

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
March 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, Kim Moyer, Attorney Charles Rausch, Christopher Kraft, P.E., Kipp Allison, Jeremy Trout, Christopher Shaffer and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Kathy Kerchner seconded by Kim Moyer, the minutes from the February 21, 2022 meeting were approved. Motion carried. Two votes yes.
4. The following items of correspondence were presented:
 - A. Mr. Allison 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. Mr. Allison advised that he has received a Consultant Engagement letter regarding the Commonwealth of Pennsylvania Redevelopment Assistance Capital Project. The letter identifies who the consultant will be. He added that the Township has not been contacted yet.
 - C. Mr. Allison advised that he has received a letter from Servants, Inc. requesting a donation from the Township for their "Ramp It Up" program. He stated that he does not believe that this organization has ever requested a donation from the Township and there are not funds budgeted. Mr. Moyer questioned how the Township has handled donations to non-profits in the past. Mr. Allison explained that there are several organizations that the Township donates to every year but he is not aware that there is a standard with other requests. Ms. Kerchner advised Mr. Allison to review the budget to see if there would be any funds available.
 - D. Mr. Allison advised that he has received a letter from the County of York informing that they will be upgrading the 911 system. He noted that staff is aware of this and have already been working with the County.
 - E. Mr. Allison advised that he has received notification from Comcast that they will making changes to increase internet speed.
 - F. Mr. Allison advised that he has received a letter from the York County Quick Response Team requesting a donation from the Township. He stated that it has been two years since the Township last made a donation. Mr. Moyer questioned how much the donation was for. Mr. Allison advised that it was \$500. Ms. Kerchner asked Mr. Allison to review the budget to see if it is possible to make a donation.

G. Mr. Allison advised that he has received the annual report from RAYAC which provides statistics regarding housing in York and Adams County as well as a breakdown for municipalities.

5. Windsor Township Fire & Rescue Association – Chad Arnold was present. He thanked Mr. Trout and the Highway Department for their assistance with road closings during the last storm.

Mr. Arnold stated that Winterstown Borough is requesting permission to use the Township's Knox Box key in their truck. He commented that they could be a second call for the Felton area. Mr. Allison requested to have Mr. Gingrich contact him to discuss this matter and he can address the Board.

A. Mr. Arnold advised that the next Fire Chief's meeting will be held on April 28, 2022 at Yorkana Fire Company.

B. Dallastown & Yoe Volunteer Firefighter's Relief Association – There was no discussion.

C. Ms. Kerchner advised that the Board has received the annual report from S.A.F.E.R.

6. York County Regional Police Department – Chief Damon was present. He advised that he is working on the annual report. He reported that recently they were called out for a pedestrian rescue for someone who fell in the snow and was missing for several hours. He noted that it ended well.

Mr. Moyer asked how the merger has been. Chief Damon advised that it has been even better than expected.

A. The monthly report is available for review.

7. Plans for Approval:

A. BRENT A. & MELISSA M. RAVER – Preliminary/Final Land Development Plan #211001 by James R. Holley & Associates, Inc. along Camp Street – Jason Brenneman with James R. Holley & Associates advised that this is a two lot subdivision that is split between Windsor Township and Windsor Borough. The existing house will be located on one lot and the other will be a residential building lot that is mostly within Windsor Borough. There are several waiver requests. He stated that the waiver requests are as follows:

1. Plan sheet size
2. Plan scale
3. Widening of existing roads
4. Installation of curbs
5. Installation of sidewalks

Mr. Kraft explained how the municipal line runs through the property. He advised that he does not have any issues with the waiver requests. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the waiver requests and the plan. Motion carried. Two votes yes.

- B. REXROTH LIMITED PARTNERSHIP & JENNIFER M. SEAKS – Final Subdivision Lot Line Adjustment Plan #21-07-001.A0 by Shaw Surveying, Inc., along Zimmerman Road – Josh Myers with Shaw Surveying advised that this plan is a lot line adjustment. He stated that all comments have been addressed and there are waiver requests. However, the plan has not been signed by the owners yet. Mr. Allison recommended that the Board not take action on the plan until it has been signed. He informed Mr. Myers that his clients can stop at the Township Office to sign. The Board did not take action on the plan.
- C. HOWARD/SNOOK PROPERTIES WEST – Preliminary Subdivision Plan #120817 by James R. Holley & Associates, Inc., 292 lots along E. Prospect Road, Stonewood Road & Freysville Road – Josh George with Landworks Civil Design advised that this plan has been in the works since 2012. They understand that they will need to redesign the stormwater controls so that they meet current regulations. He stated that they are making minor modifications to the street layout and do not believe that these changes would constitute a major change but wanted to verify with the Board that they would be permitted to use the same plan design.

Mr. Allison provided a drawing to the Board. He explained the proposed changes, noting that the proposed number of lots would not be increasing. He stated that it would need to be determined if this is a significant change to the overall plan. Attorney Rausch questioned the validity of the plan since it was submitted more than five years ago. Mr. Allison stated that the properties that are part of this subdivision were rezoned. The plan was submitted prior to the rezoning to fall under those Zoning Ordinance regulations. The plan has been listed on the Windsor Township Planning Commission agenda and there have been discussions regarding the plan, including the 55+ age restriction and the possible round about or traffic signal at the East Prospect Road and Freysville Road intersection. Mr. George advised that this would no longer be age restricted and YAMPO has allocated funds for improvements to this intersection. Mr. Trout questioned if this development is listed on the Chapter 94 Report. Mr. George stated that it is not but he is aware that there is capacity available.

Mr. Moyer commented that the Windsor Township Planning Commission recommended approval of the concept. Mr. George stated that they are looking for the same approval from the Board. He reiterated that the number of lots will not increase and they will comply with current stormwater regulations. Attorney Rausch advised that he does not feel that these changes are significant in nature. Mr. Kraft and Mr. Allison acknowledged that they were agreeable to the changes. It was the consensus of the Board to allow for minor design changes.

- D. BOWSER DENTISTRY – Preliminary/Final Land Development Plan – Waiver request – Matthew Allen with Terraform Solutions advised that Bowser Dentistry at 845 Edgewood Road, is in need of additional parking spaces. They are proposing to add five additional spaces. He stated that this would be 1,000 square feet of additional impervious area. When the stormwater controls were installed with the development of the property, they were oversized and would accommodate this additional area. Mr. Allen stated that a construction plan could be submitted and an amended

stormwater agreement could be recorded or a land development plan would need to be done. Mr. Kraft noted that a plan would be included as part of a recorded agreement. It was noted that it would be easier to handle this with a recorded agreement rather than a land development plan. However, it is the Board's decision on how to address it. Attorney Rausch advised that he does not have an issue with this being done through a recorded stormwater management operations and maintenance agreement. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved for the installation of five parking spaces at Bowser Dentistry subject to the recording of the Stormwater Management Operation and Maintenance Agreement. Motion carried. Two votes yes.

8. Township Engineer:

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

Public Works Building Addition – Ms. Kerchner questioned the design change that was done. Mr. Kraft advised that a door was relocated to allow for a longer stretch of wall which would be better for storage purposes. He noted that this change needed to be made on all plan sets before bidding.

B. Act 97 of 2021 – Changes to reduction of surety – Update – Mr. Kraft advised that they are utilizing a new method now to make sure the Township is covered in all aspects of projects.

C. Windsor Manor Pump Station elimination – Payment #2 – \$62,239.25 – Mr. Kraft advised that Doli Construction has still not signed payment application #2 so no action should be taken.

D. Security Reduction – Kensington Phase 2B – Mr. Kraft advised that he has received a security reduction request in the amount of \$172,745.10 for Kensington Phase 2B. This would bring the balance to \$182,603.30. He noted that this utilizes the 10% contingency and he is recommending approval. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the security reduction for Kensington Phase 2B based on the recommendation of the Township Engineer. Motion carried. Two votes yes.

E. Community Center Additional Services Request – \$86,100.00 – Mr. Kraft advised that he would like to table this item. He noted that he has received comments from Met-Ed that he will be addressing with them.

9. Solicitor – Attorney Rausch advised that he did not have anything to report.

10. Public Works:

A. Ms. Kerchner advised that the Board has received the monthly report for March. There were no questions.

- B. Road Materials Bid – Mr. Trout advised that the low bidder for blacktop is Highway Materials. The low bidder for stone is York Building Products. He noted that County Line Quarry is cheaper. However, they did not bid all different types of stone. He added that it is more convenient to pick up stone at County Line Quarry. He questioned if a bid could be accepted for them if they did not bid them all. Attorney Rausch advised that it would depend on how the bid was worded. Mr. Trout stated that the bid documents do not state that all stone must be bid. On the motion of Kim Moyer seconded by Kathy Kerchner, the Board awarded the stone bid for delivery to York Building Products, the stone bid for pickup to County Line Quarry and the blacktop bid to Highway Materials. Motion carried. Two votes yes.
- C. Line Painting Bid – Mr. Trout advised that the low bidder for Line Painting is D.E. Gemmill. They have been used in the past. Mr. Allison explained that this is a joint bid with several municipalities. On the motion of Kathy Kerchner seconded by Kim Moyer, the line painting bid was awarded to D.E. Gemmill. Motion carried. Two votes yes.
- D. Bio-Diesel Inquiry – Mr. Trout advised that he had provided the Board with information on bio-diesel fuel. He noted that it is currently mixed with the diesel fuel that we get but it is treated. He is not aware of anyone that uses straight bio-diesel fuel. Mr. Moyer commented that it does not seem like a good option.

Ms. Kerchner questioned if the Township has reduced unnecessary trips due to the cost of fuel. Mr. Trout stated that they are avoiding taking multiple trucks to jobs when possible.

- E. Bridge Inspection Reports – Needed Repairs – Mr. Trout advised that there are two bridges in the Township that are listed on the County’s inspection report that are in need of repairs. They are on Circle Drive and Huson Road. He noted that the Huson Road bridge is shared with North Hopewell Township. He stated that he was not in favor of the type of bridge that had been installed in 2013 when it was replaced. Mr. Moyer asked if it has wood decking. Mr. Trout stated that it has pressure treated wood. The steel and epoxy have failed. He advised that he will need to work with North Hopewell Township on the replacement. Each Township would pay for half the cost.

Ms. Kerchner asked who inspects the bridges. Mr. Trout advised that the County puts out a bid for bridge inspection. The bid is currently awarded to HRG, Inc. They inspect the bridges and then rate them. A bridge that receives a 0 or 1 is marked as urgent. The Circle Drive bridge received a rating of 1. Mr. Allison questioned if the Township should move forward on the repairs for this bridge. Mr. Trout stated that we should. Ms. Kerchner recommended getting quotes for the work.

- F. Ms. Kerchner questioned the status of the salt and cinder supply since it was a mild winter. Mr. Trout advised that the Township has taken the required 60% of the requested amount.
- G. Mr. Trout advised that Modern Landfill will start street sweeping on April 1st.

- H. Ms. Kerchner commented that Mr. Trout had noted that there is a back log with ordering trucks. Mr. Trout advised that at this time orders cannot be placed before November and then it takes eight to ten months for delivery. Currently Ford is requiring that all completed trucks must be purchased first as they are not customizing trucks at this time.

11. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Report for February. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager Report for February. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer Report for February. There were no questions.
- D. Rehabilitation of Windsor Wonderland – Mr. Shaffer advised that the Township has quotes from two different companies for the playground replacement. Recreation Resource sells Burke Equipment and MRC sells GameTime equipment. The current equipment is from GameTime. The Board has received a breakdown of quotes from both vendors. Included are the play structure, swings, two stand alone apparatus, picnic tables, shade structures and the poured-in-place flooring.

Mr. Allison showed the Board a sketch with the layout of the playground area. He stated that concrete has been added to reduce the amount of poured-in-place. This will allow for an area to place the picnic tables on to protect the surface. In addition, the gaga ball pit will be on concrete as that is the recommended surface. Ms. Kerchner commented that she is glad that there is no mulch and it makes sense to have the concrete areas. Mr. Allison added that by having concrete at the entrances, it should help to clean substances off people's shoes before they get to the poured-in-place flooring. It is recommended to have a hard surface against the poured-in-place surface as well.

Mr. Moyer questioned if there is a warranty on the poured-in-place surface. Mr. Shaffer advised that MRC is quoting a higher grade surface which has a 10 year warranty. The warranty with Recreation Resource is 7 years. He noted that the cost from MRC for the better flooring is cheaper than that of the lesser grade with Recreation Resource. Ms. Kerchner asked if a section was damaged if that area could be replaced. Mr. Shaffer stated that it can be replaced. He stated that when that is done, it is typically replaced with a different color to make it look intentional rather than trying to color match.

Ms. Kerchner questioned who will be fixing the drainage issue. Mr. Trout advised that the Highway Department will be completing that part of the project. Mr. Kraft explained that the grade will need to be raised. There will be an under drain installed and there will be a rain garden.

Mr. Moyer questioned if staff prefers one playground over the other. Mr. Allison advised that they are similar but the equipment from MRC has more slides. He noted that the issue with the Recreation Resource quote is that the equipment is currently on sale and the Township would need to sign a contract by March 31st. He stated that he is not sure that this is feasible. There is no timeline with MRC. He noted that they are charging a material surcharge but is hoping that they may remove it.

Ms. Kerchner asked what funding amounts have been secured. Mr. Allison advised that the Township has secured \$171,000 from the DCNR Grant and the County's Marcellus Shale Funds. The Township has partnered with Habitat for Humanity for a donation request in the amount of \$150,000 from Republic Services through their National Neighborhood Promise program. He stated that this is typically determined within 30 days.

Ms. Kerchner stated that she is very excited for the new playground. She commented that she feels it is the focal point of the Township. Mr. Allison added that this will be a major improvement. Ms. Kerchner questioned when the project could start. Mr. Allison explained that the Board needs to approve a layout and vendor. Then the next step would be to present our plans to DCNR. Once they approve them, the Township can enter into a contract.

Ms. Kerchner questioned if MRC is a local company. Mr. Shaffer stated that they are located in North Carolina but they have representatives in Pittsburgh and New Jersey.

Mr. Shaffer stated that one of the Recreation Board members had suggested changing the layout of playground area to close the entrance nearest the ballfield. He commented that he felt this should be addressed by the Board. Ms. Kerchner stated that with only have one point of egress, this could present an issue with getting in or out of the playground in an emergency. Mr. Allison added that there is only one entrance at the playground area at Cousler Park and the kids jump the fence to get out. He stated that he feels that two entrances is a better option. The Board agreed.

It was the consensus of the Board to move forward with MRC for the playground project.

- E. Windsor Township Recreation Commission – Update – Mr. Shaffer advised that this is a busy time of year for youth sports. There are approximately 770 children currently registered.

Attorney Rausch questioned if the Recreation Board members are the same as those that served with WARC. Mr. Shaffer stated that they are the same.

Ms. Kerchner questioned if there is an issue with the number of fields needed based on the number of participants. Mr. Shaffer advised that some of the teams are sharing fields for practice. Ms. Kerchner asked if there is a ballfield to be located at the Community Center. Mr. Shaffer stated that there would not be. Ms. Kerchner questioned if the Township is still using the Yorkana Ballfield.

Mr. Shaffer stated that it is being used and he may also be receiving permission to use the fields at Conrads. The fields at Clearview and LJM Elementary school are also being used as well as the Windsor Borough field. Ms. Kerchner commented that it may be necessary to pursue locating ballfields on the Public Works property. Mr. Allison advised that this is possible but it would need to be looked at to make sure that the uses were kept separate since this would bring more people to the property.

Mr. Shaffer questioned if the Board would consider allowing the fields to be treated at the Bingo Hall. Mr. Trout commented that the grass at these field is not good quality. Ms. Kerchner asked if there is an agreement in place for the use of the fields. Mr. Shaffer stated that he had tried to get a contract signed with the owner in the past but was unable to do so. He stated that he could go back to him again. Ms. Kerchner stated that the Board may consider improvements at the field if there was a contract in place. Mr. Shaffer advised that he would reach out to the owner.

- F. Ms. Kerchner advised that the Board meeting scheduled for April 4, 2022 will be cancelled. She asked if this is posted at the office and on the Township website. Mr. Allison advised that it is.
- G. Tropical Depression Ida – Update – Mr. Allison advised that all of the information has been submitted to FEMA for possible reimbursement for damages due to Tropical Depression Ida. He stated that his next scheduled meeting with FEMA is March 29th. If received, the reimbursement could be approximately \$30,000.
- H. 2022 Commercial Insurance & Cyber Insurance renewals – Mr. Allison advised that at last month’s meeting, the Board had approved a contract with CORVUS for Cyber Insurance. He reported that the insurance agent has found another company that would offer similar coverage for less cost. This company is COALITION. Their quote is \$12,022. The quote from CORVUS was in excess of \$20,000. He noted that regardless of the insurance company, there will be several changes that will need to be made to the server in order to be accepted. Ms. Kerchner commented that the Township needs to have this coverage. On the motion of Ms. Kerchner seconded by Kim Moyer, the Board approved to change the Cyber Insurance coverage from CORVUS to COALITION and for the upgrades required by the insurance company to be completed. Motion carried. Two votes yes.

Mr. Allison advised that the reason for the increase to the General Liability policy was due to adding Windsor Area Recreation to the policy.
- I. Ms. Kerchner advised that the Board has received a copy of the 2021 Employee Training Report. There were no questions.
- J. Ms. Kerchner 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.

- K. Appointment of Deputy Tax Collector – Mr. Allison advised that Act 18-215 requires that a Deputy Tax Collector must be appointed. He stated that Mrs. Heindel is requesting that Elizabeth Adcock be reappointed. On the motion of Kathy Kerchner seconded by Kim Moyer, Elizabeth Adcock was appointed as the Deputy Tax Collector. Motion carried. Two votes yes.

12. Unfinished Business:

- A. American Rescue Plan Act funds – COVID 19 quarantine – Ms. Kerchner advised that there were previous discussions regarding the relaxed sick leave policy. She asked if there have been any new Covid cases with the employees. Mr. Allison stated that there have not been any recently. Ms. Kerchner commented that the relaxed policy was continued at one time to allow for employees to use sick time if they needed to be off with a child. It was noted that at a previous meeting, Attorney Rohrbaugh had stated that many employers do not regulate how sick time is used. Mr. Trout commented that he feels sick time is being misused since a doctor's note is not required. Ms. Kerchner advised that the Personnel Policy is budgeted to be rewritten this year. She stated that it may be better for the Board to readdress the sick leave policy in conjunction with the rewrite. It was the consensus of the Board to continue the relaxed sick leave policy until June 30, 2022. She added that if the Board would choose in the future to reimburse for days required for quarantining, it could be made retroactive. It was asked if it could be mandatory to have a doctor's note for sick days taken during a specific time frame. Attorney Rausch advised that he would have to research this.

- 13. Public Comment – Rodney Grove, 211 Pleasant View Drive, thanked the Board for all of the effort that they put into their positions. He stated that he is present this evening because he has a concern about the Delta Road and Pleasant Grove Road intersection. He explained that there is a row of pine trees that block the sight distance when looking south on Delta Road from the stop sign on Pleasant Grove Road. He stated that he understands that both roads are State roads but questioned if there was anything the Township could do to have the trees cut back. Mr. Trout advised that he had worked with PennDOT in the past and they had been trimmed. Mr. Allison stated that the property was recently sold. The previous property owner did not want the trees cut. He stated that staff at Representative Saylor's Office had worked with PennDOT to have trimming done. He added that he believes the trees are located within the right-of-way. He advised that the Township could send a letter informing the property owner of the complaints received. Ms. Kerchner questioned if the trees are used to block the house from the road. Mr. Allison stated that the house sits back further and he believes there is a fence on the other side of the trees. Mr. Trout commented that the trees are mature and it may destroy them if they are trimmed too much. Mr. Allison recommended that Mr. Grove contact Representative Saylor's office and he will send a letter to the property owner as well.

- 14. Supervisors Comments – Ms. Kerchner asked Mr. Moyer if he had any comments. Mr. Moyer did not.

Ms. Kerchner thanked the staff for all of the extra work that they are putting in while Mrs. Gunnet is on medical leave. She stated that she is thankful that the Township has good employees that work together.

15. On the motion of Kathy Kerchner seconded by Kim Moyer, the bills were approved. Motion carried.
Two votes yes.
16. The meeting of the Windsor Township Board of Supervisors adjourned at 8:20 p.m.

Respectfully submitted,

Katherine A. Kerchner
Chairperson

CITIZENS PRESENT
March 21, 2022

Chief Tim Damon
Chad Arnold
Roxanne & Rodney Grove
Joshua George
Matthew Allen
Josh Myers
Cindy Mann
Jason Brenneman

York County Regional Police Department
Alliance Fire & Rescue
211 Pleasant Grove Road Red Lion PA
Landworks Civil Design
Terraform Solutions
Shaw Surveying
4000 Mt. Pisgah Road York PA 17406
James R. Holley & Associates