

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

May 20, 2024

1. The meeting of the Windsor Township Board of Supervisors was called to order by Chairperson Kathy Kerchner at 6:01 p.m.

Those present: Kathy Kerchner, Kim Moyer, Rodney Sechrist, Attorney Cory Dillinger, Christopher Kraft, P.E., Jennifer Gunnet, Jeremy Trout, Kipp Allison and Teresa Miller. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. Kathy Kerchner advised that an Executive Session had been held on May 7, 2024 at 10:00 a.m. to discuss an appointment.
4. On the motion of Kathy Kerchner seconded by Rodney Sechrist, the minutes of the April 15, 2024 meeting were approved. Motion carried. Three votes yes.
5. 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 had received documentation from Governor Josh Shapiro's office appointing Anthony Williams as the Emergency Management Coordinator for Windsor Township. She advised that we can now move forward with getting him active in that role.
 - C. York County Agricultural Land Preservation Board – Preservation of lands owned by Christopher G.F. & Megan E.F. Lighty – Mrs. Gunnet advised that notification had been received from the York County Preservation Board advising that four properties owned by the Lighty's along Windsor Road & Manor Road had been preserved through the York County Conservation Easement Program.
 - D. Auditor General Timothy DeFoor – Windsor Township Liquid Fuels Tax Fund audit report from January 1, 2021 to December 31, 2022 – Mrs. Gunnet advised that the auditor's report had been received and showed that there were no findings and that the report acknowledged that Windsor Township complied with the note from the previous audit regarding overbilling.
6. Windsor Township Fire & Emergency Rescue Services Association – Scott Gingerich was present.
 - A. Mrs. Gunnet advised that the next Fire Chief's meeting will be held on June 27, 2024 at the Windsor Township Office. She advised that Jerry Ozog with Pennsylvania Fire & Emergency Services would be there to give a presentation.

Ms. Kerchner asked if it would be beneficial if the Board attended. Mr. Gingerich advised yes. Ms. Kerchner asked what time the meeting would be held. Mrs. Gunnet and Mr. Gingerich advised they did not know the time yet.

B. Simulator repair – There was no update.

C. Earned Income Tax Credit for Volunteer Firefighters – Mrs. Gunnet advised she had received documentation from the county for the current point system. She advised that she had sent an email to Mr. Gingerich to verify what fire companies needed to be included in the program. Mr. Gingerich advised he would review her email and respond.

7. York County Regional Police Department – No one was present.

A. The monthly report is available for review.

8. Joshua Beben – Community Progress Council – Mr. Beben advised that he was a Resource Navigator for the council that operated out of the Windsor Manor Elementary School. He advised he was here this evening to advise that the council would be expanding the services they offer to the community at this location which includes the WIC program, financial counseling, finding a job and housing assistance.

Ms. Kerchner thanked Mr. Beben for coming this evening and advising of the services available.

9. Township Engineer:

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

B. Community Center Update – Update & Construction Management Company – Mr. Kraft advised that we are still on track for permits by the end of June. Mr. Kraft advised that the bidding process was a little behind but he still feels that we are on track for July/August.

Mr. Greg Koussis & Mr. Matt Twomey were present representing Capital Construction Management, LLC. Mr. Koussis advised he was the owner of the company and Mr. Twomey was a construction manager. Mr. Koussis explained how the management of a project would work. There was a brief discussion about the process and responsibilities of the management company as well as the software that would be used.

Mr. Kraft advised that the staff recommends Capital Construction Management, LLC for this project. He advised that a decision needs to be made on who to hire within the next month or two. There was a brief discussion.

On the motion of Ms. Kerchner seconded by Mr. Moyer, the proposal from Capital Construction Management, LLC was accepted. Motion carried. Three votes yes.

There was an additional discussion regarding the software that would be needed. Mrs. Gunnet was asked to get a proposal for the cost of the software.

Ms. Kerchner asked what the current estimated cost for the project is. Mrs. Gunnet advised that it was at \$18,000,000.00 mid-COVID but, hoped that the costs have come down some since then. Ms. Kerchner asked when the grant money needed to be spent. Mrs. Gunnet advised that the DCED grant needed to be spent by June 2025 and that the RACP money had no time frame.

- C. Security Reduction – International Assoc. of Machinists & Aerospace Workers/York Excavation Co., LLC – Mr. Kraft advised that he had been contact by Jeff Walker with York Excavating and asked to table this request until the next meeting.
- D. Security Reduction – East Prospect Road Partners, LLC – (Lots 4-6) – Mr. Kraft advised that he is recommending a reduction in the amount of \$61,343.70 which will leave a remaining balance of \$137,921.05. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the security reduction for East Prospect Road Partners, LLC as recommended by the Township Engineer. Motion carried. Two votes yes.

- 10. Solicitor – Folkerts Settlement and Release Agreement – Attorney Dillinger advised that he is close to being able to finalize the agreement. He advised there are 2 minor changes to be made and once the settlement is signed both appeals for land use will be withdrawn.

Attorney Dillinger asked the Board if they would grant permission for him to sign off on the agreement on behalf of the Township once it was completed. On the motion of Ms. Kerchner seconded Mr. Sechrist, permission was granted to Attorney Dillinger to sign the agreement on behalf of the Township. Motion carried. Three votes yes.

11. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for April. There were no questions. Mr. Trout advised that while working on the sewer lines in York Township off of Chapel Church Road there was an instance when the property owner, Mr. Barley wanted to get into the field to do his plantings and was unable to enter where he normally does. Mr. Barley was unable to plant in the area where we were doing work which may result in a loss in crops for him. Mr. Trout advised that Mr. Barley was advised to come up with a cost of his loss and let the Township know.

Mrs. Gunnet advised that she needs to meet with York Township to go over the agreement that we have in regards to their cost of EDU's going into the Chapel Church interceptor. Mr. Moyer asked what percentage does York Township pay.

Mrs. Gunnet advised it is prorated based on the number of EDU's. Mrs. Gunnet advised that Red Lion Borough and Windsor Borough also pay a percentage. There was a brief discussion on how the costs were calculated.

- B. Bid results – Oil & Chip & Freysville Park – Tennis Court Rehabilitation – Mrs. Gunnet advised that the bid results are attached to the Board's agendas.

Mrs. Gunnet advised that the low bidder for the oil & chip is Martin Paving, Inc. Mr. Trout advised that the Township would be responsible for purchasing the stone that will be used. Mr. Trout advised that he has ordered 800 tons. On the motion of Kathy Kerchner seconded by Mr. Moyer, the bid for the oil & chip was awarded to the low bidder, Martin Paving, Inc. Motion carried. Three votes yes.

Mrs. Gunnet advised that the only bidder for the Tennis Court Rehabilitation is Kinsley Construction. On the motion of Ms. Kerchner seconded by Mr. Moyer the bid for the tennis court rehabilitation was awarded to Kinsley Construction. Motion carried. Three votes yes.

12. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer's Report for April. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager's Report for April. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer's Report for April. There were no questions.
- D. Recreation Commission – Update – Ms. Kerchner advised that she attended the May meeting. She advised that the recreation programs will not be using the fields at Clearview this Fall but instead will be using the Conrads field in New Bridgeville. She advised that the distance to the Conrads field is no further for residents than Clearview.

Ms. Kerchner advised the recreation director has asked the Red Lion Area School District if he could get some of the old turf for the batting cage when Horn Field is replaced. They were agreeable.

- E. Ms. Kerchner advised that the Board Meeting scheduled for June 3, 2024 will be cancelled.
- F. Ms. Kerchner advised that the Township will be holding a Shredding Event on Thursday, October 10, 2024 from 3:00 p.m. to 6:00 p.m. at the Township office.

- G. Zoning Hearing Board vacancy – Update – Mr. Allison advised that interviews are scheduled for May 29th and five out of the seven candidates have accepted the invitation to be interviewed.
- H. Administrative Building Boiler – Mrs. Gunnet advised that there is a glycol leak and that a technician from H.B. McClure had inspected the boiler and felt that it was caused by a bad gasket. Mrs. Gunnet advised that the boiler only leaks when it is running and under pressure. Mrs. Gunnet advised the quote to replace the gasket is \$7,800.00. She advised she asked H.B. McClure what happens if the leak is not caused by the gasket and was advised the boiler would then need to be replaced.
- Mrs. Gunnet advised she is getting a quote from H.B. McClure and will request one from Ainsworth as well for a new boiler. Mr. Trout suggested contacting Dan Neff for a quote as well. Mrs. Gunnet advised she would request one from him as well.
- I. Resolution #2024R-05-01 – Freysville Park facility fees – Mrs. Gunnet advised that the Ordinance that establishes the fees for renting park facilities needs to be updated to include all of the available facilities like the fields, volleyball, pickleball & basketball courts & as well as the parking lot. Mrs. Gunnet advised there would be no increase to the fees, we just needed to make sure all available facilities were included.
- Mrs. Gunnet advised she was approached by the Recreation Director regarding allowing competing sports organizations to use the parking lot for fundraisers that could potentially pull participants away from Township programs. Mrs. Gunnet advised that the Recreation Director was proposing that we only allow organizations who serve Windsor Township to rent the parking lot for fundraisers. The Board of Supervisors agreed. Mrs. Gunnet advised she would update the resolution and have it ready for adoption at the June meeting.
- J. Workers Compensation dividend - Mrs. Gunnet advised that a dividend of \$5,011.46 from the 2023 – 2024 policy was received.
- K. Surveillance camera quotes – Mrs. Gunnet advised she had met with two vendors, Securewire Technologies and Advantage Security and obtained quotes regarding the installation of cameras at the Township Office. Mrs. Gunnet explained what each vendor was proposing. Ms. Kerchner asked what was budgeted. Mrs. Gunnet advised \$10,000.00. On the motion of Mr. Moyer seconded by Ms. Kerchner, the Board approved the purchase and installation of cameras through Advantage Security. Motion carried. Three votes yes.
- L. Freysville Pavilion – Purchase of picnic tables – Mrs. Gunnet advised that the Recreation Director had done some research and found 8’ tables with Global Industrial to replace the existing tables at the Freysville Park pavilion. She advised he was able to find coated metal tables as well as recycled plastic tables. Mrs. Gunnet advised that the budget amount is \$9,500.00 and we are looking to get 3 ADA compliance tables and 6 standard tables.

Mr. Trout advised that going with the metal tables would be the best because the plastic tables can be easily vandalized.

On the motion of Ms. Kerchner seconded by Mr. Sechrist the Board approved the purchase of the tables from Global Industrial at a cost of \$9,500.00 or less. Motion carried. Three votes yes.

- M. Request for Executive Session – Potential litigation – Ms. Kerchner advised this would be addressed at the Executive session that is scheduled at the end of this meeting.
 - N. Elwood & Shirely Shultz – 3915 Mt. Pisgah Rd. – Well Separation Distance Agreement - Mr. Allison advised that the drain field needs to be replaced at 3915 Mt. Pisgah Road and the location of the new septic will not meet the 100’ setback from their well. Mr. Allison noted that the location of the existing septic system is also within 100’ of their well. On the motion of Ms. Kerchner seconded by Mr. Sechrist, the Board approved the Well Separation Distance Agreement. Motion carried. Three votes yes.
 - O. Jack Dehoff – Dehoff Farms – 400 Kendale Rd. – Stormwater Operation and Maintenance Agreement – Mr. Allison advised Mr. Dehoff is adding another building to his property that requires the standard maintenance agreement. On the motion of Ms. Kerchner seconded by Mr. Moyer, the Stormwater Agreement was approved. Motion carried. Three votes yes.
 - P. Richie Z. Royston – 1215 Burkholder Rd. – Well Separation Distance Agreement – Mr. Allison advised that the septic system at this location needs to be replaced and they will not be able to comply with the 100’ setback from their well. On the motion of Ms. Kerchner seconded by Mr. Sechrist, the Well Separation Distance Agreement was approved. Motion carried. Three votes yes.
 - Q. Draft Solar Energy Systems Ordinance – Mr. Allison advised that he had received some additional comments from Attorney Dillinger. Attorney Dillinger reviewed his comments and there was a brief discussion. Mr. Allison advised he would make the necessary changes based on this evening’s discussion.
 - R. Zoning Ordinance amendment – Solar Ordinance & Roadside Stands – There were no questions. On the motion of Ms. Kerchner seconded by Mr. Sechrist, the Board approved sending the amendment to the York County Planning Commission for review. Motion carried. Three votes yes.
13. Unfinished Business:
- A. Fee Schedule – Increase to Subdivision/Land Development plan submission fee – This item was tabled.

14. Public Comment – Mr. Gilbert advised that he had heard rumors that Dollar General was still scouting areas within Windsor Township for a new store and wondered if that information was true. Mr. Allison advised that he was aware Dollar General was still looking for a location but the Township has not received any new plans.

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

Ms. Kerchner asked if Don Hopple was the Fire Marshall. Mrs. Gunnet advised yes for Windsor Township. Ms. Kerchner questioned who would be permitted to call Mr. Hopple. Mrs. Gunnet advised that the Fire Company that had the incident would call him. If Mr. Hopple was contacted by a Fire Company outside of Windsor Township, he could inspect for them and give an opinion. In either case, the State Police Fire Marshall would need to be called to investigate.

Ms. Kerchner advised she attended the opening of the ALDI and that it was a very nice event. She advised that she spoke with one of the representatives from ALDI and she had nothing but kind words to say about the Zoning Office and how good they were to work with throughout the project.

Mr. Moyer asked Mrs. Gunnet how she felt about expenses thus far this year. Mrs. Gunnet advised good.

16. On the motion of Ms. Kerchner seconded by Mr. Sechrist, the bills were approved. Motion carried. Three votes yes.

17. The meeting of the Windsor Township Board of Supervisors recessed into an Executive Session to discuss potential litigation at 7:43 p.m.

18. The meeting reconvened at 8:11 p.m.

19. The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 20, 2024

Scott Gingerich
Jerry Gilbert
Shaun Folkerts
Joshua Beben
Matt Twomey, CCM
Greg Koussis

Alliance Fire & Rescue
885 Delta Road, Red Lion, PA
195 Shaw Road, Windsor, PA
420 Perendale Dr., Red Lion, PA
Hershey, PA
Hershey, PA