

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
February 21, 2022

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, Kim Moyer, Attorney Shane Rohrbaugh, 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. A Moment of Silence was held in remembrance of previous Supervisor Dean Heffner who passed away on February 7, 2022.
4. Re-assignment of Board duties/assignments:
 - Chairperson (Kathy Kerchner)
 - Vice-Chairperson (Rodney Sechrist)
 - Liaison to: Zoning Hearing Board (Rodney Sechrist)
 - Planning Commission (Kathy Kerchner)
 - Agricultural Area Advisory Committee (Rodney Sechrist)
 - Local Government Advisory Committee (Kathy Kerchner)
 - Recreation Commission (Kathy Kerchner)
 - Fire Association (Rodney Sechrist)

Ms. Kerchner welcomed Mr. Moyer to the Board. On the motion of Kathy Kerchner seconded by Kim Moyer, the following assignments were made:

- Chairperson – Kathy Kerchner
- Vice-Chairperson – Kim Moyer
- Liaison to: Zoning Hearing Board – Kim Moyer
- Planning Commission – Kim Moyer
- Agricultural Area Advisory Committee – Rodney Sechrist
- Local Government Advisory Committee – Kathy Kerchner
- Recreation Commission – Kathy Kerchner
- Fire Association – Rodney Sechrist

Motion carried. Three votes yes.

5. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the minutes from the January 17, 2022 meeting were approved. Motion carried. Two votes yes.
6. 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 an email from the York County Association of Townships of the 2nd Class informing that there are vacancies for both the President and Vice-President positions. She stated that the Board has received a copy of the email. She asked them to let her know if they would be interested in serving. She noted that she is aware that there are some others interested in the positions.
7. Windsor Township Fire & Rescue Association – Scott Gingrich was present. He welcomed Mr. Moyer to the Board and expressed his condolences for the loss of Mr. Heffner. Mr. Gingrich reported that Laurel Fire Company has recently had some leadership changes. He noted that Barry Barshinger is currently the Acting Chief.

Mrs. Gunnet informed Mr. Gingrich that she had not received a list of line officers for any of the stations.

- A. Mr. Gingrich advised that the next Fire Chief's meeting will be held on February 24, 2022 at Laurel Fire Company. He noted that with the staff changes occurring, he will let us know if the location changes.
8. York Area Regional Police Department – No one was present. Mr. Sechrist commented that he is glad to hear that the merger is going well.

A. The monthly report is available for review.

9. Scott Brady – Windsor Township Zoning Ordinance, Section 311.4 – Off-Street Parking Requirements for Surfacing – Scott Brady and his wife, Jolene, were present. Mr. Brady advised that he is in the final stages of the Land Development Plan for his Special Events Barn. He stated that he would like to decrease the amount of blacktop area and is aware of a section within the Zoning Ordinance that allows the Board to grant relief on the type of impervious surface. He explained that he would like to use a geogrid system in which the grass would be permitted to grow through and the parking of vehicles would take place on this surface. The access drives and handicap parking spaces would remain bituminous. This change would allow for the required detention basin to be reduced in size as well. Mr. Brady added that the site would continue to have more of an agricultural feel with less blacktop. Mr. Allison presented a drawing the Board showing the layout of the parking area.

Mr. Kraft stated that he feels that conceptually this is a good use. He advised that he is not opposed to this application. However, the details of the proposed geogrid would need to be researched to ensure that it would be acceptable.

Mr. Allison recommended that if the Board is in favor of not requiring a bituminous surface for the entire parking area, to not tie their approval to a specific geogrid system. Ms. Kerchner stated that she is not opposed to this. Mr. Sechrist agreed. Mr. Moyer stated that he has seen this type of application at other locations, including Lauxmont Farms and Wyndridge Farms.

On the motion of Kathy Kerchner, seconded by Kim Moyer, the Board approved to not require a bituminous surface for a portion of the parking area with the condition that the Township approves a geogrid system. Motion carried. Three votes yes.

10. Plans for Approval:

A. GRACE ACADEMY – Preliminary/Final Land Development Plan #2021-51 by Johnston & Associates – Farm Drive – Kent Raffensberger from Johnston & Associates was present as well as Shane Lehman, the Director of Grace Academy. Mr. Raffensberger explained that Grace Academy is a private school. They are proposing to place two modular classrooms on the property in two phases. Mr. Allison explained the layout of the property and the location of the modular classrooms to the Board. Mr. Raffensberger advised that the Windsor Township Planning Commission has recommended approval and there are several waiver requests. He stated that the waiver requests are as follows:

1. Section 304.1.A; preliminary plan requirement
2. Section 305.1.E.1 & 305.2.B; plan sheet size
3. Section 502.2.J.2; widening of existing roads
4. Section 508.2.B; location of fire hydrants
5. Section 510; monuments and markers
6. Section 518; lighting

Mr. Kraft advised that he does not have any issues with the waiver requests and all comments have been addressed. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board approved the waivers and the plan. Motion carried. Three votes yes.

11. Township Engineer:

A. Engineer's Report – Mr. Kraft advised that the Board has received his report.

Public Works Building Addition – Ms. Kerchner questioned if the pricing is stabilizing to move forward with a quote for the Public Works Building. Mr. Kraft advised that they are making some changes to the plan and will move forward with bidding once completed. He stated that he does not know if the market is stabilizing but they will at least be able to obtain quotes from contractors. The Board would have the right to reject all bids.

B. Act 97 of 2021 – Mr. Kraft advised that there will be some items added to security estimates to make sure the Township is covered in all aspects of projects. Mrs. Gunnet advised that securities being held will be evaluated yearly to determine if increases are necessary.

C. Security Reduction – 2905 East Prospect Road (DUNKIN) – Mr. Kraft advised that he has received a request for Security Reduction for the Dunkin at 2905 East Prospect Road. This is their first and final reduction in the amount of \$59,053.94. He stated that he is recommending the release as the project has been completed. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the

Board approved the security reduction for 2905 East Prospect Road as recommended by the Township Engineer. Motion carried. Three votes yes.

- D. Windsor Manor Pump Station elimination – Payment #2 – \$62,239.25 – Mr. Kraft advised that Doli Construction had requested payment application #2 but they did not sign the application. He stated that they then contacted him and asked if the \$23,000 being held as retainage could be reduced to \$5,000. He stated that he does not recommend that this be done. He noted that the stabilization still needs to be done in the spring and the environmental permits will need to be closed out. Mr. Sechrist asked if this is a local contractor. Mr. Kraft noted that they are from Pennsylvania and have completed other projects locally.

It was the consensus of the Board to deny the request for the reduction in the retainage amount. Since the payment application was not signed, it was not considered a formal request and no action was necessary.

Mr. Moyer questioned if the Board will still owe the contractor the full amount. Mr. Kraft explained that 5% of the initial contract price is held as retainage. The \$62,239.25 is due to them for the completed work. However, since the application was not signed, it is not considered as a formal request for this meeting.

12. Solicitor:

- A. Attorney Shane Rohrbaugh advised that he will be filling in for Attorney Rausch for a few meetings. He stated that he did not have anything specific to report this evening.

13. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for February. Mr. Sechrist questioned if the Township can bid bio-diesel fuel. Mr. Trout stated that he did not know and he was also unsure if it could be used in our truck engines.
- B. Temporary authorization of non-CDL employees to operate CDL vehicles to remove snow or ice within certain limitations – Mrs. Gunnet advised that there was an article in the PSATS Morning News regarding an option on how to handle a shortage of plow drivers. The article stated that the Township is able to temporarily authorize drivers without a CDL to drive vehicles that require a CDL. Ms. Kerchner questioned if the Township's insurance would cover this if there was a claim. Attorney Rohrbaugh stated that this is something that should definitely be looked into and was not in favor of this option. Elmer Fromm, Oak Drive, stated that in the fire service, a CDL is not required to operate a fire truck and this is acceptable by their insurance companies.

- C. Bidding Blacktop vs. purchasing through COSTARS – Mr. Trout advised that he has looked into the cost of purchasing blacktop from Highway Materials under the COSTARS contract to determine what the cost will be. He stated that the Township will continue to bid for blacktop but using a COSTARS approved vendor is an option to get product if the bidder is unavailable. He noted that the Township will still have to abide with the escalation clause. Mr. Trout added that the cost of blacktop has doubled since 2008.
- D. Streets in Taylor Estates – Use of blacktop bid and contract out lay down of blacktop – Mr. Trout advised that he had checked with Attorney Rausch to see if it would be acceptable for the Township to use our blacktop bid for the street completion in Taylor Estates and bid out the laying of the product. He reported that Attorney Rausch advised that this was acceptable. He stated that another quote had been obtained from York Excavating. A quote could be obtained for just the laying of the blacktop. He noted that there are other items that will need to be completed as well, including sidewalks, curbing, stormwater controls and inlets. Mrs. Gunnet commented that we need to make the funds that we received for this project as far as we can. Mr. Sechrist questioned if we should obtain multiple quotes. Ms. Kerchner asked if York Excavating can do all of the required work. Mr. Trout stated that they do. Ms. Kerchner questioned if interested contractors could be included on the final walk through with C.S. Davidson. Mr. Trout stated that this could be done. Mrs. Gunnet questioned when this may happen. Mr. Trout advised that he would schedule for the end of March or beginning of April. It was the consensus of the Board to obtain quotes from multiple contractors.
- E. Purchase of hydraulic tamper - \$7,690 – Mr. Trout advised that the Board has information of the hydraulic tamper from Stephenson Equipment. He stated that it will assist with compacting trenches. It attaches to a backhoe. He budgeted amount was \$7,600. The balance can be paid from the Vehicle and Equipment Fund. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the purchase of the hydraulic tamper. Motion carried. Three votes yes.

14. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Report for January. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager Report for January. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer Report for January. There were no questions.
- D. Rehabilitation of Windsor Wonderland – Mrs. Gunnet advised that the initial quote that was provided to the Board for the playground project was approximately \$282,000. She stated that the current quote is \$375,000 to \$400,000. She noted that the Township has already received \$141,000 from the DCNR Grant and \$30,000 in Marcellus Shale Funds from the County. Modern Landfill has

a program called the National Neighborhood Promise in which they can donate up to \$150,000. However, government entities are not permitted to apply unless a non-profit works on our behalf. Modern Landfill has stated that they could donate up to \$50,000 if the National Neighborhood Promise grant is not received. Mrs. Gunnet advised that \$300,000 was budgeted this year which would put the budgeted amount plus secured funds at approximately \$471,000; not including any monies received from Modern Landfill. She stated that the design and the maximum amount to be spent need to be determined.

Mrs. Gunnet advised that the rubber bond flooring no longer has a 25 year warranty. It has now been reduced to 10 years or less. The original quote also included some areas of mulch. Ms. Kerchner stated that she is not in favor of any mulch. She stated that she feels the park is the focal point of our community. She questioned if the warranty on the poured in place surface would be affected if mulch was used in the same area. Mrs. Gunnet stated that staff had looked into rubber mulch as an option but was informed that there is potential that there could be wire in it since it is made from tires. Mr. Allison stated that they had also looked into turf but it is not considered a fall safe surface. He suggested using concrete in certain areas like a patio. He noted that Springettsbury Township has some concrete within their playground.

Mr. Allison stated that the biggest question at this time is how much the Board would like to spend on the project. Ms. Kerchner advised that she would like to go all in on the project. She commented that residents can attribute something tangible to the funds that were received from ARPA by seeing the improvements that are made to the playground. She added that this is currently the only park in the Township.

Mr. Moyer questioned if \$400,000 would cover the entire project. Mrs. Gunnet advised that it would not if the entire playground would be done in the rubber surface. She stated that it is estimated that the flooring alone will cost over \$200,000. Mr. Sechrist commented that there is not much option when it comes to the cost. After discussion, it was the consensus of the Board to set a cap at \$500,000.

- E. Windsor Township Recreation Commission – Update – Ms. Kerchner advised that she did not attend the February meeting. She stated that Mr. Shaffer did not have anything specific to report other than that the meeting time will be changing from 6:30 p.m. to 6:00 p.m.
- F. Ms. Kerchner advised that the Board meeting scheduled for March 7, 2022 will be cancelled.
- G. Mrs. Gunnet advised that \$24,120.65 has been received from PennDEP for the 2020 Recycling Performance Grant. These funds are deposited into Solid Waste Fund.
- H. Community Center – Capital Budget Request – Additional RACP funds - \$3,000,000 – Mrs. Gunnet advised that she was contacted by Representative Saylor’s office advising that applications are being accepted to be listed on the Capital Budget for RACP funds. She explained that since our project

will be going over the original projected amount, Representative Saylor advised to submit for additional funds. She noted that the application has been submitted for an additional \$3 million and she believes we should find out in July if it has been approved.

I. Resolutions accepting offer of dedication:

- 2022R-02-01 – Dwane L. Burke – Craley Rd.
- 2022R-02-02 – Richard E. (Deceased) & Joan L. Axe and Richard E. Axe, Jr. & Susan J. Axe – Witmer Rd.
- 2022R-02-03 – Richard R. & Barbara R. DiPietro – South Camp St.
- 2022R-02-04 – Rexroth Limited Partnership – Zimmerman Rd.
- 2022R-02-05 – Rexroth Limited Partnership – Delta Rd.
- 2022R-02-06 – Patrick J. & Debra A. Crotty – Manor Rd.
- 2022R-02-07 – Kay A. Tyson – Brownnton Rd.
- 2022R-02-08 – Kay A. Tyson – Dull Rd.

Mrs. Gunnet advised that these resolutions are to accept dedicated right-of-way on subdivision and land development plans which have been approved in the last three years. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution 2022R-02-01 through 2022R-02-08. Motion carried. Three votes yes.

- J. Resolution #2022R-02-09 – Authorization to submit Traffic Signal Maintenance Agreement to PennDOT – Mrs. Gunnet advised that PennDOT is requiring municipalities to enter into an Agreement with them for the maintenance, permitting and responsibilities in regards to traffic signals. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved Resolution #2022R-02-09. Motion carried. Three votes yes.
- K. Tropical Depression Ida – Update – Mrs. Gunnet advised that Tropical Depression Ida occurred in September of 2021. She stated that she and Mr. Allison had an exploratory call with FEMA to discuss damages from the storm. There are spreadsheets to complete as well as a large amount of supporting documentation in order to receive reimbursement that they will be working on. She noted that the drying of the documents that had been damaged by water is able to be included in the request. She estimated the total amount to be between \$30,000 to \$35,000.
- L. Non- Uniform Pension – Retiree working for Township – Mrs. Gunnet advised that she contacted the Township’s pension company, PMRS, regarding the possibility of a retired employee working for the Township and was informed that this is considered and In Service Distribution and is not permitted. A retired employee that is receiving a pension can only work for the Township as a subcontractor who would receive a 1099. This pertains even if the retiree only works part-time hours.

M. 2021 Year-end information: Compared to Budget Report, Fund Balance Comparisons & Sick Day Usage – Mrs. Gunnet advised that the Board has received year-end reports. She reported that General Fund had a surplus but Sewer fund had a deficit of approximately \$405,000. She stated that a majority of this was the result of the Windsor Manor Pump Station elimination which was budgeted out of reserves rather than taking out a loan.

Mrs. Gunnet noted that a lot of sick days were used in 2021 but a few cases were due to surgeries.

N. Possible increase to quarterly sewer bill – Mrs. Gunnet advised that during budget discussions, it was decided to wait until after the end of the year to see where balances stood before making a decision on an increase to the sewer bill. She estimated that the improvements to the Chapel View Pump Station at \$700,000. She noted that it is not feasible to increase the sewer bill to cover this cost. She stated that the last increase to the bill was \$3.00 in 2019. Mr. Allison commented that as the Board considers the amount in which the bill would be increased, administratively it is easier to work with whole dollar amounts. Mrs. Gunnet noted that a list has been given to Attorney Rausch to proceed with collection for those with the highest lien amounts but overall this is not a large amount. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved an increase of \$5.00 to the sewer bill making the new amount of \$120.00 per quarter effective May 1, 2022. Motion carried. Three votes yes.

O. American Rescue Plan Act funds – COVID 19 quarantine – Ms. Kerchner advised that there was a period of time in which employees were paid when they were required to be off to quarantine for COVID 19. She stated that there have been some instances with Township staff where they have come in contact with others and have had to quarantine and she questioned the thoughts of the Board to consider providing the employees with 5 days of quarantine time. Mrs. Gunnet stated that she felt that if an employee tested during their quarantine period and it was negative that they should be required to return to work immediately. Ms. Kerchner asked if a test can be required. Attorney Rohrbaugh advised that he does not believe an employer can force testing. Mr. Moyer questioned if the 5 days would occur per instance. Ms. Kerchner stated that it would be 5 days per year and once the time was used, it would not be replenished. Mr. Allison noted that the CDC guidelines state when it is necessary to quarantine. Mrs. Gunnet commented that if an employee cannot be forced to test, then the employee could take the maximum amount of time off with sick time. She noted that the relaxed sick day policy expires at the end of March. Mr. Allison stated that a doctor's note could be required if an employee is off more than three days in a row but not require it when using individual days. Attorney Rohrbaugh advised that as an employer, there should be caution in how sick time is regulated. He commented that COVID cases are on the decline and he recommended waiting to make a decision. It was the consensus of the Board to readdress this in March.

P. Mrs. Gunnet advised that an Electronics Recycling collection will be held on Saturday, April 23, 2022 from 9:00 a.m. to noon at the Public Works Building.

- Q. Mrs. Gunnet advised that she has received the quote from Kimberly Lawn Care for their 2022 Maintenance Proposal. The amount is \$10,686 which is \$208 more than 2021. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the 2022 Kimberly Lawn Care Maintenance Proposal. Motion carried. Three votes yes.
- R. Approval to purchase – Replacement cameras at Freysville Park – \$5,546.00 – Mrs. Gunnet advised that the camera system at the park is antiquated. The police department had requested to look at the film and it was not good enough quality to be beneficial. She stated that she has gotten a quote for a new high definition system. It works with and without internet service. The internet will be a secured line to the camera system and not available to the public. The camera system was budgeted. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the purchase of the replacement cameras. Motion carried. Three votes yes.
- S. Resolution #2022R-02-01 – Adoption of streets in Laurel Vistas – Mrs. Gunnet advised that the streets have been completed in Laurel Vistas and can now be adopted by the Township. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved Resolution #2022R-02-01 to adopt the streets in Laurel Vistas. Motion carried. Three votes yes.
- T. 2022 Commercial Insurance & Cyber Insurance Renewals – Mrs. Gunnet advised that the Board has received information for the commercial insurance policy. The overall policy will be increasing by 9%. There is a 41% increase in the liability category. The insurance company feels that the public works building and the 4 bay garage at Bahn’s Mill are both over insured which could result in a cost reduction. Mrs. Gunnet stated that she is hesitant to reduce the coverage on these buildings because of the cost to replace them. Mr. Trout noted that after the fire at Lower Windsor Township’s public works building, the Township took inventory of all of the items and adjusted the coverage on the building accordingly. Mr. Moyer questioned if there is additional coverage if it would be under insured. Mrs. Gunnet advised that the Township does have an umbrella policy for \$1,000,000.

Mrs. Gunnet advised that there is a substantial increase for the cyber insurance policy which is separate from the Commercial Insurance policy. She stated that there are two different options for coverage. The policy for 2021 was through Corvus in the amount of \$5,000. The cost through Corvus for 2022 is \$20,550 with a \$25,000 deductible. There is also coverage available through EMC insurance. The EMC deductible is \$10,000 per category and there are 4 categories. The Township would be responsible for paying any cost over the deductibles. She noted that if coverage was through EMC and there was a claim, this could impact the commercial insurance policy cost as well. Mrs. Gunnet advised when the server was updated, security controls were boosted but with the increase in cyber attacks, it is important for the Township to have sufficient coverage. Attorney Rohrbaugh stated that their firm was hit over a year ago and it was extremely costly and they are still missing files. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved coverage with Corvus. Motion carried. Three votes yes.

- U. Agricultural Security Area Addition – Dennis Klinedinst – 3 parcels on Pleasant Grove Road – 91.45 acres – Mrs. Gunnet advised that Dennis Klinedinst owns 3 parcels on Pleasant Grove Road totaling 91.45 acres that he would like to place in the Agricultural Security Area. She stated that this serves as a formal acknowledgement by the Township. Now it will be held for 6 months. After that time expires, a resolution will be prepared to add the parcels to the Agricultural Security Area.
- V. Message Board on website – Possible elimination – Mrs. Gunnet advised that when the Message Board was added to the website, it was used as a chat room which was not the intention. In 2007, rules were put in place that restricted the use to questions. She stated that now people are using as a way to file complaints or ask questions in which most of the responses are that the Township will look into the matter or that they need to call the Township Office in order to obtain the information. Mr. Allison commented that much more information is available on the Township website from when the Message Board was added. He noted that email addresses are available and he does not feel there is a purpose for the Message Board anymore. On the motion of Kim Moyer seconded by Kathy Kerchner, the Board approved to remove the Message Board from the Township website. Motion carried. Three votes yes.

15. Unfinished Business – There was none.

16. Public Comment – Elmer Fromm, Oak Drive, advised that he would like to take a moment to recognize Dean Heffner. He was a military member who provided service for our country and then continued on as a Supervisor to provide service to the Township. He stated that he valued the times when he was able to work with him directly and he appreciates all that he had done for the Township.

17. Supervisors Comments – Ms. Kerchner asked the Board if they had any comments. Mr. Sechrist did not have any comments.

Mr. Moyer thanked everyone for welcoming him to the Board.

Ms. Kerchner commented that this is Mrs. Gunnet's last meeting before her surgery and wished her luck. She advised that Mr. Allison will be in charge of the office while she is out.

Ms. Kerchner advised that at the police meeting, Dave Naylor from East Manchester Township mentioned that they have hired a grant researcher. The duties of this person are to find available grants for different types of projects and then apply for them. If the Township receives the grant, then the writer receives a percentage of the grant amount. She suggested having a presentation to see if this would be beneficial to Windsor Township.

Ms. Kerchner advised that the new Police Commission is great to work with and the transition has gone smoothly.

18. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.
19. The meeting of the Windsor Township Board of Supervisors adjourned at 8:03 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
February 21, 2022

Wendy Fink
Scott Gingrich
Elmer Fromm
Scott & Jolene Brady
Kent Raffensberger
Shane Lehman

685 Snyder Corner Road Red Lion PA
Alliance Fire & Rescue
Oak Drive Red Lion PA
Zion Church Road Red Lion PA
Johnston & Associates York PA
Grace Academy