

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

August 21, 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, Kim Moyer, 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 Kathy Kerchner seconded by Kim Moyer, the minutes of the July 17, 2023 meeting were approved. Motion carried. Three votes yes.
4. The following items of correspondence were presented:
 - A. Mrs. Gunnet advised that any Form U applications that had been received from Modern Landfill would be located on the counter in the rear of the room.
 - B. Mrs. Gunnet advised that she received letters from Kaltreider-Benfer Library, Susquehanna Area Senior Center and Golden Connections thanking the Board for the donations that were made to their organizations.
 - C. Mrs. Gunnet advised that she has received a letter from Comcast informing that they will be submitting a grant application to the Pennsylvania COVID-19 ARPA Capital Projects Fund Broadband Infrastructure Program. The purpose of the grant is to extend broadband service to the unserved locations in the Township.
 - D. Mrs. Gunnet advised that she has received notification from the York County Association of Townships of the Second Class that they will be holding their annual convention on October 25, 2023 at Heritage Hills Golf Resort. She asked the Board to let her know if they plan to attend so she can RSVP.
 - E. Mrs. Gunnet advised that she has received the Audit Report of the 2022 financial records from Kochenour, Earnest, Smyser & Burg. There were no findings. The Board has a copy of the report.
 - F. Mrs. Gunnet advised that she has received a letter from Kaltreider-Benfer Library announcing that they will be starting an Honors Event. The first event will be held on Thursday, September 21, 2023 at 7:00 p.m. Former Representative Stan Saylor will be the honoree at this event. She asked the Board to let her know if they plan to attend so she can RSVP.

- G. Mrs. Gunnet advised that she has received an invitation to C.S. Davidson's 100th anniversary celebration which will be held on Thursday, October 19, 2023 at the Agricultural & Industrial Museum. She asked the Board to let her know if they plan to attend so she can RSVP.
5. Windsor Township Fire & Rescue Association – No one was present.
- A. The next Fire Chief's meeting will be held on August 24, 2023 at Yorkana Fire Company.
 - B. Simulator repair – Update – No discussion
 - C. Fire Company picnic – Sunday, September 24 – 2:30 p.m. – Freysville Park – Ms. Kerchner questioned if the Township is hosting this event. Mrs. Gunnet advised we are. She noted that it is not budgeted. The goal of the picnic is to support good morale by bringing members of all of the fire companies that serve the Township together.
6. York County Regional Police Department – Chief Tim Damon was present.

Ms. Kerchner commented that she saw the police horse at the Dallastown Carnival.

Mr. Moyer stated that he recently saw a police service truck. He questioned what that vehicle is used for. Chief Damon advised that it is used to perform motor carrier safety inspections as it has special equipment on it. He stated that when these inspections are done, it is on the vehicle, not the driver. He reported that they have recently had 9 violations. He stated that this vehicle is also used for crash reconstruction and DUI checkpoints.

Chief Damon advised that they have been doing joint training with Alliance Fire Company across from the York County Prison. He stated that they are working with them to understand issues that they have. He commented that the picnic is a good idea to boost morale.

Chief Damon informed that one of their officers was involved in a motorcycle accident with his personal vehicle. He is currently off of work but should make a full recovery.

Ms. Kerchner questioned if there have been issues at the Windsor Commons Shopping Center. She stated that someone had told her that a person was being followed. Chief Damon advised that there have been reports that vehicles are being targeted to be stolen, but not the individual.

- A. The monthly report is available for review.
- B. 2024 Police Protection Units – Ms. Kerchner advised that Chief Damon will be attending the Township's budget workshop to discuss police protection units for 2024. She noted that the Township is under the contracted hours now but understands that one large event could wipe

out any deficit. Chief Damon advised that he will research the number of hours spent on a larger event and have that information available for the meeting.

7. Robert & Lisa Gardner – 690 Bahn’s Mill Road – Stormwater Issue – Mr. and Mrs. Gardner were both present. Mrs. Gardner provided pictures of her property to the Board. She stated that there is a pipe that runs under Bahn’s Mill Road which carries water to her property. There is not a grate on the pipe and all types of trash end up in her yard. She stated that she then needs to clean it up herself or pay someone to clean it up for her. She commented that she would like the Township to do something to correct this like installing a grate on the pipe. Mr. Sechrist questioned if this pipe has always been there. Mr. Trout advised that it has been there for over twenty years. Mr. Allison explained how the water discharges in this area and showed images from Google Earth on the television system. He stated that the water flows from Route 74 to this pipe which goes under Bahn’s Mill Road. The water then flows in a swale along the road. The swale appears to be not as defined at their property line. He added that there is a pipe under their driveway that is filled with debris which appears to be causing some of the stormwater issues. Mrs. Gardner stated that she does not have a pipe under her driveway. Mr. Trout advised that there is a pipe as the previous owner cleaned it out. Mr. Sechrist questioned when they purchased the property. Mrs. Gardner stated that they purchased it in August 2022. He questioned if this occurs often or just during heavy rains. Mrs. Gardner stated that it has happened three times recently.

Mr. Kraft advised that if the trench was opened and the pipe under the driveway was cleaned out, it would allow the stormwater to spread out and dissipate. Mr. Gardner questioned where the pipe under the driveway goes. Mr. Trout stated that it is only under the driveway. Mr. Sechrist questioned if the Township could clean out the pipe under their driveway. Attorney Rausch advised that we could not since it is out of the right-of-way, it is private property. Ms. Kerchner questioned how it could be cleaned. Mr. Trout advised that a company would need to jet it. Mr. Kraft added that the area on the right side of the driveway would need to be regraded to keep the water flowing.

Mr. Trout advised that the Township cannot install a grate on the pipe. He showed the Board additional pictures and explained the difference in the types of grates, noting that a grate could impede the flow of the water causing it to flow across the road rather than in the pipe.

Ms. Kerchner informed Mr. and Mrs. Gardner that there is nothing that the Township can do but recommended cleaning out the swale and either cleaning or replacing the pipe under their driveway. Mr. Gardner thanked the Board for listening to them. He stated that they may contact DCNR to see if they may be able to assist them.

8. Township Engineer:

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

B. Public Works Addition – Payment Applications: Uhrig #11 – \$10,000.00

Mr. Kraft advised that the addition is complete and the Certificate of Occupancy has been issued. He advised that there is one payment application for approval. It is payment application #11 from Uhrig Construction in the amount of \$10,000.00. This is a full release of retainage. He advised that the other contractors will still have final payment requests but they have not been received yet. On the motion of Kathy Kerchner seconded by Kim Moyer, the payment was approved. Motion carried. Three votes yes.

Ms. Kerchner questioned if the large dump trucks would be moved to this portion of the building. Mr. Trout advised that they are switching the vehicles around. The heavy equipment will be kept in this area which will make it easier to maneuver the trucks with plows out of the space in the original building. Ms. Kerchner questioned what is being stored at the Bahn's Mill Road Building. Mr. Trout advised that seasonal equipment such as the leaf loaders, mowers and trailers are stored there.

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

10. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for August. Mr. Sechrist questioned if the new dump truck had been received. Mr. Trout advised that they will be getting it tomorrow.
- B. DCED Grant Update – Chapel Church Interceptor – Mrs. Gunnet advised that there was a budget impasse in July so the grant awards are now anticipated to be announced in September.
- C. Resolution #2023R-08-01 – Authorization to participate in an Intergovernmental Cooperation Agreement for the Joint Maintenance and Repair for Traffic Control Devices – Mrs. Gunnet advised that information had been sent out to other municipalities to determine if they would be interested in a joint agreement for traffic control device maintenance. She stated that there are currently 12 municipalities that have expressed interest. She stated that this resolution is to authorize Windsor Township to participate in the joint agreement. She stated that this will be handled as a bid similar to the line painting bid. Mr. Sechrist questioned if there would be stipulations on how far away the company could be located and response time. Mrs. Gunnet advised that there are requirements in the referenced publication for response time.

On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved Resolution #2023R-08-01 to participate in an Intergovernmental Cooperation Agreement for the joint maintenance and repair of traffic control devices. Motion carried. Three votes yes.

Mrs. Gunnet noted that Windsor Township is the administrator for this time period. Another municipality will handle the next bidding cycle.

- D. York Area Metropolitan Planning Organization – Route 124 & Freysville Road Intersection – Mrs. Gunnet advised that the Board has a copy of the minutes from the YAMPO meeting in which the Route 124 and Freysville Road intersection improvements were discussed. PennDOT is proposing to begin work in December of 2025. There will be a public display of the plans in late 2023 or early 2024. Once the location for the public display is determined, the Township will be notified. Ms. Kerchner questioned if the final design will be for a traffic signal. Mrs. Gunnet advised that it was PennDOT’s decision on the type of traffic control measure and they chose a traffic signal.
- E. Approval to purchase racking for Public Works Building – \$4,367.76 – On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the purchase of racking for the public works building in the amount of \$4,367.76. Motion carried. Three votes yes.

Ms. Kerchner questioned if additional racking would be needed. Mr. Trout advised that this purchase is for what was budgeted. He stated that they have moved shelving around in the building to make it more useful but there may be the need for additional racking.

- F. Ms. Kerchner stated that she thought there were funds budgeted for the paving of additional walking trail at the park. She questioned when that work would take place. Mrs. Gunnet advised that there is \$40,000 remaining in the Recreation Fund and there is currently limited money coming into this fund. She questioned how low the Board wanted to take the account. There was \$20,000 budgeted for the paving of the trail and \$15,000 budgeted for turf in the batting cage. Mr. Shaffer has met with a company regarding the turf but the quote has not been received yet. Mr. Trout stated that he has not been informed of any washout areas on the trail. Ms. Kerchner commented that this was discussed at the Recreation Commission meeting and it was asked if the intent was to eventually pave the entire trail. She stated that there was a concern because of the change in the surface for people running or pushing strollers. She added that she thought the intent would be to pave the entire trail with the exception of the wooded area. Mr. Trout stated that he feels it will be difficult to pave the area near the wall that runs parallel to Freysville Road because of the narrow working area. He commented that he believes it may need to be hand raked in that section which will make it more costly. Ms. Kerchner questioned if staff felt that the turf is a more important purchase than the paving. Mrs. Gunnet advised that she does not believe that it is and a quote hasn’t been provided yet. Mr. Trout added that he can obtain quotes for the paving.

11. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer’s Report for July. There were no questions.

- B. Ms. Kerchner advised that the Board has received the Township Manager's Report for July. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer Report for July. There were no questions.
- D. Community Center – Update, First Energy – Consent Agreement & Subsurface utility elevations – Mrs. Gunnet advised that as a requirement from PennDOT to issue a permit, the Township must verify the location of the underground utilities. A quote to complete this work has been received in the amount of \$9,655. Mr. Moyer questioned if this could be handled by calling 811. Mr. Kraft advised that this not only locates the lines but it also determines the depths. This will prevent utility conflicts. Mr. Kraft informed that the quote that was received was from York Excavating Company but there are two other companies that will be submitting quotes. He stated that it is anticipated to take two days to complete the work. There will be 12 testing spots. The quote also includes traffic control. He recommended that Board authorize for the work to be awarded for the lowest quote, not exceeding \$9,655. On the motion of Kim Moyer seconded by Kathy Kerchner, the Board approved the subsurface utility work to the company with the lowest quote, not to exceed \$9,655. Motion carried. Three votes yes.

Mrs. Gunnet advised that First Energy has prepared a Consent Agreement which states what is permitted within and adjacent to their utility right-of-way. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Consent Agreement with First Energy. Motion carried. Three votes yes.

- E. Recreation Commission: Update – Ms. Kerchner advised that she attended the July meeting. She stated that the Board had previously approved to donate \$3,000 toward the startup of a Junior High soccer program. However, the school district is changing their policies for school district field usage and will be charging the Township fees to use fields. She stated based on this, the Township should hold off on making this donation. Mr. Shaffer will be meeting with representatives of the school district along with Carloyn Sedora who serves on the Recreation Commission and the School Board to discuss this matter. Ms. Kerchner noted that the Township does have rights to the fields at Pleasant View Elementary and LJM Elementary through previous agreements. Mrs. Gunnet added that those agreements were for 25 years each. Ms. Kerchner noted that when the recreation programs are using the school district fields, the Township is paying to maintain them.
- F. Ms. Kerchner advised that the Board meeting scheduled for September 4, 2023 will be cancelled.
- G. Ms. Kerchner advised that the Township will be holding a shredding event at the Township Office on Thursday, October 5, 2023 from 3:00 p.m. to 6:00 p.m. There is a two box limit. The event is for Township residents only. Businesses are not permitted.

- H. Ms. Kerchner advised that the Township will be holding an Electronic Recycling Event on Saturday, October 21, 2023 from 9:00 a.m. to 12:00 p.m. at the Public Works Building. A Boy Scout Troop will be present to assist.
- I. Shentel Communication – Construction of fiber – November/December 2023 – Ms. Kerchner advised that the Board has received information from Shentel Communication regarding the construction of fiber lines. They plan to start installation in November or December 2023. Mrs. Gunnet informed that they have submitted road cut applications to Mr. Trout but they were not done correctly. Mr. Trout advised that they plan to start the work in the Dietz Road area near Whisper Run and Chapelwood.
- J. Dates for Pre-Budget Workshop and Budget Workshop – After discussion, it was decided that the Pre-Budget Workshop will be held on September 25th at 9:00 a.m. and the Budget Workshop will be held on November 2nd at 9:00 a.m. The Department leads will also attend these meetings.
- K. Aldi, Inc. – One year extension of Site Improvement Agreement – Mrs. Gunnet advised that Aldi, Inc. had posted a bond for security. With bonds, a one year Site Improvement Agreement is approved. The Agreement will soon expire and they are requesting a one year extension. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved a one year extension of the Site Improvement Agreement for Aldi, Inc. Motion carried. Three votes yes.
- L. Tennis Court rehabilitation – Applying for \$40,000 through Marcellus Shale Legacy Funding- Mrs. Gunnet advised that the grant writer had submitted for a grant application for the rehabilitation of the tennis courts last year but it was denied. She stated that this year, she is going to apply for a grant through the Marcellus Shale Legacy Funds. Ms. Kerchner questioned if the Township could apply through DCNR again. Mr. Allison advised that we could apply but with the requirements that DCNR has, it will triple the project cost. Ms. Kerchner questioned if we could apply to add additional equipment to our playground. Mrs. Gunnet advised that the DCNR grant is for larger projects. She stated that the Township could apply for Marcellus Shale Funds for that project. Ms. Kerchner stated that the grant should be for the rehab of the tennis courts. Mrs. Gunnet advised that she is going to have Mr. Shaffer prepare the grant paperwork.
- M. Tod A. Klunk – Acceptance into Agricultural Security Area Program – Mrs. Gunnet advised that in February, the Board had acknowledged Mr. Klunk’s request to add his property off Runkle Road into the Agricultural Security Area. The waiting period has expired and a Resolution has been prepared for approval. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved Resolution #2023R-08-02. Motion carried. Three votes yes.

N. Grant writer – Contract Expiration – Ms. Kerchner questioned if the grant writer had reached out about renewing the contract. Mrs. Gunnet advised that she did not. She stated that she checked with Attorney Rausch regarding the terms of the contract and because it does not have an automatic renewal clause, the contract expired on August 18, 2023. Mrs. Gunnet stated that she does not believe the Township has pending projects to warrant her services. Ms. Kerchner questioned how much money the Township has spent on her services and how much was received. Mrs. Gunnet advised that the Township spent \$60,000 but received over \$1,000,000. Ms. Kerchner commented that she believes the police department is continuing to contract with her. Mrs. Gunnet stated that she thinks this is due to having the open RACP Grant. Ms. Kerchner directed Mrs. Gunnet to contact Ms. Salazar prior to the budget meeting to get a quote for services in case they want to include it in the 2024 budget.

O. Stormwater Operation & Maintenance Agreements –
Reistville Builders – New home construction – 325 Barclay Drive
John & Lynn Cheeseman – Solar array – 910 Cranberry Lane

Mr. Allison advised that these are the typical stormwater agreements. Reistville Builders is constructing a new home and Mr. and Mrs. Cheeseman installed a ground mount solar array. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board approved the Stormwater Operation & Maintenance Agreements for Reistville Builders and John and Lynn Cheeseman. Motion carried. Three votes yes.

P. Waiver of Agricultural Security Area approval process – Shawn & Patricia McGuire – off Runkle Road – Mrs. Gunnet advised that Mr. and Mrs. McGuire own a property in Chanceford Township but there is a small portion of their land in Windsor Township. They would like to place their property in the Agricultural Security Area and are requesting that the Township waive the approval process for our portion and allow Chanceford Township to handle it. Mr. Allison advised that the Township has done this in reverse before and it is acceptable. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the waiver of the Agricultural Security Area approval process for Shawn and Patricia McGuire. Motion carried. Three votes yes.

12. Unfinished Business – There was none.

13. Public Comment – Seth Davidson, 225 Manor Road, questioned if Aldi is a grocery store. Ms. Kerchner stated that it is. They will be building a new store beside the Rite Aid on Cape Horn Road. Mr. Allison advised that they have had some issues on site and will not be able to open by their anticipated date in November.

Jerry Gilbert, 885 Delta Road, questioned if there is anything the Township can do to have the property cleaned up at the old Bahn's Mill property on Craley Road. He stated that it is full of junk and vehicles. Mr. Allison advised that the Township is well aware of this property. There

have been numerous civil complaints filed against the property owner. He is aware of his rights and since there is no arrest warrant tied to this type of citation, there is no repercussion to him. He added that there is an option to collect on property items to collect fees, but the Township could not do anything with the vehicles. Attorney Rausch advised that because the Township does not have a property maintenance code and is using zoning regulations for enforcement, the Township is limited to what action can be taken. Ms. Kerchner questioned what could be done if the Township had a property maintenance code. Attorney Rausch advised that violations would be a summary offense. Mr. Allison stated that a property maintenance code could be a challenge to enforce equitably. Ms. Kerchner asked if a lien would be filed with a property maintenance violation. Attorney Rausch stated that it would not be a lien. It would be a judgement. Ms. Kerchner requested that Mr. Allison and Attorney Rausch look into this option.

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

Mr. Sechrist questioned if the new Highway Department employee started yet. Mrs. Gunnet advised that he starts on August 28th.

Mr. Moyer commented that he enjoyed the luncheon that was held for employees. He stated that service awards had been presented. Mr. Moyer noted that Ms. Kerchner was not present and he has her service award this evening. He congratulated Ms. Kerchner on her 5 years of service with Windsor Township. She commented that being a Supervisor has been a learning experience.

Ms. Kerchner did not have any additional comments.

15. On the motion of Kathy Kerchner seconded by Kim Moyer, the bills were approved. Motion carried. Three votes yes.
16. The meeting of the Windsor Township Board of Supervisors adjourned at 7:20 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
August 21, 2023

Chief Tim Damon
Lisa & Robert Gardner
Jerry & Kathy Gilbert
Seth Davidson

York County Regional Police Department
690 Bahn's Mill Road Red Lion PA
885 Delta Road Red Lion PA
225 Manor Road Red Lion PA