

LOWER WINDSOR TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 11, 2018
6:30 P.M.

The Lower Windsor Township Board of Supervisors held their Regular meeting at the Township Community Building at 2425 Craley Road, Wrightsville. The meeting was called to order by Vice Chairman Gerald Kellner at 6:30 p.m. with a pledge to the flag led by Girl Scout Troop #21002. Also present at the meeting were Supervisor Donald Schock; Township Manager Sande Cunningham; Secretary-Treasurer Linda Zimmerman; Zoning Officer Monica Love and Solicitor John Herrold. Chairman Barry Miller and Engineer John Klinedinst were absent. Patrons in attendance: 44

Supervisor Kellner announced that an executive session was held before the meeting for personnel and litigation matters.

PUBLIC COMMENT:

1. ERIC SMITH – PARAMOTOR: Mr. Smith explained that he flies a paramotor and is requesting use of Rexroth Park for the take-off and landing area. The Board did not allow the use stating safety issues for users of the park facilities.
2. GIRL SCOUT TROOP #21002: The Girl Scouts are asking for permission to build a Gaga Pit at Rexroth Park for use by visitors. The group will build and maintain the pit for one year and revert back to the Township for maintenance and upkeep. Motion by Supervisor Kellner seconded by Supervisor Schock to approve the installation at Rexroth Park and to discuss the installation and location with Township staff, motion carried.

APPROVAL OF MINUTES: SEPTEMBER 13, 2018: Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the minutes as presented, motion carried.

REPORTS:

1. POLICE: The monthly report was submitted. Supervisor Kellner reported that we received the lease documents for the 2nd police vehicle. Motion by Supervisor Kellner, seconded by Supervisor Schock to approve the execution by staff upon review and the opinion letter from Solicitor Herrold, motion carried.
2. MANAGER: Ms. Cunningham presented her report for review.
 - a. Ms. Cunningham reminded the Board that the Budget Workshop has been rescheduled for Thursday October 25, 2018 at 6:00 pm.
 - b. Ms. Cunningham reported that PennDot, per the Board request, will conduct a speed study on Mt. Pisgah Road.
 - c. Ms. Cunningham informed the Board that the Foreign Fire Insurance Tax Distribution will be as follows: Craley Fire Co. 50%; Yorkana Fire Co. 25% and East Prospect Fire Co. 25%.
 - d. Ms. Cunningham informed the Board that Craley Fire Co is requesting to attend the Red Lion Halloween Parade on October 29, 2018. Motion by Supervisor Kellner, seconded by Supervisor Schock, to approve the attendance to the Red Lion Halloween Parade, motion carried.
3. SOLICITOR: Atty. Herrold submitted his report for review.
 - a. Atty. Herrold reported that he received a reply from the Mr. Hines of York Water Co. regarding the 4 year warranty on the Canadochly Road project. Atty. Herrold and Mr. Klinedinst reviewed the warranty agreement for items that the Township requested and made revisions as necessary and sent it back to the York Water Co. for approval.
4. ENGINEER: Mr. Klinedinst submitted his report. Ms. Cunningham reported that Mr. Klinedinst received a quote for the ADA door project for \$9,480 (not including electrical). Since this is the only quote received, Mr. Klinedinst is asking for approval to secure the contractor. Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the ADA door project contractor, motion carried.

5. HIGHWAY: Mr. Miller submitted his report.
6. EMERGENCY SERVICES: Reports were received from Lake Clarke Rescue, CVAC, East Prospect Fire Co., Craley Fire Co. and Red Lion Ambulance Association.
7. RECREATION AUTHORITY: Supervisor Kellner announced that because the first candidate declined the Director position and it was extended to the second candidate who accepted the position.

ZONING:

1. A J HOME SOLUTIONS PLANNING MODULE: Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the Resolution 2018-14, motion carried.
2. STORMWATER UPDATE: Ms. Love reported on the York Co Stormwater Authority Implementation Plan and the York Co Coalition for Clean Waters, Phase III Watershed Implementation Plan (WIP). These initiatives led by York County Planning and with the CBPRP Stormwater Consortium, may mean major changes to the future stormwater sediment control and agriculture in our Township. Ms. Love noted that the new WIP is moving away from the sediment reduction requirements, urban areas and the MS4's toward a reduction and removal of nitrogen, focusing on local streams, and concentrating on the agricultural areas and uses in York County. York County is #2 of the top 6 polluting counties in PA. This WIP is looking to get agricultural properties into compliance with the Nutrient Management requirements and having an approved and implemented E & S Conservation Plan in place. With this new initiative and working hand in hand is the York County Planning Commission Stormwater Implementation Plan. There are 4 committees working with the steering committee and looking at the business plan, legal, technical and communication. The County Stormwater Authority is looking at these initial services: Education, BMP inspection/reporting, GIS services and mapping, county based action plan, Ag Stormwater planning/technical assistance, and stormwater planning/coordination. Ms. Love discussed the fees incurred with the current working model according to type/use of property. These rates will generate total revenue of more \$15,000,000.

OLD BUSINESS:

1. ATTY. CHARLES CALKIN – MOON DANCER WINERY:
 - a. Kristy Altland: Spoke in support of Jim Miller and the winery events. Helped her fundraising efforts by offering his facility.
 - b. Dennis Corruzi: Spoke in support of Jim Miller and the winery. Explained that he is a hard-working man and offers his facility to fundraise for certain charity organizations.
 - c. George Naus: Spoke in support of Jim Miller saying he is committed to the community and his business.
 - d. Fred Craver – Spring Hollow Road: Spoke in support of Jim Miller and the winery saying Mr. Miller has supported the community with the events held at his winery.
 - e. Stu Higgins: Spoke in support of Jim Miller and the winery. He is a musician who plays at events and is always conscience of the noise level of his music.
 - f. Jerry Hershey – Overlook Ln: Spoke in support of Jim Miller and winery. He explained Mr. Miller's property is in Clean and Green and supports fundraisers for several charity organizations. He is sorry that one resident can move in and ruin an event facility.
 - g. Deider Lutz: Mr. Lutz plays at events at the winery and says Mr. Miller is an advocate of the arts and supports the art community by offering his facility.
 - h. Fran & Eric McNeal – Stonewyck Hill Rd: Here to support Mr. Miller and the winery. They both have worked at the winery and supported the art/music community and are glad Mr. Miller offers his facility for that use.
 - i. Cory Eisenhart: Support Mr. Miller and the winery events. Mr. Eisenhart has hearing problems and prefers to go to the winery events because the music is not offensively loud. Mr. Miller provides a nice facility to go to.

- j. Kathy Steinbaecher: Supports Mr. Miller and the winery. Mr. Miller allowed the use of his facility to fundraise for her charity. She doesn't think the township should suppress a business.
- k. Jeff Hershey: Supports Moon Dancer Winery and Jim Miller. He has helped Mr. Miller set up the winery events in consideration of adjoining property owners.
- l. Jack Roberts: Supports Moon Dancer Winery and Jim Miller. Mr. Roberts is a musician who has played at the winery. He feels this is a wonderful family environment.
- m. Kim Godfrey – East Prospect: Supports Jim Miller and Moon Dancer Winery. She attends events at the winery. Complaints have only started recently by a new resident. She asked if you don't like the smell of manure why would you move by a farm.
- n. Jim Miller – owner of Moon Dancer Winery: Mr. Miller thanked everyone who came to support him and Moon Dancer Winery. Mr. Miller is asking for support from the Township by adopting a noise ordinance to regulate amplified music so it would exempt the PLCB regulations. Mr. Miller stated he started the winery in 2003-2004 and came before the Zoning Hearing Board in 2005 to get approval for his event uses. Mr. Miller explained that the PLCB is only concerned with the amplified music so if surrounding residents can hear the music, they would be in violation of the PLCB regulations.

Atty. Steve McDonald from CGA spoke regarding the need of a noise ordinance. Discussion took place on what Mr. Miller is asking the Township to establish through an ordinance. The Board asked who will pay for our solicitor to work on this matter. Mr. Miller and Atty. McDonald both stated they will pay for Atty. Herrold's time. Motion by Supervisor Schock, seconded by Supervisor Kellner to approve Atty. Herrold to work up to 8 hours to research the PLCB requirements and process, motion carried.

NEW BUSINESS:

1. KOCHENAUR, EARNEST, SMYSER & BURG – ACKNOWLEDGE AD FOR 2018 AUDIT: The Board acknowledged the ad and authorized to proceed with advertisement.
2. SPCA AGREEMENT: Ms. Cunningham reported that the 2019 SPCA contract will remain the same at \$3,691.00. Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the 2019 SPCA contract, motion carried.
3. YORK WATER COMPANY: Ms. Cunningham informed the Board that the York Water Company would like to install fire hydrants on Canadochly Road between 600 and 1,000 ft. intervals. Casey Smith from the Craley Fire Co suggested that 1,000 ft. intervals would be appropriate. The Board asked Ms. Cunningham to find out what the cost for the hydrants would be at the 1,000 ft. intervals.
4. APPROVAL OF BILLS: Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the bills as listed in the amount of \$275,942.72, motion carried.
5. OTHER PERTINENT BUSINESS: None

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Linda J. Zimmerman, Secretary