

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

July 21, 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 June 16, 2014 meeting were approved. Motion carried. Two votes yes. Mr. Sechrist abstained from voting due to not being present at the meeting.
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 PennDEP notifying that an application has been received by them for the application of sewage sludge at the Jim Rexroth Farm #5 located on Oberdorff and Bahn's Mill Roads.
 - C. Mrs. Gunnet advised that she has received notification from Comcast that they will be adding the Encore Espanol channel and additional Latino channels.
 - D. Mrs. Gunnet advised that she has received an invitation to the Red Lion Municipal Authority's Open House at the Cabin Creek Reservoir which will be held on Saturday, July 26th from 10:00 a.m. to 12:00 p.m. She asked the Board to let her know if they plan to attend so she can RSVP.
 - E. Mrs. Gunnet advised that she has received a letter from the Tax Collector, Jill Heindel, requesting that Kathy Kerchner be appointed as the Deputy Tax Collector. She explained that if something happened to Mrs. Heindel, her family or estate would be held responsible for tax collection. To appoint a Deputy Tax Collector, an acknowledgement would need to be signed. The Red Lion Area School District has already granted approval. There will be no additional cost to the Township. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board agreed to sign the acknowledgement to appoint Kathy Kerchner as Deputy Tax Collector. Motion carried. Three votes yes.**
 - F. Mrs. Gunnet advised that she has received a letter from PennDOT reversing their earlier decision to require reimbursement to the Liquid Fuels Tax Fund due to an audit finding. She explained that she met with a PennDOT Auditor and after review of the Township's financial records of road improvements, the decision requiring reimbursement was reversed. She thanked Representative Saylor and his staff for their assistance.

- G. Mrs. Gunnet advised that the Board has received a copy of the 2013 Audit Report for the York Regional Emergency Medical Services, Inc.
 - H. Mrs. Gunnet advised that the Board has received a copy of the 2013 Audit of the Windsor Township financial records from Kochenour, Earnest, Smyser & Burg.
 - I. Mrs. Gunnet advised that she has received a letter from Katherman, Briggs & Greenberg informing that they have been retained by the Estate of Benedict Eugene Todt to investigate the circumstances of his death. She stated that he is the gentleman that was fatally injured on the job at the Red Lion Municipal Authority's water treatment plant. She noted that she will forward the letter to the insurance carrier.
5. Windsor Township Fire & Rescue Association - Eric Myers was present. He did not have anything to report.
- A. Mr. Myers advised that the next Fire Chiefs meeting will be held on July 24th at Jacobus Fire Company.
 - B. Joining with York Township - Mrs. Gunnet advised that she had questions regarding the joining of the York Township and Windsor Township Associations and she received clarification. She explained that the fire companies are not merging but they are joining the two associations so that there is only one. New joint by-laws will be drafted. Mr. Myers commented that the new by-laws are almost identical to those of the current Windsor Township Association. Mrs. Gunnet noted that none of the contracts mention the Windsor Township Fire & Rescue Association so she does not foresee any issues with the joining.
6. York Area Regional Police Department - Sergeant Good was present. He reviewed the monthly report for June. He reminded everyone to lock their homes as there have been several robberies in the area that were not forced entries. He noted that Officer Brice will be added to the force and will graduate from the Academy in February.
- A. The Board has received the Monthly Reports for May and June.
 - B. Mrs. Gunnet advised that the Board has received a copy of the 2013 Audit Report.
 - C. Automatic External Defibrillators (AED) - Mrs. Gunnet advised that the police department needs to have their AEDs replaced. They would like to purchase 18 and the estimated cost is \$2,200 each. Mrs. Shovlin noted that they are soliciting donations for the purchase. Letters have been sent to all the businesses and municipalities covered by the department. Mr. Heffner suggested considering a donation in 2015 and discussing this during the budget workshop. The Board agreed.
7. **Bret Armstrong - Windsor Valley Mobile Home Park, 103 Keith Drive - Subdivision Ordinance waiver** - Mr. Allison advised that Mr. Armstrong had a home installed at 103 Keith Drive. When he applied for the permit, he met the minimum setbacks for the home. However,

when the home was placed, it was shifted a few inches which caused the home to encroach into the setback. He reminded the Board that the proposed SALDO will reduce the setback between homes. Based on the proposed figure, the home will meet the setback and Mr. Armstrong is requesting a waiver of the SALDO to encroach into the current setback. Mr. Heffner commented that the Board has already approved this same type of encroachment in other parks. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board granted the waiver. Motion carried. Three votes yes.**

8. Neal Graumenz - Stormwater issue - Lombard/Freysville Roads - Neal Graumenz, 706 Tennyson Garth, advised that he has stormwater issues on his property. He explained that the water runoff from Freysville and Lombard Roads drains into his rear yard. He stated that he met with Chris Feldmen with PennDOT last November to try to resolve the issue but there has been no conclusion. He noted that he has tried to make changes to his property to help but he can do no more. Mr. Graumenz advised that there are 4 inlets in the area of Freysville and Lombard Roads and only the one near the Freysville Park parking lot is functioning properly. He commented that when the road was paved, the situation was made worse.

Mr. Trout advised that when he was contacted by Mr. Graumez he went on site to look at the grading. He stated that it was not possible for the water to flow into the trench as it was intended to do. He commented that he feels a pipe should be installed to assist with the water flow. Mr. Trout noted that he met with two representatives from PennDOT at the end of June but has not heard back.

Mrs. Shovlin asked that in the future she be notified of any situation like this. She advised that she will contact Mike Martin and Chris Feldmen and set up a meeting on site to determine what PennDOT is going to do to rectify the issue.

9. Plan for Approval:

- A. **INTERNATIONAL ASSOC. OF MACHINISTS & AEROSPACE WORKERS - Final Subdivision Plan #428.4 by Site Design Concepts, Inc. for 2 lots on Christensen & East Prospect Roads** - Jeff Walker advised that he wants to subdivide a 2.6 acre lot on which to construct a single family dwelling for himself. The access would be off Christensen Road.

Mr. Allison advised that they have 3 waiver requests. The first is of Section 502.2 for the widening of East Prospect and Christensen Roads. The second and third are from Section 502.7 and 502.10 for curbing and sidewalks along East Prospect and Christensen Roads. The Windsor Township Planning Commission recommended granting the waivers. Mr. Allison stated that typically staff recommends denying the waiver request for curbs and sidewalks but requires a note on the plan allowing for them to be constructed within 6 months of notification by the Township.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board granted the waiver for the widening of East Prospect and Christensen Roads and denied the waivers

for curbing and sidewalks with the note allowing for delay of installation until notification by the Township. Motion carried. Three votes yes.

On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the Stormwater Agreement and approved the plan. Motion carried. Three votes yes.

10. Solicitor:

- A. 406 Boyd Drive - Update - Attorney Rausch advised that he had received a phone call from Mrs. Mungai requesting additional time to vacate the property and he had granted an extension until July 31st. He noted that she has contacted him again requesting more time. He stated that he gave her until August 15th to vacate the property. The Board was fine with this.
- B. Termination of water for delinquent sewer bills - Clarifications - Attorney Rausch advised that he and Mrs. Gunnet had met with representatives of York Water Company to discuss the termination of water for delinquent sewer bills. He noted that the change in procedure will require an amendment to the Sanitary Sewer Ordinance and an Agreement with York Water Company. Attorney Rausch advised that the new procedure cannot be imposed on delinquent amounts prior to the enactment of the changes. Mrs. Gunnet stated that based on this, the first delinquent letters could be sent out November 1st. She noted that the current Ordinance takes action against properties that are two quarters in arrears. The Board agreed that the new Ordinance should be changed to one quarter.

Mrs. Gunnet questioned if the Board wanted to accept payment plans. She commented that the Township has not had much success with payment plans in the past. The Board agreed that there would not be an option for a payment plan.

Philip Brath commented that some water companies will not shut off water in the winter. Mrs. Gunnet advised that the York Water Company has a list of which houses use water for heating. The Red Lion Municipal Authority does not.

11. Township Engineer - There was nothing to report.

12. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for July. Mr. Heffner commented that the paving on Ruppert Road is not smooth. Mr. Trout stated that it has been graded and rolled twice to try to correct the problem. He noted that it will be graded again before it is oil and chipped.
- B. **I-83, Exit 18 - Cost Sharing Agreement** - Mrs. Gunnet advised that at the last meeting, the Board had approved the Resolution for the improvements. The Agreement has now been received and needs to be signed by the Chairman. The Board agreed for the Agreement to be signed.

- C. **Manor Road, Freysville Road & East Prospect Generators - Final Payment** - Mrs. Gunnet advised that the generator work has been completed and the Engineer is recommending release of the final payment. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the final payment in the amount of \$5,000. Motion carried. Three votes yes.**

- D. **Milner Heights - Stormwater pipe replacement** - Mr. Trout advised that he had obtained quotes for the stormwater pipe replacement in Milner Heights and the lowest was from Eller Construction. He commented that he has worked with them before and they do good work. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board awarded the work to Eller Construction. Motion carried. Three votes yes.**

- E. **DEP 902 Grant update - leaf vacuum truck** - Mrs. Gunnet advised that she had a preapplication meeting last week. She is in the process of making necessary changes and once completed, it will be send out later in the week. She commented that there were not as many applications at the meeting as in the past.

13. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for June. A copy is available for review.

- B. Mr. Heffner advised that the Board has received the Manager's Report for June. There were no questions.

- C. **Resolution #2014R-07-01 - Amendment of Fee Schedule - Continuation of Building Permit Extension fees** - Mrs. Gunnet advised that the fee schedule has been amended to charge a fee to extend a Building Permit in the amount of 25% of the original permit fee. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Resolution. Motion carried. Three votes yes.

- D. Mr. Heffner advised that the Board has received the Dog Officer's Report for May. A copy is available for review. Mrs. Gunnet added that she prepared a report breaking down the calls for the year. She stated that the Township is still saving money by paying per call rather than a flat monthly rate.

- E. **Regional Chesapeake Bay Pollution Reduction Plan - Update & authorization to advertise intergovernmental agreement** - Attorney Rausch explained that the Township must decide if we want to opt in or out of the regional plan by August 31st. If the Township opts in, the approval of an Intergovernmental Agreement is required by Ordinance and he needs approval to advertise it. Mrs. Gunned noted that to opt in to the regional plan, the cost to the Township would be approximately \$5,600 for the next 5 years. She added that not all of the improvements must be done within Windsor Township. Phillip Brath advised that this is a beneficial and cost saving plan and other counties are looking to create a similar plan. The Board agreed to opt in and have the Ordinance advertised.

- F. Yorkana ballfield - Update - Mrs. Gunnet advised that Spectra Energy completed the work on the ballfield last week. The field should be usable this fall. She stated that Chris Shaffer wanted her to express his appreciation to Representative Saylor's office for their assistance in having the work completed. It was noted that as a part of Spectra Energy's employee outreach program, they are also going to make upgrades to the dugouts and refreshment stand.
- G. Mr. Heffner advised that the Board has received the Building Permit Summary for the 1st half of 2014. There were no questions.
- H. Mrs. Gunnet advised that the Board has received a copy of the Engineering Transition Report for July.

14. Unfinished Business:

- A. Panorama Hills Pump Station – Update - Mrs. Gunnet advised that the work on Belle Road has been completed. The connection to the Mill Creek interceptor will take place in August. She noted that the designated wetlands have increased in size by five times since 2006. Because of this, it may be necessary to have a maintenance easement agreement with property owners or move the main. She noted that Eric Jordan with the York County Conservation District had comments and the Army Corps of Engineers needed to visit the site. Mrs. Gunnet stated that the contractors are able to continue working at the pump station.
- B. Summer meeting schedule – Mr. Heffner advised that the next Board meeting will be held on the third Monday of August.
- C. **Purchase of wheeled loader** - Mr. Trout advised that the Board has received information on a wheeled loader. He noted that they have demoed several loaders. Mrs. Shovlin questioned if the purchase has been budgeted. Mrs. Gunnet advised that half of the cost was budgeted in 2013 and was transferred to the Vehicle and Equipment Fund at the end of the year. The other half is budgeted this year. Mrs. Shovlin questioned if the Township would be selling the old one. Mr. Heffner advised that he would like to keep that one to use for jobs such as loading salt and moving brush. Mr. Trout added that the cost for the loader came in under budget. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved the purchase of a wheeled loader without a trade. Motion carried. Three votes yes.**
- D. **Possible amendment - Personnel Policy** - Mrs. Gunnet advised that the Board had tabled this topic at the previous meeting. She reviewed the information noting that the Personnel Policy had been amended in 2006 to help curb the misuse of sick days. She stated that the annual amount of sick days given to an employee was reduced from 10 to 5 for anyone hired after that date. She commented that only 4 employees are affected. It is difficult for them to accumulate sick time and the Township's short term disability policy is limited to \$150 per week. She requested that an amendment be made to the personnel policy to increase the number of sick days to 10 for all employees. **Mrs. Gunnet was directed to prepare a resolution to amend the personnel policy.**

Mrs. Gunnet advised that the payout for any unused sick time upon retirement had also been discussed at the previous meeting. She stated that the policy has not been changed since it was written in 1993. The payout amount is calculated by multiplying the employee's hourly rate by the number of unused days with a maximum payout of \$5,000. Depending on the pay rate, the number of days that may be paid for would vary. She commented that based on inflation the maximum payout of \$5,000 would now be \$8,090. It was the consensus of the Board to table this topic.

15. 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.
16. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mrs. Shovlin nor Mr. Sechrist had any. Mr. Heffner did not have any questions either.
17. On the motion of Jo Anna Shovlin 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 at 7:15 p.m. to discuss contract negotiations.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

July 21, 2014

Vera Miller

Jeff Walker

Andy Barshinger

Neal Graumenz

Phillip Brath

Bret Armstrong

Eric Myers

Bobbie Zimmerman

Gene Zimmerman

Sergeant Joel Good

4217 Peach Orchard Hollow York PA

Site Design Concepts

706 Tennyson Garth Red Lion PA

ARRO Consutling

103 Keith Drive Windsor PA

Windsor Township Fire & Rescue

860 Zimmerman Road Red Lion PA

860 Zimmerman Road Red Lion PA

York Area Regional Police Department