

WINDSOR TOWNSHIP BOARD OF SUPERVISORS  
November 15, 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, 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 Rodney Sechrist seconded by Kathy Kerchner, the minutes from the October 18, 2021 and November 2, 2021 meetings were approved. Motion carried. Two 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.

5. Windsor Township Fire & Rescue Association – Scott Gingrich was present. He questioned if there is any significance for the reporting of mileage on their reports. He stated that this is not something that they track so he must run other reports to determine the mileage. He commented that he would like to replace that item with fire police calls. Mrs. Gunnet advised that the mileage line item has been listed on the report for many years but does not feel that it is necessary and feels this change is acceptable. Mr. Sechrist questioned if the fire police track their mileage for tax purposes. Mr. Gingrich stated that they can but he does not believe that any do.

- A. Mr. Gingrich advised that the next Fire Chief's meeting will be held on December 16, 2021 at SAFER (Dallastown Station).

- B. Approval of Retention/Recruitment Guidelines – Mrs. Gunnet advised that the Board had previously seen this information. It mirrors the guidelines set by York Township. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Retention/Recruitment Guidelines. Motion carried. Two votes yes.

- C. Fire Company Contract – 2022-2026: SAFER, Laurel Fire Company, Yorkana Fire Company, Alliance Fire & Rescue – On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the contracts. Motion carried. Two votes yes.

Mrs. Gunnet asked Mr. Gingrich how to distribute the contracts as they need signed by the Chief and President of each fire company. Mr. Gingrich stated that he would have someone pick them up at the Township Office and distribute them to be signed.

- D. Yorkana Fire Company – Removal of Station 42 from all 38 fire box responses within Windsor Township – Mrs. Gunnet advised that since the merger is not going to occur between Yorkana Fire Company and East Prospect Fire Company, it is requested that Station 42 be removed from all Yorkana fire box responses within the Township. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the box alarm changes. Motion carried. Two votes yes.
6. York Area Regional Police Department – Chief Damon was present. He reported that there was an incident on Pleader Lane with ongoing investigation. He noted that it is domestic in nature but more involved.
- A. The monthly report is available for review.
- B. Chief Damon advised that it was his request to have the No Parking fine increased from \$10 to \$25. He stated that this is due to inflation and also to have similar fees as they merge at the beginning of the year. Mrs. Gunnet advised that it requires an Ordinance. Attorney Rausch noted that the maximum fine is \$50. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board authorized for an Ordinance to be prepared to set the No Parking fine at \$25. Motion carried. Two votes yes.
7. 2022 Proposed Budget – Open for Inspection – Mrs. Gunnet advised that the 2022 Proposed Budget is open for inspection. She stated that the Real Estate Tax millage rate will remain at .85 mils. Public safety accounts for 56% and Public Works accounts for 22% of the General Fund budget. The Fire Hydrant Tax millage rate will remain the same. Due to the increase in fire company payouts, the Fire Tax rate will increase from .15 to .25 mils. All funds received from the dissolution of WARC will be deposited into General Fund.

ARPA Funds in the amount of \$400,000 have been budgeted for stormwater projects and \$200,000 for revenue loss in General Fund. The use of these funds must be earmarked by 2024 and must be spent by 2026.

Both the Community Center and the Public Works Building expansion are budgeted in 2022.

Mrs. Gunnet advised that the budget will be advertised for adoption at the December 20, 2021 Board meeting.

8. Township Engineer:
- A. Engineer's Report – Mr. Kraft advised that the Board has received his report. There were no questions.

- B. Surety Reduction – Bowser Dentistry – Mr. Kraft advised that he has received a request for the final surety reduction for Bowser Dentistry. He stated that all of the work has been completed and he recommends a full release. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the surety reduction for Bowser Dentistry. Motion carried. Two votes yes.
- C. Mr. Kraft advised that he would like to advertise for bids for the Public Works addition prior to the next meeting and would like authorization from the Board to do so. He stated that the bid would be active in December and January with opening in February and recommendation to the Board at the February 2022 Board meeting. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board authorized for C.S. Davidson to advertise the bid for the Public Works addition. Motion carried. Two votes yes.

9. Solicitor:

- A. Attorney Rausch advised that an Executive Session will be held after the meeting to discuss potential litigation regarding the Taylor Estates, Phases I & IV bonding.
- B. Laurel Vistas, Phases 1 & 2 – Funds received – Attorney Rausch reported that the payment has been made to the Township by Chesapeake Holdings for the completion of the Laurel Vistas development.
- C. Attorney Rausch advised that the Writ of Summons that had been filed regarding the Rose Gate Manor development had been turned over to the Township's insurance carrier. There is no update at this time.

10. Public Works:

- A. Mrs. Kerchner advised that the Board has received the monthly report for November. Mr. Sechrist questioned who The Breneman Company is. Mr. Trout stated that they are a vendor from Lancaster that does applications on recreational surfaces such as basketball and tennis courts. He noted that they are the only local company that he is aware of as the next closest is located in Philadelphia.

Mr. Sechrist commented that he was happy to see that the local supplier, Miller's Fuel Supply, is being used to purchase fuel. Mr. Trout stated that they are used to top off the fuel at the pump stations.

- B. Resolution #2021R-11-2 – Adoption of Dayton Court – On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution #2021R-11-2 to adopt Dayton Court. Motion carried. Two votes yes.

- C. 2004 Sterling/2008 Mack bed switch – Mr. Trout advised that the truck beds do not align and it is too expensive to make necessary adjustments so they will not be switching the beds. He stated that if the bed needs to be replaced in the future, it can be done at that time.

11. Other Business:

- A. Mrs. Kerchner advised that the Board has received the Zoning Report for October. There were no questions.
- B. Mrs. Kerchner advised that the Board has received the Township Manager Report for October. There were no questions.
- C. Mrs. Kerchner advised that the Board has received the Dog Officer Reports for August and October. Mr. Sechrist questioned how many times a month the Dog Officer is called out. Mrs. Gunnet stated that it is an average of 10 to 12 calls per month.

Mrs. Gunnet advised that the Board has received a copy of the 2022 Contract. She noted that the hourly rate increases from \$46.00 per hour to \$46.50 per hour. She stated that there are two new items being added to the contract. They are designating Wednesdays as their decompression day. Any calls on this day would be subject to a rate of \$75.00 per hour. Mrs. Gunnet noted that Klugh Animal Control had chosen Wednesday as this is their least busy day. The other new item is in regards to the Return to Owner fee. Currently it is \$50.00. They are proposing to increase it to \$100.00 if the pickup is with an intoxicated driver. Mrs. Gunnet stated that Klugh would keep the additional \$50.00. She commented that this is likely because they would need to keep the dog.

Mrs. Gunnet advised that she checked with other municipalities and they also have Wednesdays designated as decompression days in their contracts as well. She stated that there are limited choices for dog officers. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the 2022 Contract with Klugh Animal Control. Motion carried. Two votes yes.

- D. Windsor Area Recreation Commission – Update on current activities, Ordinance – Establish Recreation Commission, Job descriptions: Recreation Director & Recreation Administrative Assistant – Mrs. Kerchner advised that at the last WARC meeting, it was confirmed that all of the Commission members are interested in serving after it becomes Windsor Township Recreation. She stated that there will not be a meeting held in December. She commented that at the meeting, Dave Sprenkle questioned if disc golf had been discussed for the Community Center property. Mr. Kraft stated that there are site constraints at the site such as the walking trail that would cause safety issues so he does not feel that it would be possible as designed. Mr. Allison noted that there is nothing proposed for the wooded area at this time and this could be considered in the future.

Mrs. Gunnet advised that Ordinance #2021-11-02 has been advertised to Establish the Recreation Commission. It will be a 5 member board with staggered terms. Mrs. Gunnet advised that the members will be appointed at the Reorganizational Meeting. It was asked if the number of members could be changed. Mrs. Gunnet advised that it can be a 3, 5 or 7 member Board and an Ordinance amendment would be required to make changes. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Ordinance #2021-11-02. Motion carried. Two votes yes.

Mrs. Gunnet advised that the Board has copies of the job descriptions for the Recreation Director and the Recreation Administrative Assistant that she and Mr. Shaffer prepared. She asked if there were any changes that they would like to make. Mrs. Kerchner stated that she did not feel any changes were necessary and that they had done a nice job preparing them. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the job descriptions. Motion carried. Two votes yes.

- E. Mrs. Kerchner advised that the Board meeting scheduled for December 6, 2021 will be cancelled.
- F. Mrs. Gunnet reported that 98 vehicles attended the Shredding Event on Thursday, October 28<sup>th</sup> and a total of 7,202 pounds were shredded. Mrs. Kerchner asked if it was a better turnout during the week than on a Saturday. Mrs. Gunnet stated that there were more vehicles this time but last year was the first one that the Township held so it is hard to determine.
- G. Ordinance #2021-11-03 – Authorizing Execution of a Cable Franchise Agreement with Shenandoah Cable Television – Mrs. Gunnet advised that Shenandoah Cable Television is the formal name for Shentel Communications. She stated that their attorney drafted an Ordinance and Agreement that mirrors the Comcast Agreement with the Township. The Ordinance has been advertised for adoption. She noted that it will likely be several years until the infrastructure is active. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Ordinance #2021-11-03. Motion carried. Two votes yes.
- H. Tropical Depression Ida: York County included in disaster declaration
  - Resolution #2021R-11-01 – DAP 1 – Designation of Agent
  - Approval of DAP 2 – Public Assistance Grant Program Agreement
  - Reimbursement for:
    - Road repairs
    - Drying of Records - \$5,878.80
    - Taylor Road – Stream restoration

Mrs. Gunnet advised that York County has been included in the disaster declaration due to the damage from Tropical Depression Ida. She stated that she had submitted initial damage reports. There were some road and bridge repairs that were necessary. She noted that she is

going to question if the drying of the records that were damaged at the Township Office can be included in this reporting. The cost for the drying was \$5,878.80.

Mrs. Gunnet advised that a Resolution must be approved to designate an agent to sign the paperwork. She stated that Resolution #2021R-11-01 has been drafted to designate herself as the Designated Agent as required by DAP 1. On the motion of Rodney Sechrist seconded by Kathy Kerchner, Resolution #2021R-11-01 was approved. Motion carried. Two votes yes.

Mrs. Gunnet advised that the Board must also approve DAP 2 which is the Public Assistance Grant Program Agreement. She stated that 75% of the reimbursement is federal funds and 25% is state funds. She noted that the federal funds will need to be taken into account when dealing with ARPA funds being spent because if more than \$750,000 is received and spent within a calendar year, the Township will be subject to a single audit. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved DAP 2. Motion carried. Two votes yes.

Mrs. Gunnet advised that there have been issues with the stream on Taylor Road. It has flooded twice recently and has come up over Taylor Road. It cost approximately \$25,000 in just stone to fix it after Tropical Depression Ida. There are several driveways that cross this stream that have piping under them. The sediment is building up and is causing a damming effect. If a stream restoration is to be included, the funding from this declaration is able to be extended for an 18 month period and there is no cost for the extension.

Mr. Kraft advised that if the Board is interested, they can have a team look at it and provide options to correct the issues. Mrs. Gunnet stated that the paperwork is due shortly and she would need this estimate if they want to include this in the claim. Mr. Kraft advised that they could have someone out yet this week.

Mr. Allison expressed his concern that there are many large projects that the Township is in the middle of right now such as the Community Center and Public Works Building Addition. He commented that it could be too much for staff to take on another project like this right now.

Mrs. Kerchner asked if there is a cost for C.S. Davidson to prepare an estimate. Mrs. Gunnet advised that there would be cost based on the time for C.S. Davidson to complete the work. It was noted that there is the potential for other funding to be available in the future such as CBPRP funds. It was the consensus of the Board to have C.S. Davidson prepare a study with options for the stream restoration.

- I. Community Center Update: Zoning Ordinance, Section 113 – Exceptions – Mr. Allison advised that the Zoning Ordinance permits the Board to exempt ourselves from regulations in the Ordinance. He stated that they are working on the Land Development plan for the Community Center and there are items that they would like to deviate from to make the site

work best. He noted that many items are minor and buffering and screening will still be installed. There will be necessary waiver requests from the Stormwater Ordinance. It was the consensus of the Board that all deviations from the Zoning Ordinance for the Community Center are permitted.

- J. RACP Update – Resolution #2021R-11-03 – Names/Account numbers of where funds are located for the Solid Waste Fund – Mrs. Gunnet advised that as part of the RACP application requirements, the bank name and account number from where the funds are located for the project must be approved by Resolution. On the motion of Kathy Kerchner, seconded by Rodney Sechrist, Resolution #2021R-11-03 was approved. Motion carried. Two votes yes.
- K. Chris Fife – Painted fire hydrants – Mrs. Gunnet advised that a Township resident, Chris Fife, painted approximately a dozen fire hydrants along Kendale Road, Lombard Road, Cape Horn Road and Brittany Court. She informed that the Township supplied him with cones and a safety vest to use. She stated that he did not want to be recognized or have his picture taken.
- L. Expiration of terms – 12/31/21 – Mrs. Gunnet advised that the Board has received a list of those whose terms expire at the end of the year. She stated that she will contact them to see if they wish to continue to serve. She noted that there will be a new elected auditor as Robert Fishel did not run for reelection.

Mrs. Kerchner questioned what the Vacancy Board Chairperson does. Mrs. Gunnet explained that if there is a vacancy on the Board of Supervisors and the remaining Board members cannot come to a decision on who to appoint or cannot appoint someone within 30 days of resignation, the Vacancy Board Chairperson decides who will fill the position.

- M. Investment Accounts – Proposal for 2022 – Mrs. Gunnet advised that the Investment Accounts are currently at Peoples Bank earning an interest rate of .7%. Peoples Bank is not willing to extend that rate. They are proposing .2% for 6 months. She stated that she had questioned why they would only agree to 6 months and she was informed that the bank wants to cover themselves if the interest rate drops. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the 2022 Investment Account proposal with Peoples Bank. Motion carried. Two votes yes.
- N. Ordinance #2021-11-01 – “No Trucks over 25’ Long” – Mountain Road from Dietz Road to Stonewood Road – Mrs. Gunnet advised that a traffic study has been completed. Mr. Allison noted that these regulations will match the signage on Mountain Road on the northern side of East Prospect Road. Mr. Sechrist questioned if tractor trailers were using Mountain Road. Mr. Allison advised that they were. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Ordinance #2021-11-01. Motion carried. Two votes yes.

12. Unfinished Business:

- A. Possible Zoning Ordinance amendment – Chickens – Mr. Allison advised that the Board has a copy of a possible amendment which would allow for a maximum of six Group 1 animals on lots with a minimum of two acres within the R-1, R-2 and R-R zones. He questioned if the Board would like him to proceed with an amendment to allow for chickens and if so, how many animals would be permitted. He noted that if the Board chooses to make this amendment, it will not be able to change back to the current regulations. He explained that a Group 1 animal is an animal with an average adult weight less than 10 pounds.

Mr. Sechrist questioned if this amendment wording matches other municipalities. Mr. Allison advised that the regulations vary in different municipalities. Mr. Sechrist asked Attorney Rausch what the regulations are in Springettsbury Township. Attorney Rausch advised that chickens are not permitted in residential zones in Springettsbury Township.

Mr. Allison advised that this would affect 193 lots. Mrs. Kerchner asked Mr. Allison what his thoughts were on this topic. Mr. Allison stated that he was unsure what impact it may have. He commented that the Township will continue to receive calls with people asking if they can have chickens on all different size properties. Mrs. Kerchner advised that she is not opposed to changing the Ordinance and she feels that six animals maximum is a fair number. Mr. Sechrist agreed. It was the consensus of the Board to pursue an Ordinance amendment.

13. Public Comment – There was none.

14. Supervisors Comments – Mrs. Kerchner asked Mr. Sechrist if he had any comments. He did not.

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

16. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session at 7:13 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary



CITIZENS PRESENT  
November 15, 2021

Chief Tim Damon  
Scott Gingrich  
Spencer Seaks

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