

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

February 20, 2017

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.

2. The Pledge of Allegiance was recited.
3. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the minutes from the January 16, 2017 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 a letter from the York County Quick Response Team requesting a donation from the Township. She noted that there are not funds budgeted for this. Mrs. Shovlin stated that she is very proud of the Police Department and Quick Response Team. She acknowledged that there are three YARPD officers on the QRT. She stated that since the Township is giving a \$10,000 donation to the Fire Departments this year, she recommended that the Township make a one time donation of \$5,000 to the QRT. After discussion, the Board agreed to this and the checks will be presented to the Fire Departments and QRT at the Township's appreciation dinner on May 6th.
 - C. Mrs. Gunnet advised that she has received an invitation to the Yoe Fire Company and York Regional Emergency Medical Services, Inc. appreciation dinner on Saturday, April 8th. She asked the Board to let her know if they plan to attend so she can RSVP.
 - D. Mrs. Gunnet advised that she has received a letter from the York County Planning Commission informing that they have vacancies for alternates on the York County Uniform Construction Code Board of Appeals in the structural, electrical and fire protection fields. She explained that the York County Planning Commission oversees the countywide Appeals Board. She asked the Board to let her know if they have any recommendations to fill the positions and she will forward the information to the YCPC.
 - E. Mrs. Gunnet advised that Comcast has sent a letter advising subscribers to exchange their set top box. The new boxes will help enhance technology. The old boxes can be mailed, exchanged at the store or replaced with an onsite visit.
5. Windsor Township Fire & Rescue Association – Sherry Arnold was present. She stated that she did not have anything to report.
 - A. The next Fire Chiefs meeting will be held on February 23rd at Red Lion.

- B. Mrs. Gunnet advised that the Board has received a copy of the 2016 Fire Company Report. Copies will be distributed at the Fire Chiefs meeting.
- C. Check Presentation - Lump Sum - Mr. Heffner noted that as discussed earlier, the checks will be presented at the Township's appreciation dinner.

6. York Area Regional Police Department:

- A. Chief Damon reviewed the monthly report for January. He stated that they have been focusing on speed enforcement on East Prospect Road and have filed citations for speeds in excess of 80 mph. Currently the Township is over by 11 hours. The report is available for review.
- B. Chief Damon advised that the Board has received a copy of the 2016 Annual Report. He noted that department wide, accidents decreased while the number of calls, crimes and traffic enforcement increased. He noted that there was one homicide in the Township which occurred in June. Since the body was recovered in Maryland, they are handling the case. Lastly, he reported that there was a surplus in the budget of approximately \$78,000. In addition, the \$75,000, that was budgeted to balance the budget was not needed to be transferred. He asked the Board if they had any questions for him. They did not.

7. **Attorney Gilbert Malone - Security being held for SHAWNEE MANOR** - Attorney Malone advised that he is representing his clients, Ken and Gladys Stoltzfus and is present this evening concerning the amount of security that is being held via a Letter of Credit for the Shawnee Manor development. He noted that the streets have been completed and adopted by the Township and his clients are aware that it is their responsibility to complete the stormwater pond. However, they have three issues regarding the amount of security that is to be held.

Attorney Malone stated that individual stormwater pits are required for each house. He noted that they would be required as part of the Building Permit for the house and the Township would be able to withhold the Certificate of Occupancy until it was completed. Based on this, he does not feel that the developer should be required to post security for them.

Attorney Malone advised that security is being required to be held for the installation of sidewalks on each lot. He stated that for the same reason as the stormwater pits, he does not feel the developer should post funds.

Attorney Malone stated that his last issue is the amount of contingency that the Township is requiring. He stated that the Township is requiring that 10% of the original construction costs be posted and held. That amounts to \$54,971.05. He explained that the remaining security amount being held for construction is \$34,050. Attorney Malone commented that he understands holding 10% of this cost but not of the original amount. Attorney Rausch noted that the Municipalities Planning Code allows for this percentage.

Mr. Allison advised that recently in two separate developments, the Township has had on lot improvements installed prior to the issuance of a Building Permit in order to meet other requirements.

He noted that a sidewalk was installed on a vacant lot in one development and in another, seepage pits are to be installed on two different lots in the near future. Attorney Rausch explained that in the case of the seepage pits, they are being installed to avoid meeting new regulations as the NPDES Permit for the development has expired. Mr. Allison noted that if funds were not held in the security, there would not have been money available to complete this work. He added that when the Township needs to complete the work, legal and engineering expenses are incurred and the contingency funds can be used to cover these fees.

Mr. Trout commented that as developments sit longer prior to being completed, more items need fixed which costs more. Mrs. Gunnet added that this is a way of safeguarding the Township to help keep from using taxpayer dollars to complete projects. Mrs. Shovlin stated that she is not willing to take that risk in reducing the security. Mr. Allison advised that it is the recommendation of the Township staff to require security for all remaining improvements including the full 10% contingency of the initial amount. It was the consensus of the Board to follow the recommendation of the Township staff.

8. PLAN FOR APPROVAL:

A. **CHARLE C. & MARGOT D. STOUGH - Final Reverse Subdivision Plan #C-16-029 by Clark Craumer, combining 3 lots on Barachel Drive** - Mr. Allison advised that the Board approved a plan for this property in December. This plan is the same with the exception that it includes the land where Marvell Drive was intended to be located but was never constructed. He noted that a Quit Claim has been drafted by Mr. Stough's attorney. Mr. Allison advised that the original plan was not recorded. Mr. Stough was present and acknowledged that the previously approved plan is being revoked and replaced with this plan. Mr. Allison stated that the waiver requests remain the same.

On the motion of Jo Anna Shovlin seconded by Rodney Sechrist, the Board approved the waivers and the plan. Motion carried. Three votes yes.

Mr. Allison explained that due to Mr. Stough's attorney working directly with the Map Office for the Quit Claim, he will be recording the plan along with it.

9. Solicitor - Attorney Rausch advised that he did not have anything to report.

10. Township Engineer:

A. **Security Reduction - David & Arla Stein** - Mr. Klinedinst advised that he is recommending a security reduction in the amount of \$7,730.45 for the Stein project on Mountain Road. He stated that a bond in the amount of \$1,000 was to be held for contingency for the widening of the road but he is withdrawing this requirement as the work has been completed. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved the security reduction for David and Arla Stein. Motion carried. Three votes yes.

11. Public Works:

- A. Mr. Heffner advised that the Board has received the monthly report for February. He commented that the lighting that was installed was expensive. Mrs. Gunnet advised that it is LED lighting and she will be tracking the electricity use. Mr. Heffner noted that the LEDs greatly reduce the wattage and are brighter.
- B. Wise Avenue - Connection Update - Mrs. Gunnet advised that Mr. Reinhart has connected to public sewer. She stated that he informed her that he has pled not guilty to the most recent citation and he will be appealing the previous three to the York County Courts. Attorney Rausch questioned how much the citations were. Mrs. Gunnet stated that she thought they were \$1,000 each.
- C. Beaverson Pump Station Elimination - Update - Mrs. Gunnet advised that a prebid conference will be held on February 24th at 10:00 a.m. at the treatment plant. The bids are scheduled to be opened on March 9th.
- D. **2016 Pump Station Improvements - Payment Application #3 - \$80,402.09** - On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board approved Payment Application #3. Motion carried. Three votes yes.
- E. Parking lot lights at Public Works Building and Administration Building - LED bulbs - Mrs. Gunnet advised that there was approximately a \$6,000 savings for Milt's Repair Service to install LED bulbs using the current fixtures versus having a contractor replace the fixtures and receive a rebate from Met-Ed for the lighting.
- F. Sale of snow plow - Mrs. Gunnet advised that the bid results are attached to the Board's agenda. She commented that it was sold through Municibid. The high bidder is C&Z Construction from Harrisburg for \$1,550. She stated that Mr. Trout was hoping to get \$1,500. On the motion of Dean Heffner seconded by Rodney Sechrist, the Board approved to sell the plow to the high bidder Motion carried. Three votes yes.
- G. Control System - DT-11 Dump Truck - Mr. Trout advised that the Board has received information on the control system. He explained that when the truck was purchased, designs were moving toward the digital technology. He commented that the manufacturer has gone out of business and now there are issues with replacement parts. He noted that he is going to do more research on the options to have it converted. Mr. Heffner questioned if the truck can be used. Mr. Trout stated that it can and they were fortunate enough to find a replacement for the joystick that broke.

12. Other Business:

- A. Mr. Heffner advised that the Board has received the Zoning Report for January. There were no questions.

- B. Mr. Heffner advised that the Board has received a copy of the Township Manager Report for January. There were no questions.
- C. Mr. Heffner advised that the Board has received a copy of the Animal Control Officer Report for January. There were no questions.
- D. Mr. Heffner advised that the Township will be holding an Electronics Recycling collection on Saturday, April 1st from 9:00 a.m. to noon at the Public Works Building. It will be open to Township residents only.
- E. Possible availability of additional sewer capacity - Mrs. Gunnet advised that she contacted Spring Garden Township regarding the potential for additional sewer capacity. She stated that their manager informed her that C.S. Davidson is currently doing a study to determinate the amount of capacity needed for their new municipal facility and the rest of the Township. She stated that they made a note that we have expressed interest. She noted that York Township has also contacted them. She commented that she did not get the impression that it would become a bidding war.
- F. Mr. Heffner advised that the Township's Sewage Enforcement Officer, Ethan Poe, resigned effective January 17, 2017. C.S. Davidson has been temporarily acting as the alternate.
- G. Appointment of Sewage Enforcement Officer - Spencer SEO Services, LLC
Leonard W. Spencer - #03763
Jesse M. Rothacker - #03908 - Alternate #1
C.S. Davidson, Inc. - Alternate #2
- Mrs. Gunnet advised that she and Mr. Allison interviewed four different companies/individuals. She stated that they were interested in finding someone that was not a one man operation and was electronically savvy. She advised that they are recommending Spencer SEO Services, LLC. Mr. Spencer is from Manheim. However, he is also the SEO for Springettsbury Township. She stated that Jesse Rothacker also works with him and can be used as an Alternate. **On the motion of Jo Anna Shovlin seconded by Dean Heffner, the Board appointed Leonard W. Spencer of Spencer SEO Services, LLC as the Township Sewage Enforcement Officer effective immediately with Jesse M. Rothacker as Alternate #1 and C.S. Davidson, Inc. as Alternate #2. Motion carried. Three votes yes.**
- H. **Resolution #2017R-02-01 - Amendment to Fee Schedule** - Mrs. Gunnet advised that the fee schedule has been amended to update the fees for **septic services**. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the Resolution. Motion carried. Three votes yes.
- I. Purchase of recycling carts with lids and wheels - Mrs. Gunnet advised that she contacted Republic Services to see if they would be interested in providing financial assistance for the purchase of recycling carts with lids for the residents. They informed that they are not. Mrs. Gunnet stated that the lowest quote she received was \$32.36 each from SSI Schaefer through the Costars program. She commented that she checked at Lowe's to see what the retail price is for this type of container and it was approximately \$65. She noted that if the Board approves the

purchase, it would need to be decided how much to charge for one. Mr. Heffner stated that he feels that new construction should receive a recycling cart free of charge. Discussion ensued. **On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved the purchase of 1,008 recycling carts with lids and wheels from SSI Schaefer and to provide free to new home construction and charge \$25 to existing residents. Motion carried. Three votes yes.**

- J. Gaga Ball - Update - Mrs. Gunnet advised that she has spoken with Mr. Gingerich and he has informed her that the Boy Scout Council has approved the project. The kit will cost approximately \$1,000. He also informed her that True Value Hardware, 84 Lumber, Lowes and Home Depot offer free lumber for Eagle Scout projects and he is going to take advantage of this offer. He will also be having a sandwich sale and has set up a GoFundMe page to raise funds.
- K. ADA Compliance - Website - Update - Mrs. Gunnet advised that the work has been completed to bring the website into ADA compliance. She explained that in order to see the changes, you need to have the special reader. The cost to complete the update was \$270, which was well under the \$3,000 that was budgeted.
- L. Milner Heights detention pond - Update - Mr. Allison advised that the Red Lion Municipal Authority has reviewed the agreement, made comments and approved the wording. The homeowner currently has the agreement for review. He reported that the project was submitted to the York County Chesapeake Bay Pollution Reduction Plan Committee and they have approved to provide full funding in the amount of \$65,000. Mrs. Shovlin questioned if this is the project that was previously discussed as a joint project with the Red Lion Municipal Authority. Mr. Allison stated it is.
- M. Kimberly Lawn Care - 2017 Quote - Mrs. Gunnet advised that the Board has received a copy of the quote from Kimberly Lawn Care. It is \$74 more than last year. On the motion of Rodney Sechrist seconded by Jo Anna Shovlin, the Board approved the 2017 quote with Kimberly Lawn Care. Motion carried. Three votes yes.
- N. 2016 Year End Financial Reports - Mrs. Gunnet advised that the Board has received copies of the year end cash flow and compared to budget reports.
- O. Fire Tax - Possible millage rates - Mrs. Gunnet advised that she has provided the Board with a spreadsheet that lists the amount of tax that would be collected based on different millage rates on a house assessed at \$100,000. She stated that .1 mills would equate to \$10 per house based on this assessment. The tax would be placed on the real estate tax bill mailed in the spring.

Mrs. Shovlin questioned how the funds would be disbursed. She commented that she wants to be sure that the funds are spent properly. Mrs. Gunnet stated that she is not sure how other municipalities handle it but she can check with them. She added that the funds could be split evenly or with a percentage like the contract is setup. Mrs. Shovlin stated that she prefers to see it distributed like the contract. She questioned if the Township receives budgets from the fire companies. Mrs. Gunnet stated that we receive a copy of their IRS filing information. A decision on the millage rate and disbursement method will need to be determined prior to November.

- P. 2016 Insurance Claims Fund Performance - Mrs. Gunnet advised that it is highly unlikely that the Township will receive a refund from the medical insurance plan for 2016. She stated that with the birth of three babies and the necessity for nicu care, the claim amount was higher. It was noted that a refund is not accounted for so there will be no impact on the budget.
- Q. Mr. Heffner advised that Community Volunteer Day will be held at Freysville Park on Saturday, April 29th at 9:00 a.m. He encouraged everyone to attend. Mrs. Shovlin questioned how long it lasts. Mr. Heffner stated that it typically lasts about 2 hours. Mrs. Gunnet added that there are light refreshments afterward.
- R. Valley Meadows - John Adams - Update - Mrs. Gunnet advised that she spoke with Mr. Adams and he informed her that he is working with the bank. She stated that she did not get a good feeling from him that the additional funds would be posted. He has until the end of May to post the extra security. She commented that this is a good example for why the full contingency should be held. Currently the Township is holding approximately \$80,000 for the improvements but this will not be enough to complete the work. in Valley Meadows. Mr. Trout had a contractor out to provide a quote to complete the work. The estimate was \$69,000 to completed the street and repair the sewer line. This did not include the on lot stormwater controls or the necessary work to the stormwater basin. It was questioned if the Township would be able to recoup the costs for work exceeding the amount of the security. Attorney Rausch advised that this is different than the filing of a municipal lien. It would be a judgment against the developer.
- Mr. Klinedinst stated that it is his recommendation that the Township cash in the bond and use it to fix the sewer line and complete the streets. There should be some funding left that can be held. If the NPDES Permit expires, the York County Conservation District would require the Township to withhold an Building Permits in accordance with the Memorandum of Understanding. He noted that currently the Township is not committed to completing the work as the NPDES permit is in Mr. Adam's name. He stated that by doing this, it would be a benefit to the residents that are living on the street and the vacant lots can be dealt with in the future.
- S. New Forest Hills, Phase III - Agreement with lot owners - Mrs. Gunnet advised that the owner has signed the Agreements for the installation of stormwater controls on the two vacant lots. On the motion of Dean Heffner seconded by Jo Anna Shovlin, the Board approved for the Chairman to sign the Agreements. Motion carried. Three votes yes.
- T. Mr. Heffner advised that the meeting scheduled for March 6th will be cancelled. The next meeting will be March 20th.

13. Unfinished Business - There was none.

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.

15. Supervisors Comments – Mr. Heffner asked the Board if they had any comments. Neither Mrs. Shovlin nor Mr. Sechrist had any comments.

Mr. Heffner commented that Governor Wolf's budget includes a fee per resident for those municipalities that choose to use State Police service. Mrs. Shovlin stated that if it is only assessed to municipalities that have a population of at least 10,000, it will not have an impact on any in York County. She stated that she will be sending a letter on behalf of the York Area Regional Police Commission to Representative Seth Grove asking him to support Representative Saylor's proposed legislation that would reduce this figure to 5,000. Mrs. Shovlin added that she is also lobbying for legislature to give local police forces the right to use radar.

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 at 7:26 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

February 20, 2017

Vera Miller
Charle Stough
Chief Tim Damon
Roberta & Eugene Zimmerman
Sherry Arnold
Attorney Gil Malone

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York Area Regional Police Department
Red Lion PA
Windsor Township Fire & Rescue Assoc.
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