve Fund that are under budget and those funds could be used for the lining.

A quote was also obtained for the lining of the lot at Lombard Road. This amount is \$1,007. Mr. Allison noted that this parking lot will not need to be paved so it would be a good time to line it.

On the motion of Rodney Sechrist seconded by Dean Heffner, the Board approved the line painting of both parking lots at Freysville Park in the amount of \$2,431. Motion carried. Three votes yes.

Mr. Heffner questioned if the blacktop was fixed where there were stones present. Mr. Trout advised that Kinsley did come back and fix it by using a hot box.

## 12. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for June. There were no questions.
- B. Mrs. Kerchner advised that the Board has received the Township Manager Report for June. There were no questions.
- C. Mrs. Kerchner advised that the Board has received a copy of the Animal Control Officer Report for June. There were no questions.
- D. Windsor Area Recreation Commission – Mrs. Kerchner advised at the last meeting discussion was held regarding dissolving WARC. She announced that a Movie Night will be held at 8:45 p.m. on August 13<sup>th</sup> at Freysville Park. The featured movie will be The Sandlot. There will also be food trucks. She stated that she was concerned about lighting after the movie is over. She noted that Mr. Shaffer has requested that the screen be left on after the movie is over to help provide light. Mr. Trout advised that the flag light will also be on as well as lighting under the pavilion and at the pavilion sides. Mr. Allison added that the homes at Lion’s Gate have lamp posts with LED lighting. Mrs. Gunnet noted that Mr. Shaffer will be contacting York Area Regional regarding traffic control.
- E. Mrs. Kerchner advised that the summer meeting schedule is in effect so there will not be a meeting on August 2, 2021.

- F. Planning Commission vacancy – Mr. Allison advised that he is recommending James Vergos to be appointed to the Planning Commission. He explained that Mr. Vergos had expressed interest in serving the Township. He had contacted him regarding the vacancy and explained the position to him and he has agreed to serve on the Commission. He noted that Mr. Vergos is present this evening.

Mr. Vergos addressed the Board. He advised that he moved to his property on Castle Pond Drive approximately four years ago to be close to his family when he found out that he and his wife were going to be grandparents. He stated that he is originally from New Jersey but has also lived in New York. He informed that he has served as a fire chief and has experience in many facets of building and construction. He has served on council and planning boards. Mr. Vergos stated that he believes in serving the community and appreciates the opportunity.

On the motion of Rodney Sechrist seconded by Dean Heffner, the Board appointed James Vergos to the Planning Commission. Motion carried. Three votes yes.

- G. American Rescue Plan Act (ARPA) – Update – Mrs. Gunnet advised that the Township has received the first installment of ARPA funds in the amount of \$952,123.49. She stated that the second deposit will be made at the same time in 2022. Mrs. Kerchner questioned if there has been an update on the eligible expenditures. Mrs. Gunnet stated that she anticipates that a final version will be released soon. Mr. Klinedinst recommended not being in a hurry to spend the money as there is sufficient time for it to be spent. Mr. Heffner noted that the Chapel View Pump Station improvements will amount to about half of this first installment.
- H. Freysville Park – Little Free Library & Surveillance cameras – Mrs. Gunnet advised that the Free Little Library has been installed. She stated that she thought it was only for childrens books but that is not the case. She added that the lady who requested it to be installed checks it once a week to see if books need to be added. She advised that an article will be placed in the newsletter asking for any book donations to be brought to the Township Office.

Mrs. Gunnet advised that after the recent shooting at the basketball courts at Cousler Park, she contacted the police department to see if there are any precautions that the Township should be taking. Lieutenant Zech informed her that they are not getting any calls regarding issues at the basketball courts or elsewhere at the park. She noted that there is no electricity on that side of the park where the basketball courts are located. She stated that the Board may want to consider extending it but there is not currently an issue. Mrs. Kerchner commented that taking the nets down is not a solution.

- I. Resolution #2021R-07-01 – Confirmation of the funding for construction of the Community Center – Mrs. Gunnet advised that the Board had approved for the funding of the Community Center to be paid for with Solid Waste Funds. A Resolution is now required confirming this. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved Resolution #2021R-07-01. Motion carried. Three votes yes.
- J. Resolution #2021R-07-02 – Authorization to submit Application for Traffic Signal Approval to PennDOT – S. Main Street/Springvale Road – Mrs. Gunnet advised that the traffic signal at South Main Street and Springvale Road is shared between the Township and Red Lion Borough. Rutter’s has submitted a land development plan for the expansion of the store and on site improvements and it has been found that the traffic control devices for the traffic signal are located outside the right-of-way. Rutter’s has agreed to obtain the right-of-way at a reasonable acquisition cost. This resolution is required for Rutter’s to submit an Application for Traffic Signal Approval for upgrades to the traffic signal to PennDOT. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved Resolution #2021R-07-02. Motion carried. Three votes yes.
- K. Shentel – Willingness to discuss cable franchise agreement – Mrs. Gunnet advised that she and Mr. Allison sat through a presentation from Shentel regarding the possibility of a cable franchise agreement with them. The Board has a copy of the presentation. Shentel is interested in installing a fiber optic line in the Township. She stated that they have also contacted Red Lion, Dallastown and Yoe Boroughs. They already have four franchise agreements in Lancaster County. They anticipate that work will begin within 12 to 18 months after the agreement is approved.  
  
Mrs. Gunnet advised that if the Board is agreeable to a franchise agreement with Shentel, they would be required to offer the same benefits as Comcast. She stated that another municipality informed her that they were able to negotiate other items into the agreement with Shentel that were not in the agreement with Comcast.  
  
At this point Shentel is only asking if the Township is willing to negotiate a cable franchise agreement. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved to discuss a possible cable franchise agreement with Shentel. Motion carried. Three votes yes.
- L. Building Permit Summary – 1<sup>st</sup> Half of 2021 – Mrs. Gunnet advised that the Board has received a copy of the Building Permit Summary for the first half of 2021. She noted that Keystone Custom Homes has submitted a subdivision plan for the residual tract of Kensington along Ness Road.
- M. Mrs. Gunnet advised that an Electronics Recycling Collection will be held on Saturday, October 16 from 9:00 a.m. to 12:00 p.m. at the Public Works Building. The Boy Scout Troop will be present to assist.

13. Unfinished Business – There were no items to discuss.
14. Public Comment – There was no public comment.
15. Supervisors Comments – Mrs. Kerchner asked the Board if they had any comments.

Mr. Heffner thanked Mrs. Gunnet and Mrs. Miller for their effort in completing all the paperwork in order for the Township to receive the ARPA funds.

Mrs. Kerchner echoed Mr. Heffner's appreciation. She advised that the employee appreciation picnic will be held on August 18<sup>th</sup> at noon and it will be catered.

16. On the motion of Kathy Kerchner seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
17. The meeting of the Windsor Township Board of Supervisors recessed at 7:30 p.m. until August 11, 2021 at 6:30 p.m. at the Windsor Township Office.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary



CITIZENS PRESENT

July 19, 2021

Christopher Shaffer  
Blaine Markel  
Jim Vergos  
Faith Golembiowski  
Shawn Gunnet  
Tammy & Jim Dickson  
Corporal Curt Hempfing  
Chad Arnold  
Scott Gingrich  
Kaitlyn Hopple  
Donald Hopple  
Melody Hopple

Windsor Area Recreation Commission  
James R. Holley & Associates  
985 Castle Pond Drive York PA  
1245 Lombard Road Red Lion PA  
40 Dayton Court Windsor PA  
3895 Farm Drive York PA  
York Area Regional Police Department  
Alliance Fire & Rescue  
Alliance Fire & Rescue