

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

May 18, 2015

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, John Klinedinst, Richard Resh, 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 April 20, 2015 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.

5. Windsor Township Fire & Rescue Association - Matt Shields was present. He stated that the departments are discussing the implementation of a burn ban due to the lack of rain. He also informed that the departments will be participating in training this Wednesday at the fire school.

- A. The next Fire Chief's meeting will be held on May 28th at Felton Fire Company.

6. York Area Regional Police Department - No one was present.

7. Emergency Management:

- A. Mrs. Gunnet advised that Bernell Kohler is resigning from the EMA staff and in recognition of his service to the Township and the Community, the Township would like to present a plaque to him. Mr. Heffner presented him with the plaque and pictures were taken.

Mr. Fromm commented that Mr. Kohler was one of his original staff members and he was very helpful with developing the department. He noted that he has volunteered all over the community and he has been a mentor to him and he will be missed. Mr. Kohler stated that he appreciated how everyone works well together and thanked the Board for allowing him to serve.

- B. Mr. Fromm advised that the Board has received a copy of the EMA staff meeting minutes from April 15, 2015. He noted that the next meeting will be on May 20th.

8. Kensington - Fence Agreement:

- A. Jared & Sarah Hippensteel - 355 Sunbury Way - Lot 15 - Mr. Allison advised that the property owners are meeting the requirements of the agreement and approval of the agreement is needed. Mrs. Shovlin questioned the gates. Mr. Allison advised that they are required to have a 10' opening

for access. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the Fence Agreement for Lot 15 in Kensington. Motion carried. Three votes yes.**

9. Solicitor:

- A. **Vernon & Rebecca Ducharme - Agreement** - Attorney Rausch advised that the Ducharme property is located on both sides of Herbst Road, split between North Hopewell Township and Windsor Township. He explained that in 1988 a home occupation was granted and an accessory structure was permitted to be constructed on the northern side of Herbst Road for the business. The house is located on the southern side of Herbst Road. He advised that for zoning purposes, although the deed lists two separate tracts, the lot would be considered one tract. Mr. Allison advised that the Township allowed the nonconformity to be created by permitting the structure on northern portion of the tract. The Ducharmes would now like to construct a new home on the portion that has the accessory structure. He noted that the request to subdivide the property went before the Zoning Hearing Board due to the accessory structure being on a lot without a principle structure. The case was withdrawn as it was determined that an Agreement would be appropriate in this case. The Agreement states that the accessory structure may remain on the lot. However, the southern tract may not be sold until the Certificate of Occupancy for the proposed house on the northern tract is obtained. The Ducharmes have signed the Agreement. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the Agreement. Motion carried. Three votes yes.**

10. Township Engineer:

- A. Cranberry Lane/Dietz Road Sewer Extension - Status Report #7, Full time/Part time inspections, Knaub Easement Agreement - Mr. Resh advised that the notice to proceed was sent to the contractor. Informational letters were sent to the property owners. The marking of utilities and stakeouts will begin this week. A preconstruction meeting will be held on May 28th. Construction is slated to begin the third or fourth week of June.

Mr. Heffner questioned the rate for the connection fee. Mr. Resh stated that at the last meeting, the Board had approved a rate of \$3,000 but a study will need to be completed.

Mr. Resh advised that he received a request from Mr. Trout to have C.S. Davidson do full time inspections rather than part time. Mr. Trout stated that he originally thought that he or the Sewer Department employees would have time to be on site but he does not believe that is possible. He added that he has concerns that they would not be able to read the construction plans as well. Mr. Klinedinst advised that the original proposal included full time inspectors and was changed when Mr. Trout thought that staff could assist.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved for full time inspectors. Motion carried. Three vote yes.

Mr. Resh advised that the **Knaubs** have agreed to the Township's counter offer and have signed the easement agreement. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Agreement. Motion carried. Three votes yes.**

- B. Windsor Manor Pump Station phase out - Update - Mr. Resh advised that there are three options for the quote to phase out the Windsor Manor Pump Station. He stated that the first option is to study the mains as the flow exists now. The second option is with the addition of the Walnut Creek development. The third option is with phasing out the Windsor Manor Pump Station. Mr. Trout noted that a full blown study will provide us with more information. Mr. Resh noted that most of the study includes Township owned facilities. Mr. Trout stated that flow meters will measure the flow entering into our lines and then exiting the line once it flows through the Borough. Currently there are no flow meters. Windsor Borough does not have a maintenance program to line their pipes. Mrs. Shovlin commented that this study could be used as a method to determine infiltration in the Windsor Borough pipes. It was noted that there are 12 points of connection from Windsor Borough into the sewer main. The Board requested that that the Township obtain the records from Windsor Borough for the camera checking of their lines.
- C. Burkholder Road Pump Station - Change Order - Mr. Klinedinst advised that he has been contacted by the contractor for the generator replacement notifying that they will not be able to complete the work within the bid timeline due to the length of time to get the generator. They have submitted a change order for a 90 day time extension. **On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the change order. Motion carried. Three votes yes.**

11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for May. There were no questions.
- B. Beaverson Pump Station - Update - Mr. Trout advised that he and Mrs. Gunnet met with Paul Gross from Bucharthorn. The Pennsylvania Historical & Museum Commission has agreed to the concept and a letter should be received. A letter can now be forwarded to PennDEP for their approvals.
- C. Shadow Vehicles - Mr. Trout advised that he has been made aware that it may be necessary to have shadow vehicles for the mowers. The regulations are set forth in Publication 212 and he will need to do more research. Mrs. Gunnet advised that Mike Flemming with LTAP will be the speaker at the next Manager's Meeting and this will be a topic of discussion. Mr. Heffner commented that he feels that there is more of a hazard being created by putting another vehicle on the road following the mower.

12. Other Business:

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

- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for April. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for April. A copy is available for review.
- D. Mrs. Gunnet advised that Community Volunteer Day was a success. She stated that there was a great turnout from the Red Lion Football team and she sent a thank you note to the coach.
- E. Alcohol Referendum - May 19 - Mrs. Gunnet encouraged everyone to vote tomorrow. She noted that those registered as Independent are permitted to vote on the referendum.
- F. Extension of Site Improvement Agreement - Windsor Meadows & Rosebrook II - Lots 4 & 5 - Mrs. Gunnet advised that bonds were posted as security for these two developments. The work has not been completed and the developers are requesting a one year extension. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved a one year extension for the Site Improvement Agreement for Windsor Meadows and Rosebrook II, Lots 4 & 5. Motion carried. Three votes yes.**
- G. Mr. Heffner advised that the Board has received the Transition Report for April.
- H. Red Lion Senior Center - 2016 Budget allocation - Mrs. Shovlin advised that she is a member of the Board for the Red Lion Senior Center. She noted that the senior center serves many residents of Windsor Township. Their building is in need of repairs and their fundraising is slow. She stated that she would like to consider a budget increase for 2016. Mr. Heffner commented that if the budget is increased for the Red Lion Senior Center, he would also like the same for the Susquehanna Senior Center.
- I. Suggested amendments - Open & Confined Burning Ordinance - Mr. Allison advised that he met with a representative of the Police Department and Fire Department to discuss the Burning Ordinance. He stated that it was a positive meeting as it allowed him to understand the procedure on their ends. He commented that they discussed how the ordinance should be enforced and suggested several changes. Mr. Allison noted that the Board has a copy of the Ordinance with the changes noted. There are no proposed changes to the exemptions section but there are changes to the enforcement section. Currently the fire department does not have authority to extinguish a fire and the police department feels that they should. The Board was agreeable to the proposed changes. Attorney Rausch commented that a definition may need to be added for adverse weather conditions.
- J. Mr. Heffner advised that the Board will recess into an Executive Session to discuss contract negotiations and potential litigation.

13. Unfinished Business:

- A. Panorama Hills Pump Station – Resolution #2015R-05-01 - Dedication of mains, Maintenance Bond, Tapping Fee Study & Executive Session - Potential litigation - Mrs. Gunnet advised that the

maintenance bond has been received to exchange for the performance bond. She stated that a few changes must be made to the asbuilts but the Board can accept the Resolution for the dedication of the mains provided that the asbuilts are approved. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved Resolution #2015R-05-01 with the condition that the asbuilts are approved. Motion carried. Three votes yes.

Mrs. Gunnet advised that a Tapping Fee Study will need to be completed. She stated that although ARRO was the engineer for the project, C.S. Davidson has all of the information needed to complete the study. She questioned the wishes of the Board. It was the consensus of the Board to have C.S. Davidson perform the study.

Mrs. Gunnet advised that an Executive Session will be held to discuss potential litigation regarding the 2006 Agreement with the Panorama Hills Interceptor LLC.

- B. Proposed change to meeting schedule – It was the consensus of the Board to cancel the meeting scheduled for June 1st.
- C. Additional baseball field - Workinger Field - Mrs. Gunnet advised that she spoke with the engineer for Windsor Borough and he had informed her that the Borough did not receive funding for all of the Fishing Creek improvements. Therefore, they will not be making improvements to the dugouts until the fall so the field will be available. She commented that Mr. Shaffer was concerned about the number of children that may register and not having enough fields. She suggested having a cutoff for the number of players that can register.

Mr. Sechrist advised that at the Windsor Area Recreation Commission meeting, there had been discussion of another field at Yorkana.

Mrs. Gunnet advised that staff discussed the layout for another field at Workinger Field and it may fit but it will put limitations on the existing field.

Mr. Sechrist questioned why the Township did not purchase all of the Sowers property. Mr. Heffner stated that there were grading issues.

- 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. However, Mrs. Gunnet addressed Mr. Seaks who was present, informing him that the final restoration for the Wise Avenue sewer extension was not suitable and the contractor will be returning. Mr. Heffner added that the Township has a bond to ensure that the work is completed properly.
- 15. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mrs. Shovlin nor Mr. Sechrist had any comments. Mr. Heffner did not have any comments.
- 16. On the motion of Jo Anna Shovlin seconded by Rodney 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 and contract negotiations at 6:53 p.m.
18. The meeting of the Windsor Township Board of Supervisors was called back in session at 7:24 p.m. by Chairman Dean Heffner.
19. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board directed Attorney Rausch to **draft a second amendment to the 2006 agreement with Panorama Hills Interceptor Venture** to reflect reimbursement based on 3420 EDUS for the system and with Panorama Hills Inceptor Venture being responsible for the right-of-way acquisition and inspections. Motion carried. Three votes yes.

Robert Holweck thanked the Board for their continued support of the project.
20. The meeting of the Windsor Township Board of Supervisors adjourned into Executive Session to discuss contract negotiations at 7:26 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 18, 2015

Vera Miler

Robert Holweck

Elmer Fromm

Bernell L. Kohler

Matt Shields

John Cheeseman

Spencer Seaks

Edgewood MD

50 Oak Drive Red Lion PA

454 W. Main St. Dallastown PA

Windsor Township Fire & Rescue

910 Cranberry Lane York PA

951 Wise Avenue Red Lion PA