

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
February 19, 2024

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, Rodney Sechrist, Attorney Charles Rausch, Christopher Kraft, P.E., Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. Mr. Moyer stated that the section of the minutes regarding the sewer rate increase only addresses the rate for residential and not commercial. Mrs. Gunnet advised that this will be corrected. On the motion of Kathy Kerchner seconded by Kim Moyer, the minutes of the January 15, 2024 meeting were approved with the noted change. 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 has received an invitation from Southern Area Fire & Emergency Rescue to their Appreciation Dinner which will be held on Saturday, March 23, 2024. She asked the Board to let her know if they will be attending so she can RSVP.
 - C. Mrs. Gunnet advised that she has received a letter from Jim Wilson resigning as the Township's Emergency Management Coordinator. She stated that at the next Fire Chief's meeting, she is going to ask if anyone is aware of someone who may be interested in filling this position. She noted that she had also contacted Red Lion Borough and their EMC may be interested in serving for Windsor Township as well. Ms. Kerchner asked what his name is. Mrs. Gunnet advised that it is John Brownlee.
 - D. Mrs. Gunnet advised that she has received a letter from Robert Leiphart resigning from the Zoning Hearing Board.
 - E. Mrs. Gunnet advised that she has received a letter from the Pennsylvania Department of Transportation regarding the proposed improvements to the Route 124 and Freysville Road intersection. An online Public Comment period is open until February 29, 2024.
 - F. Mrs. Gunnet advised that she has received a letter from the Red Lion Area Ambulance Association announcing their partnership with Wellspan. Mrs. Gunnet

- noted that they had been having staffing issues and this will remedy that. This will also allow them to upgrade their status from BLS to MICU. Ms. Kerchner asked if they will only transport to a Wellspan affiliate. Mrs. Gunnet advised that they typically ask which hospital you wish to be transported to.
- G. Mrs. Gunnet advised that she has received notification from Comcast that they will be making package changes for the Sports Net Pittsburgh channel.
5. Windsor Township Fire & Emergency Rescue Services Association – Scott Gingrich was present.
- A. Mr. Gingrich advised that the next Fire Chief’s meeting will be held on February 22, 2024 at SAFER #1.
- B. Simulator repair – There was no update.
- C. York County Public Safety Training Center – Letter of Support for RACP Grant – Mr. Gingrich advised that the York County Public Safety Training Center is applying for a RACP Grant for improvements at the York County Fire School property. He explained that one of the buildings is shifting on its foundation. The building will be removed and rebuilt in a different location. The Fire School provides training for firefighters countywide. He stated that they are requesting a Letter of Support for their grant application. It was the consensus of the Board to send a Letter of Support.
- D. Mr. Gingrich asked if there is an update regarding the Firefighter Tax Credit. Mrs. Gunnet advised that the Board is not opposed to making changes but is waiting for the County to make updates which will be done after tax season. Mr. Gingrich commented that he has seen the new changes. Mrs. Gunnet requested that he send a copy to her to review.
6. York County Regional Police Department – Lieutenant Ray Krzywulak was present.
- A. Lieutenant Krzywulak reviewed the January report. He noted that the speed trailers are now out on site and they are active on waste hauler details. The monthly report is available for review.
- B. Mr. Sechrist congratulated Lieutenant Krzywulak on his promotion.
7. Jeff Walker – York Excavating – Waiver of Fee for Building Permit extension – Mr. Walker advised that he is before the Board to request a waiver of the fee to extend his Building Permit. He explained that he obtained a Building Permit for an office building in November 2021. The permit was valid for one year. He stated that at the end of the

year, the project was not complete so he paid approximately \$4,000 for a one year extension. The permit expired in November 2023. He stated that due to material issues and delays, the inside of the building is still not complete and he is not able to obtain his elevator inspection. He stated that he is requesting a waiver of another \$4,000 fee to extend it a second time. He estimated that the project would be completed by April 15th. Mr. Allison advised that the permit extension would be for one year from the November date of the permit. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved to waive the Building Permit extension fee. Motion carried. Three votes yes.

Mr. Sechrist thanked Mr. Walker for assisting the Township with the sewer emergency this past weekend. Mr. Walker commented that his company has been doing more emergency work. He noted that they own two vac trucks and are getting one more.

8. PLAN FOR APPROVAL:

A. CHARLES & TAMMY KELLEY – Final Subdivision Plan by James R. Holley & Associates, lot line adjustment, Margherita Court – Mr. Allison explained the location of the lots. Patti Fisher with James R. Holley & Associates advised that Mr. and Mrs. Kelley own two adjoining properties and this subdivision adds land from one parcel to the other. There are no proposed improvements. She stated that they are requesting four waivers as follows:

Section 304.2.B & 305.2.B – Plan sheet size
Section 502.J – Widening of existing roads
Section 503.1.A – Construction of curbs
Section 503.2.A – Construction of sidewalks

Mr. Allison advised that the Windsor Township Planning Commission is recommending approval of the waivers. Mr. Kraft added that all of his comments have been addressed. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board granted the waivers as requested and approved the plan. Motion carried. Three votes yes.

9. Public Hearing – Ordinance #2024-02-01 – Rezone 3320 East Prospect Road from C-N to R-1 – Ms. Kerchner recessed the meeting and opened the Public Hearing.

Mr. Allison advised that the vacant parcel at 3320 East Prospect Road is proposed to be rezoned from C-N to R-1. The parcel is .5 acres. When the last rezoning was done, the zoning of this property had been changed. The property owner has requested that it be rezoned to R-1. Both the Windsor Township Planning Commission and the York County Planning Commission have recommended approval. All the necessary advertising has been completed.

Don Landis, 3330 East Prospect Road, advised that a subdivision plan had been done in 2007 that adjusted the lot line between his property and the vacant lot and it was shown as a residential building lot at that time. He stated that he did not realize that the property was rezoned afterward.

Mr. Allison asked if the Board had any questions. They did not. Mr. Allison asked the public if there were any questions or comments. There were none. The Public Hearing was closed and the meeting was reopened. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved Ordinance #2024-02-01. Motion carried. Three votes yes.

10. Township Engineer:

- A. Engineer's Report – Mr. Kraft advised that the Board has received his report. There were no questions.
- B. Community Center Update – Schedule & Construction Management Company – Mr. Kraft advised that the environmental and Highway Occupancy permits have been submitted. He stated that he anticipates that they will be ready for bid in June or July but recommends waiting to bid until August or September. This would allow bids to be awarded in October or November and work to begin in January 2025. He estimated that the build time would be one year.

Ms. Kerchner questioned if this timeframe would meet all grant deadlines. Mrs. Gunnet advised that the DCED Funds need to be used by June 2025 but purchases for the Community Center could be stored elsewhere.

Mr. Sechrist questioned if the PennDOT permit has been issued. Mr. Kraft stated that it has not but he feels confident on the layout.

Mr. Trout questioned if it would be better to bid sooner so that work could start in the fall. Mr. Kraft advised that he feels the Township would receive higher bids because it would be bid within the working season. Mrs. Gunnet added that the Township may not have all of the necessary permits to start in the fall. Mr. Moyer questioned if there would be one general contractor. Mr. Kraft stated that there would be a general contractor and then a contractor for each trade.

Mr. Kraft stated that he has had discussion with staff regarding hiring a Construction Management Company. He stated that C.S. Davidson can provide the service but they would not be able to have someone on site at all times due to staffing limitations and the size of the project. Mr. Moyer questioned if the overseeing of the project is done by the general contractor. Mr. Kraft explained that the general contractor would

oversee the other contractors. They would take any issues to C.S. Davidson. A construction management company would handle this. They would also be present to inspect work as it is occurring. Mrs. Gunnet commented that the Township did not have a construction management company when the Public Works Building was constructed and if there had been one, some of issues would not have occurred.

Mr. Moyer questioned who does this type of work. Mrs. Gunnet advised that she contacted Capital Construction Management, Nu-Tec and Eastern PCM. Mr. Moyer asked if this would need to be bid. Mrs. Gunnet advised that it does not as it is considered a professional service. Ms. Kerchner questioned how much this would cost. Mr. Kraft stated that it would be a time and materials quote but he would estimate it to be around \$250,000. Ms. Kerchner commented that if C.S. Davidson employees were doing this work we would be billed for that time. Mr. Kraft stated that this is correct. He added that there would still be some fees from C.S. Davidson but there would be quicker response time with a management company. Ms. Kerchner questioned if this company would be responsible if something were to be done incorrectly. Mr. Kraft stated that the issue would still go back to that contractor but there is more of an opportunity for an issue to be caught with a company onsite.

It was the consensus of the Board to obtain quotes for a construction management company.

- C. Security Reduction – Scott & Jolene Brady – 1140 Felton Road – Mr. Kraft advised that he has received a request for the final security reduction for Scott and Jolene Brady. He stated that he had a question regarding the asbuilt for the basin and did not receive a response from the engineer. He stated that based on this he is recommending denial of the request. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the Board denied the security reduction for Scott and Jolene Brady. Motion carried. Two votes yes. Mr. Moyer abstained due to a conflict of interest.

11. Solicitor:

- A. Attorney Rausch advised that three Writs have been filed for collection of delinquent fees. The next step would be a Sheriff's Sale.
- B. Attorney Rausch reported that Attorney Dillinger and Mr. Allison will be meeting onsite tomorrow with Mr. Folkerts and his counsel.

12. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for February. Ms. Kerchner asked how the new employee is doing. Mr. Trout advised that he is

doing well. He commented that he has already had two snow events and there were no issues with plowing.

- B. Approval to purchase items listed in 2024 budget – Ms. Kerchner advised that the Board has received a list of items for purchase from Mr. Trout. Mr. Sechrist questioned what the rototiller will be used for. Mr. Trout stated that it is for the ballfields. Mr. Moyer questioned if the replacement of the roof at the Township office would need to be bid. Mrs. Gunnet advised that it would unless the contractor would be a COSTARS or Sourcewell vendor. Ms. Kerchner questioned who the welder is for. Mr. Trout explained that the one that the Township has is old and needs to be replaced. He stated that most of the employees are able to weld.

Ms. Kerchner questioned if he intends to make all of the purchases at this time. Mr. Trout stated that he would like to purchase some items now because he has obtained quotes that are only valid for a specific amount of time. He stated he would like to have approval for other items so that when he does get a quote, he would be able to take action on it right away. Mrs. Gunnet stated that the prices listed are the budgeted amount. She stated that if the Board wanted to take action, she would recommend that the approval would be to not exceed the budgeted amount. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the purchase requests not to exceed the budgeted amount. Motion carried. Three votes yes.

- C. DCED COVID Small Water & Sewer Grant – Mrs. Gunnet advised that DCED approved the Township's change of scope.

13. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer's Report for January. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager's Report for January. Mr. Moyer questioned who Charter Ambulance Transport is. Mrs. Gunnet advised that it is an ambulance transport service. She stated that they knew that Red Lion Ambulance was having staffing issues and they contacted the Township to see if they could assist. Mrs. Gunnet advised that now that Red Lion Ambulance and Wellspan will be working together, there should be no issues with staffing.
- C. Ms. Kerchner advised that the Board has received the Dog Officer's Report for December and January. There were no questions.

- D. Recreation Commission – Update – Ms. Kerchner advised that the February meeting was cancelled.
- E. Ms. Kerchner advised that an Executive Session will be held after the meeting to discuss a personnel matter.
- F. Ms. Kerchner advised that the Board Meeting scheduled for March 4, 2024 will be cancelled.
- G. Kimberly Lawn Care – 2024 Lawn Care Proposal – Mrs. Gunnet advised that she has received the lawn care proposal from Kimberly Lawn Care. She stated that the maintenance of the banks at the tennis courts has been removed as the area will be disturbed as part of the tennis court rehabilitation project and will be required to be reestablished as part of the bid. Kimberly Lawn Care is recommending that a liquid fertilizer be used in addition to an inhibitor on some of the banks. However, this will require that they be mowed more often. Additionally, limestone will be added to the ballfields as well. The quote is in the amount of \$11,835.00 which is \$826.00 more than 2023. It was the consensus of the Board to accept the proposal from Kimberly Lawn Care.
- H. Adoption of road right-of-way:
 - Resolution #2024R-02-01 – Bahn’s Mill Rd. (KEITH F. DRUCK FINAL REVERSE SUBDIVISION PLAN)
 - Resolution #2024R-02-02 – Riddle Rd. (ERIC J. RIDDLE & KURT T. & CHRISTINE M. KESSLER FINAL SUBDIVISION PLAN)
 - Resolution #2024R-02-03 – Mt. Pisgah Rd. (ERIC J. RIDDLE & KURT T. & CHRISTINE M. KESSLER FINAL SUBDIVISION PLAN)

Mrs. Gunnet advised that these plans were approved in 2023 and have dedicated right-of-way that needs to be adopted. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board adopted Resolution #2024R-02-01, Resolution #2024-02-02 and Resolution #2024R-02-03. Motion carried. Three votes yes.

- I. 2023 Year End Financial Reports: Fund Balance Comparisons & Compared to Budget – Mrs. Gunnet advised that she has provided the Board with financial reports comparing the 2022 year end balance to the 2023 year end balance and also the Compared to Budget report for 2023. She stated that additional information was provided for certain accounts. Mr. Moyer questioned what fund the Community Center funds are in. Mrs. Gunnet advised that they are in Community Center and Solid Waste Funds. Ms. Kerchner asked about the Recreation Fund. Mrs. Gunnet stated that there will not be income if there are no new houses built. Once approved, Phase 3 of Kensington will be the next development to generate income. Income and

expenses for Windsor Township Recreation are in General Fund. Mrs. Gunnet noted that the church where the summer day camp program has been held has decided not to allow for the camp to be held there this summer. Ms. Kerchner commented that Mr. Shaffer would still have the option to do a summer playground program if they are unable to find a new location.

Mr. Moyer asked Mrs. Gunnet her thoughts on the financial reports. Mrs. Gunnet stated that she feels there are logical reasons as to why each fund had its ending balance.

- J. Employee Handbook – Vacation and call out – Mrs. Gunnet advised that she had contacted other municipalities to see how they handle callouts after a scheduled vacation. She stated that some specify that a work week is Monday to Friday, from 8:00 a.m. to 4:30 p.m. so the weekend is not considered a vacation day. She stated that this was an isolated issue and generally this has not been an issue with staff. Employees are made aware that callouts are part of their job description.
- K. Ms. Kerchner advised that the Township will be holding an Electronics Recycling Collection on Saturday, April 20, 2024 from 9:00 a.m. to 12:00 p.m. at the Public Works Building, 970 White Oak Road. A boy scout troop will be on site to assist.

14. Unfinished Business:

- A. Fee Schedule – Increase to Subdivision/Land Development plan submission fee – Mr. Moyer stated that he would like to table this topic. He suggesting holding a separate meeting to discuss this specifically. Attorney Rausch commented that Mr. Allison is working with Attorney Dillinger for the draft of a solar ordinance and this could be discussed at the same time. It was the consensus of the Board to schedule a meeting date at the March Board meeting.

15. Public Comment – Jerry Gilbert, 885 Delta Road, questioned if there are any new submissions for the lot on Delta Road that Dollar General had been interested in. Mr. Allison stated that he has not received anything.

Mr. Gilbert questioned if the Township still works on projects with Lower Windsor Township. Mr. Trout stated that we do. Mr. Gilbert stated that there is a tree on wires across Prayer Mission Road. Mrs. Gunnet stated that he would need to contact Lower Windsor Township but since it is on wires, they will likely not be able to address it.

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

Neither Mr. Moyer nor Mr. Sechrist had any comments.

Ms. Kerchner did not have any comments either.

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

18. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss a personnel matter at 7:12 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
February 19, 2024

Barry Strayer
Jeff Walker
Nancy Hilferty
Don Landis
Jerry & Kathy Gilbert
Lieutenant Ray Krzywulak
Diane & Bob Bowser
Spencer Seaks
Patti Fisher
Scott Gingrich
Dennis Bartnik

Lower Windsor Township
1241 Christensen Road York PA
3280 E. Prospect Road York PA
3330 E. Prospect Road York PA
885 Delta Road Red Lion PA
York County Regional Police Dept.
346 Orange Street Wrightsville PA
951 Wise Avenue Red Lion PA
James R. Holley & Associates
Alliance Fire & Rescue