

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

July 16, 2012

1. The meeting of the Windsor Township Board of Supervisors was called to order by Chairman Dean Heffner at 6:00 p.m.

Those present: Dean Heffner, Paul Smith, Rodney Sechrist, Attorney Charles Rausch, Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Rodney Sechrist seconded by Paul Smith, the minutes of the June 18, 2012 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 on the counter in the rear of the room.
 - B. Mrs. Gunnet advised that she has received a letter from Constable Paul Redifer requesting to use a space within the Township Office. Mr. Redifer was present and stated that he will be retiring from the Police Department in September. He will then be working to clean up some of the warrants. He needs a place for a filing cabinet and a desk area to do the paperwork. He also asked if he would be able to use the address of the Township. He added that he is insured and bonded. Mr. Smith asked if the area that the police currently use is sufficient. Mr. Redifer stated that it is. The Board granted the request.
 - C. Mrs. Gunnet advised that she has received a letter from Senator Mike Waugh in response to the Resolution that he had received from the Township in support of legislation regarding the Prevailing Wage Act. Senator Waugh stated that he is also in favor and had proposed a bill in support.
5. York Area Regional Police Department:
 - A. Lieutenant Paul Redifer summarized the Monthly Report for May. The report is available for review.
 - B. Trick or Treat – Lieutenant Paul Redifer stated that they are encouraging all of the municipalities that they serve to hold Trick or Treat on October 31st. He noted that Red Lion Borough will be holding it on Saturday, October 27th. Mr. Smith stated that he feels trick or treat should be held the same night as Red Lion. It was the consensus of the Board to hold trick or treat on October 27th from 6:00 to 8:00 p.m.
6. Windsor Township Fire & Rescue Association: Eric Myers, Laurel Fire Company Chief, asked if there are regulations on the posting of addresses on properties. He stated that they recently had a call but had difficulty finding the property because the address was not posted. Mrs. Gunnet advised that there is an Ordinance that addresses this and she believes the height for the letters is 4". Mr. Allison stated that if he knows the address, the Township can send a letter to the property owner. Mrs. Gunnet added that she can put an article in the newsletter as well.

- A. Mrs. Gunnet advised that the contracts with the fire companies will expire February 18, 2013.
 - B. Roof Simulator Update – Mr. Allison advised that the plans had been denied by Commonwealth Code as there had been some confusion as to whether sealed plans were required. He added that he has been in contact with Bill Hoover regarding this.
 - C. Mr. Heffner expressed his thanks to Yoe Fire Company for wetting the softball infields.
 - D. Workmen’s Compensation & fundraisers – Mrs. Gunnet advised that when the fire companies do fundraiser events, they are covered under the Workmen’s Compensation insurance. She stated that at a webinar she partook in, it was suggested that a list of events to be attended is obtained at the beginning of each year. She noted that the Township pays between \$30,000 and \$40,000 toward the Workmen’s Compensation insurance. If there were to be an accident at one of these events, the premium could increase. Mrs. Gunnet advised that if the boroughs allow for their company to attend an event, the Township cannot prevent it but we could suggest that they not be involved in risky events. She asked Mr. Myers if he provides information to Windsor Borough. He stated that he sends them a list of events to ensure there are no conflicts but they are not approved. It was the consensus of the Board to send letters to the Boroughs asking for a list of fundraising events planned by the fire companies and send a letter to the fire companies.
7. Jenny Christy – Christensen Road – Bill Christy advised that his daughter-in-law has sent out another petition to the residents on Christensen Road asking them to reconsider the changing of the road to one way. He stated that they have received 8 responses and gave them to Mrs. Gunnet. He noted that they received more responses in favor of the change than not. He added that the East Prospect Road closure has increased the amount of traffic on the road as well. He is concerned that more people will use the road as they have become aware that this is a shortcut between Dietz Road and East Prospect Road. Mr. Christy commented that they are having issues with speeding on the road as well. Jenny Christy advised that when she had contacted the police department regarding the speeding, she was informed that they do not have an area where they can set a speed trap. Mr. Christy added that the police department has been considerate and have responded to their calls. He asked the Board to reconsider changing Christensen Road to one way. It was taken under advisement.
8. Phil Holloway – Chapelwood Estates detention pond – Phil Holloway advised that he was not aware when he purchased his property that he was responsible for the detention pond. He stated that there were failures during Tropical Storm Lee and the repairs were made earlier this week. He commented that the cost for the repairs was significant. He noted that he has submitted a record request for the stamped drawings and inspection reports for the construction of the pond as he feels there were deficiencies when it was built. He stated that he would like help to rectify the financial loss. Mrs. Gunnet confirmed that a right-to-know request has been received and the 30 day extension to produce the documents has been granted. She stated that we will have to wait for the engineering reports to see what was done.

Mr. Trout advised that he was onsite while the repairs were taking place and he took pictures. Marci Holloway noted that in order to receive financial assistance from Tropical Storm Lee, you needed to be displaced. Mr. Holloway stated that he feels that there were things done not according to plan and

someone should have inspected them. Mr. Holloway added that he has also received an invoice from the Engineer for his time out on site. Mr. Hefner advised that the information from C.S. Davidson would have to be received before things could be discussed further.

9. Solicitor:

- A. Attorney Rausch advised that he has received the signed agreement from the **Red Lion Municipal Authority** for the security in conjunction with their Land Development Plan. No reduction in the security will be permitted until \$140,970 in improvements have been completed. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the agreement. Motion carried. Three votes yes.**
- B. Attorney Rausch advised that Ethan Poe has spoken with the owner of **70 Gilbert Road** in regards to the failing septic system. A Certified Letter had been sent to them but was unclaimed. They did receive the letter sent First Class. The owners have informed Mr. Poe that the bank has foreclosed on the property and they will not be making any repairs. Attorney Rausch advised that a citation can be filed with the District Magistrate for failure to repair a **malfunctioning septic system. The Board agreed to have the citation filed.**
- C. Attorney Rausch advised that arbitration will be held on July 31st regarding the engineering fees for Brookfield and Rockledge.

10. Township Engineer: There was nothing to report.

11. Public Works:

- A. Mr. Trout advised that the Board has received the Monthly Report for July. Mr. Smith questioned where the additional funds needed would come from should the Board decide to purchase the crack sealer with the air compressor. Mr. Trout suggested it come from the Vehicle and Equipment Fund. Mr. Smith stated that \$1,000 should come out of the General Fund budget for small tools and equipment. Mr. Hefner asked if the old crack sealer could be sold. Mr. Trout advised that it could be sold through MunciBid. These funds could also be put toward the additional cost. Mrs. Gunnet added that she will make an announcement at the next Township Manager's meeting that the equipment is for sale and perhaps it could be sold prior to listing online. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the purchase of a crack sealer with an air compressor with the additional funds required to come from the sale of the existing crack sealer and \$1,000 from the General Fund small tools budget. Motion carried. Three votes yes.**
- B. **Freysville Road – Properties not connected to public sewer** – Mrs. Gunnet advised that the sewer department was locating laterals in the area of **Manor Road and Freysville Road** and found that there are **5 properties that have not connected to public sewer**. The sewer extension was done in conjunction with the Kendale Heights development in the late 90s. She noted that the Ordinance provides 60 days to make the connection but she was planning to allow until mid October because some will need permits from PennDOT. She noted that PennDOT may give an exception to open

cut the road since Freysville Road is slated to be paved next year. Mrs. Gunnet advised that she is making the Board aware of the situation before the letter is sent to the property owners. Mr. Smith asked what the difference in the cost would be to connect to the sewer now as opposed to then. Mrs. Gunnet stated that she did not know off hand. **Mr. Smith advised that the cost at the time of the extension should be charged.**

12. Other Business:

- A. Longstown Intersection – Status Report – Mrs. Gunnet advised that the Board has received the latest status report for the Longstown Intersection upgrade. The work is still projected to begin in 2013.
- B. **York Waste Disposal – Toters to residents** – Mrs. Gunnet advised that York Waste Disposal will be supplying all properties within the Township with a refurbished, clean toter. If a resident does not want to use the toter, they may call York Waste Disposal and they will pick it up. York Waste Disposal will be using a different truck which will have an arm that will pick up the toter. Rear load trucks will still be used for large item and woody waste collections. York Waste Disposal will be mailing a letter to all of the properties in the Township to inform them of this change.

Mrs. Gunnet advised that she contacted Attorney Davis and informed him of this. He instructed that she advise Modern Landfill that this does not have any impact on the negotiations for the Host Municipal Agreement.

- C. Mr. Heffner advised that the Board has received the Township Manager Report for June. There were no questions.
- D. Mr. Heffner advised that the Board has received the Zoning Report for June. There were no questions.
- E. Mr. Heffner advised that the Board has received the Building Permit Report for the first half of 2012. There were no questions.
- F. Mr. Heffner advised that the Board has received the Dog Officer Report for June. There were no questions.
- G. Mr. Heffner advised that the meeting for August 6, 2012 has been cancelled. The next meeting will be held on August 20th at 6:00 p.m.
- H. **Park Rules & Regulations Ordinance – Proposed amendment** – Mrs. Gunnet advised that the Ordinance has been advertised for adoption. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved for the Ordinance. Motion carried. Three votes yes.**
- I. **PennDEP Recycling Grant – Application submitted** – Mrs. Gunnet advised that a grant application has been submitted for reimbursement for the purchase of the self contained leaf loader.
- J. **Adoption of Ordinance No. 2012-07-02 – On-Lot Disposal System Management Ordinance** – Mrs. Gunnet advised that the Ordinance regulates the inspection and pumping of on-lot septic

systems. There will be 4 districts and each will be required to have the system inspected and pumped on a 4 year cycle beginning in 2013. Letters will be sent each year to the properties within the district to be pumped to remind them of the requirement. A list of certified haulers will also be provided to the residents. Mr. Sechrist questioned if these regulations are state mandated. Mrs. Gunnet advised that they were as part of Act 537 approval by PennDEP. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the Ordinance. Motion carried. Three votes yes.**

- K. Extension of Site Improvement Agreement – Daniel Templeton and Modern Landfill Transcyclery** – Mrs. Gunnet advised that bonds were posted as the method of security for Daniel Templeton and Modern Landfill Transcyclery. A Site Improvement Agreement provides one year to complete the improvements. The work has not been completed and both are requesting a one year extension. **On the motion of Paul Smith seconded by Rodney Sechrist, a one year extension was granted. Motion carried. Three votes yes.**
- L. Collection of letter of credit – Act 617 Group (Sonic)** – Mrs. Gunnet advised that not all of the improvements have been completed at Sonic and their security will expire on August 15th. She asked for permission to collect on the letter of credit if they do not file for an extension. Mr. Sechrist questioned what is outstanding. Mrs. Gunnet advised that the parking lot is not complete. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved to collect on the letter of credit for Act 617 Group if they do not extend it. Motion carried. Three votes yes.**

13. Unfinished Business:

- A. Panorama Hills Pump Station** – Attorney Rausch advised that the 30 days have expired for the declaration of taking for the right-of-way across the Lanius property and a check in the amount of \$6,000 should be cut as just compensation. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved payment of just compensation to Dorothy Lanius. Motion carried. Three votes yes.**

Attorney Rausch updated the Board on the other right-of-ways. He is working with the daughter for the Enfield property, the Argentos are agreeable, the Falenskis are working with their attorney and he has contacted the owner of the golf course as it is under an agreement of sale. Mrs. Gunnet added that she had spoken with the Taylors to provide them with clarification and they seem agreeable. Attorney Rausch requested an Executive Session to discuss the right-of-way for the Fitz property.

- B. Sewer Rate Study – Discussion** – Mrs. Gunnet advised that the Board has received a copy of the letter from C.S. Davidson with information for a 7 year rehab plan. Mr. Smith commented that he would not want any pump stations aside from the original 16 to be included in the first phase of improvements. Mr. Trout advised that there are failures in some of the newer stations. The findings are listed in the report. Mr. Smith questioned if it is broken down per station. Mr. Trout advised that it is. Mr. Smith asked if there is equipment in the original stations that could be used in others. Mr. Trout explained the phases of the stations. Discussion ensued regarding issues at some of the stations.

Mr. Smith questioned what is planned for 2012. Mr. Trout advised that he is not changing from what was budgeted. He stated that ARRO is working on the bids for Freysville, East Prospect and Manor Road. The bid should be awarded in October so the expenses can be paid in 2012.

Mr. Heffner asked the status of the Kendale Force Main. Mr. Trout advised that a full blown environmental study was required and the work will now need to be bid.

C. Purchase of Crack Sealer – Discussed under 11A.

D. Freysville Intersection – Mrs. Gunnet advised that there had been discussion at the previous meeting as to whether to pursue No Turn on Red regulations. It was the consensus of the Board to not make any changes. Mrs. Gunnet noted that there has been one accident at the intersection because someone made a left hand turn in front of an oncoming car.

14. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. There was none.

15. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Mr. Sechrist did not have any comments.

Mr. Smith provided a news article to Mrs. Gunnet so that she could make copies for the other Board members.

Mr. Smith asked for an update on the responses to receive a hardcopy of the newsletter. Mrs. Gunnet advised that there are currently about 400 people who have requested a copy be mailed. The cost for the mailing is approximately \$1.00 each. Mr. Smith asked at what point the price break is eliminated. Mrs. Gunnet stated that she did not know.

Mr. Heffner did not have any comments.

16. On the motion of Paul Smith seconded by Rodney Sechrist, the bills were approved. Motion carried. Three votes yes.

17. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss potential litigation at 7:14 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

July 16, 2012

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|-----------------------|--------------------------------|
| Phil Holloway | 80 Chapelwood Drive York PA |
| Libby Holloway | 80 Chapelwood Drive York PA |
| Elijah Holloway | 80 Chapelwood Drive York PA |
| Marci Holloway | 80 Chapelwood Drive York PA |
| Vera Miller | 830 Marvell Drive York PA |
| Jennifer Christy | 1398 Christensen Road York PA |
| Jason Christy | 1398 Christensen Road York PA |
| Bill Christy | 1398 Christensen Road York PA |
| Eric Myers | Windsor Township Fire & Rescue |
| Garry Gladfelter, Sr. | 20 Rosalia Circle York PA |
| Helen Gladfelter | 20 Rosalia Circle York PA |
| Paul Redifer | YARPD |