

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

January 18, 2010

1. The meeting of the Windsor Township Board of Supervisors was called to order by Paul Smith at 6:00 p.m.

Those present: Paul Smith, Jan Smith, Dean Heffner, Attorney Charles Rausch, Jason Reichard, Jennifer Gunnet, Jeremy Trout, Kipp Allison and Teresa Miller. 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 of the January 4, 2010 and January 11, 2010 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 received a letter from Attorney Andrea Anderson requesting exoneration of taxes for the Emmanuel United Methodist Church of Windsor. The church was completed in 2009 and requested tax exemption with York County Assessment. York County Assessment granted the exemption effective January 1, 2010. The church received an Interim tax bill from Windsor Township and is requesting exoneration for that bill. On the Motion of Mr. J. Smith seconded by Dean Heffner the Board agreed to exonerate Emmanuel United Methodist Church of Windsor for the interim bill. Motion Carried. Three votes yes.
5. Emergency Management Coordinator
 - A. Mr. Fromm stated that in lieu of the recent disaster in Haiti he wanted to remind all households that you should have a three to five day reserve set aside of food, water, medications so if a disaster would hit you could sustain yourself until help could arrive.
 - B. Mr. Fromm advised that the Board has received the December report and the year-end report. The duty hours were 790 and training hours were 716. The mileage for the Township was approx. 1700 miles part of which is reimbursed by the Township. Mr. Fromm also stated that three of the certified staff moved on to advanced while the remaining staff are working on their certifications.
 - C. Mr. Fromm advised he received a newsletter from County that highlights different programs. The current newsletter highlights Windsor Township and some of the Emergency Management team receiving awards. Mr. Fromm advised he provided this newsletter to Mrs. Gunnet.

- D. Mr. Fromm advised there is currently an application on file for the purchase of \$40,000 worth of equipment. The application is still pending with DCED. No approvals or denials for the money have been received. Mr. Fromm requested a meeting with a Supervisor to discuss the availability of office space for the Emergency Management team either at the Municipal office or the Public Works Building. Mr. Fromm stated he felt there was advantages and disadvantages to both locations. It was agreed that a meeting would be set up at a future time.
 - E. Mr. Fromm advised he was approached by the Red Lion Fire Department about some old style Motorola radios they have for sale. Mr. Fromm advised he had approval to obtain two new radios in 2010 at a cost of \$400 a piece. Mr. Fromm advised the Red Lion Fire Department has ten portable radios, two mobile stations and one base station they will be selling. These radios are good quality and can be reprogrammed to our needs. The cost to purchase the ten radios, two mobiles and one base station would be \$585. Mr. Fromm is proposing the purchase of these radios and splitting them with the Township. Mr. P. Smith asked if new software would be needed to reprogram the radios. Mr. Fromm advised no program would be needed. The Radio Man would be able to reprogram using a program he already has on his computer. The cost for the reprogramming would simply be a service call fee for the repair man to come to our location. Mr. Fromm also stated the radios would come with carrying cases and chargers.
 - F. Mr. Fromm advised that at their Wednesday meeting they discussed poor training and accounting. Mr. Fromm advised PEMA is looking at their requirements for Emergency Management Coordinators and currently has a planning committee working on the requirements and it seems they are trying to make it a lot harder. Mr. Fromm stated that Jeff Joy, who is responsible for mentoring the program, is losing too many coordinators. It looks like PEMA is trying to get the County to take over the programs or you have to have a degree in order to be an Emergency Management Coordinator. There is a lot of fight against it. Mr. Fromm advised what they have now, they can't enforce. Mr. Fromm stated that if you don't want to take your certification, they aren't after you, but by Act 35 it is a law and has been on the books since about 1978. Mr. Fromm will be writing a letter to PEMA letting them know where he stands.
6. Mr. Fromm advised he is looking for a location to store a Red Lion Fire Company engine that is being taken out of service and for sale. Mr. Fromm advised two engines are being sold, bids were accepted but were too low, so the Fire Company will solicit new bids. Mr. Fromm advised one engine is being stored at the Red Lion Borough garage. Mr. Fromm is suggesting storage of the second engine at the Bahns Mill garage. Mr. Fromm advised that he does not expect the Township to take any liability for the engine while in storage. Mr. P. Smith advised the Township would work something out so there was a place to store the engine.
7. Township Engineer:
- A. Act 537 – Status Report # 5 – Mr. Reichard has provided an exhibit that goes along with the report the Board received. Mr. Reichard advised that areas starred represent problems areas that were identified on the survey that had been distributed. Mr. P. Smith advised he didn't fully understand the report this time and questioned the classifications of low, medium and high. Mr. Reichard agreed the report was confusing and that the classifications simply tried to identify areas within a particular street that might be considered areas of concern that may

need special attention. Mr. P. Smith questioned the areas identified with high classifications and questioned Mr. Reichard as to whether all the high classifications were limited to four streets within the Township. Mr. Reichard confirmed this. Mr. Reichard advised the classifications would change slightly now that they see how the areas are grouped. Mr. P. Smith stated we had public meetings we were going to have to hold based on this study, since the Township newsletter is coming out shortly he would like to get the dates set up so it can be published in the newsletter and all residents will get the information. Mr. P. Smith stated the initial date of March 1st was when the meetings were to be held but at this point the Township will not be ready for the meeting at that time. Mrs. Gunnet advised she was already preparing the information for the newsletter but needed the dates. The newsletter won't be published till about the third week of March. Mr. P. Smith requested Mr. Reichard discuss with his office times and dates to schedule meetings. Mr. Reichard stated he thought the March 1st meeting was just for those individuals that were identified with problems on their lots. Mr. Reichard advised he would talk with his office and work with Mrs. Gunnet. Mr. Reichard advised that Mr. Resh would like to meet with the Supervisors in February to go over the plan and make sure everyone is on the same page and advise what has been completed before any public meetings are held.

- B. Security Reductions: Emmanuel United Methodist Church and Robert, Anthony, Ignazio & Nina Argento, Red Lion Area School District – Dietz Rd. extension, Red Lion Area School District – Larry Macaluso Elementary, Cambridge Heights, Phase I

Mr. Reichard has advised he has received a request for security reduction for Emmanuel United Methodist Church in the amount of \$79,340 which would bring the balance to \$9,034. He stated that he has received a request for security reduction from Robert, Anthony, Ignazio & Nina Argento in the amount of \$59,250 which would bring the balance to \$15,335.50. He stated that he has received a request for security reduction from Red Lion Area School District for the Dietz Road extension in the amount of \$59,225 which would bring the balance to \$185,069.09. He stated that he has received a request for security reduction from Red Lion Area School District – Larry Macaluso Elementary in the amount of \$59,930 which would bring the balance to \$198,354.70. He stated that he has received a request for security reduction from Cambridge Heights, Phase I in the amount of \$39,122.17 which would bring the balance to zero eliminating reduction. On the motion of Jan Smith seconded by Dean Heffner, the Board approved the security reductions based on the Township Engineer's report. Motion carried. Three votes yes.

8. Solicitor:

- A. Herre Brothers – Trench Drains – Mr. Rausch advised that under the project manual there are provisions for mediation & arbitration. Mr. Rausch advised we have to go through that process. The arbitration process is binding. If we start that process, we need LSC to initiate a letter stating what they think the problem is and that will trigger mediation. Mr. Rausch stated it was his understanding that we would need to use the Mediation/Arbitration Association. Mr. Rausch felt that the result would be quicker this way than if we had to file a lawsuit. Mr. Rausch will get the process started but advised the Township had to go through the mediation to see if the problem could be resolved before binding arbitration.

- B. Mr. Heffner had a question about the wiring. Mr. Heffner stated he thought there was still an issue on a punch list that still needed resolved. Mr. Trout advised that Midstate was looking into the problem in conjunction with what Paragon had proposed to verify if the wiring was adequate for the welder & plasma cutter. Mr. Trout advised he had spoken with Midstate and they felt the wiring was adequate but the breaker was the problem and needed higher amperage. Mr. Trout advised Midstate had the punch list of items and would be coming down to address all of them at one time. He was waiting for them to give him a date of when they would be down. Mr. Heffner requested Mr. Trout notify him when Midstate was coming.
- C. Mr. Heffner asked if there was any information about the Freysville intersection project. Mr. Rausch advised project was on hold. The Township has the right-of-way, but needs to give Mr. Clinton notice that he needs to get the property cleaned out. It was suggested the Township should notify Mr. Clinton now with a date so that his personal property has been removed by the time the project is ready to begin. Attorney Rausch will draft the letter. Mrs. Gunnet advised that Mr. Clinton had been paid.

9. Public Works

- A. Mr. P. Smith advised that the Board has a copy of the Monthly Report. He asked if the Board had any questions. Mr. P. Smith requested that future reports include information explaining when employees are called out after hours. Mr. P. Smith suggests information be brief and include who was called out, when they were called out and why. Mr. P. Smith felt this would help keep the Board informed about any problems.
- B. There was a lengthy discussion regarding the specifications, model and emissions systems for a new leaf truck. Mr. J. Smith felt there was not enough information provided to approve the purchase of a truck at this time. Mr. Heffner expressed concern that if they did not approve the purchase at this time that the truck being held for the Township would be gone and the Township would lose approximately \$8,000 in savings. Mr. P. Smith recommended this discussion be put on hold.
- C. On the Motion of Mr. P. Smith seconded by Mr. J. Smith the discussion to replace the 1997 dump truck was put on hold. Motion carried. Three votes yes.
- D. Mr. P. Smith advised the Board had the 2009 Sewer System Report. There were no questions.
- E. The date for the Board of Supervisors to meet with the Public Works employees was set for Thursday, January 21, 2010 at 2:00 p.m. It was decided that prior to this meeting the Board would meet with Mr. Trout at 1:00 p.m. to finish the discussion regarding the purchase of the new leaf truck. Mr. Heffner expressed concern that the truck being held for the Township may no longer be available if they wait this long. Mr. P. Smith stated he felt it would still be available. Mrs. Gunnet advised she would be unable to attend.

10. Other Business

- A. Mr. P. Smith advised the Board had received the Township Manager's monthly report for December and it was available for review. Mr. J. Smith requested that Mrs. Gunnet include in future reports several paragraphs explaining any thing of interest that the Board may need to know.
- B. Mr. P. Smith advised the Board had received the Zoning Officer's monthly report for December and it was available for review.
- C. Mr. P. Smith advised the Board had received the 2009 Building Permit Summary and it was available for review. Mr. P. Smith advised the house market had dropped from the previous year to the current year. He stated that new home permits in 2009 were 49, compared to 67 in 2008. Mr. Allison commented that when you compared the total cost from 2008 to 2009 and deducted the projects that the Township was unable to collect fees on, there was only a difference of \$20,000 between these two years.
- D. Mr. Allison advised he has been working with Attorney Rausch's office on the Township's first collection of judgment fees. Mr. Allison advised there are two processes to execute collection, one is at the District Magistrate level and the second is to transfer the judgment to the Court of Common Pleas. Mr. Allison advised that per his conversation with Attorney Rausch's office transferring the judgment to the Court of Common Pleas is probably the better option. Attorney Rausch advised if you file with the Court of Common Pleas, you could initiate a Sheriff's Sale on the personal property as well as the house. However, if you keep the judgment with the District Magistrate's office, only the sale of personal property is permitted with some stipulations.
- E. Mr. P. Smith advised the Dog Officer's report for December was available for review.
- F. Mr. P. Smith advised Electronics Collection is scheduled for Saturday, April 17, 2010 from 9:00 a.m. till Noon at the Public Works Building on White Oak Road.
- G. Mrs. Gunnet advised she had contacted a gentleman she had met at an Energy Workshop to get an estimate for an energy audit for the 2010 budget. Mrs. Gunnet advised she received a call advising the company she had contacted for the estimate was running a special on infrared scanning to check for heat loss. Mrs. Gunnet advised the price for the scanning is \$399 for two hours of work plus the report showing where the problem areas are and the recommended solutions. Mrs. Gunnet advised the energy audit has to be done prior to applying for any grants. On the motion of Jan Smith seconded by Dean Heffner, the Board approved obtaining the infrared scan. Motion carried. Three votes yes.
- H. Mrs. Gunnet advised the Sewer Ordinance requires that surety be held for sewer capacity and that in January of each year the Township must reduce it by the number of sewer permits that were issued in the previous year. Mrs. Gunnet advised there were three reductions. Mrs. Gunnet advised there was a reduction for Stapleton, there were 10 permits last year which results in a reduction of \$11,350. Mrs. Gunnet advised there was a reduction for Laurel Vistas

where 2 permits were issued resulting in a reduction of \$2,270. Mrs. Gunnet advised there was a reduction for Terry Gilbert who connected one home to sewer resulting in a reduction of \$1,135. On the motion of Jan Smith seconded by Dean Heffner, the Board voted to approve the reductions. Motion carried. Three votes yes.

- I. Mrs. Gunnet advised the Site Improvement Agreement for Rosebrook II expires next month and they are requesting a 1 year extension. On the motion of Jan Smith seconded by Dean Heffner, the Board agreed to grant 1 year extension. Motion carried. Three votes yes.

11. Unfinished Business

- A. Panorama Hills Pump Station update – Mr. Reichard advised Robert Holweck has contacted his office and they are working on Right-of-way agreements.
- B. Joint Stormwater Drainage Study – There was no update. Mrs. Gunnet advised we are still waiting for the contract from the state.
- C. Proposed Open & Confined Burning Ordinance – Draft #5 – Mrs. Gunnet advised she received a call from Mike Union who is the new DEP Regional Coordinator, but he had no update at that time.
- D. Herre Bros. – Trench drains – As previously discussed Mr. Rausch will start the mediation/arbitration process.
- E. Starview Drive detention pond – Mrs. Gunnet advised she was still waiting for information from Lieutenant Godfrey.
- F. Possible rental of acreage – Mrs. Gunnet advised she has not heard from Mr. Dehoff. Mr. P. Smith requested Mrs. Gunnet follow up with Mr. Dehoff.
- G. Regulations on Storage of Recreational Vehicles, Boats, Campers, Trailers and Trucks – Mrs. Gunnet advised Mr. Allison was working on the Amendment. Mr. Allison advised that the information was going before the Planning Commission on Thursday, January 21, 2010.
- H. Change Order – eci – G-16 – Modification to stone release channel - \$6,565.05 – There was no update.
- I. Request for Proposal – Township Engineer – Mrs. Gunnet advised she had contacted Arro and they agreed to set up an 800 phone number. There was no further update.
- J. Kendale force main – Mr. Reichard stated that based on the survey completed in the field and the test pits that the Township dug, they found favorable results. Mr. Reichard advised it looked like we would be able to go back to the first band of the force main and change the grade and vertical alignment so it can be placed below the streambed. Mr. Reichard advised it was originally believed they would have an 18 inch sag in the force main which would not have looked favorable. Mr. Reichard advised this would take some cooperation from DEP

because we would not be maintaining the 3 foot minimum submergence below the stream bed. Mr. Heffner questioned whether the Township could obtain a permit and just stabilize the main and than let the stream naturally come back over to its original location. Mr. Reichard advised that was what they originally wanted to do but DEP is viewing that as a stream relocation and is going to require an individual permit or a joint permit which would be a rather extensive endeavor from his office's standpoint because of modifications to the flood plain and flood easements and the associated permitting. Mr. Reichard advised that when DEP feels there is another option, they would not allow an easy fix. After a lengthy discussion, the decision was made to set up a meeting with DEP to propose the stabilization and movement of the stream back to its original location. Mr. Reichard advised that the Township would have to provide DEP with information regarding the impact of this proposal.

- K. Revision of Personnel Policy – There was not update.
- L. Amendment to Building Permit Ordinance – Mrs. Gunnet advised that Attorney Rausch has advertised the Amendment for adoption for this meeting. Attorney Rausch advised the purpose of the Amendment was to change the regulations for the application of a building permit to require a site plan when determined necessary, there were some grammatical changes in addition to Part 1 referring to building permits and Part 2 referring to construction in a flood plain. A motion to adopt the Amendment was made by Jan Smith seconded by Dean Heffner. Motion carried. Three votes yes.
- M. Fee for PSP coverage – Mr. P. Smith advised letters from Senator Waugh and Rep. Saylor were received concerning the State police coverage and a charge for that coverage. No action was taken at this time.

12. Public Comment – There were no comments.

13. Supervisors Comment – Mr. J. Smith asked for an update on the water situation at the Bahns Mill location. Mrs. Gunnet advised she called Mr. Shaeffer and he advised her he needed to contact Tom Sanders, the plumber we were working with. Mrs. Gunnet has discussed with Attorney Rausch sending Mr. Shaffer an agreement letting him know what the Township is willing to do for him.

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 was recessed at 7:25 p.m. until Thursday, January 21, 2010 at 1:00 p.m. at the Public Works building on White Oak Road.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

January 18,2010

Vera Miller	830 Marvell Drive York PA
Elmer Fromm	50 Oak Drive Red Lion, PA
Yvonne Emenheiser	1027 Hastings Boulevard York PA
Allen Emenheiser	1027 Hastings Boulevard York PA
Mike Hess – Arro Engineering	4750 Delbrook Road Mechanicsburg, PA
Cindy Zawrotuk – Arro Engineering	4750 Delbrook Road Mechanicsburg, PA
Jim Wilson	309 Larkin Drive Red Lion, PA
Sheila Wilson	309 Larkin Drive Red Lion, PA
Charles Silar	1500 Windsor Road Red Lion, PA
Richard Bolton	3018 E. Propsect Road York, PA
Eugene Zimmerman	860 Zimmerman Road Red Lion, PA
Roberta Zimmerman	860 Zimmerman Road Red Lion, PA
Charles Wilson	1105 Windsor Road Red Lion, PA