

## WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 16, 2024

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

Those present: Kathy Kerchner, Kim Moyer, Stan Saylor, Attorney Suzanne Griest, Christopher Kraft, P.E., 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 Stan Saylor seconded by Kim Moyer, the minutes of the November 7, 2024 and November 18, 2024 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 located on the counter in the rear of the room.
  - B. Mrs. Gunnet advised that she has received information from PSATS regarding their 2025 Educational Conference. It will be held from May 4 – 7 at the Hershey Lodge. She asked the Board to let her know if they will be attending and if they intend to stay so that she can reserve lodging.
  - C. Mrs. Gunnet advised that she has received a letter from the Pennsylvania Municipal Retirement System informing that the Township has a distress score of 0 for the Non-Uniform Pension Plan.
5. Windsor Township Fire & Emergency Rescue Services Association – Dan Orwig with Laurel Fire Company was present.
  - A. Mr. Orwig advised that the Fire Chief’s meeting to be held on December 19, 2024 will need to be rescheduled as they have a conflict with another meeting.
  - B. Simulator repair – Mr. Orwig stated that they are still researching contractors to obtain quotes to have it repaired. Mrs. Gunnet commented that she will provide information for a contractor that the Township has used.
6. York County Regional Police Department – Chief Damon was present. He reviewed some of the yearly statistics, noting that the average calls per month is 174. Mr. Saylor questioned if there is a repeated location of traffic accidents. Chief Damon stated that there are quite a few at the Freysville and East Prospect Road intersection. He noted that the traffic signal to be installed with help with this. He stated that other locations are at the Longstown intersection, Cape Horn and Lombard Road intersection, Delta and Windsor Road intersection and Lombard and Freysville Road intersection. He noted that the friction material that has been added to some of the curves has assisted in reducing the number of accidents in these locations. Mrs. Gunnet advised that she had sent a request to PennDOT to

add this pavement surface on Freysville Road on the curve between Shire Lane and the Panorama Hills Pump Station. She was informed that it has been added to their list.

- A. The monthly report is available for review.
  - B. On the motion of Stan Saylor seconded by Kim Moyer, the Board authorized the advertisement of an Ordinance authorizing adoption of the York County Regional Police Department Charter Agreement. Motion carried. Three votes yes.
7. Joshua Puterio – 3381 Cape Horn Road – Zoning Ordinance amendment to allow the non-commercial keeping of livestock (chickens) in a Neighborhood Commercial Zone – Joshua Puterio advised that he had chickens at his property and received a Notice of Violation. He went to the Zoning Hearing Board to obtain a variance to keep them but was denied. He stated that he is before the Board to request an ordinance amendment that would allow him to have chickens. He stated that when he purchased the property, his realtor told him that he would be able to have chickens. He added that he also did a Google search which said he could have them. He advised that his property is .57 acres and he is located in the C-N zone. It was noted that they had approximately 20 chickens, some of which were pets, and they did not sell the eggs.

Mr. Allison explained that the C-N zone is a low impact commercial zone with residential use. He stated that there are 42 parcels in this zoning classification. He advised that if the Board applied the same regulations in the amendment that was done regarding chickens, only 6 parcels have a minimum of 2 gross acres. This would not benefit the Puterio's as their lot would be too small. Discussion ensued regarding chickens and the zoning of the property.

On the motion of Kathy Kerchner seconded by Stan Saylor, the Board denied the request for an amendment to allow for the non-commercial keeping of livestock in the Neighborhood Commercial zone. Motion carried. Three votes yes.

8. Christine Emma – 20 Patterson Avenue – Zoning Ordinance amendment to modify size of an accessory structure and lot coverage – Christine Emma provided the Board with information regarding her request. She commented that she is not only here on her own behalf but on that of others in the Township as well. Ms. Emma advised that according to the regulations of the Windsor Township Zoning Ordinance, the size for an accessory structure is limited to 50% of the footprint of the dwelling. She stated that her lot is approximately 3.91 acres and the maximum size building she may have is 1,200 square feet. She stated that she would like to have a building larger than that. She noted that because she has a larger property, lot coverage is not an issue.

Mr. Moyer advised that he had met with Ms. Emma, Mr. Allison and Mrs. Coble to discuss her concerns and requests for change. He stated that he believes changes should be made to increase lot coverage percentages. He stated that he is not opposed to changing the regulations for sizes of accessory structures but is unsure of how to do so. He stated that they would need to look at different options.

There was a lengthy discussion which included the current regulations, regulations in other municipalities, the history of this regulation and the process of how an amendment is enacted. Mr. Saylor commented that he is not in favor of an unlimited building size but would consider a change.

Mike Herring, White Oak Road, stated that he is aware of residents that moved out of the Township due to the regulation for the maximum size for a building. He commented that Windsor Township is more strict than other municipalities.

Andrew Nelson, East Prospect Road, advised that his home was built 105 years ago and is a small home. He stated that this limits the size of building he may construct. He commented that he is in support of a change that would permit larger buildings. He stated that he is aware that he may build multiple buildings but he would prefer one.

Dan Hoerr, Patterson Avenue, advised that he had spoken with Mr. Allison previously regarding this maximum size for an accessory structure and was informed that he could build a larger building if it was attached to his home but he could not connect two separate buildings to make them one because it would exceed the maximum size. He stated that he feels there should not be a cap on the size building that is permitted.

Ms. Emma questioned if a decision could be made this evening to move forward with an amendment to eliminate the regulation for the maximum accessory structure size being limited to 50% of the footprint of the dwelling in the Agricultural zone. The Board advised that this needs to be researched because it needs to be looked at as a whole. The Board agreed that they were willing to look into a potential change.

9. Plan for Discussion:

A. LMES ENTERPRISES, LLC – Preliminary/Final Subdivision Plan #1560.1 by Site Design Concepts, Dietz Road – Waiver of Subdivision & Land Development Ordinance Section 506.5 – Waiver of connecting existing home to public sewer – Adam Anderson with Site Design Concepts advised that with him tonight is Carol Miller who represents the LLC. He stated that LMES Enterprises is proposing to subdivide a 6.8 acre parcel off Dietz Road into 4 lots. There will be 3 new building lots and a residual tract with the existing dwelling. The Subdivision & Land Development Ordinance requires connection of the existing and new homes to public sewer and water. Mr. Anderson stated that they are requesting a waiver of connecting the existing home at this time. Should the septic system malfunction, the home would be connected at that time. Mr. Allison noted that based on the Act 537 Plan, public sewer was extended in this area due to septic system failures.

Bob Asper, LMES Enterprises, commented that he has read this section of the Ordinance and feels that it applies to subdivisions for larger developments. Mr. Allison advised that it applies to all subdivision of property. It was noted that there is already one stub installed to the property.

There was a lengthy discussion regarding the installation of the laterals, posting of surety and planning modules. It was the recommendation of the staff that the laterals be installed or a surety bond posted.

On the motion of Stan Saylor seconded by Kim Moyer, the Board denied the waiver of connection to public sewer for the existing dwelling. Motion carried. Three votes yes.  
On the motion of Stan Saylor seconded by Kim Moyer, the Board denied the waiver of connection to public water for the existing dwelling. Motion carried. Three votes yes.

10. Adoption of the Proposed 2025 Budget – Resolution #2024R-12-01 – 2025 Tax Levy  
Resolution #2024R-12-02 – Non-Uniform Pension  
Plan Employee Contribution Rate

On the motion of Stan Saylor seconded by Kathy Kerchner, the Board approved Resolution #2024R-12-01. Motion carried. Three votes yes.

On the motion of Stan Saylor seconded by Kim Moyer, the Board approved Resolution #2024R-12-02. Motion carried. Three votes yes.

On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the 2025 Budget. Motion carried. Three votes yes.

11. Township Engineer:

- A. Engineer's Report – Mr. Kraft advised that the Board has received the Engineer's Report. There were no questions.
- B. Community Center Update – Update & Change in date of bid opening – December 20, 2024 – Mr. Kraft advised that there were several requests from contractors to extend the date for the bid deadline. He stated that with the Thanksgiving holiday, he felt this was an acceptable request. The bid opening will now be at 10:00 a.m. on December 20<sup>th</sup>. The bids will then be awarded at the January 6, 2025 meeting.

12. Solicitor:

- A. Donation of Lot 28 in Village of White Landing East for recreational purposes – Attorney Griest advised that Attorney Dillinger had reviewed the title and does not have any concerns with the Township accepting the property. Ms. Kerchner questioned if the land has been transferred back to Mr. Pasch yet. Mrs. Gunnet advised that it has not but she would reach out to him. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board accepting the donation of Lot 28 in Village of White Landing East contingent on Mr. Pasch owning the property and able to provide a legal title. Motion carried. Three votes yes.

13. Public Works:

- A. Ms. Kerchner advised that the Board has received the monthly report for December. There were no questions on the report.
- B. Bid results – Sale of generator from Taylor Estates Pump Station – Mrs. Gunnet advised that the bid results from Municibid are attached to the Board’s agendas. The high bid was from Gary Nolt in the amount of \$4,600. On the motion of Kathy Kerchner seconded by Stan Saylor Saylor, the Board awarded the bid to the high bidder, Gary Nolt. Motion carried. Three votes yes.

14. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer’s Report for November. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager’s Report for November. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer’s Report for November. There were no questions.
- D. Recreation Commission – Update – Ms. Kerchner commented that the December meeting was cancelled.
- E. Ms. Kerchner advised that the Reorganizational Board Meeting will be held on January 6, 2025 at 6:00 p.m.
- F. Ms. Kerchner advised that the Elected Auditor’s Meeting will be held on January 7, 2025 at 8:00 a.m.
- G. Treasurer’s Bond – Mrs. Gunnet advised that with the construction of the Community Center, there will need to be more funds available than her bond limit. She stated that she reached out to the auditing firm to determine how to handle this situation. They recommended that she make the Board aware that this will occur.
- H. Windsor Valley Farm Market – Thank you for decoration in front of building – Ms. Kerchner stated that the decorations at the front of the Township Office look beautiful. Mrs. Gunnet thanked the owners of Windsor Valley Farm Market for their donation.
- I. Approval to replace chiller – \$94,902.00 – Mrs. Gunnet advised that it is a 13 to 15 week lead time to receive the chiller once the order is placed. Ms. Kerchner questioned when the invoice would be paid. Mrs. Gunnet advised that it would be after the chiller is installed. On the motion of Stan Saylor seconded by Kathy Kerchner, the Board approved the purchase of a new chiller for the Township Office in the amount of \$94,902. Motion carried. Three votes yes.

- J. Supervisor compensation – Mrs. Gunnet advised that Act 94 of 2024 increased the rate for supervisor compensation from \$4,125 to \$6,915. The Board may adopt the change. However, this rate increase would not take effect until the time as each Board member is reelected or a new member is elected. Ms. Kerchner questioned how often these changes are made. Mrs. Gunnet stated that it is not often. She added that a decision does not need to be made this evening.
  - K. Dylan Kerchner – Vending machine agreement at Freysville Park – Mrs. Gunnet advised that she had contacted Mr. Kerchner and he is interested in continuing to have the vending machine at Freysville Park. A new agreement is required. On the motion of Stan Saylor seconded by Kim Moyer, the Board approved the Agreement with Dylan Kerchner to operate the vending machine at Freysville Park. Motion carried. Two votes yes. Ms. Kerchner abstained due to a conflict of interest.
  - L. SPCA – Employee cannot drop of stray dog – Mrs. Gunnet advised that she contacted the SPCA to ask if a Windsor Township employee would be permitted to drop off an animal in an emergency situation. She was informed that they would not be permitted to do so as they do not have training for the handling of animals.
  - M. 2025 General Liability, Auto, Property, Workmen’s Compensation renewal – Mrs. Gunnet advised that based on the Board’s request to shop for insurance coverage, she will be meeting with H.A. Thomson to discuss a quote. She stated that Kocman Insurance is shopping different companies as well.
  - N. Transfers: Solid Waste Fund to General Fund  
General Fund to Vehicle & Equipment Fund  
  
Mrs. Gunnet advised that based on the ending balance in General Fund, the \$300,000 transfer from Solid Waste Fund is not needed.  
  
Mrs. Gunnet advised that the transfer from General Fund to Vehicle & Equipment Fund will be in the amount of \$3,996.08. This represents remaining balances in specific spending accounts. On the motion of Kathy Kerchner seconded by Stan Saylor, the Board authorized the transfer. Motion carried. Three votes yes.
  - O. Executive Session – Potential litigation – Ms. Kerchner advised than an Execution Session will be held after the meeting to discuss potential litigation.
12. Unfinished Business – There was none.
13. Public Comment – Mr. Allison advised that Steve Olkowski of Red Lion Salvage is present this evening and he would like for him to address the Board. Mr. Allison explained that Mr. Saylor had been approached by someone who was concerned about open violations at Red Lion Salvage.

Mr. Olkowski advised that all of his licenses to operate the junk yard are valid. He has approvals from PennDEP and PennDOT. Mr. Allison stated that he and Mr. Olkowski are aware that there are still open violations based on the approvals from the Zoning Hearing Board. They have agreed that Mr. Olkowski would meet all the requirements from the York County Conservation District and PennDEP before moving forward with the installation of fencing. He noted that these requirements stemmed from the fire that occurred approximately 7 years ago. Mr. Saylor questioned when the fence may be installed. Mr. Olkowski stated that he does not have a timeframe.

14. Supervisors Comments – Ms. Kerchner asked the Board if they had any comments.

Mr. Saylor and Mr. Moyer wished everyone Happy Holidays.

Ms. Kerchner also wished everyone Happy Holidays and thanked the residents for attending the meeting this evening. She commented that this is a Board that is willing to listen.

15. On the motion of Kathy Kerchner seconded by Stan Saylor, the bills were approved. Motion carried. Three votes yes.

16. The meeting of the Windsor Township Board of Supervisors adjourned into an Executive Session to discuss potential litigation at 7:54 p.m.

Respectfully submitted,

Jennifer L. Gunnet  
Secretary

CITIZENS PRESENT

December 16, 2024

|                      |                                    |
|----------------------|------------------------------------|
| Keisy Mar Puterio    | 3381 Cape Horn Road Red Lion PA    |
| Joshua David Puterio | 3381 Cape Horn Road Red Lion PA    |
| Andrew Nelson        | 3550 E. Prospect Road York PA      |
| Paula Nelson         | 3550 E. Prospect Road York PA      |
| Christine Emma       | 20 Patterson Ave Windsor PA        |
| Vickie Witmer        | 879 Delta Road Red Lion PA         |
| Jeri Dettinger       | 324 Pleasant Corner Ct Red Lion PA |
| Dan Hoerr            | Patterson Avenue Windsor PA        |
| Mike Herring         | White Oak Road                     |
| Calvin Nelson        | 3540 E. Prospect Road York PA      |
| Lauren Courtney      | 1011 Delta Road Red Lion PA        |
| Gary Bartnik         | 1011 Delta Road Red Lion PA        |
| Charles Beaston      | 23 Hawk Lane                       |
| Chief Damon          | York County Regional Police Dept.  |
| Daniel Orwig         | Windsor Township Fire & Rescue     |
| Steve Olkowski       | Red Lion Salvage                   |
| Carol Miller         | LMES Enterprises LLC               |
| Bob Asper            | LMES Enterprises LLC               |
| Adam Anderson        | Site Design Concepts               |