

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

February 17, 2014

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, Jo Anna Shovlin, 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 Jo Anna Shovlin seconded by Rodney Sechrist, the minutes from the January 20, 2014 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 an invitation to Yorkana Volunteer Fire Company's Appreciation Dinner which will be held on Saturday, March 8th. 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 an email from the Pennsylvania Department of Community & Economic Development informing that the Township along with Chanceford Township, Hellam Township and Lower Windsor Township will receive the Governor's Award for Local Government Excellence for their intermunicipal cooperation after the fire at Lower Windsor Township's Public Works Building. The award ceremony will take place on April 15th at 3:00 p.m. at the East Rotunda of the Capitol.
  - D. Mrs. Gunnet advised that she received a letter from The ARRO Group thanking the Township for using them as our engineer and stating that they are working toward a smooth transition.
5. Windsor Township Fire & Rescue Association - Eric Myers was present. He advised that they will be changing their monthly meetings to include both Windsor and York Township Associations. He stated that the meeting locations have not been determined at this time.
  - A. The next Fire Chiefs meeting will be held on February 27th at Dallastown Fire Company.
6. York Area Regional Police Department - Sergeant Good reviewed the report for January. There were no questions for him.
  - A. The Monthly Report for December is available for review.
7. John & Lynn Cheeseman - Sewer extension to Cranberry Lane & Dietz Road - Lynn Cheeseman, 910 Cranberry Lane, advised that she is speaking on behalf of the residents of Cranberry Farms that are affected by the proposed sewer extension. She stated that she and her husband, John,

hosted a meeting at their home at which owners of 21 of the 25 properties affected met to discuss the decision of the Board on November 7, 2013 to have the property owners pay for the sewer extension in full. She stated that she and her husband have spent time with Mrs. Gunnet trying to obtain information on this project as well as how utility extensions have been financed in the past.

A packet that the Cheesemans had prepared was given to the Board members and she proceeded to explain the information. Mrs. Cheeseman stated that the first page is a timeline regarding their property. She advised that they have had issues with their septic system soon after they moved into their home. The first soft area was discovered in 1988. A letter was received from Mr. Poe in 1992 stating that they needed to correct their malfunctioning system. It was told to them that the only option was to install a holding tank. Based on the perc test results, the soil had drastically changed in 4 years. She stated that they came before the Board in 1994 to request a sewer extension but it was later voted not to extend it.

Mrs. Cheeseman stated that the next page of the packet deals with previous utility extension costs. She explained that the Route 74 water extension affected 198 properties and each were responsible for paying \$3,800 over a 10 year period. In 1989 there was a request for sewer on Third Street. The Municipal Authority paid \$3,000 for each property and the property owner was responsible for \$3,500. There was also a sewer extension on Woods Drive. The Municipal Authority paid \$3,000 for each property and the property owner was responsible for \$4,284. She stated that based on conversion to today's rate, the Windsor Township Municipal Authority contribution would be \$7,542.66. She added that there was also a sewer extension in the Springvale area that was required by DEP in which the residents did not have to pay an extension fee. Mrs. Gunnet clarified that in this situation, a Community Development Block Grant for \$93,000 was obtained that covered the cost of the extension. The grant funds paid for the costs that are typically passed onto the property owner.

Mrs. Cheeseman advised that the Cranberry Farms residents have objections to a decision that was made to have them pay for the extension in full. She stated that she has prepared a sheet that breaks down the monthly payment for borrowing \$26,000 or \$40,000 with 10 and 15 year loans based on interest rates of 1.5% and 5%, assuming that the Board would provide low interest loans to the residents as previously discussed. Based on the options, the monthly payment could range anywhere from \$161 to \$424. She stated that she contacted an appraiser and was informed that having public sewer will not increase the value of the home.

Mrs. Cheeseman advised that the next page of the packet deals with possible cost distribution. She stated that there are currently approximately 6,000 EDUs in the Township. If the cost for the Cranberry Farms extension was passed onto the existing users, the quarterly invoice would increase \$1. She stated that this seems more equitable and reasonable. She asked that the Board look at the impact of their decision and requested them to reconsider.

Mr. Heffner stated that it was mentioned that there was a petition to extend public sewer in 1994 but it was withdrawn. He questioned why. Mrs. Cheeseman stated that it had to do with the cost of blasting being passed onto the residents.

Mrs. Gunnet clarified that if the sewer line was run from Chapelwood within 10 years of its construction, they would be responsible to reimburse the developer for the cost of installing the sewer main

There was discussion on obtaining a grant for this project. Mrs. Gunnet advised that there is criteria that needs to be met in order to qualify for a Community Development Block Grant (CDBG). One of the items deals with household income thresholds. She stated that she does not believe that they would qualify, but the survey could be distributed.

Sheldon Patterson, 912 Cranberry Lane, advised that he is not having problems and questioned why he needs to connect to public sewer. Mrs. Gunnet explained that it is a requirement of the Act 537 Plan that was approved by DEP.

Bob Woltkamp, 907 Cranberry Lane, stated that he is aware that in May of 2008, York Township agreed to pay for the entire cost for sewer extension in the Reynolds Mill Road area, which was estimated at \$4 million.

Mr. Heffner stated that he is concerned with increasing the existing customer bills. Mr. Cheeseman stated that it could be done as a one time assessment of \$111.12. Mrs. Gunnet stated that the Township never did a one time assessment before. She stated that the \$2.50 per quarter increase caused a stir. Mr. Cheeseman stated that the cost per EDU with the Panorama Hills extension is approximately \$2,400. Attorney Rausch commented that the developer can build those costs into the price of a home. He added that recently in Shrewsbury Township, there was a sewer extension that was paid by the property owners between the amounts of \$18,000 and \$19,000 per home.

Giuseppe Garofalo, 904 Cranberry Lane, questioned how the extension will be funded. Mrs. Gunnet stated that there would be a loan. Attorney Rausch questioned how many failing systems are in this area. Mr. Cheeseman stated that the Act 537 Plan identified 7 known failures.

Mrs. Gunnet asked the Board if they want to consider applying for a CDBG. Mr. Woltkamp questioned if there are other types of grants. Mrs. Shovlin stated that this is the only type. Mr. Woltkamp commented that this amount of money is hard for families to fund and it puts a burden on them.

Mrs. Shovlin thanked the Cheesemans for their presentation and thanked everyone present for being cordial. The Board agreed to take the matter under advisement.

It was noted that it may be 2 to 3 years until the work is done. Until this time residents will still have to comply with the requirements of the Act 537 plan which will include the pump out and inspection of the existing system.

It was the consensus of the Board to send the income threshold survey to the residents for the CDBG application.

Lora Deller, Dietz Road, questioned the interest rate that the Board would consider with the loan. Mrs. Gunnet stated that it is not set. Attorney Rausch advised that it would depend on how it is funded and bond rates.

Mr. Garofalo stated that he assumes that a lien would be placed on the property and the Township would receive the money if it was sold. Mrs. Gunnet agreed that a lien would be placed on the property but if the monthly payments would not be paid then they would default on the payment agreement and legal action would be taken.

Jim Kraft, 902 Cranberry Lane, stated that when the Panorama Hills sewer extension is done, money will be saved up front because they will not have to pay prevailing wages. He questioned if the developer is going to make money. Attorney Rausch advised that the Township will set the connection fee based on the construction and engineering costs. Mr. Kraft stated that he feels like the owners are in a no win situation.

Bob Swisher, 911 Cranberry Lane, questioned the cost for the sewer bill. Mrs. Gunnet advised that it is \$105 per quarter. Mr. Swisher commented that he would have paid less money if his home would have had public sewer installed when he built it than the proposed amount for the extension fee.

Mr. Woltkamp commented that the Township will be taking in more money with more users on the system.

There was discussion on the extension of sewer for the Kensington development. Mrs. Gunnet advised that the developer will be running that line. The existing homes that will connect will still be responsible to paying an assessment and connection fee.

Joe Argento, Dietz Road, advised that he would not have purchased the property if he knew that he needed a sand mound. He commented that he called the Township prior to purchasing and was told that there were no known issues.

8. **PLEASANT VIEW AUTO SALES - Land Development Plan #L-5511 by Gordon L. Brown & Associates, Rt. 74** – Mrs. Gunnet advised that they will not be present this evening.
9. Solicitor – Attorney Rausch advised that he did not have anything to report.
10. Township Engineer:
  - A. ARRO - Transition Report - Mr. Gunnet advised that the Board has received a copy of the Transition Report. There were no questions.
11. Public Works:
  - A. Mr. Trout advised that the Board has received the monthly report for February. There were no questions.

- B. Approval to purchase: F350 Pickup & Trailer - Mr. Trout advised that a truck was budgeted for the sewer department. He stated that although Ford has had an increase, the price for an F350 is still under the budgeted amount. He stated that there will not be enough money remaining for the purchase of tool boxes. Mrs. Gunnet noted that there are funds available in the Vehicle & Equipment Fund. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the purchase of an F350 Pickup, tool boxes and Trailer. Motion carried. Three votes yes.**
- C. Walls at Public Works Building - Mr. Trout advised that a heat gun has been used to measure the temperature of the walls at the Public Works Building and they have found that the cold is radiating in. The heating bills for the building have increased. He suggested looking into insulating the exterior walls. Mr. Sechrist questioned when the building was completed. Mrs. Gunnet stated that it was finished in 2008. The Board agreed to look at budgeting this in the future.
- D. Mr. Trout advised that the Board has received a report on leaf collection.
- E. Mr. Trout stated that he would like to thank his crew for a job well done during the last snow storm. There was applause from the crowd. The Board thanked Mr. Trout as well.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for January. A copy is available for review.
- B. Mr. Heffner advised that the Board has received the Manager's Report for January. There were no questions.
- C. Mr. Heffner advised that the Dog Officer's Report for January is available for review.
- D. Rt. 24/Rt.124 Corridor Construction Update - Mrs. Gunnet advised that a meeting was held on January 31st with PennDOT, local legislators and representatives from York, Springettsbury and Windsor Townships to discuss the Rt.24/Rt.124 project. She noted that Kinsley Construction is the contractor for the Longstown Intersection project and completion is anticipated to be November 2015.
- E. Extension of Site Improvement Agreement - Rosebrook II - Mrs. Gunnet advised that a bond was posted for security for this development and a site improvement agreement was signed to allow for 1 year to complete the improvements. They are not completed and the developer is requesting a one year extension. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board granted a one year extension for Rosebrook II. Motion carried. Three votes yes.**
- F. Authorization to collect on letter of credit - Mrs. Gunnet advised that the security for Valley Meadows expires on February 25th and she is requesting authorization to collect on the letter

of credit if it is not extended. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board authorized to collect on the letter of credit for Valley Meadows if necessary. Motion carried. Three votes yes.**

- G. Update - Electronics recycling – Mrs. Gunnet advised that she had scheduled electronics collections for April 19th and October 18th with the Boy Scouts. She stated that she later realized that the April date is Easter weekend. She commented that she contacted the scout leader to see if this would be a conflict but has not heard back from him. She requested approval to have Township staff assist if the scouts are unable to help. It was the consensus of the Board to have the staff assist.
- H. Chesapeake Bay Pollution Reduction Plan for York County - Cost Analysis - Mr. Allison advised that he and Mrs. Gunnet have been attending meetings regarding the Chesapeake Bay Pollution Reduction Plan. The Board has received information. He stated that by participating in the County's program, it will be the least expensive way to meet the MS4 requirements. The cost for the Township is estimated at \$26,000 to \$33,000 over 5 years depending on the funding formula. He commented that with engineering and permitting costs, he does not feel that that Township could meet requirements for less cost. The Board was asked if they had a funding formula preference. It was the consensus of the Board to proceed with the County's Plan with no preference on the method.
- I. Mrs. Gunnet advised that Snow Emergencies were declared on January 26th and February 12th.
- J. Mrs. Gunnet advised that an Executive Session will be held after the meeting to discuss Contract Negotiations.

13. Unfinished Business:

- A. Panorama Hills Pump Station – Attorney Rausch advised that he contacted the attorney for Mr. Dobrinoff but he did not have an update. He stated that there is a need to adjust the access agreement and he has prepared Resolution 2014R-02-01 to file the amended declarations. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved Resolution 2014R-02-01. Motion carried. Three votes yes.**

Attorney Rausch advised that Mr. Dobrinoff was to have appraisals prepared to support his request for additional compensation for the easement acquisition. He stated that if this is not completed within the next 30 days, the Township should pay him \$11,000 which is the amount that our appraisal supported. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved to pay just compensation to Mr. Dobrinoff in the amount of \$11,000 if he does not provide substantiated information within 30 days. Motion carried. Three votes yes.**

Fulton Bank, as the loan holder for Abel Construction, has drafted an agreement to confirm that the agreement that was signed in 2006 is still valid and to clarify that all payments for the

project should be submitted directly to them and not the contractor or developer. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the Agreement. Motion carried. Three votes yes.**

Fulton Bank is also requesting a Secretary Certificate to confirm that the contract was awarded to Abel Construction at the January 20, 2014 meeting.

B. Proposed change to meeting schedule – March 3<sup>rd</sup> – Mrs. Gunnet stated that she is not aware of anything that would need to be addressed at this meeting. It was the consensus of the Board to cancel the March 3<sup>rd</sup> meeting.

14. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking.

John Cheeseman, Cranberry Lane, reiterated that they are available if the Board has any questions regarding the information that was presented this evening.

15. Supervisors Comments – Mr. Heffner asked the Board if they had any questions.

Mrs. Shovlin thanked Mr. Trout and the Highway Department for a great job this winter. She stated that she has not received many complaints.

Mr. Sechrist questioned if something could be put on the website encouraging people to donate to their local fire companies. He stated that since York Township has enacted a Fire Tax, the donations from their residents have decreased.

Mr. Heffner advised that the Township is running low on salt and noted that the Highway Department would be concentrating on intersections, hills and icy areas.

16. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the bills were approved. Motion carried. Three votes yes.

17. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session at 7:50 p.m. to discuss contract negotiations for Modern Landfill.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

February 17, 2014

Vera Miller	
Joe Argento	675 Dietz Road York PA
Shari Argento	675 Dietz Road York PA
Jeriesha Gilbert	915 Cranberry Lane York PA
Dottie Moquin	695 Dietz Road York PA
Ross B. Moquin	695 Dietz Road York PA
Todd McCullough	700 Dietz Road York PA
Donna Hoke	670 Dietz Road York PA
David & Carole Kline	795 Dietz Road York PA
Lora Deller	785 Dietz Road York PA
Paul Deller	785 Dietz Road York PA
Stephanie Knaub	903 Cranberry Lane York PA
Donald Knaub	903 Cranberry Lane York PA
Gary Krieger	900 Cranberry Lane York PA
William Wentz	906 Cranberry Lane York PA
Giuseppe Garofalo	904 Cranberry Lane York PA
Angelina Garofalo	904 Cranberry Lane York PA
Robert Woltkamp	907 Cranberry Lane York PA
Robert Swisher	911 Cranberry Lane York PA
Jackie Kubala	914 Cranberry Lane York PA
Carol & James Kraft	902 Cranberry Lane York PA
Kim & Sheldon Patterson	912 Cranberry Lane York PA
Robert Holweck	Dallastown PA
Phillip Brath	ARRO Consulting
Lynn & John Cheeseman	910 Cranberry Lane York PA
Eric Myers	Windsor Township Fire & Rescue
Sergeant Joel Good	York Area Regional Police Department