

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

December 19, 2011

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

Those present: Jan Smith, Dean Heffner, Paul Smith, Attorney Charles Rausch, Mike Hess, 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 Dean Heffner seconded by Paul Smith, the minutes of the December 5, 2011 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 Pennsylvania Department of Environmental Protection with the review comments for the Act 537 Plan. She noted that the Board has received a copy. There were 4 comments which will be addressed by the Consultant. She added that there will be discussions at the January 16th meeting on how the sewer projects will be prioritized.
 - C. Mrs. Gunnet advised that she has received a notification from Comcast that the exercise channel will be moved to the On Demand channel.
 - D. Mrs. Gunnet advised that she has received an update from Eric Bistline from the Department of Emergency Services for the month of November. She stated that there were no major problems. She added that the number of transmissions has decreased due to better weather conditions.
5. Approval of Plans:
 - A. **TAYLOR, SCOTT E. & JENNIFER M. – Final Subdivision Plan #09052 by Shaw Surveying for 2 lots on Brownton Road** – Mr. Allison advised that this subdivision plan is split between Chanceford and Windsor Townships. He noted that his comments have been addressed and there are no proposed improvements in the Township. Chanceford Township has approved the plan. **On the motion of Paul Smith seconded by Dean Heffner, the Board approved the plan. Motion carried. Three votes yes.**
 - B. **BENJAMIN E. & GENEVA K. FREY ESTATE – Final Subdivision Plan #110303 by James R. Holley & Assoc. for 8 lots along White Oak Road – Approval and waivers** – Patti Fisher with James Holley & Associates advised that this subdivision is located at the corner of White Oak Road and Manor Road. She described the proposed lot configuration,

noting that in the settling of the estate, some of the lots are add ons to adjoining lots owned by other members of the family. There is only one new building lot being created.

Ms. Fisher advised that they are requesting 3 waivers. They are for the extension of public sewer, extension of public water and widening of White Oak Road. Ms. Fisher advised that they will be connecting to public sewer by means of a force main and lateral but they do not want to extend the main. She explained that there is public water on Manor Road. However, there are several houses between this property and the water main. Ms. Fisher noted that this property is located outside the growth boundary line. Mr. P. Smith asked what the road right-of-way is. Mr. Allison advised that it will be 25' on their side of the road, which is the standard amount. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved the waivers. Motion carried. Three votes yes.**

Attorney Rausch questioned the proposed driveway easement on Lot 1. Ms. Fisher advised that the dwelling on the adjoining property currently uses the driveway on this lot. She noted that there is also an existing driveway access on this adjoining property. Attorney Rausch asked if there is an agreement for the driveway access and expressed his concern with the word "proposed". Ms. Fisher noted that both Lot 1 and the adjoining lot are owned by the same person. After discussion, it was determined that there should be a strikeout over the word "proposed" and the change should be initialed by the property owner. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved the plan with the condition that the change as described is made to the plan. Motion carried. Three votes yes.** The plans were signed but will not be recorded until Mr. Frey makes the necessary change.

6. Adoption of 2012 Budget – Mrs. Gunnet advised that the tax rates will remain the same as 2011 with the Real Estate at .6 mils, Fire Hydrant at .1 mils and Street Light at .3 mils. She noted that approximately 50% of the budget is for public safety. The sewer rental fee will remain at \$97.50 per quarter.
 - A. **On the motion of Paul Smith seconded by Dean Heffner, the Board approved Resolution #11R-12-01 to set the Tax Levy rates. Motion carried. Three votes yes.**
 - B. Mrs. Gunnet advised that the employee contribution rate will remain at 2%. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved Resolution #11R-12-02 to set the Pension contribution rate. Motion carried. Three votes yes.**
7. **Public Hearing – Ordinance #11-12-03 – Proposed Amendment to Zoning Ordinance regarding building height in C-1 zone** – Mr. Allison opened the Public Hearing. He advised that the proposed amendment would amend Section 210.6 to allow the maximum building height in the C-1 zone to be increased from 35' to a maximum of 50' provided that an additional one foot of setback is provided for every one foot of additional building height over 35'. This amendment would only apply to lots 10 acres or more in size. He advised that the Windsor Township Planning Commission recommended approval on September 15, 2011. The York County Planning Commission recommended denial. Mr. J. Smith questioned their reasoning. Mr. Allison advised that they felt the change should affect all parcels in the C-1 zone, not just those with 10

acres or more. They also felt the change should be made with the Zoning Ordinance rewrite. He noted that changes can be made to this Section in the new Ordinance. There were no questions from the public and the hearing was closed. **On the motion of Paul Smith seconded by Dean Heffner, the Board approved Ordinance #11-12-03. Motion carried. Three votes yes.**

8. Solicitor – Attorney Rausch did not have anything to report.

9. Township Engineer:

A. **Ordinance #11-12-02 – Windsor Township Storm Water Management Ordinance** – Mr. Hess advised that the details of the proposed ordinance had been discussed in September. The only change since then was to add a clause that no modifications or waivers could be granted without DEP approval. The new ordinance is a hybrid between the existing and model ordinances. Attorney Rausch questioned if this Ordinance deals with easements. Mr. Allison advised that the Township did not choose to adopt the model ordinance as written so this section was not included. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved the Ordinance. Motion carried. Three votes yes.**

B. **John Davis – 800 Lombard Road – Waiver of land development plan** – Kent Raffensberger from Johnston & Associates advised that he is present on behalf of John Davis. Mr. Hess explained that a zoning violation had been issued to Mr. Davis because a gravel parking lot was installed at this property. Mr. Davis has requested a waiver of submitting a land development plan. The Windsor Township Planning Commission has recommended approval. Mr. Hess stated that he does not have any technical objections and feels that the storm water management requirements can be met. Mr. Allison advised that a Site Plan had been submitted and the storm water calculations had been provided. Mr. Hess stated that he feels the Township should take procedural precautions. He recommended that the Board not officially approve the waiver until the storm water controls are installed and functioning properly. Mr. Allison noted that Mr. Davis would like to have an understanding that the Board is going to grant the waiver because it is cheaper for them to remove the stone pad than go through the land development process. Mr. Heffner asked if a time limit should be set to have the storm water controls installed. Mr. Allison stated that he thinks this is a good idea. Mr. Raffensberger advised that they want to install the controls properly and will not be able to do so over the winter months when the ground is frozen. He suggested a deadline of June 1st. **On the motion of Dean Heffner seconded by Paul Smith the Board approved the waiver request with the condition that the installation of the storm water management controls are installed, inspected and approved by the Township Engineer by June 1, 2012. Motion carried. Three votes yes.**

10. Public Works:

A. Mr. J. Smith advised that the Board has received a copy of the Monthly Report for December. There were no questions.

- B. Approval to purchase – Snow blower – Mr. J. Smith advised that a quote has been received from Messick's in the amount of \$6,100. Mrs. Gunnet advised that the snow blower will be used for the clearing of the sidewalks at the park. She noted that it is budgeted in 2012. Mr. Trout added that this is the costars price. **On the motion of Dean Hefner seconded by Paul Smith, the Board approved the purchase of the snow blower. Motion carried. Three votes yes.**
- C. Mr. Trout advised that the proposal for the maintenance agreement for the generator at the Township Office with Winter Engine is the same as it has been the last 2 years. He stated that they have done a good job. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved the maintenance agreement with Winter Engine in the amount of \$390. Motion carried. Three votes yes.**
- D. Mr. J. Smith thanked Mr. Trout for the breakdown on the leaf collection. He commented that there were a lot of leaves collected with the old machine. Mr. Trout stated that from mid November until the end of collection, there were many leaves out.

11. Other Business:

- A. Mr. J. Smith advised that the next Fire Chiefs meeting will be held on December 22nd at 7:00 p.m. at Red Lion. Mr. Heffner will be attending.
- B. Mrs. Gunnet advised that the 2012 membership information has been received. Mr. J. Smith stated that last year the Board did not join PSATS. Mr. P. Smith stated that he did not feel like he missed anything. Mrs. Gunnet requested that if the Board does not wish to join, that they approve the purchase of one subscription of the Township News magazine. The Board agreed to the purchase of the magazine only.
- C. Mr. J. Smith advised that the Board has received a copy of the Zoning Report for November. He questioned the signage at Windsor Commons. Mr. Allison advised that the Aaron's store installed their sign prior to obtaining a Building Permit and were fined. He noted that the Building Permit has been obtained and the fine has been paid.
- D. Mrs. Gunnet advised that the site work has not been completed and Wishaven Condominiums is requesting a one year extension of their Site Improvement agreement. **On the motion of Dean Heffner seconded by Paul Smith, the Board granted a one year extension. Motion carried. Three votes yes.**
- E. Mr. J. Smith advised that the Board has received a copy of the breakdown for the 2011 transfer from General Fund to the Vehicle/Equipment Fund. Mr. P. Smith questioned if an additional account was added to the transfer. Mrs. Gunnet advised that she used the same 5 accounts that were approved in the Resolution. **On the motion of Paul Smith seconded by Dean Heffner, the Board approved the transfer. Motion carried. Three votes yes.**

- F. **Freysville Intersection – Update, Payment Application #7 – \$51,508.97 & Change Order #4 – \$2,974.02** – Mrs. Gunnet advised that a meeting was held with representatives from Verizon but they could not make monetary commitments for compensation for the delay in the project. She stated that they will contact their superiors and she will have more information on this at the January 16th meeting. She stated that the Change Order is to repair the sewer laterals to the church. They were not as deep as anticipated. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved Payment Application #7 in the amount of \$51,508.97 and Change Order #4 in the amount of \$2,974.02. Motion carried. Three votes yes.**
- G. **Vacancy – Auditor 4 year term** – Mrs. Gunnet advised that the same individual was elected to the 4 and 6 year terms for Auditor. She chose the 6 year term. The Board has 30 days to appoint someone for the 4 year term. **On the motion of Dean Heffner seconded by Paul Smith, the Board approved to contact Burnell Sprenkle to see if he is interested in the position. Motion carried. Three votes yes.**
- H. New Board member – Mr. J. Smith advised that the new Board member had also been elected to the School Board. He asked if the Township had received the necessary paperwork from him. Mrs. Gunnet stated that Mr. Sechrist had tendered his resignation to the School Board on December 15th which was accepted. Attorney Rausch advised that the only other procedural item that needs to be addressed is that he takes his Oath of Office by or at the first meeting in January.
12. Unfinished Business:
- A. Panorama Hills Pump Station – Mrs. Gunnet advised that she had received an Easement Agreement for the Grace Baptist Church. **On the motion of Dean Heffner seconded by Paul Smith the Board approved the agreement with the Grace Baptist Church. Motion carried. Three votes yes.**
- B. Community Center Feasibility Study – Mrs. Gunnet advised that YSM is planning to have an update to the Board shortly after the beginning of the new year.
- C. Renegotiation of Host Municipal Agreement – Mrs. Gunnet advised that she does not have an update. She noted that the General Manager at Modern has changed and this could be part of the delay.
13. Public Comment – Mr. J. Smith noted that if speakers do not wish to have their address recorded, they must state this when speaking. There was none.
14. Supervisors Comments – Mr. J. Smith asked the Board if they had any comments. Mr. Heffner did not have any.

Mr. P. Smith advised that he was displeased that there was a purchase of \$2,000 to the small tools accounts so close to the end of the year. He stated that the budgeted funds are not lost if they are

not spent. He noted that they would be transferred to the Vehicle/Equipment Fund to be used for items that need to be purchased that are not budgeted for. He stated that there were items purchased that were to be included in the 2012 budget.

Mr. P. Smith wished everyone a Merry Christmas and a Happy New Year. He also thanked Mr. J. Smith for his service to the Township and stated that he enjoyed working with him.

Mr. J. Smith wished everyone a Merry Christmas. He stated that he has enjoyed working with the Board and the staff for the past 6 years.

15. Mr. J. Smith questioned the invoice for the Dump Body. Mr. Trout advised that the check will be held until the truck is correct. On the motion of Dean Heffner seconded by Paul Smith, the bills were approved. Motion carried. Three votes yes.

16. The meeting of the Windsor Township Board of Supervisors adjourned at 6:59 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT
December 19, 2011

Vera Miller

Gene Zimmerman

Bobbie Zimmerman

Kent Raffensberger

Patti Fisher

Charles Wilson

Jerry Stahlman

Timothy F. Pasch

860 Zimmerman Road York PA

860 Zimmerman Road York PA

Johnston & Associates, Inc.

James R. Holley & Associates

1105 Windsor Road Red Lion PA

139 E. Market Street York PA

Pasch, Inc.