

WINDSOR TOWNSHIP BOARD OF SUPERVISORS  
March 16, 2009

1. The meeting of the Windsor Township Board of Supervisors was called to order at 7:00 p.m. by Chairman Paul Smith.

Those present: Paul Smith, Jan Smith, Dean Heffner, 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 Jan Smith seconded by Dean Heffner, the minutes from the March 2, 2009 and March 3, 2009 meetings 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 the Township has received a copy of the application from Spectra Energy that was sent to the Federal Energy Regulatory Commission in regards to the proposed gas pipeline. She stated that the plans consist of several thick notebooks which are available for review at the Township Office.
  - C. Mrs. Gunnet advised that she has received a copy of the accessibility audit findings from the Pennsylvania Department of Labor and Industry. She stated that the Department of Labor and Industry recently performed an audit for accessibility under the Pennsylvania Uniform Construction Code. She stated that they chose three new projects to audit, one of which was the new Public Works Building.

Mr. Allison advised that every three years an accessibility audit is done for commercial projects. He stated that this was the Township's second audit. He stated that he felt it went really well. The three projects that were selected were the Giant Food Stores expansion, reconstruction of the Jehovah Witness Church and the Township Public Works Building. He noted that although there were findings at all three locations, changes are not required to be made. Mr. Allison advised that there were three findings at the Public Works Building which dealt with signage. He stated that the Township has already corrected these issues.

He advised that letters have been sent to Giant and the Kingdom Hall thanking them for their cooperation.

Mr. J. Smith questioned a portion of the letter. Mr. Allison explained that the section is simply stating that they have the right to come back and audit the Township in three years.

- D. Mrs. Gunnet advised that she has received a letter from the York County Planning Commission stating that they will be holding a third round of meetings regarding the York County Economic Development Plan. Mr. Allison will be attending the meeting which will be held on March 26<sup>th</sup> at Nixon Park.
- E. Mrs. Gunnet advised that she has received a notice from Comcast that they are currently negotiating with the NFL Network for continued coverage as their current agreement is about to expire. They are stating that if they are unable to come to an agreement, the station could be discontinued as of May 1<sup>st</sup>.

5. PLANS FOR APPROVAL:

- A. **IGNAZIO & NINA ARGENTO (1021, 1031, 1121 Locust Grove Road) – Revised Final Subdivision Plan by James Holley & Assoc. for retaining wall** – Bob Argento advised that the necessary changes have been made to the plan in regards to adding the retaining wall. He stated that the Windsor Township Planning Commission has approved the plan. He noted that the next step after the plan is approved is to obtain a Building Permit for the wall and have Commonwealth Code inspect it. Mr. Allison advised that all the requirements have been met and Attorney Rausch has approved the wording of the note on the plan regarding Township indemnity. **On the motion of Dean Heffner seconded by Jan Smith, the Board approved the plan. Motion carried. Two votes yes. Mr. J. Smith voted no.**

6. PLANS FOR DISCUSSION:

- A. **SPRING VALLEY POOL SITE** – Preliminary Land Development Plan #A-06-023 by Stahlman Enterprises for 97 townhouses along Lombard Road – Attorney MacNeal advised that they are requesting a letter to be sent to PennDOT stating that the Township requires two points of ingress/egress for a development. She stated that PennDOT is requiring this letter. Jerry Stahlman stated that this was previously presented to the Board and PennDOT requires 600' separation distance between entrances but since this is not possible due to lack of road frontage, PennDOT is willing to allow a second entrance with right-in/right-out access. He stated that he has been working with Mr. Reichard on the design for the pork chop to be used. Attorney MacNeal advised that it will be the same design that will be used for Windsor Pointe when the traffic signal at the Freysville intersection is installed.

Mr. J. Smith asked what the distance between the intersections would be. Mr. Stahlman advised that it would be approximately 360’.

Kevin Downs, 229 Navajo Drive, advised that he is worried about the impact of the increased traffic coming from the development. He added that he has also spoken with Dr. Herron, the Superintendent for the Red Lion Area School District. He stated that Dr. Herron had told him that he was not aware of the development and is concerned what this may mean for the redistricting for the elementary schools. He commented that if the schools are redistricted and this development then goes through, it may need to be redistricted again. He advised that Dr. Herron gave him permission to quote him on these issues.

Mrs. Gunnet advised that the Transportation Department of the school district is aware of this development. She stated that they check with the Township, typically twice a year, to see what developments are proposed. This development has been in the works for several years.

Kevin Downs stated that the school district intends to make a decision at their March 19<sup>th</sup> meeting as to whether they will close two elementary schools. He stated that they could be making the wrong decision based on this development. Mrs. Gunnet advised that she will speak with Dr. Herron and Ms. Sullivan in their Transportation Department regarding this issue.

**On the motion of Jan Smith seconded by Dean Heffner, the Board approved for a letter to be sent to PennDOT advising that the Township requires two points of ingress/egress for developments. Motion carried. Three votes yes.**

7. Solicitor:

- A. Attorney Rausch advised that he has received the signed Temporary Construction Easement Agreement from Mr. Pasch. He stated that it will give the Township permission to relocate the pork chop at the entrance to Windsor Pointe. The Township will guarantee the construction of the new pork chop for 18 months. However, the developer will own it. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Temporary Construction Easement Agreement with Windsor Pointe, LP. Motion carried. Three votes yes.**
- B. Attorney Rausch advised that he has received a letter from Attorney Craley stating that a zoning case has been appealed. He advised that the Zoning Hearing Board upheld the decision of the Zoning Officer in a case against Dave Lutz. Mr. Lutz has appealed. He stated that it is standard practice that the Board approve a Notice of Intervention to

allow for the Board to intervene in the appeal. **On the motion carried of Jan Smith seconded by Dean Heffner, the Board approved the Notice of Intervention. Motion carried. Three votes yes.**

8. Township Engineer:

- A. Planning Module Exemption – Spring Valley Pool Site – Mrs. Gunnet advised that she has received a request for Planning Module Exemption from the developer for the Spring Valley Pool Site. She stated there is no projected overload to the treatment plant for this project and added that she has received a letter from Springettsbury Township stating this. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Planning Module Exemption for the Spring Valley Pool Site. Motion carried. Three votes yes.**

9. Public Works:

- A. Mr. P. Smith advised that the Board has received the Monthly report for March. He asked if they had any questions. Neither Mr. J. Smith nor Mr. Heffner had any questions.

Mr. P. Smith asked about the sewer line specifications. Mr. Trout stated that this deals with the lining of the sewer mains. He commented that there have been problems with the previous specifications. These specifications are based on the newest system. Mrs. Gunnet advised that it is the same procedure, but a different product. Mr. P. Smith questioned if the bid follows the old or new specifications and where the new product would be used. Mr. Trout stated that there are five different areas where he would like to use the new product. He stated that the bid specified the new product for these areas but he does not know what the bid prices may be. Mr. Heffner commented that since this is a new product, he feels that it should only be tested in one area to make sure that the Township is satisfied. Mr. Trout agreed. He stated that he feels this is a good product. He compared the application to the filling of a tooth cavity where the material would adhere to the affected area. Mr. P. Smith asked how long the product is monitored. Mr. Trout advised that it is inspected throughout the installation and then would be camera checked in the future. He stated that the normal timeframe is every five years but stated that they would do it sooner than that. Mr. P. Smith asked how long of a section Mr. Trout wanted to do. Mr. Trout stated that he would like to do about 3,000 feet. The Board was concerned about doing this much work and asked to see additional information on the product.

- B. Repairs to Cat loader – Mr. Trout advised that he received an estimate to repair the Cat Loader from Cleveland Brothers. He stated that he verbally explained the issues to them and they did not visually inspect it. Mr. Heffner asked if having a second loader is necessary. Mrs. Gunnet advised that it would be needed if the stone is kept at the Bahn’s Mill Road Building. Mr. Trout added that if there are multiple projects taking place at the same time, having a second loader would be helpful. Mr. Heffner advised that he had spoken with Jay Mundis about this estimate and he felt that it was reasonable. He stated that Mr. Mundis told him that the older models are better quality. Mr. P. Smith added that the Township would not be able to buy a new one for less than the cost to repair the one we have. Mr. J. Smith commented that he feels that repairing it is the best choice. It was the consensus of the Board to have the Cat loader repaired. Mrs. Gunnet asked if the Board would like to receive an estimate once Cleveland Brothers looks at it.
- C. Quotes to change the electric service at Bahn’s Mill Road facility – Mr. Trout advised that he has received quotes to upgrade the Bahn’s Mill Road facility to 200 amp service. The lowest quote is from Century Farms Electric in the amount of \$1,470. Mr. J. Smith asked if Mr. Trout is comfortable with this company. He advised that he is aware of other companies who used their services and were satisfied. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the quote from Century Farms Electric to change the electric service at the Bahn’s Mill Road facility. Motion carried. Three votes yes.**
- D. Purchase of trailer – Mr. J. Smith stated that he was doing research on trailers and came across the “Trailers for Less” website. He asked Mr. Trout if he had checked prices with them. Mr. Trout stated that he did not check that website. Mr. J. Smith asked him to do this. He stated that when preparing the budget, he had contacted Lancaster Truck Bodies and they provided a quote of \$18,000. He stated that the lowest price he has found now is from Kaufman Trailers in the amount of \$12,500 for a 20 ton capacity trailer. Mr. Heffner asked if it would have air brakes. Mr. Trout advised that anything over 10,000 pounds has air brakes. Mr. P. Smith asked if we could haul the Cat loader with this trailer. Mr. Trout stated that he would have to check the loader’s weight. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the purchase of a trailer up to \$12,500 plus delivery. Motion carried. Three votes yes.**

- E. Sewer Maintenance Bid results – Mrs. Gunnet advised that the bid results are attached to the Board’s agenda. She commented that there was a wide range in the bid results. The low bidder is **Sewer Specialty Services**. The Township has used them in the past. Mr. Trout added that the Township has not had any problems with them. It was noted that the bid amount came in under budget. **On the motion of Jan Smith seconded by Dean Heffner, the Board awarded the bid to the lowest bidder. Motion carried. Three vote yes.**
- F. Mr. Trout stated that during bridge inspections, it was determined that the bridge shared with North Hopewell Township needs to be repaired or replaced. This can be done by installing a box culvert or steel beams with a top. Mrs. Gunnet advised that the Township did not budget for this and doubts that North Hopewell Township would have either. She added that based on this, they would probably only want to do what is necessary. Mr. P. Smith asked if there would be grant money available for this type of work. Mrs. Gunnet advised that there are no funds available this year but there may be next year. Mr. Trout estimated that the cost to repair the bridge would be \$10,000. There would be minor engineering required. Mr. P. Smith commented that the Township already paid for the cost of the inspection. He stated that we could try to work a deal to split the project with them or for them to pay us to have the work done. Mr. J. Smith asked if there is stimulus money available for this. Mrs. Gunnet advised that she did not know but will be attending a seminar that deals with stimulus funding.
- Mrs. Gunnet and Mr. Trout advised that they are currently working on the letter that will be sent to the Smith property. It was noted that the entire report is available for review.
- G. Mr. Trout advised that the widening of Bethlehem Church Road may need to be cancelled in order to allow funds to do other road work repairs.
- H. Mr. Trout advised that Columbia Gas has cancelled the project that they were planning to do on East Gay Street Extended. Mr. P. Smith commented that it is not economical. Mr. Trout stated that there is a section of main where they are continually having breaks. He stated that if they have funds left, they will do the project in the fall. The Township will be notified.
- I. Mr. Trout advised that the Highway Department is working on the 1994 dump truck. He commented that the cab shield has broken off and the bed is almost rusted through. He stated that it needs to be restored. He added that the condition of the 1998 GMC is not much better. Mr. Trout advised that he has received a quote from Lancaster Truck Bodies for a steel bed in the amount of \$7,500. Mr. P. Smith commented that they

knew this would happen. Mr. Trout stated that he will also look into an aluminum bed. Mr. Heffner stated that the aluminum is lighter and will help with weight capacity.

- J. Mrs. Gunnet advised that Springettsbury Township has opened bids for the upgrade of the improvements at the Treatment Facility that is required by the Chesapeake Bay Strategy. She stated that it was estimated to cost \$35 million but came in at \$22 million. The Township is responsible for 9.8%. A grant has been applied for that could reduce the amount by half.

10. Other Business:

- A. Mr. P. Smith advised that the Zoning Report for February is available for review.
- B. Outside Furnaces – Mr. Allison advised that the Township has had discussions regarding outdoor furnaces with residents as well as other municipalities. He commented that they could be regulated as accessory structures under the Zoning Ordinance or a separate ordinance could be created. They could be regulated per zone or lot size. He questioned if the Board is interested in putting controls on these furnaces.

Mr. P. Smith commented that there are existing ones. Mr. Allison agreed that there are some throughout the Township but none were issued under the Pennsylvania Uniform Construction Code. He commented that these type of structures smolder and smoke and he does not feel this is appropriate for a small residential lot. He stated that he does not have any issues with one on a larger lot in an agricultural area. Mr. Heffner stated that he was recently in an area where there were several and he noticed the smoke. He added that there is one in Windsor that smolders and smokes.

Mr. Allison advised that York Township recently had two requests. Their Zoning Officer required them to go before the Zoning Hearing Board under the clause that the use is not provided for in the Zoning Ordinance. He advised that he has spoken with Attorney Craley regarding this and he does not feel that Windsor Township should address it in this fashion. Mr. P. Smith stated that he thinks we should wait and see if we do receive any applications. Mrs. Gunnet noted that Lower Chanceford Township may be creating an ordinance to regulate outdoor furnaces.

- C. Mr. P. Smith advised that the Dog Officer's Report for February is available for review.

- D. Extension of Site Improvement Agreements – Cambridge Heights, Phase II and Windsor Hill Holdings – Mrs. Gunnet advised that bonds were posted as security for Cambridge Heights, Phase II and Windsor Hill Holdings. A Site Improvement Agreement was approved giving them one year to complete the work. The agreements are about to expire and both are requesting one year extensions to complete the work. **On the motion of Jan Smith seconded by Dean Heffner, the Board granted one year extensions for the Site Improvement Agreements for Cambridge Heights, Phase II and Windsor Hill Holdings. Motion carried. Three votes yes.**

11. Unfinished Business:

- A. Panorama Hills Pump Station Update – There was no update.
- B. Joint Stormwater Drainage Study – There was no update
- C. Drainage at Freysville Park, Field #1 – Mrs. Gunnet advised that she is waiting on a materials list. Mr. Trout stated that a trap needs to be installed due to the diamond-tex washing off the fields.
- D. Verification of building setback compliance – Mr. Allison advised that he is working on this. He stated that the Building Permit Ordinance will need to be amended as well. Mr. P. Smith asked if he had a timeframe on when a draft would be completed. Mr. Allison advised that he should have something for May.
- E. Possible land purchase – Mr. P. Smith advised that an Executive Session will be held after the meeting to discuss this matter. The owners of the property will be in attendance.
- F. Monthly Reports – Change of Format – Township Manager, Public Works Director and Zoning Officer – Mr. P. Smith advised that the Public Works Director has started to use the new format. He asked Mr. J. Smith if this is what he had in mind. Mr. J. Smith stated that it is. He asked that the Township Manager and Zoning Officer do the same. He stated that he would like to try this method for a few months to see if it works.

- G. Salt spreader – Administrative Building – Mr. Trout advised that he has obtained a quote for a Fisher spreader from Douglas Equipment in the amount of \$1,500. He stated that they can get different brands but recommend the Fisher brand. He commented that they do not have any in stock now but will hold this price until they receive a shipment in September. Mr. P. Smith commented that this is the size unit that we would want. Mr. Heffner asked if it uses rock salt. Mr. Trout advised that it does not. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved the purchase of the Fisher salt spreader in the amount of \$1,500. Motion carried. Three votes yes.**
- H. Additional depository – Janney Montgomery Scott – **On the motion of Dean Heffner seconded by Jan Smith, the Board approved Janney Montgomery Scott as a depository. Motion carried. Three votes yes.**
12. Public comment – There was none.
13. Mr. P. Smith asked the Board if they had any comments. Mr. Heffner did not have any comments.
- Mr. J. Smith asked if the Highway Department would be doing any crack sealing this spring and at what temperature work could start. Mr. Trout advised that it needs to be 60 degrees and that they will be doing work. Mr. J. Smith thanked Mr. Trout for using the new format for his report.
- Mr. P. Smith stated that he has pictures available to view at the front of the room of a municipal building located in northern Pennsylvania.
14. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.
15. The meeting of the Windsor Township Board of Supervisors recessed into an Executive Session at 8:05 p.m. and will reconvene on Thursday, March 19, 2009 at 1:00 p.m. at the Administrative Building for a meeting with the Township employees.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

March 16, 2009

Vera Miller	830 Marvell Drive York PA
Gerald Miller	830 Marvell Drive York PA
Yvonne Emenheiser	1027 Hastings Boulevard York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Gene & Bobbie Zimmerman	860 Zimmerman Road Red Lion PA
Kevin E. Downs	229 Navajo Drive Red Lion PA
Kathy Nazareus	239 Sunset Circle Red Lion PA
David Danner	175 Surrey Lane Red Lion PA
Jerry T. Stahlman	139 E. Market Street York PA
Timothy Pasch	2645 Carnegie Road York PA
Stacey MacNeal	345 E. Market Street York PA
Bob Argento	886 Heritage Hills Road York PA
Jim Argento	1031 Locust Grove Road York PA
Charles Silar	1500 Windsor Road Red Lion PA
Larry Haas	5 Sheldon Drive Red Lion PA