

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 3, 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 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 November 19, 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 notification from Comcast informing that they have created a webpage for viewers to use to see when contract renewal dates expire for television stations.
  - C. Mrs. Gunnet advised that she has received a letter from Attorney Robert Strickler on behalf of W. David Hildebrand and Harold W. Hildebrand regarding opposition to the rezoning of their property. The Board has received a copy.
  - D. Mrs. Gunnet advised that she has received a letter from Attorney John Miller on behalf of John and Michelle Fitz regarding opposition to the rezoning of their property. The Board has received a copy.
  - E. Mrs. Gunnet advised that she has received a letter from Peggy Manifold McFarland regarding opposition to the rezoning of her family's property. The Board has received a copy.
  - F. Mrs. Gunnet advised that she has received a letter from Attorney Tim Bupp on behalf of Marlin and Lois Bupp regarding opposition to the rezoning of their property. The Board has received a copy.
  - G. Mrs. Gunnet advised that she has received an invitation from Rescue Fire Company No. 1 to their Appreciation Banquet which will be held on Saturday, January 19, 2013. She asked the Board to let her know if they will be attending so she can RSVP.
5. Windsor Township Fire & Rescue Association: Scott Gingerich advised that their contract proposal had been forwarded to Mrs. Gunnet. He stated that he did not have anything to report.
  - A. Mr. Gingerich advised that the next Fire Chief's meeting will be held on December 27<sup>th</sup> at Red Lion.
  - B. Contract proposal – Mrs. Gunnet advised that the Board has received a copy of the proposal. She stated that they are asking for a 5% increase for 5 years and will be dropping the 1% retention. She stated that she has given the Board a breakdown for a 4% and 3% yearly increase for comparison.

Mr. Smith stated that he has some other suggestions and will discuss them with Mrs. Gunnet. The other members advised to proceed.

6. York Area Regional Police Department – Sergeant Montgomery advised that he did not have anything to report. Mr. Heffner commented that he watched a show on TV that showed police officers involved in accidents due to being distracted by in car computers. He questioned the usage of computers while driving. Sergeant Montgomery stated that they may look at them to run tags but if they are doing paperwork, they would pull over. He noted that the department has a low volume of accidents.

7. PLAN FOR APPROVAL:

- A. **ERMA O. & RICHARD L. ROYSTON – Final Subdivision Plan #L-5448 by Gordon L. Brown & Associates for two lots on Elfner Road** – Lee Faircloth of Gordon L. Brown & Associates explained that the purpose of this plan is to add approximately 17 acres from the Royston tract which is located in both Windsor Township and Lower Windsor Township to the Rexroth property in Windsor Township. There are no proposed improvements. He stated that the plan has been approved by Lower Windsor Township. Mrs. Gunnet advised that they are requesting a waiver of Section 302.3.K for contours. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the waiver of contours. Motion carried. Three votes yes.**

**Mrs. Gunnet advised that there are no outstanding comments. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the plan. Motion carried. Three votes yes.**

8. Solicitor:

- A. Possible amendment to Soliciting & Peddling Ordinance – Attorney Rausch advised that in May, the York Area Regional Police Department cited Capitol Meats for not obtaining a permit as required by the Soliciting & Peddling Ordinance. They were found guilty by the District Magistrate. The company appealed to the Court of Common Pleas. The hearing was held last week and the Judge overturned the decision based on wording within the Ordinance. Attorney Rausch explained that there is an exemption for manufacturers or producers of meats. He stated that he had informed the judge that this is for butchers but he felt it was vague. He advised that the Board needs to decide if they wish to leave the wording as is or remove the exemption. Mrs. Gunnet noted if the Board chooses to amend the Ordinance, there are other changes that may want to be considered. She explained that one company added numerous helpers to their permit during the 30 days. She commented that the Board may want to set a limit to the number of people who can be listed under one permit. There was discussion on how the Ordinance applies to Schwans and snow cone trucks. It was determined if they were going to serve a customer, it would not apply but if they were visiting homes to seek additional customers, it would.

9. Other Business:

- A. **Site Improvement Agreement Extension** – Mrs. Gunnet advised that the developer is asking for a 1 year extension of the Site Improvement Agreement to complete the improvements for **Taylor Estates, Phase I, Taylor Estates, Phase II, Section A, Taylor Estates, Phase II, Section A, Lot 1,**

**Taylor Estates, Phase II, Section B and Taylor Estates, Phase IV.** Attorney Rausch advised that this ties in with the expiration date of the bond that was posted for security. **On the motion of Rodney Sechrist seconded by Paul Smith, the Board approved the extension of the Site Improvement Agreements. Motion carried. Three votes yes.**

- B. Mr. Heffner advised that the reorganizational meeting will be held on January 7, 2013 at 6:00 p.m.
- C. Mr. Hefner advised that the annual meeting for the auditors will be held on January 8, 2013. Mr. Smith questioned what time it will be held. Mrs. Gunnet stated that she has a call into the Chairman to see what time he felt would be best. She commented that she would let him know once a time was determined.
- D. **Proposed Zoning Ordinance – Response to written comments & possible action date** – Mrs. Gunnet advised that the Board has received a copy of the letter that was sent by Mr. Allison and Mr. Hess in response to the correspondence previously received regarding the rezoning. There was discussion on the requirements of the Municipalities Planning Code for the approval or denial of the Ordinance in relationship to the date of advertising and the Public Hearing. After review of the Code, it was determined that action would need to be taken at the January 7, 2013 meeting as a decision needs to be made within 60 days of advertisement and 90 days of the Public Hearing without having to readvertise or hold an additional hearing. Attorney Rausch noted that if substantial changes are made it would be required to be reviewed by both the Windsor Township Planning Commission and the York County Planning Commission.

Mr. Sechrist questioned the purpose of the Rural Residential zone. Attorney Rausch advised that it is a way to control the density of development. Mr. Heffner added that this will help with the effects on the school district.

**It was the consensus of the Board to take action on the proposed Zoning Ordinance at the January 7, 2013 meeting.** Notification will be placed in the newspaper and on the Township website.

- E. **Access & Utility Easements for Kendale force main – Dehoff family** – Mrs. Gunnet advised that to fix the Kendale force main, access is need to the repair area and additional right-of-way is needed in the area of the pipe replacement. She stated that the easement agreement has been signed by all of the property owners except one who was to be present this evening. **On the motion of Paul Smith seconded by Rodney Sechrist, the Board approved the easement agreement. Motion carried. Three votes yes.**

Mr. Sechrist questioned if a representative from PennDEP would be present while the repairs are being made. It was unknown.

- F. Penna. Municipal Retirement System – Reduction in set regular interest – Mrs. Gunnet advised that she has received notification from the pension company that they will be reducing their set interest rate from 6% to 5.5% effective January 1, 2013. She noted that the effects will not be seen until 2015.

10. Unfinished Business:

A. Panorama Hills Pump Station – There was no update.

11. 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.

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

Mr. Smith commented that there was a good article in the Township Today newsletter. He asked if it could be condensed and put in the next Township newsletter. Mrs. Gunnet advised that she could do this.

Mr. Heffner did not have any comments.

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

14. The meeting of the Windsor Township Board of Supervisors adjourned at 6:23 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

December 3, 2012

Vera Miller	
Karin Ellinger	210 Meggon Lane Red Lion PA
Lee Faircloth	Gordon L. Brown & Associates
Richard Royston	234 Elfner Road Red Lion PA
Charlie Rexroth	125 Elfner Road Red Lion PA
Licia Lehman	379 Wire Road York PA
Marlin L. Bupp	1680 Freysville Road York PA
Gene & Bobbie Zimmerman	860 Zimmerman Road Red Lion PA
Scott Gingerich	Windsor Township Fire & Rescue
Charles Silar	1500 Windsor Road Red Lion PA
John & Lynn Cheeseman	910 Cranberry Lane Red Lion PA
Sergeant Peter Montgomery	York Area Regional Police Department