

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

April 17, 2023

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.

Ms. Kerchner advised that an Executive Session will be held after the meeting to discuss a personnel matter.

3. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the minutes of the March 20, 2023 meeting 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.

- B. Mrs. Gunnet advised that she has received a flyer from the Kaltreider-Benfer Library announcing their Ribbon Cutting Ceremony for the reopening of the library which will be held on Saturday, April 29, 2023 at 9:00 a.m. She asked the Board to let her know if they would be attending so that she can RSVP.

- C. Mrs. Gunnet advised that she has received a letter from the Larry J. Macaluso Elementary School PTO requesting a donation toward their new playground. She noted that the school district does not make a contribution toward the playgrounds. Mr. Sechrist stated that he does not feel that the Township should make a donation as the Township helps to take care of school grounds.

5. Ronald Howard – 25 Year Service Award – This item was tabled as Mr. Howard was not present.

6. Windsor Township Fire & Rescue Association – Dan Orwig was present. He thanked the Board for enacting the burn ban. Mr. Sechrist commented that he understands that a resident was fined for burning during the ban. Mrs. Gunnet added that the County also declared a burn ban which will be in effect for 30 days. She noted that this ban supersedes the Township.

- A. Ms. Kerchner advised that the next Fire Chief's meeting will be held on April 27, 2023 at SAFER, Dallastown.

- B. Simulator repair – Update – Mr. Orwig stated that he does not have an update.
- 7. York County Regional Police Department – No one was present.
 - A. The monthly report is available for review.
- 8. John & Lynn Cheeseman – 910 Cranberry Lane – Waiver of Stormwater Ordinance regarding installation of solar panels – Mrs. Cheeseman advised that they are looking to install a ground mount solar array and are before the Board to request a waiver from installing stormwater management controls. She stated that they are currently midway of the 30 year lifespan of their roof so it does not make sense to install roof mounted panels. They have also determined that a ground mount array is more efficient and they have the space on their lot to install one. They have been working with Lumina Solar to design a system and when they called in for information on setbacks, they were informed that they would be required to install stormwater controls due to the size of the panels. She advised that she has spoken with Mr. Allison regarding the options for stormwater management. She noted that one of the options is Disconnected Impervious Area but once an area is designated on their property, they will not be permitted to place anything in this area. The cost was approximately \$2,200. She stated that the cost for a seepage pit was between \$3,500 and \$7,000 for the design and installation. She advised that their lot is 1.3 acres in size. She provided the Board with two drawings of their property. She explained that there is a swale and detention basin on the adjoining lot and they have never had any drainage issues.

Mrs. Cheeseman advised that the array they would be proposing is 21' x 35'. This is 735 square feet. Aside from the poles for support, the ground is undisturbed. She understands that each property in the Township, regardless of size, is permitted to install 500 square feet of impervious area without needing to install stormwater controls. She stated that she does not feel it should be handled this way as they are only covering a total of 1.25% of their lot.

Mrs. Cheeseman advised that the Ordinance allows for modifications and therefore, they are requesting a waiver. She stated there should be incentive for residents to install solar and feels these requirements are unreasonable. She presented Ms. Kerchner with her letter requesting the waiver of installing stormwater controls.

Mr. Allison informed Mrs. Cheeseman that she would not need to have a seepage pit designed by an engineer. He stated that for impervious surfaces under 2,000 square feet, Township staff provides the size for the seepage pit. A stormwater plan is only required for projects 2,000 square feet or larger. A perc and probe would not be required. Mrs. Cheeseman questioned the size of the pit. Mr. Allison advised that he would need to run the calculations to determine the size. Mr. Sechrist questioned if it would be a trench like the one he installed for his ground mount system. Mr. Allison stated that it would be. The pit would run along the bottom edge of the panels. Mrs. Cheeseman commented that they have had no issues with stormwater runoff.

She questioned if the pit could be installed at a later time if it was determined that there was an issue. Mr. Allison questioned who would determine if there was an issue. Mrs. Cheeseman stated that she felt it would be his decision.

Mr. Allison advised that the Disconnected Impervious Area option would not require a pit to be dug. Mr. Kraft commented that this is the perfect scenario in which to use this option. However, a sealed plan is required by an Engineer. Mr. Cheeseman stated that his concern is that an area must be set aside that could not be built on.

Mr. Kraft advised that if the panels were spaced further apart, stormwater controls would not be required. This is the exemption that is provided in the Ordinance. The spacing between the panels must be equal to the length of the panel size. Mr. Cheeseman questioned if they did two lines of panels that were spaced apart by the size of the panel, that they would not be required to install stormwater controls. Mr. Kraft stated that this is correct. Ms. Kerchner questioned if he would be interested in doing two separate lines. Mr. Cheeseman stated that he would need to look at cost.

Mr. Allison had left the meeting room to run the calculations for the sizing of a trench system. He returned to the meeting and informed that the trench would be 35' long, 3' wide and 3' deep.

Mr. Cheeseman asked the Board's thoughts on the waiver request. Mr. Kraft recommended that the Board not deviate from the Ordinance requirements. Mr. Allison advised that there are multiple options for them to look into further. Mr. Kraft questioned their timeframe. Mr. Cheeseman advised that they do not have a specific timeframe but the sooner they are installed, the sooner they start saving.

Attorney Rausch questioned if the panels are stationary or if they move. Mr. Cheeseman stated that they are stationary. Attorney Rausch asked how high they are above grade. Mr. Cheeseman advised they are 8' high.

Ms. Kerchner questioned if the Ordinance addresses solar. Mr. Kraft advised that it does. There is the specific section that allows for the spacing so that stormwater controls are not required. He added that he thinks that if they want the panels designed as the rectangle they are proposing, the option for the Disconnected Impervious Area makes sense. The space that is required to be set aside is the same size as the panels. Attorney Rausch questioned why a plan must be done by an Engineer. Mr. Kraft advised that it is a requirement of the Ordinance that shows this area being set aside. The document is recorded.

Mr. Allison stated that if the Board chose to grant a waiver, it would set a precedence. All ground mount systems that are over 500 square feet have stormwater controls installed. He noted that most systems that the Township issues permits for are roof mounted.

Mr. Cheeseman asked if the Board is granting or denying the waiver request. Attorney Rausch suggested he look into the options that were presented this evening. Ms. Kerchner advised that she would like to look into this more before making a decision. Mr. Cheeseman stated that since the Township is working on an ordinance for solar, maybe stormwater could be addressed as part of it.

9. Township Engineer:

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

B. Public Works Addition – March 17, 2023 Construction meeting

Payment Applications: Uhrig #6 – \$103,722.71

Shannon A. Smith, Inc. #4 – \$9,250.50

Change Orders: Uhrig #2 – Modifications to bollards and addition of 2 steel angles for threshold protection at overhead garage door – \$2,628.40

Mr. Kraft advised that the Board has received a copy of the minutes from the March 17, 2023 meeting. There were no questions. Mr. Kraft advised there are two payment applications for approval. They are payment application #6 from Uhrig Construction in the amount of \$103,722.71 and payment application #4 from Shannon A. Smith, Inc. in the amount of \$9,250.50. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the payments were approved. Motion carried. Two votes yes.

Mr. Kraft advised that the steel and block is installed and the floor has been poured.

Mr. Kraft advised that there is one change order for approval. He stated that Change Order #2 for Uhrig is for modifications to bollards and to the threshold protection at the overhead garage doors in the amount of \$2,628.40. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the change order was approved. Motion carried. Two votes yes.

C. Security Reduction – York Excavating Company, Contractor's Shop – Mr. Kraft advised that he has received a request for a security reduction for York Excavating Company. He noted that the only outstanding item is for their asbuilts. He stated that he is recommending a reduction in the amount of \$106,609.40 which will leave a balance of \$7,700.00. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the security reduction for York Excavating Company, Contractor's Shop based on the recommendation of the Township Engineer. Motion carried. Two votes yes.

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

11. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for April. She questioned if Yoe Concrete fixed the cracks in the concrete at the playground. Mr. Allison advised that Currie Grove paid for Yoe Concrete to fix the cracks. An epoxy resin was used to seal the cracks. Mr. Allison explained that expansion joints should have been installed when the concrete was originally poured. The locations had been marked but the cuts were not made. The expansions are installed to help reduce cracks. Mr. Trout advised that since the expansion joints have been installed, it should not continue to crack. Ms. Kerchner advised that she does not want to pay to repair the concrete if it cracks more in the future.
- B. Sewer Projects & Grants: Local Share Account Category 4 Facilities Program
COVID Small Water & Sewer Grant
H2O Water & Sewer Grant

Mrs. Gunnet advised that the Township has been awarded more grant funds than the total project cost for the Chapel View Pump Station and Chapel Church Interceptor improvements. She stated that she has provided the Board with a breakdown of the grants that have been awarded and their coverage percentage. She advised that the Local Share Account Category 4 Facilities is 100% funding, the COVID Small Water & Sewer Grant is a 85/15 split and the H2O Water & Sewer Grant is a 50/50 split. If the Township accepted the COVID grant, we would be responsible for \$66,000. If the Township accepted the H2O grant, we would be responsible for \$692,058. She recommended that the Board withdraw from the H2O grant. On the motion of Rodney Sechrist seconded by Kathy Kerchner, the Board withdrew from the H2O Water & Sewer Grant. Motion carried. Two votes yes.

- C. Pave-In-Place bid results – Mrs. Gunnet advised that the bid results are attached to the Board’s agendas. Mr. Trout stated that Kinsley is the low bidder. He noted that this also includes the paving the parking lot at the Township Office. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board awarded the bid to the low bidder. Motion carried. Two votes yes.
- D. Building & Grounds – Ms. Kerchner advised that all of the part-time positions have been filled. Mrs. Gunnet stated that the latest hire started on April 10th.

12. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer’s Report for February and March. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager’s Report for March. There were no questions.

- C. Ms. Kerchner advised that the Board has received the Dog Officer Report for March. There were no questions.
- D. Community Center – Update – Mrs. Gunnet advised that the redesigned plans were sent to Met-Ed and we are still waiting to hear back.
- E. Rehabilitation of Windsor Wonderland – Update – Mrs. Gunnet advised that the finishing touches are being completed. She stated that the sign installation was to be started today and the gaga ball pit was installed. Mr. Trout advised that the garbage cans have been delivered and they will be anchored in place. Mr. Sechrist questioned if the security cameras are operational. Mrs. Gunnet advised that they are. Ms. Kerchner commented that Lonnie Miller’s idea for the ramp worked out well.

Ms. Kerchner advised that the playground will be open for a special event for the families of the Township employees on Thursday evening at 7:00 p.m. The Grand Opening will be held on Friday, April 21st from 4:00 to 8:00 p.m. There will be food trucks and free shaved ice for the kids.

Mr. Sechrist thanked the employees for their time spent watching over the playground to ensure no one was on the poured in place surface. Mrs. Gunnet advised that the time was split up between the employees.

Ms. Kerchner questioned if the news media was being contacted about the Grand Opening. Mrs. Gunnet advised that invitations to attend had been sent to the County Commissioners, DCNR and Modern Landfill.

- F. Freysville Park: Food Truck Friday/Grand Opening – April 21 – 4:00 p.m. to 8:00 p.m.
Use of parking lot for fundraisers – Clarification
Prohibition on dogs

The Grand Opening of Windsor Wonderland will be on Friday, April 21st from 4:00 p.m. to 8:00 p.m.

Mrs. Gunnet advised that in February, Laurel Fire Company had requested to use the parking lot at Freysville Park to hold a chicken barbeque. The Board had approved to allow non-profit agencies to use it at no cost. She questioned if this should be limited to Red Lion Area School District affiliated groups and fire companies serving the Township. She stated that Laurel Fire Company has also sent in a request to use the parking lot once every month. She questioned if this was the intention of the initial approval. Ms. Kerchner stated that she does not feel that it should be permitted every month. She commented that it takes away from the Township and becomes a permanent thing. Mrs. Gunnet noted that at this time, it is not possible to verify if there would be a conflict with sporting events in the fall. It was the

consensus of the Board to limit the approval to Red Lion Area School District affiliated groups and fire companies serving the Township and each would be limited to two events per calendar year.

Ms. Kerchner advised that the Township's programs need to take first priority. When a request is received, it should be verified by Mr. Shaffer that there will be no conflict with Township events.

Mrs. Gunnet advised that it has been noticed that dogs are being brought to the park more frequently. She stated that she was recently at the park when she saw a family with a dog. She stated that she spoke with them and they informed her that it was a service dog. She commented that it had not been wearing any badging. She advised that she contacted Attorney Rausch to get insight on how to handle these situations. Attorney Rausch had informed that they are not required to wear a vest. The only two questions that may be asked is if the animal is a service dog and what work or task has the dog been trained to perform. Attorney Rausch advised that this only applies to service animals, not emotional support animals. He noted that the Township cannot ask for licensing information.

Mrs. Gunnet advised that Attorney Rausch feels that the Ordinance may also need to be revised because it states that animals are not permitted within a Township facility. It could be misunderstood that this only applies to buildings and not to the grounds.

Mr. Allison questioned if it would be better to allow dogs at the park and purchase dog cleanup stations to avoid asking the wrong questions. Mrs. Gunnet advised that the rules had been changed to not allow dogs at the park because people were not cleaning up after them and people were letting their dogs near the player benches and they were licking the water bottles.

It was the consensus of the Board to leave the regulations as is.

- G. Windsor Township Recreation Commission – Update – Ms. Kerchner advised that she does not have an update as she was not present at their last meeting.
- H. Ms. Kerchner advised that the Board meeting scheduled for May 1, 2023 will be cancelled.
- I. DCED Grant:
 - Painting (Board Room & Hallway) – \$31,596.92
 - Carpet – (Board Room) – Revised quote – \$10,566.35
 - Board Room AV update – \$13,296.00
 - Digital Sign – Freysville Park – Operational

Mrs. Gunnet advised that at the last meeting, the Board had discussed other options for quotes for the painting of the Board Room and hallway. She stated that because DCED views

this funding as one project, it must be bid or use COSTARS, KPN or Sourcewell approved vendors. The quote obtained is in the amount of \$31,596.92 from a KPN vendor.

Mrs. Gunnet advised that when the carpet was quoted, they used the wrong tile size. A revised quote has been received in the amount \$10,566.35. This is approximately \$1,200 more than the original quote.

Mrs. Gunnet advised that a quote has been received for the AV in the Board Room in the amount of \$13,296.00.

Ms. Kerchner noted that the digital sign at Freysville Park is now operational.

On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the quotes for the painting, carpet and AV updates. Motion carried. Two votes yes.

- J. Ms. Kerchner advised that the Township will be holding an Electronics Recycling Event on Saturday, April 22, 2023 from 9:00 a.m. to 12:00 p.m. at the Public Works Building at 970 White Oak Road.
- K. Service Award Program – Ms. Kerchner advised that she and Mr. Moyer will be working on this.
- L. Lease agreement with DBRH Property, LLC – Soccer fields at former Bingo Hall – Mrs. Gunnet advised that the Township has been trying to obtain a written agreement with the owner of the former bingo hall off Cape Horn Road for the use of the soccer fields. An Agreement has now been prepared. There is no cost to the Township as long as we continue to maintain the fields. It is valid for 5 years with the option for one year extensions. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Agreement with DBRH Property, LLC for the use of the soccer fields. Motion carried. Two votes yes.
- M. Relocation of polling place for District #3 – Mrs. Gunnet advised that she had been contacted by the Elections Office regarding a location for District #3. This location was at the Laurel Fire Company but it has been determined that they do not meet accessibility requirements due to the slope of the parking lot and the location must be changed. She stated that she met with a representative to determine if the Township Office would be an option for the polling location. He was concerned about the size of the Board Room and did not feel that it would be large enough for presidential election years. There was also an issue with the threshold from the handicap ramp at the parking spots onto the sidewalk but he felt it could be acceptable if a rug was placed over this section.

Mrs. Gunnet advised that the election is on May 16th and the employees will be prepping the room for the painting and carpet installation. In addition, most municipal offices that are a

polling location are closed on the day of the election. Ms. Kerchner stated that with the work that is to be taking place, she does not feel that our office should be used. It was the consensus of the Board that the Township Office would not be a polling location.

Mrs. Gunnet noted that she had recommended that they consider Larry J. Macaluso Elementary School. The schools are already closed that day as Pleasant View Elementary is also a voting location. He was going to look into this option as well.

13. Unfinished Business:

- A. Non-Uniform Pension: Sick Leave payment
2022 State Aid overage – 2022 – \$7,047

Mrs. Gunnet advised that she does not have an update as the representative that she was working with is now on an extended medical leave. Ms. Kerchner questioned if the employees are aware of the situation. Mrs. Gunnet stated that she does not know if they have been made aware yet and she does not have information to tell them.

Mrs. Gunnet advised that she does not have an update on the State Aid overage.

14. Public Comment – Dylan Kerchner, Azalea Drive, stated that he is interested in placing a vending machine at the park that would have both drinks and snacks. He stated that he is aware that there has been vandalism in the past. Mr. Trout noted that there are security cameras in place now. Mr. Kerchner stated that he would be responsible for stocking the machine. Ms. Kerchner questioned if an agreement was in place for the soda machine that used to be at the park. Mrs. Gunnet advised that the Township had been responsible for stocking the machine and also kept the money.

Mr. Allison commented that the machine would need to be connected to electric and the Township would incur this cost. Mrs. Gunnet asked Mr. Kerchner where he would like to place the machine. Mr. Kerchner stated that he had not selected a specific location. Mr. Sechrist questioned what benefit the Township would receive. Ms. Kerchner stated that this would just be a service to people using the park. Mrs. Gunnet noted that Pepsi did not pay toward the electric but the Township kept the profit from the machine. Mr. Allison did a quick search and found that a vending machine averages \$250 to \$500 in electricity annually to operate. Ms. Kerchner commented that because Mr. Kerchner is her son, she would need to abstain from voting so this topic can be put on the next Board agenda.

15. Supervisors Comments – Ms. Kerchner asked Mr. Sechrist if he had any comments. He did not have any comments.

Ms. Kerchner did not have any comments.

16. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the bills were approved. Motion carried. Two votes yes.
17. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session at 7:20 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
April 17, 2023

Lynn & John Cheeseman
Wendy & Jason Fink
Daniel Orwig
Terry Koller
Dylan Kerchner

910 Cranberry Lane York PA
685 Snyder Corner Rd Red Lion PA
Laurel Fire Company
655 Pine Street Red Lion PA
Azalea Drive Windsor PA