

WINDSOR TOWNSHIP BOARD OF SUPERVISORS  
October 18, 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 September 20, 2021 and October 4, 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 a letter from Susquehanna Area Senior Center thanking the Board for their donation.
  - C. Mrs. Gunnet advised that she has received a letter from Page, Wolfberg & Wirth, LLC informing that the merger between York Regional Medical Services, Inc. and West York Ambulance will be effective January 1, 2022. The new name will be First Capital Community Transport Partners.
5. York Area Regional Police Department – Sergeant Good was present. He reported that there were 190 calls to the Department in September. He stated that he and the other officers are excited about the merger and their new police department. He commented that there will be new municipalities for the officers to learn.

Mr. Heffner questioned what happens to the overages of time under the York Area Regional Police Department. Mrs. Kerchner advised that they will be eliminated with the creation of the new department. She noted that York Township will be purchasing additional PPU's for 2022. Time used will be reviewed every two years and the purchase of PPU's will be required to be adjusted as necessary.

- A. The monthly report is available for review.
6. Windsor Township Fire & Rescue Association – Scott Gingrich was present. He advised that there was a great turnout at the Fire Prevention event held at Windsor Commons Shopping Center. He commented that T-Mobile was giving away free ice cream at their own event so they combined

forces. He stated that Chief Stump with Station 36 set up the perimeter and in future years, they will share in this duty.

- A. Mr. Gingrich advised that the next Fire Chief's meeting will now be held on October 27, 2021 at 7:00 p.m. at Alliance (Red Lion Station). He stated that it was originally to be held on October 28<sup>th</sup> but due to a conflict with a training session that is required to update their certifications with the state, the meeting needed to be moved.
- B. Yorkana Community Volunteer Fire Company – Loan application – Signature of CEO required – Mrs. Gunnet advised that she received a call from Yorkana Fire. They have a loan application that must be signed by the Township CEO certifying that they provide service to Windsor Township. She noted that there is no financial obligation. She stated that the paperwork has not been dropped off yet. It was the consensus of the Board to have the Chairperson sign the paperwork.

Mr. Sechrist questioned if the Township has any financial obligation when the fire companies obtain loans. Mr. Gingrich stated that there is not.

7. Subdivision for Approval:

- A. KAY A TYSON – Final subdivision plan #1297H.1 by Site Design Concepts for lot line adjustment – Lee Webb with Site Design Concepts advised that Ms. Tyson owns two parcels along Dull and Brownton Roads. Parcel 15J is approximately 55 acres and parcel 16 is approximately 75 acres. This subdivision will take approximately 6 acres from parcel 15J and add to parcel 16.

Mr. Webb advised that they have 4 waiver requests as follows:

- 1. Section 305.2.B – Plan Sheet size
- 2. Section 304.2.B.27 – Identification of lot line markers – Due to the size of the tract, only the immediate area of the lot line adjustment was surveyed.
- 3. Section 502.2.J – Widening of existing cartways – There are no improvements proposed.
- 4. Section 503.2 – Construction of sidewalks

Mr. Webb stated that they have not received approval of the Planning Waiver and Non Building Declaration. Mrs. Gunnet advised that this has been submitted to PennDEP.

On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the waivers and the plan. Motion carried. Three votes yes.

8. Township Engineer:

- A. Engineer's Report – Mr. Kraft advised that the Board has received his report. Mrs. Gunnet questioned if the bid openings for both the Public Works Building and the Community Center are still scheduled for January. Mr. Kraft advised that he believes the Public Works Building is still on schedule for January but the Community Center will be pushed back. He stated that C.S. Davidson staff did not feel that it was to the Township's benefit to have both out for bid at the same time.
- B. Surety Reduction – Chapelwood Estates, Phase 1 – Mr. Kraft advised that he has received a request for a final reduction for Chapelwood Estates, Phase 1 and he is recommending the release. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the final surety reduction for Chapelwood Estates Phase 1. Motion carried. Three votes yes.

9. Solicitor:

- A. Taylor Estates, Phases I & IV – Update – Attorney Rausch advised that he had spoken with the company that handles claims with Lexon. They were going to be contacting Gemcraft Homes regarding this matter. He stated that he has not been able to speak with them since that call was made.
- B. Laurel Vistas, Phases 1 & 2 – Update on completion of public improvements – Settlement agreement with Chesapeake Holdings – Attorney Rausch advised that he received a phone call from the Attorney representing Chesapeake Holdings. They are not interested in completing the improvements in Laurel Vistas, Phase 1. They received an estimate of \$294,000 to complete the work and although their Letter of Credit is for only \$247,000, they are willing to provide the Township with the higher amount to remove themselves from the completion of the project. Attorney Rausch stated that he spoke with Mr. Kraft as he thought there may be additional repairs that will need to be completed within the development. Mr. Kraft advised that the Letter of Credit only covers the construction items. It does not include items such as the centerline description, NPDES permit closure or asbuilts. Attorney Rausch questioned if the additional funds would be enough to cover these costs. He added that if the Township would want to pursue collecting for additional fees, he would estimate that it could cost \$25,000 in attorney fees. Mr. Allison commented that if the Township does not accept the funds, the work is not going to be completed so he feels it is better to accept the funds even if it is not enough to cover everything. Attorney Rausch advised that he has been informed that Keystone Custom Homes has a contractor that is able to complete the work this year. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board accepted the proposal from Chesapeake Holdings subject to the solicitor's final review and approval of the Agreement and authorized the solicitor to sign the Agreement. Motion carried. Three votes yes.

- C. Executive Session – Possible litigation – Attorney Rausch advised that an Executive Session is not required. He stated a Writ of Summons has been filed against many parties, including the Township, by an owner in the Rose Gate Manor development. He stated that he does not know exactly what the complaint is yet. The information has been sent to the Township’s insurance company and an attorney appointed by the insurance company will be meeting with the staff tomorrow.

10. Public Works:

- A. Mrs. Kerchner advised that the Board has received the monthly report for October. There were no questions.
- B. Sewer trailer – Revisit for 2022 Budget – Mr. Trout advised that he has provided the Board with additional information for the purchase of a trailer for the sewer camera to keep it out of the weather. Mr. Sechrist questioned if it is electronic. Mr. Trout informed that the controller is. The trailer could also be fitted with a portable tank, mounting reels and a control module with desk area. Mr. Heffner questioned if this would only be used in emergency situations. Mr. Trout stated that they would use it as much as they could depending on projects. He noted that the sewer camera can also be used for stormwater pipes. Mr. Sechrist commented that if a water tank was put on the trailer, it would be very heavy and a larger trailer would be needed. Mrs. Kerchner asked if the camera has been used yet. Mr. Trout stated that he did not know. Mrs. Kerchner commented that it needs to be determined what the end goal is for the trailer and if it can retrofitted over time. She questioned if the cost was obtained for a smaller trailer. Mr. Trout did not have an estimate. It was determined that a price should be obtained for a smaller trailer for the budget meeting and Mr. Dehoff should attend the budget meeting to further discuss the purchase of a trailer.
- C. Valley Meadows – Letter of credit & possible street adoption – Mrs. Gunnet advised that Dayton Court, the street in Valley Meadows, was paved approximately two years ago but the developer never went through the process to have the street adopted. After the street was paved, the amount of funds that the Township would receive for Liquid Fuels was obtained to allow the Township to invoice the developer if we plowed the street. In this process, the PennDOT representative looked at the street and added it to the Township’s Liquid Fuels listing. Mrs. Gunnet questioned if the Board would consider adopting the street since it has been completed and the Township is receiving funds. The center line description will need to be obtained. The developer can be billed for this. Mr. Allison advised that the detention pond is attached to a lot in this development which has been sold so unless the developer and the homeowner have an agreement, the homeowner would be responsible for the pond.

On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved to proceed with the adoption of Dayton Court. Motion carried. Three votes yes.

- D. Mission – Change to 5G – \$22,000 – Mr. Trout advised that Mission is upgrading to 5G and it is possible that calls may not be received if our system is not upgraded. He explained that Mission communicates with servers. Each station has a mini computer in which everything is recorded. Mrs. Kerchner asked if 5G is the most up to date network. Mrs. Gunnet advised that it is. She stated that this would be similar to a computer upgrade where a program is no longer able to be supported. This would affect 16 stations as some have already been upgraded. Mr. Trout noted that Mr. Reichard will be able to do the switchouts. Mr. Allison commented that as technology moves forward, updates like this will continue to be needed. Mrs. Kerchner added that it needs to function properly. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved the conversion to 5G with Mission. Motion carried. Three votes yes.

11. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for September. There were no questions.
- B. Mrs. Kerchner advised that the Board has received the Township Manager Report for September. There were no questions.
- C. Mrs. Kerchner advised that the Board has received the Dog Officer Report for September. There were no questions.
- D. Windsor Area Recreation Commission – Update on current activities, Dissolution Agreement – Ready for Approval, Ordinance – Establish Recreation Commission & Possible names – Community Center – Mrs. Kerchner advised that she did not attend the last WARC meeting. She noted that the Community Movie Night was cancelled due the weather. It is planned to be rescheduled in the spring.

Mrs. Gunnet advised that Windsor Borough has approved and signed the Dissolution Agreement. Red Lion Area School District is set to approve the Agreement at their November meeting. Mrs. Gunnet advised that the Township's Agreement has been prepared and is ready for approval. On the motion of Dean Heffner seconded by Rodney Sechrist the Board approved the Dissolution Agreement. Motion carried. Three votes yes.

Mrs. Gunnet advised that an Ordinance will need to be approved to establish a Township Recreation Commission. She questioned when the Board would like her to advertise this. It was the consensus of the Board to advertise for the November meeting.

Mrs. Gunnet advised that a few names have been submitted for the Community Center. After discussion, the Board decided on the Windsor Township Community Center (WTTC).

Mrs. Gunnet advised that a meeting was held with Mr. Shaffer and Township staff to discuss budget information and accounting line items.

- E. Mrs. Kerchner advised that the Board meeting scheduled for November 1, 2021 will be cancelled.
- F. Mrs. Gunnet advised that the Electronics Recycling Collection was held on Saturday, October 16<sup>th</sup>. There were 24 big boxes filled as well as 12 skids of large televisions.
- G. Mrs. Kerchner advised that a Shredding Event will be held on Thursday, October 28 from 3:00 p.m. to 6:00 p.m. at the Township Office. Mrs. Gunnet noted that there is a two box limit.
- H. Shentel Communications – Update – Mrs. Gunnet advised she has received an email from Cohen Law Group informing that Shentel will mirror the Comcast Agreement. She stated that she expects to receive the Ordinance and Agreement soon. Both will need to be adopted. Mrs. Kerchner questioned if Shentel will be competing against Comcast. Mrs. Gunnet advised that they will be but it will not be noticed immediately as it will take time for the infrastructure to be active.
- I. State Aid Received – Mrs. Gunnet advised that the Township has received State Aid in the amount of \$76,756.52. The municipal bill was \$75,685.00. The excess of \$1,071.52 must be sent back to PMRS.
- J. Robert & Veronique Boensch – 65 Percheron Drive – Stormwater Facilities & Monitoring Agreement – Mr. Allison advised that Mr. and Mrs. Boensch have built a new home at 65 Percheron Drive. This is the standard agreement for the maintenance of the stormwater facilities on the lot. On the motion of Kathy Kerchner seconded by Dean Heffner, the Board approved the Stormwater Facilities & Monitoring Agreement with Robert and Veronique Boensch. Motion carried. Three votes yes.
- K. Records Returned – Remnants of Hurricane Ida – Mrs. Gunnet advised that the documents that were damaged by the flooding of Hurricane Ida have been returned to the Township but the invoice has not been received yet. She stated that they looked at the papers and you cannot tell that they were wet. Mrs. Kerchner asked if the records are going to be relocated. Mrs. Gunnet advised that Mr. Dietz has already looked at the space to see how it can be redesigned to keep the shelving away from the exterior wall.

## 12. Unfinished Business:

- A. Possible Zoning Ordinance amendment – Chickens – Mr. Allison advised that the Board had taken the matter of the possible zoning amendment under advisement at the last meeting. He stated that he has also done some more research to see how many properties in the Township

would be affected. He stated that there are 193 parcels in the residential zones that have between 2 and 4.99 acres. Mr. Heffner advised that he is not in favor of changing the regulations. Mr. Sechrist questioned if Mr. Allison had researched the regulations from other municipalities. Mr. Allison stated that he did not specifically research other regulations but he knows from the Zoning Officer meetings that he attends that they vary and that most Zoning Officers have had issues dealing with chickens. Mr. Heffner commented that he feels that the residents that have attended the Board meetings asking for changes are likely the responsible owners but there are others that will not be. He added that he did not agree with the proposed classification of animals. Mr. Allison noted that the Zoning Ordinance does not address animals in this manner and the change that would be made would be in regards to the acreage required to have agricultural animals.

Mr. Heffner questioned how the keeping of agricultural animals would be enforced. Mr. Allison stated that it would be handled the way it is now by either receiving a complaint or witnessing a violation. Mrs. Kerchner questioned how many chickens would be permitted on two acres. Mr. Allison stated that the current ordinance would allow for 12 per acre. Mr. Sechrist commented that the number per acre could be reduced.

Mr. Allison stated that by increasing from the originally proposed one acre to two acres, it eliminates most lots within developments. He estimated that less than a third of the properties over two acres would be located within a development.

Attorney Rausch noted that if this pertains to agricultural animals, it would also have an impact on the keeping of other animals like pigs or horses. Mr. Allison stated that it would but he thinks that the amendment should deal only with Group 1 animals. These animals have an average adult weight of 10 pounds or less.

He questioned how the Board would like him to proceed. Mrs. Kerchner stated that she is not opposed to changing the regulations but feels that 12 animals per acre is too many. Mr. Allison stated that he can do additional research. Mrs. Kerchner requested that he do this. She added that he should see if there were any municipalities that allowed for agricultural animals and then changed regulations to not permit them anymore.

Mr. Allison advised that at the last meeting there was a request from Ms. Lakis to keep her chickens until her house sold. He stated that there is nothing different with her circumstance in comparison to other violations. He commented that he does not feel that entering into an agreement with her is the right approach. It was the consensus of the Board for Mr. Allison to send a Notice of Violation for the keeping of the chickens.

13. Public Comment – There was none.

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

Mr. Sechrist thanked Mrs. Kerchner and Al Granholm from York Township for all the work they have done with the Police Department merger. Mrs. Kerchner commented that the officers are excited for this change as well.

Mr. Heffner did not have any comments.

Mrs. Kerchner advised that interviews were held for the Highway Lead Man position. She thanked Mrs. Gunnet for allowing her to sit in on some of the interviews. She stated that they are interested in one candidate and he will be doing job shadowing as well. He currently works for PennDOT. Mrs. Gunnet advised that if the position is offered to him, he will need to submit a two week notice with his current employer.

15. On the motion of Dean Heffner seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.

16. The meeting of the Windsor Township Board of Supervisors adjourned at 7:25 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary



CITIZENS PRESENT  
October 18, 2021

Sergeant Joel Good  
Lee Webb  
Scott Gingrich  
Spencer Seaks

York Area Regional Police Department  
Site Design Concepts  
Alliance Fire & Rescue  
951 Wise Avenue Red Lion PA