

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

May 4, 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 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 April 6, 2009 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 the Township has received a letter from Spectra Energy advising that they will be sending a notice to the affected property owners informing them that additional environmental surveys will be done.
  - C. Mrs. Gunnet advised that she has received a letter from Laura Cochran requesting that speed bumps be installed in Abbington. She resides at 3117 Wheatlyn Road and people are speeding on her street and are using it as a shortcut. Mr. J. Smith commented that he is surprised they are using Wheatlyn Road and not Meadow Hill Drive. Mr. P. Smith stated that he thinks she is asking for a speed hump and not a speed bump. He added that an officer is present and asked what his opinion is of a speed hump in a residential zone. Officer Miller advised that he is only aware of the speed hump that is located in the school zone at the York Catholic High School. He noted that it could be a deterrent for speeding.

Mrs. Gunnet noted that the speed sign was in the development for a while. She advised that Mr. Trout has researched the cost for temporary speed humps. She stated that the cost for a 28' wide hump is approximately \$1,600. A temporary hump would allow us to remove them in the fall. Mr. Heffner commented that he feels the Township could be held liable if they would come up. Mrs. Gunnet advised that she has spoken to the York County Planning Commission and they are not in favor of speed bumps or humps. A traffic study would need to be done to have them installed.

Attorney Rausch advised that speed humps were installed in Haines Acres at the request of the residents but were removed at their request because of the noise factor.

Mr. J. Smith advised that emergency vehicles would also have to cross them and he asked the personnel present what their opinion is. Ted Hake, Yoe Ambulance, stated that with their type of vehicle, they almost need to come to a complete stop when crossing them. Barry Myers, Yoe Fire Company, stated that it is difficult for the fire fighter's when they are trying to get ready for a call.

Mr. Myers stated that they previously had some complaints with speeding in front of their station. He advised that there is a different type of tool that can be used. He explained that LTAP has a counter that tracks the number of vehicle and the speed at which they are travelling. He noted that it is similar to a traffic counter and it shows the speed. He stated that he found it to be useful.

Joan Stewart, 3088 East Prospect Road, stated that she recently rode in an ambulance and commented that when you are in pain, any bump has an effect.

The Board agreed for Mrs. Gunnet to pursue the LTAP system. Mr. J. Smith and Mr. Heffner agreed that they are not in favor of speed bumps or humps.

- D. Mrs. Gunnet advised that she has received a letter from Mayers, Mennies & Sherr, LLP stating that they will be meeting with Mr. Trout to discuss details regarding the Steele v. Windsor Township lawsuit. Mr. Trout will be deposed at a later date. This is in regards to a lawsuit filed regarding an accident on Smith Road. Mr. P. Smith asked when this accident occurred. Mrs. Gunnet stated that it was in 2007.
- E. Mrs. Gunnet advised that she has received notification from Comcast that there will be 12 channel changes effective May 22<sup>nd</sup>.

- 5. Windsor Township Fire & Rescue Association – Barry Myers advised that the Fire Companies are doing training at the Bahn's Mill Road Building. He added that they will be holding a class at the Red Lion Area School District. It will be open to all Fire Departments in the County. Mr. P. Smith asked if they will be charging an admission fee. Mr. Myers stated that they will have a fee. He added that they have received a \$500 donation from a church that recently had a fire.

Mr. Heffner asked where we stand on the Knox box program. Mrs. Gunnet advised that we were to receive additional information from the Fire Association. Mr. Myers stated that he thought that this was done but will meet with Mrs. Gunnet to go over the information.

- 6. York Area Regional Police Department – Officer Daniel Miller was present. Neither the Board nor those present had any questions.

- A. Mr. P. Smith advised that the Monthly Report for March is available for review.

7. Chad Pillsbury – Speed bumps on Lartry Drive – Mr. Pillsbury was not present.
8. Ted Hake – Yoe Ambulance – 2008 Report to the Community – Mr. Hake presented the Board with a report on specifics pertaining to Windsor Township. He gave a synopsis of the report noting that there were 476 calls in Windsor Township in 2008 and that almost half of the calls needed advanced life support. The highest response calls are for traffic accidents and the average response time is 8.8 minutes. He gave figures on their employees, their budget, uncompensated care figures and subscription enrollments.

Mr. J. Smith asked if their bad debt is in alignment with other ambulance companies. Mr. Hakes stated that he feels they are in a good situation, especially in comparison to White Rose Ambulance.

Mr. Hake advised that they just recently purchased 1.6 acres near the intersection of South Queen Street and Leader Heights Road. He noted that it would be the future headquarters for administrative offices. He stated that they received a 20% discount on the land and only paid \$190,000.

Mr. Heffner commented that he thought that there was an ambulance service nearby. Mr. Hake advised that Quality Care is located nearby. He explained that they are a non emergency responder.

Mr. Hake stated that effective July 1<sup>st</sup>, the Spry location will become a paramedic response unit. This means that the boxes will need to be updated. He advised that he will be working with Mrs. Gunnert to accomplish this.

Mr. J. Smith asked Mr. Hake if they will be receiving any stimulus funding. Mr. Hake advised that he has not seen the official grant information yet. He noted that they have applied for the Federal Fire Grant. He added that they always apply for two grants each year.

Mr. J. Smith thanked the Fire & Ambulance volunteers and employees for the services they provide.

9. Elmer Fromm – Emergency Management Coordinator:
  - A. H1N1 Pandemic update – Mr. Fromm advised that the County, State and CDC are putting out information daily. He stated that there are currently over 200 cases in the United States. He added that the concern is that it could evolve and change strains. The Pandemic Plan has been distributed to all the fire companies. He stated that Windsor Borough is planning to adopt the plan this evening. Mr. Fromm stated that if necessary,

the Board could declare an emergency and would be able to obtain reimbursement from the Federal Government.

- B. Mr. Fromm advised they are still working on the ECRIN program. He stated that they will be going to Longstown Village two times in June to work with the residents. He added that they will also be holding a signup in conjunction with the Fire Association presentation that will be held during Fire Prevention Week in October.

Mr. P. Smith stated that he feels that the Township needs to include articles for the EMA, Fire and Ambulance for the semiannual newsletter and asked Mr. Fromm to think about information he would like to include.

Mr. Heffner stated that he knows that there are more people in the Township that need assistance.

Joan Stewart asked what ECRIN is. Mr. Fromm explained that it is a program that lists people in need in case there is an emergency evacuation.

10. Solicitor:

- A. **Pyxos Properties – Reimbursement of Traffic Impact Fee** – Attorney Rausch advised that Pyxos Properties would like to discuss the reimbursement of traffic impact fees. Andy Miller with LSC Design stated that the Township has received a letter from TRG, Inc. with adjusted traffic count figures for Pyxos Properties. He explained that they are proposing changes which will reduce the traffic count from the last land development plan. He stated that the fees have not been paid but they would like to know if they will be able to receive a refund for the difference. Attorney Rausch advised that the Ordinance does allow for refunds in certain circumstances and he feels they meet the requirements. Mr. Miller stated that Pyxos Properties is planning to submit a revised land development plan for June that will create an access drive from their property on Walnut Street to the one on Boxwood Road. This will reduce the number of trips on the Township roads because they will be able to travel the access road. Mrs. Gunnet commented that she feels that the road should be installed before the fees are refunded. Attorney Rausch agreed. **On the motion of Dean Heffner seconded by Jan Smith, the Board agreed that they will grant a refund to Pyxos Properties once the revised land development plan has been approved and the road has been installed. Motion carried. Three votes yes.**
- B. Deed of Dedication for Pump Station at Windsor Commons – Attorney Rausch advised that there was an issue with recording the deed of dedication because the entity forms had changed since the deed was originally drawn up. The pumping station and the parcel that

the Sonic is located on is incorrect. Mrs. Gunnet advised that she has spoken with the engineer for Sonic and they will be working on a revised plan.

11. Public Works Building:

- A. **Payment request – Midstate Mechanical – E-12 (Final) – \$34,555.30** – Mr. P. Smith advised that Midstate Mechanical is requesting their final payment. Mrs. Gunnet stated that all their work is completed. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved payment E-12 to Midstate Mechanical in the amount of \$34,555.30. Motion carried. Three votes yes.**

12. Other Business:

- A. Mr. P. Smith advised that the Board has received the Township Manager's Report for April. Mr. J. Smith asked if there is an update on Mr. Clinton's property. Mrs. Gunnet advised that an appraiser has been hired to appraise the property. She noted that Mary McCleary will be used since she has done previous work for the Township.

Mr. J. Smith asked how the meeting went that she had with Lower Windsor Township. Mrs. Gunnet stated that they discussed ways that they can work together. She noted that they had discussed woody waste and it was presented to the Board but was tabled.

- B. Mr. P. Smith advised that a public meeting for the next Joint Comprehensive Plan will be held Tuesday, May 5th at 7:00 p.m. at the Township Office.
- C. **American Recovery & Reinvestment Act – Possible stimulus projects** – Mrs. Gunnet advised that they have spoken in house and with the York County Conservation District about stimulus funds that will be available for dirt and gravel roads. She stated that they would like to apply for funding for the upgrade of Husson Road. Mr. Heffner commented that it is located in a flood plain. Mrs. Gunnet noted that the funds are also to help with water quality. She added that the Township has a 33' right-of-way and the cartway would be 16' wide. Funding could pay for 100% of the project.

Mrs. Gunnet advised that Taylor Road is also a dirt road but the Township has not received many complaints about the road. The stormwater detention basin on Starview Drive could also be a possible project. She noted that the deadline to submit the paperwork is May 18<sup>th</sup>.

Mr. J. Smith asked if all the projects could be submitted. Mrs. Gunnet advised that they could but permission would be needed from the property owner of the basin on Starview Drive.

Mrs. Gunnet advised that all requests require a resolution to apply. She stated that she has prepared one for Husson Road and the Starview Drive detention pond but one could be done for Taylor Road. **On the motion of Jan Smith seconded by Dean Heffner, the Board approved Resolution No. 09R-05-01 for Husson Road, Resolution No. 09R-05-02 for the Starview Drive basin and Resolution No. 09R-05-03 for Taylor Road. Motion carried. Three votes yes.**

Mrs. Gunnet advised that stimulus funds are available at a 50/50 match for the purchase of an alternate fuel vehicle. It does require delivery in 2010. She stated that she priced a Ford Escape at \$30,000. Mr. Heffner asked if it would be for Mr. Allison. Mr. P. Smith noted that it could be for Mr. Trout also. Mrs. Gunnet advised that requests for the first round of funding are due May 29<sup>th</sup> and the second round is September 30<sup>th</sup>. Mr. Heffner asked if it would be front wheel drive or four wheel drive. Mrs. Gunnet stated that everything she looked at was four wheel drive. The Board suggested she look at front wheel drive vehicles.

Mrs. Gunnet advised that the County will be receiving \$3.5 million for energy auditing. She stated that the Commissioners have decided to spend the funds on County owned buildings.

There is funding available for energy audits for municipalities with less than 35,000 but the guidelines have not yet been released.

Mr. P. Smith advised that at the State Convention, he attended a seminar on the stimulus funding that was put on by the Ferguson Group. He stated that it was a lot of information and is confusing. Mr. J. Smith stated that it takes a lot of time and research to go through the information. Mrs. Gunnet commented that the application is approximately 35 pages.

- D. Asbestos – Bahn’s Mill Building – Mrs. Gunnet advised that the training agency that is working with the fire companies required an asbestos certification. She stated that she had an inspection done and asbestos was found in the floor tiles. The companies are able to continue to train as long as the floor is not damaged. She stated that she obtained one quote to have the tiles removed and it was approximately \$7,600. This will require three quotes to be obtained. She noted that only one company is listed in the phone book so she contacted the Department of Labor and Industry for additional contractors but has not heard back yet.
- E. Internet bidding update – Mrs. Gunnet advised that she has checked with Muncibid and has found that there is an annual fee of \$200 plus the cost for the advertisement. The Board was not interested in pursuing this based on the fees.

Mr. P. Smith asked how much the elevator at the Bahn's Mill Building weighs and if it could be removed and put in storage. Mrs. Gunnet advised that it is bolted to the floor and the fire companies may be willing to remove it for us. She stated that she will check with them.

F. Mr. P. Smith advised that the Zoning Report for March is available for review.

G. Mr. P. Smith advised that Community Volunteer Day will be held on Saturday, May 9<sup>th</sup>, starting at 9:00 a.m. at Freysville Park. He invited everyone to attend and asked them to bring their rakes and shovels.

H. Mr. P. Smith advised that the Dog Officer's Report for April is available for review.

### 13. Unfinished Business:

A. Panorama Hills Pump Station Update – Mrs. Gunnet advised that they are still working on obtaining right-of-ways to do the archaeological study.

B. Joint Stormwater Drainage Study – Mrs. Gunnet stated that she has not received any additional information. Mr. P. Smith questioned exactly what this is and why it has been tabled. Mrs. Gunnet advised that this is a feasibility study between Windsor Township, Windsor Borough and Red Lion Borough to determine where the stormwater is coming from that it flowing into Windsor Borough and what can be done to control it so that the flooding in Windsor Borough can be minimized. Mr. P. Smith asked how long this has been on the agenda. Mrs. Gunnet estimated that it was put on last summer. She stated that the Township and Windsor Borough have funds budgeted in 2009. Red Lion Borough is willing to share in the cost if funds are available. She advised that a grant has been applied for to DCED but there has been no response yet. Mr. P. Smith asked Mrs. Gunnet to contact them to obtain the status.

C. Drainage at Freysville Park, Field #1 – Mrs. Gunnet advised that the Highway Department worked on this project last week. Mr. P. Smith stated that there was a note about the PA One Call. Mrs. Gunnet explained that the location of the phone, electric and cable lines were close to the depths that the stormwater piping needed to be and some work had to hand dug. The Board thanked the Highway Department for a job well done.

D. Verification of building setback compliance – Mr. Allison is working on this.

E. Possible land purchase – Mrs. Gunnet advised that Attorney Rausch and Attorney Eveler have prepared an Agreement of Sale between the Township and Mark and Tiffany Sowers. She stated that the Sowers' have signed it. Mrs. Gunnet advised that the Agreement is for

the purchase of approximately 19.44 acres at a cost of \$300,000. The Township will be responsible for the cost for the subdivision and Mr. and Mrs. Sowers will be responsible for the removal of the fencing from the property. Mrs. Gunnet advised that Stahlman and Stahlman will be doing the engineering work since they did the subdivision plan that created the lot that the Public Works Building was constructed on. The cost will be approximately \$2,695 plus an additional \$750 to have the property pins set. Mr. P. Smith advised that the Board decided to purchase this land to allow for the potential to expand the Public Works Building and also for recreation purposes. On the motion of Jan Smith seconded by Dean Heffner, the Board approved the Agreement of Sale. Motion carried. Three votes yes.

- F. Negotiation of cable franchise agreement – Mrs. Gunnet advised that the Board has received a revised proposal this evening from Cohen Telecommunication Law Firm for the renegotiation of the cable franchise agreement. They have reduced their price for two to four municipalities to \$4,725. She stated that she is aware that Springettsbury Township, Dover Township and Manchester Township are interested in working with this company. Mr. J. Smith commented that he thought Stock and Leader quoted a lesser amount. Mrs. Gunnet noted that this company deals specifically with this line of work. She added that when she spoke with Stock and Leader about negotiating for free internet service, they told her that there was no way that could be obtained but when she spoke with Cohen about the same topic, they told her that they just successfully negotiated that for three municipalities. Mr. J. Smith stated that he knows that Earl Schuckman from Shrewsbury Township was happy with his renegotiation and asked her to speak with him. Mr. P. Smith was concerned with the cost and if we would receive enough back to cover it. The Board tabled the topic.

Mr. Fromm stated that he is aware that there is a phone service through Comcast that allows you to tap off the internet for additional line during an emergency. He stated that this could be beneficial since the Township phones only have four lines. Mr. P. Smith asked Mrs. Gunnet to check with Verizon to see if DSL service is available at the Public Works Building.

- G. Act 124 of 2008 – Diesel Powered Motor Vehicle Idling Act – Mr. P. Smith advised the Township is in compliance with Act 124 of 2008. He stated that the Board has a copy of the Act. Mrs. Gunnet advised that Mr. Trout has ordered signs to be posted.

14. Public comment – There was none.

15. Mr. P. Smith asked the Board if they had any comments. Mr. Heffner did not have any comments.

Mr. J. Smith advised that at State Convention he attended a class regarding performance appraisals. He stated that the company that put on the seminar was the Delta Development Group. He stated that he thinks the Township should look into this. Mr. P. Smith noted that Mosteller & Associates also does this type of work. Mr. J. Smith suggested obtaining quotes from both companies.

Mr. P. Smith thanked Mrs. Gunnet for the information on the savings for gas usage. Mrs. Gunnet noted that if and when funding becomes available, she will apply for a grant for an energy audit.

Mr. P. Smith stated that he is aware that the receptacles at the pavilions have been upgraded. He questioned who was paying for this. Mrs. Gunnet commented that she thought WARC was paying for it so that food vendors do not have to run off of a generator and can use the outlet at the pavilion. She noted that it was only done at the Workinger Field pavilion.

16. Mr. J. Smith questioned why a power washer was rented. Mrs. Gunnet advised that it was used to wash down the floor at the Freysville Park pavilion and wash the picnic tables under the pavilion so that they can be waterproofed on Community Day. Mr. J. Smith asked why the one that the Township owns was not used. Mrs. Gunnet advised that it is not powerful enough for this type of work. Mr. J. Smith commented that for the cost of renting one, maybe we should look into buying one. On the motion of Jan Smith seconded by Dean Heffner, the bills were approved. Motion carried. Three votes yes.

17. The meeting of the Windsor Township Board of Supervisors adjourned at 8:24 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

May 4, 2009

Vera Miller	830 Marvell Drive York PA
Elmer Fromm	50 Oak Drive Red Lion PA
John & Joan Stewart	3088 East Prospect Road York PA
Barry L. Myers	Yoe Fire Company
Ted Hake	Yoe Ambulance Service
Yvonne Emenheiser	1027 Hastings Boulevard York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Gene & Bobbie Zimmerman	860 Zimmerman Road Red Lion PA
Officer Daniel Miller	York Area Regional Police Department
Charles Wilson	1105 Windsor Road Red Lion PA
Richard Ness	345 Norhurst Road York PA
Scott Drawbaugh	443 Fitzpatrick Lane York PA
Andrew Miller	LSC Design, Inc.
Charles Silar	1500 Windsor Road Red Lion PA