

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
August 16, 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, Christopher Kraft, 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 Rodney Sechrist, the minutes from the July 19, 2021 and August 11, 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 letters from Golden Connections and Kaltreider-Benfer Library thanking the Township for their donations.
5. Windsor Township Fire & Rescue Association – Scott Gingrich was present.
 - A. Mr. Gingrich advised that the next Fire Chief’s meeting will be held on August 26, 2021 at 7:00 p.m. at Yorkana Fire Company.
 - B. Mrs. Gunnet advised that she has provided the Board with updated information from the August 11, 2021 meeting. Mr. Heffner questioned why they are proposing to allocate more of the total funds to SAFER. Mr. Gingrich stated that this will get them closer to the amount that is given to Alliance. Mrs. Gunnet commented that the Board had previously reduced the amount to Rescue Fire Company (Dallastown) as they were not a first due responder. Mr. Gingrich advised that the percentages will be evaluated for future contracts. Mr. Heffner stated that he would like to review this proposal more due to the increase in the Fire Tax. Mrs. Gunnet noted that this can be discussed more during a budget workshop.

Mrs. Kerchner thanked Mr. Gingrich for his part with the meetings. She stated that they were well organized and went smoothly. Mr. Heffner thanked Mrs. Gunnet for her effort as well.

6. York Area Regional Police Department – Chief Damon was present. He advised that K-9 Officer “Tango” started today. He stated that he is an English Lab. He is an Electronic Sniffing Dog. He will be used to assist with internet crimes against children such as pornography and trafficking. He is the only K-9 in York County with this certification. Tango was trained in Indiana and was donated to the

YARP. Attorney Rausch asked if the police department has any other K-9s. Chief Damon advised that they have not had a K-9 in approximately 8 years.

Mrs. Kerchner commented that there was a great turnout for National Night Out.

Mr. Sechrist commented that it seems the arrests are increasing in York Township. Chief Damon stated that they are more commercialized than Windsor Township and this has an impact.

A. The monthly report is available for review.

7. Jane Dennish – Kaltreider-Benfer Library – Ms. Dennish advised that she is a teacher at the Red Lion Area Senior High School, is on the Board at the Kaltreider-Benfer Library and is also a Township resident. She thanked the Board for their donation to the library. She provided the Board with a handout with information regarding library statistics, programs that are offered and future plans. She advised that many books were checked out in 2020 despite the pandemic. She added that they were able to hold outdoor activities. She stated that the library had been scheduled to start the building expansion project but due to Covid and the extreme increase in the cost of building materials, they have held off. She noted that it is important for them to be fiscally responsible. Ms. Dennish noted that they have made a few changes to the design of the building but the expansion of the children's space and the teen area are still included. Attorney Rausch questioned how they will be expanding their wifi service. Ms. Dennish stated that she does not know the technical aspects. She explained that some of the schools in the district have wifi that extends to the outside of the building that can be utilized from the parking lot. Mr. Sechrist thanked Ms. Dennish for being a teacher and helping to keep the schools open.
8. Donald Bernadelli – Speeding on Rt.124 – Mr. Bernadelli was not present. This topic was skipped. Chief Damon advised later in the meeting that he had spoken with Mr. Bernadelli in the hallway.
9. Constable Mike Smith – State Constable Association, Legislative Updates, Thanking poll workers – Mr. Smith stated that he would like to do something to thank the poll workers for their service. He commented that he saw some of the workers being yelled out when he was at the polls. Attorney Rausch asked if he had any suggestions. Mr. Smith suggested taking food to them. Mrs. Kerchner stated that the Board would take this under advisement.

Mr. Smith advised that House Bill 1771 has been proposed which requires background checks for candidates to become a constable. He gave a copy of the legislation to Mrs. Kerchner.

Mr. Smith advised that there are currently no standards to be a Constable. He explained that they receive training after they are elected. Mrs. Kerchner asked how many hours a constable works. Mr. Smith stated that it is up to each constable. They are able to choose what they do. Their only requirement is that they work during the elections. Mrs. Kerchner questioned what standards he would like to see. He stated that he feels all candidates should have a clean background and be able to pass a physical test like the police academy.

Mr. Smith advised that if the two larger organizations, the Commonwealth of Constables and the Fraternal Order of Constables are able to work together on the items that they agree on, it would be helpful in moving forward with legislature. He noted that Senate Bill 921 had been proposed but there was no backing by a lobbyist and it did not pass. He provided Mrs. Kerchner with additional information regarding this.

Attorney Rausch questioned how they get paid. Mr. Smith advised it is per diem. Mrs. Kerchner questioned if they need to use their personal vehicles. Mr. Smith stated that they do and it is required to have a divider behind the driver's seat. Mrs. Kerchner asked if there is a shortage of constables. Mr. Smith stated that he does not know. He explained that there is one elected constable for Windsor Township. However, they can work with different magistrates. Mrs. Kerchner questioned how many warrants he handles in a week. Mr. Smith stated that he has been working on administrative work so he has not been serving warrants. Mrs. Kerchner asked if they have to go into houses. Mr. Smith advised that they do not.

Mr. Smith advised that people do not know who constables are and what they do. He noted that they plan to set up booths at different fairs and events to inform the public.

10. Township Engineer:

- A. Engineer's Report – Mr. Kraft advised that the Board has received his report. There were no questions.
- B. Windsor/Ness Road intersection – Update – Mr. Kraft advised that they were paving today. He stated that they hoped to be finished by the end of the week but there is a good amount of rain projected over the next three days.

Mr. Kraft advised that he met with the owner of 10 Ness Road. Mrs. Gunnet stated that the Board has pictures. The owners are concerned about their safety while maintaining the bank. Mr. Heffner commented that the improvements are close to the house. Mrs. Gunnet stated that if the Township is going to maintain the area, she does not feel that mulch would be a good option as it needs replaced. Mr. Heffner commented that crown vetch may be good on the bank. Mr. Kraft stated that crown vetch is a climbing plant and could grow onto the porch. Mrs. Gunnet advised that she informed the owners that if the Township mows it, it would only be a few times each year. Mr. Trout commented that there may be an issue on the other corner of Ness Road as well. It was the consensus of the Board that the Township would mow at the intersection of Ness Road and Windsor Road.

Mrs. Gunnet advised that the owners of 10 Ness Road also expressed concerns regarding their driveway. Mr. Trout noted that York Excavating Company has fixed the issue with the driveway.

- C. Surety Reductions – Taylor Estates, Phase 2A, Whisper Run, Phase 1 & Taylor Estates, Phase 2A, Lot 1 – Mr. Kraft advised that he has received three requests for surety reductions as follows:
1. Taylor Estates, Phase 2A – Mr. Kraft advised that there are issues with the stormwater basin and he does not have the basin elevation asbuilt. He stated that he does not recommend a release.
 2. Whisper Run, Phase 1 – Mr. Kraft advised that not all asbuilts have been received and there are environmental permits that are still open. He recommended a reduction of \$4,000 leaving a remaining balance of \$86,127.
 3. Taylor Estates, Phase 2A, Lot 1 – Mr. Kraft advised that the work has been completed with the exception of the placement of some concrete monuments and the sanitary sewer asbuilts. He recommended a reduction in the amount of \$311,441.00 leaving a remaining balance of \$37,656.11.

On the motion of Kathy Kerchner seconded by Dean Heffner, based on the recommendation of the Township Engineer, the Board denied the surety reduction for Taylor Estates, Phase 2A and approved the surety reductions for Whisper Run, Phase 1 and Taylor Estates, Phase 2A, Lot 1. Motion carried. Three votes yes.

11. Solicitor:

- A. Merger – York Area Regional Police Department/Northeastern Regional Police Department:
1. Ordinance #2021-08-01 – Intergovernmental Agreement & Charter Agreement for York County Regional Police Department
 2. Charter Agreement – Execution
 3. Resolution #2021R-08-01 – Dissolution of York Area Regional Police Department
 4. Appointment of Commission member and alternate – Term expires 12/31/23

Attorney Rausch advised that Ordinance #2021-08-01 for the Intergovernmental Agreement & Charter Agreement for York County Regional Police Department has been advertised for adoption. On the motion of Kathy Kerchner seconded by Dean Heffner, Ordinance #2021-08-01 was adopted. Motion carried. Three votes yes.

The approval of Ordinance #2021-08-01 allows for the execution of the Charter Agreement.

Attorney Rausch advised that Resolution #2021R-08-01 dissolves the York Area Regional Police Department effective December 31, 2021. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved Resolution #2021R-08-01. Motion carried. Three votes yes.

Attorney Rausch advised that a Commission member and alternate need to be appointed. It is a two year term expiring December 31, 2023. Mrs. Gunnet commented that if all the municipalities are approving two year terms, then they will all expire at the same time. She stated that York Township and Windsor Township had alternated years. Chief Damon stated that for the first round they will be

two year terms. He added that he does not know if this is to change with the next round of appointments. On the motion of Dean Heffner seconded by Kathy Kerchner, Kathy Kerchner was appointed as the Commission member and Rodney Sechrist was appointed as the alternate. Motion carried. Three votes yes.

Attorney Rausch commented that there is still a lot of work that needs to be completed by the end of the year. Mr. Sechrist thanked Mrs. Kerchner and Mr. Granholm of York Township for their work on this merger.

12. Public Works:

- A. Mrs. Kerchner advised that the Board has received the monthly report for August. There were no questions.
- B. Taylor Estates, Phases I & IV – Completion deadline – May 30, 2021 – Mr. Trout advised that an email was received today from Gemcraft Homes that stated that they would not be completing any of the work in Phase IV if the surety was not released for Taylor Estates, Phase 2A. Mrs. Gunnet noted that the email has been forwarded to Attorney Rausch. Mr. Trout advised that there were four walk through inspections done in Taylor Estates, Phase IV. The roads are getting worse and portions of the base coat will need replaced now. Mr. Heffner commented that the Township will not be able to get a contractor in anymore this year. Mr. Trout advised that York Excavating Company had them scheduled so they would have an opening in their schedule but it is not known how long it would take to collect on the bond. Mr. Sechrist questioned if the Township is holding enough money to complete the work. Mr. Kraft stated that it will be close. Mr. Heffner asked if the Township can have the work completed before we receive the bond money. Mr. Trout advised that when the bond was collected in Windsor Meadows, the bond company took the lead.

Mr. Allison commented that there is no guarantee that Gemcraft Homes would use the release of the surety from Taylor Estates, Phase 2A toward the completion of these phases. He noted that the bonds for the two phases are not connected.

Attorney Rausch questioned if the bonds should be called in both Phase I and Phase IV. It was the recommendation of staff that both should be collected as both are past the completion deadlines given by the Board.

On the motion of Kathy Kerchner seconded by Dean Heffner, the Board authorized for Attorney Rausch to proceed to collect on the bonds for Taylor Estates, Phase I and Taylor Estates Phase, IV. Motion carried. Three votes yes.

13. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for July. There were no questions.
- B. Mrs. Kerchner advised that the Board has received the Township Manager Report for July. There were no questions.
- C. Mrs. Kerchner advised that the Board has received a copy of the Animal Control Officer Report for July. There were no questions.
- D. Windsor Area Recreation Commission – Mrs. Kerchner advised that a meeting was held with Windsor Borough and they have agreed to dissolve WARC effective December 31, 2021. An agreement is to be prepared to dissolve WARC. Mrs. Gunnet added that a meeting was also held with the Red Lion Area School District. They would like the Township to adopt a Resolution to confirm that a school board member will be appointed to the Township recreation commission. A separate agreement with Windsor Borough will also be needed for use of the Windsor Borough ballfield.

Mrs. Kerchner asked if Mrs. Gunnet had looked into whether Mr. Shaffer’s years of service could be counted toward his pension once he is a Township employee. Mrs. Gunnet advised that they cannot.
- E. Mrs. Kerchner advised that the summer meeting schedule is in effect so there will not be a meeting on September 6, 2021.
- F. Shentel – Cable franchise agreement update & Cohen Lawn Group legal fees - \$6,250 – Mrs. Gunnet advised that she has received a letter from Shentel informing that they will cover the cost of all legal fees associated with the preparation of a cable franchise agreement. She stated that she obtained a quote from Cohen Law Group in the amount of \$6,250. The invoices will be sent directly to Shentel. On the motion of Dean Heffner seconded by Kathy Kerchner, the Board approved the quote from Cohen Law Group. Motion carried. Three votes yes.
- G. 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.
- H. Intergovernmental Insurance Cooperative – Proposed Wellness Program & 2020 Claim Surplus – \$17,920.53 – Mrs. Gunnet advised that Benecon is offering twenty \$1,000 grants in 2022 to promote wellness programs. Grants will also be available in 2023. She noted that the Township does not currently have a wellness program. She had given the Board a list of items that could qualify if the Board is interested in creating a wellness program and pursuing a grant. The Board stated that they would prefer to wait until 2023.

Mrs. Gunnet advised that the remaining claim surplus for 2020 has been received in the amount of \$17,920.53.

- I. Proposed 2022 Budget meeting dates – Pre-Budget & Budget – After discussion, it was decided that the Pre-Budget workshop will be held on October 4, 2021 at 9:00 a.m. and the Budget workshop will be held on November 2, 2021 at 1:00 p.m.
- J. Shredding event – Mrs. Gunnet advised that there were no Saturdays available in September, October or November so the event will be held on a weekday. The Shredding event will be held on Thursday, October 28, 2021 from 3:00 p.m. to 6:00 p.m. at the Township Office.
- K. Coey M. Smith – 480 Ness Road – Collection of grass liens - \$7,322 – Mrs. Gunnet advised that the Township has had this property mowed about a dozen times and liens have been filed. She stated that she is requesting approval from the Board to have Attorney Rausch proceed with legal action to collect the balance. She noted that there is not a mailbox at the property so other steps may need to be taken. Mr. Allison added that the owner is aware that the Township has been mowing the property because he used to have legal counsel that the Township had contact with. In addition, the owner had spoken with the Township’s subcontractors that mow the property.

On the motion of Kathy Kerchner seconded by Dean Heffner, the Board authorized Attorney Rausch to move forward on collection of the liens. Motion carried. Three votes yes.

- L. Revised Organizational Chart & Job Descriptions – Mrs. Gunnet advised that the Board has received the updated information. Mrs. Kerchner stated that the description should be changed for Mr. Dehoff’s position to Lead Sewer Operator. She noted that the only change that had been made to titles was to make the Highway/Sewer position Skilled rather than Semi-Skilled. Mr. Heffner commented that the job description may need to be changed if Mr. Reichard is no longer employed. Mrs. Kerchner stated that it is written to include “alternative skilled duties”. He is doing electrical work and is being compensated accordingly.

On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the Organizational Chart and Job Descriptions including the change to the Lead Sewer Operator title. Motion carried. Three votes yes.

14. Unfinished Business:

- A. Windsor Area Recreation Commission – Dissolution of WARC & Name of Facility – Dissolution discussed under 13D. Mrs. Gunnet advised that an article will be placed in the fall newsletter requesting suggestions for a name for the Community Center.
- B. PSATS Annual Business Meeting & Centennial Dinner – October 14 & 15 – After discussion, it was determined that none of the Board members are able to attend.

15. Public Comment – Michael Mikhail advised that he is the developer of Taylor Estates, Phase 2A, Lot 1. He explained that the surety for the development is tied to a personal property that he is trying to refinance. He commented that the work that is left will be completed prior to the next Board meeting. He questioned if the Board would consider allowing the surety to be released once the work has been completed and the Township Engineer approves it. Attorney Rausch advised that the Board can authorize for this to occur between meetings. It was the consensus of the Board to allow Mr. Kraft to review the surety request for the completion of the work in Taylor Estates, Phase 2A, Lot 1 and a reduction be approved based on his recommendation prior to the next Board meeting.

Mr. Mikhail questioned how he can purchase the property at 480 Ness Road that the Board is taking legal action against. Attorney Rausch advised that the process that the Township is taking will lead to a Sheriff Sale if he does not pay in full. Because of the process that needs to be followed, it will take time. In the meantime, he could approach the owner to express his interest in purchasing it.

16. Supervisors Comments – Mrs. Kerchner asked the Board if they had any comments.

Neither Mr. Heffner nor Mr. Sechrist had any comments.

Mrs. Kerchner reminded that the employee appreciation picnic will be held on August 18th at noon and it will be catered. Due to the weather, it will now be at the Public Works Building.

17. On the motion of Dean Heffner 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 7:27 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
August 16, 2021

Jane Dennish
Constable Michael Smith
Chief Damon
Scott Gingrich
Michael Mikhail

Kaltreider-Benfer Library
P.O. Box 96 Windsor PA
York Area Regional Police Department
Alliance Fire & Rescue
Taylor Estates, Phase 2A Lot 1