

WINDSOR TOWNSHIP BOARD OF SUPERVISORS
May 16, 2016

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, 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 Dean Heffner, the minutes from the April 18, 2016 meeting were approved. Motion carried. Two votes yes. Mrs. Shovlin 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.
5. Windsor Township Fire & Rescue Association – No one was present.
 - A. The next Fire Chiefs meeting will be held on May 26th at Windsor Fire Company.
 - B. A burn ban was declared on April 19, 2016 and lifted on May 2, 2016.
6. **Chris Wagman - Plantings in stormwater easement** - Mr. Allison advised that the Township, bonding company and contractor are working together to finish the public improvements in the **Windsor Meadows** development. It was discovered that eight properties have plantings within the stormwater easement. Notices of violation have been sent to the property owners to have them removed. Mr. Allison stated that the property owners have been informed that nothing is permitted in the easement as it specifically states this on the subdivision plan. Mr. Wagman submitted a request to the Township to be permitted to keep his plantings. He added that the Board had denied a request to an adjoining property owner to locate a fence within the easement. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board denied the request from Mr. Wagman to allow for plantings within the stormwater easement. Motion carried. Three votes yes.**
7. York Area Regional Police Department - Corporal Clegg was present. He stated that he did not have anything to report. There were no questions for him.
 - A. The monthly report for March is available for review.
8. John Doudrick - Dietz Road - Waiver of OLDS requirement to pump septic tank - Mr. Doudrick advised that he received letters at the beginning of the year informing him that the two properties that he owns are located in District 4 and their septic systems are required to be pumped this year. He explained that he went to the Township Office to verify that manifests had been turned

in and was informed that because he had his system pumped in December 2014, he could not qualify for the exemption of prior year pumping. He stated that since the pumping took place approximately two weeks prior to the end of the year, he is requesting a waiver of pumping the systems this year.

Mr. Allison explained that the Ordinance does not allow for an exemption to the pumping schedule. However, since this is the first round, the Township allowed for those that pumped the year prior to their scheduled year to be in compliance. For future years, it will be required that each property must be pumped in the year in which they are due. He noted that there have not been any waivers granted for this.

Mr. Doudrick questioned the purpose of the Ordinance. Mr. Allison stated that it is to ensure proper maintenance and operation of the system. Mr. Doudrick advised that both systems are operating properly. He advised that there are only two people who live in the one house and it has been pumped two times in twenty years. There is only one person living in the other home and it was approximately six to seven years since it was last pumped. Mrs. Shovlin questioned the cost to have a system pumped. It was noted that it depends on the type and size of the system and could range from \$120 to \$400.

Mrs. Shovlin asked if Mr. Doudrick has all year to comply. Mr. Allison advised that it must be pumped by the end of the year. Mr. Heffner commented that he missed the cutoff by only two weeks. Mr. Allison stated that is correct but to keep in mind that if a waiver were to be granted, this would set a precedence for future requests.

Attorney Rausch questioned how the districts were created. Mr. Allison advised that he and Mrs. Gunnet worked off the Act 537 map. Main routes were used as dividing lines and it was split in a manner that would keep the number of properties in each district comparable. He noted that these properties are located in the middle of the district. He noted that it is not feasible to track each property independently from its district as this would cause issues with bookkeeping.

Mr. Doudrick advised that he does not want to be the one to set a precedence as he deals with this in his own job. Being that there were no previous waivers granted for this, he rescinded his request. The Board thanked him for making that decision.

9. Solicitor:

A. **Adoption of stub section of Schoolhouse Lane** - Attorney Rausch advised that the Township has 21 years to adopt a street and since it has been longer than this, it will be necessary to inform the adjoining property owners of the Township's intent to adopt the street. Then a public hearing would be required for the adoption of the street. Mrs. Gunnet stated that Keystone Custom Homes would like to connect to the stub street as an access point for the development they are proposing in Windsor Borough. If the Township does not adopt the street, we cannot require any improvements to it. Attorney Rausch will prepare the necessary paperwork and a public hearing will be held at the June meeting.

- B. Attorney Rausch advised that that **Mr. and Mrs. Wooley** have signed the Easement Agreement for the Beaverson Pump Station elimination. There are still 3 outstanding right-of-ways that need to be obtained. **On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the Sewer Easement Agreement. Motion carried. Three votes yes.**

10. Township Engineer - Mr. Klinedinst advised that he did not have anything to report.

11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for May. There were no questions.
- B. Wise Avenue - Connection Update - Mrs. Gunnet advised that there is still one property that has not connected to the public sewer. He had been working with the York County Planning Commission but there were conditions that needed to be met. One of those items was that he could not have a lien. She advised that she contacted the YCPC regarding our process and they agreed that he just needs to be up to date on his payments. Mrs. Gunnet stated that he was not but did come in to the office and made a payment. She stated that she would monitor his account.
- C. Delta Road Pump Station - PSI Pumping Solutions - 120 Day Time Extension & Liquidated Damages - See 11D
- D. 2016 Sewer Pump Station Rehabilitation Bid results - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. The low bidder is PSI Pumping Solutions. Their bid is approximately \$60,000 less than the next bidder. Mr. Trout noted that this is the same contractor for the Delta Road Pump Station (11C).

Mr. Trout advised that there have been issues with the Delta Road Pump Station project. He stated that the work that has been completed has been quality. However, the paperwork process and scheduling has been an issue. He stated that there has been an instance where the inspector from C.S. Davidson has been on site and the contractor has not informed that they would not be on the jobsite.

Mr. Klinedinst stated that his firm has never received enough information from PSI Pumping Solutions to substantiate their request for a time extension so they are technically in default right now. Each day that they are in default \$500 in liquidated damages accrues. However, he stated that he is not sure that they can be considered a non responsive bidder. He added that he is concerned about the Township rejecting the bid when the request for a time extension is open.

Bob Aiello, PSI Pumping Solutions, arrived. He addressed the Board regarding the outstanding issues at the Delta Road Pump Station. He stated that the Notice to Proceed was granted in October. There was an issue with the size of the enclosure for the generator being

too small in their proposal and the resubmitting of paperwork and approvals pushed the project behind schedule several weeks. He acknowledged that this was their error. Mr. Aiello stated that it takes 22 to 23 weeks for production and it is scheduled to be delivered onsite at the beginning of July. They plan to complete all of the work that they can prior to the delivery. He noted that this is a priority job and they will complete it as soon as possible.

Mrs. Shovlin questioned why there has been an issue with communication. She noted that the Township's inspector was on site today but they did not show. She stated that they are looking at the new bid and are concerned that there will be issues with that job as well. Mr. Aiello commented that he thought that he had informed the Township that they would not be there today but would be the rest of the week. He assured the Board that the next project would not have these issues. He stated that his company prides themselves on their work.

Mr. Klinedinst informed Mr. Aiello that at this time PSI has not provided enough information to C.S. Davidson to justify the granting of a time extension. Mr. Aiello stated that he would contact Karen Wilson and provide her with any information that she needs. He noted that he understands that liquidated damages have been accruing since May 9th.

On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board tabled the awarding of the bid and the request for a time extension for the Delta Road Pump Station project. Motion carried. Three votes yes.

- E. **Dallastown Borough 150th Anniversary Parade - September 10** - Mrs. Gunnet advised that Dallastown Borough will be celebrating their 150th anniversary with a parade. They have invited the local municipalities to enter a piece of equipment in the parade. She asked the Board if they were interested in participating. The Board agreed to enter a piece of equipment and requested that she ask if an employee was willing to volunteer their time.
- F. **Oil & Chip Bid results** - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. The low bidder is **Stewart & Tate**. They have been used in the past. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.
- G. **Line Painting Bid results** - Mrs. Gunnet advised that the bid results are attached to the Board's agendas. This project is a joint bid between several municipalities and this year Newberry Township was responsible for the paperwork. The low bidder is **O.H. Striping** from Corning, New York. Their references have been checked and have been found to be satisfactory. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board awarded the bid to the low bidder. Motion carried. Three votes yes.
- H. **Purchase of gate - Locust Grove Elementary Right-of-Way** - Mr. Trout informed that the access road has been cut in the right-of-way and now it needs to be blocked off to keep people from using it. He noted that the Board has received a copy of the quote from Security Fence. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the purchase. Motion carried. Three votes yes.

- I. **Purchase of F-350 Crew Cab** - Mr. Trout advised that the Board has received a copy of the quote. The low bidder is Apple Ford. Their quote is slightly higher than the budgeted amount due to the body type changing to aluminum. It was noted that the portion over budget could be paid out of the Vehicle & Equipment Fund. **On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the purchase. Motion carried. Three votes yes.**

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for April. There were no questions.
- 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. There were no questions.
- D. Mr. Heffner advised that the meeting scheduled for June 6th has been cancelled.
- E. Community Volunteer Day - Mrs. Gunnet advised that Community Volunteer Day was a success. She stated that the weather was not the best in the morning but it cleared up. There were 6 Red Lion football players that helped as well. She commented that it turned out to be a driving lesson for the kids as they were surprised to find out that the cars were not slowing down even though they were working along the roadway.
- F. Upper Cabin Creek Watershed Day - Mr. Allison advised that he was pleased with the results of the Watershed Day. He commented that they had approximately 50 people in attendance. They were able to install all of the inlet markers with the exception of those located on Freysville Road and they sold 7 rain barrels.
- G. Mrs. Gunnet advised that a bond was posted for security for Rosebrook II, Lots 4 & 5. The work has not been completed and the Site Improvement Agreement will soon expire. The developer is requesting a one year extension. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board granted a one year extension. Motion carried. Three votes yes.**
- H. Electronics Recycling - Update - Mrs. Gunnet advised that Rick Dietz contacted the person that he knew regarding the use of a trailer to haul electronics to the Solid Waste Authority. They informed him that he would have to go through the Ryder Truck rental process but they would donate a driver. Mrs. Gunnet stated that she contacted Specialty Industries and they have agreed to donate both a truck and driver. She noted that she contacted the Boy Scout Troop to set a date for a collection in October and when one is selected, she will provide an update.

- I. **Stormwater Agreement - Donald & Tammy Jackson - Valley Road** - Mr. Allison advised that Mr. and Mrs. Jackson are adding a detached garage and additional driveway to their property on Valley Road. Because they are adding more than 2,000 square feet of new area, as a requirement of the Stormwater Ordinance, they needed a Stormwater Site Plan and Stormwater Maintenance and Monitoring Agreement. On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the Agreement. Motion carried. Three votes yes.
- J. Mr. Heffner advised that an Executive Session will be held after the meeting to discuss the possible purchase of land and potential litigation.

13. Unfinished Business:

- A. Merger request from Felton Borough - Update - Mrs. Gunnet advised that the Board chose to take the information that had been provided under review at the last meeting. She reported that she has been informed that grants have been approved for road improvements for both Church and High Streets and grants have been applied for Beaver and Water Streets. Mrs. Gunnet advised that they contract with a third party for the maintenance of their sewer treatment plant and they have averaged about \$40,000 each year for the past three years.

Mr. Heffner stated that he is not in favor of merging. He commented that he is still concerned about the potential for well failures and the need to extend public water. Mr. Trout noted that he is aware of several properties that already have dry wells. Mr. Heffner added that the Township would also need to update and change ordinances.

Mrs. Shovlin advised that she is concerned about the condition of their roads. Mrs. Gunnet commented that there are quite a few side streets. Mrs. Shovlin stated that police coverage would also need to be provided. Mrs. Gunnet estimated this at \$31,000.

Mrs. Gunnet noted that the Felton Fire Company is located in the Borough and the Township would be responsible for all the requirements of having one, including payment of workers compensation insurance.

Mrs. Shovlin stated that she is curious how their residents would react to the merger. Mrs. Gunnet advised that their 2010 Census count was 506. She commented that she asked Mr. McBrien about this and he already addressed this with some residents. He explained to them that Felton would still stand as a community but it would lose its status as a Borough.

Mrs. Shovlin questioned their year end balances. Mrs. Gunnet advised that based on the three audit reports that were received, the balances have increased each year.

Attorney Rausch reminded that if the Board is interested in proceeding, a committee would need to be formed. Discussion ensued. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board denied the request to merge with Felton Borough. Motion carried. Two votes yes. Mr. Sechrist voted no.**

B. Freysville traffic signal update - Attorney Rausch did not have an update.

14. Public Comment – Mr. Heffner noted that if speakers do not wish to have their address recorded, they must state this when speaking. Vera Miller thanked the Board for choosing not to merge with Felton Borough.
15. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Mr. Sechrist did not have any.

Mrs. Shovlin advised that at the Annual Four Chaplain's Breakfast, Mr. Klinedinst was honored for his work in the community. She thanked him for his services and stated that it is a pleasure working with him.

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 adjourned into an Executive Session at 7:34 p.m. to discuss the possible purchase of land and potential litigation.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 16, 2016

Vera Miller
John Doudrick
Scott Seaks
Corporal Dave Clegg
Bob Aiello

949 Dietz Road York PA
951 Wise Avenue Red Lion PA
York Area Regional Police Department
PSI Pumping Solutions