

LOWER WINDSOR TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
MAY 30, 2019
6:30 PM

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 Chairman Barry Miller at 6:30 p.m. with a pledge to the flag. Also present at the meeting were Vice Chairman Gerald Kellner, Supervisor Donald Schock; Township Manager Sande Cunningham; Secretary-Treasurer Linda Zimmerman; Zoning Officer Monica Love; Solicitor John Herrold; and Chief Dave Arnold. Patrons in attendance: 12

Chairman Miller announced that an executive session was held before tonight's meeting for personnel issues.

PUBLIC COMMENT:

1. TIM O'DONNELL – REPUBLIC SERVICES: Mr. O'Donnell was here along with Rusty Frey to report on the status of the landfill and the agreement with the Township. Mr. O'Donnell noted that the landfill will meet permitted capacity by 2025 and at that time they may seek to expand into Lower Windsor Township which would initiate a new agreement with the Township. Mr. O'Donnell explained some of the benefits provided by the landfill are street sweeping; traffic light maintenance; funding for fire hydrants and spring and fall clean-up. Some of the new benefits being discussed include a lump sum payment for a salt shed, new gym floor and other projects, free trash collection, and annual payments to building and EMS services. Mr. O'Donnell said there are a lot of decisions that have to be determined before they get to the point of expansion.

APPROVAL OF MINUTES – MAY 9, 2019: Motion by Supervisor Schock, seconded by Supervisor Kellner to approve the minutes as presented, motion carried.

REPORTS:

1. MANAGER:
 - a. Traffic Study – Mt. Pisgah Rd.: Ms. Cunningham reported that she received a response back from PennDot on the request for a traffic study on Mt. Pisgah saying that the distance is not long enough to perform a study. PennDot asked if they could extend the study to Poff Road. PennDot also noted that if the study indicates that the speed should be reduced the Township would be responsible for the cost and installation of the signs. The Board concurred to proceed with the traffic study to Poff Road and acknowledge the responsibility for the cost and installation of the signs.
 - b. Recreation Authority: Ms. Cirilo questioned if the recreation authority could hang sponsor banners at the Rexroth Park fields and hold a yard sale fundraiser at the park.

Motion by Supervisor Kellner, seconded by Supervisor Schock to allow the banners on a seasonal basis and to waive the permit fee for the yard sale fundraiser, motion carried.

ZONING:

1. KOHR – LAUXMONT MEADOWS 565-09SLD – TIME EXTENSION: Ms. Love informed the Board she received a request from the Kohr family for an extension of the Lauxmont Meadows plan. The preliminary plan was approved by the court in November of 2006 and with the Time Extension Act the time extended until May 3, 2019. Atty. Charles Suhr's opinion was that time has expired and the Board has no power to grant an extension. Mr. Ron Kohr was present and made allegations dating back to 2002 against the township regarding meetings that occurred in 2002 and 2003. The Board indicated they had no knowledge of any meetings that occurred at that time. Mr. Kohr explained they are asking for a year extension to protect the plan's value because they don't have zoning with this plan. Mr. Kohr said they are currently trying to put it into a conservation easement and he personally doesn't care how this is resolved; either sells to conservation, develops it or fights it out with the township but prefers to go through with the conservation of the property which is currently being appraised. Mr. Kohr stated he is trying to keep the plan in place until October but would prefer a year and would prefer not to get into any legal messes. Chairman Miller commented that they must take their solicitor's opinion that they cannot take any action on the plan because the time limit has expired. Supervisor Kellner questioned if there is a dispute with the time limit and Mr. Kohr said that it's too technical to determine the start date. Chairman Miller noted that if requested to do so, the township could possibly assist in obtaining agricultural easements. The Board did not approve the request for the extension of the time limit. Mr. Kohr noted that if they appeal the lack of extension, during the appeal, they will get into the duress that the Township put upon them.
2. FLOOD PLAIN MANAGEMENT: Ms. Love reported she attended two Floodplain Management seminars and informed the Board that we may have to update our ordinance again within the next 2 years for some regulations that will be coming. We are now required to regulate any development within the floodplain and the definition in our flood plain ordinance is different than theirs. With these new regulations our zoning ordinance conflicts with the flood plain ordinance. Staff discussed how to notify the residents of these new regulations for obtaining permits within the floodplain.

OLD BUSINESS:

1. NOISE CONTROL FOR AGRITAINMENT ORDINANCE – RESOLUTION 2019-12 TO PLCB: This is a resolution in support of the petition being sent to the PA Liquor Control Board for the Township to enforce our Noise Control for Agritainment Ordinance 2019-01. Motion by Supervisor Schock, seconded by Supervisor Kellner, to approve resolution 2019-12 to be sent to the PLCB, motion carried. Motion by Supervisor Kellner, seconded by Supervisor Schock to approve the petition to PLCB for enforcement of the Noise Control for Agritainment Ordinance and authorize submittal after all exhibits are received, motion carried.

NEW BUSINESS:

1. RESOLUTION 2019-11 – EMERGENCY BRIDGE REPAIRS: Ms. Cunningham updated the Board on the Meadow Road Bridge stating that because of an inspection by HRG, Windsor Township had to install a steel plate along the decking of the bridge as a temporary fix until we receive approval by DEP to repair the bridge. This resolution will expedite the approval process for the work. Motion by Supervisor Schock, seconded by Supervisor Kellner to approve Resolution 2019-11, motion carried.
2. CHIEF ARNOLD – SRO MOU WITH EASTERN SCHOOL DISTRICT: Chief Arnold provided the MOU to the Board for review noting that an officer has been appointed and the last thing needed is final approval of the MOU. The Board recommended seeking a longer initial MOU term of 3 years.
3. OTHER PERTINENT BUSINESS: None

Meeting adjourned at 7:32 pm

Respectfully submitted,

Linda J. Zimmerman
Secretary