

LOWER WINDSOR TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 10, 2020
REGULAR MEETING
6:30 PM

This meeting was conducted both in person and electronically pursuant to Governor Wolf's Order that the maximum room capacity is limited to 25 (which includes staff)
Masks and social distancing required

The Lower Windsor Township Board of Supervisors held its regular meeting in person and electronically. Chairman Miller called the meeting to order at 6:30 pm with a pledge to the flag. Also present were Supervisors Donald Schock and George Yakubowski; Township Manager Sande Cunningham; Secretary-Treasurer Linda Zimmerman; Zoning Officer Monica Love; Solicitor Andrew Herrold; Engineer John Klinedinst and Sgt. Jim Thomas. Patrons: 15 in person and 18 electronically.

PUBLIC COMMENT: Comments were received by several residents.

1. Mr. Ilgenfritz questioned what happened with the Citizens Advisory Group meetings? Chairman Miller stated the Board has not disbanded the advisory group and have taken into consideration all the suggestions and requests from the advisory group meetings. These suggestions have been discussed with our lawyers and will be integrated into the host agreement. The proposed host agreement will be available for comments and questions before the Board takes action on it.
2. Mr. Lauer reminded the Board they agreed to allow the Citizens Advisory Group to investigate opposing the landfill expansion.
3. Mr. Carpio expressed concerns about the health issues that come from landfills. We must protect this community. Chairman Miller replied we are looking out for all the citizens of the township when we make decisions.
4. Mr. Myers asked the Board to put a vote out for the people to decide.
5. Other comments were received:
 - a. Does not want Landfill as a neighbor. Stated all landfills should be stopped.
 - b. Asked what is gained? Is this just for the money? This is invading and threatening our way of life.
 - c. Having trouble with the audio and hearing people talk.
 - d. Will the residents have an opportunity to address the Board before they vote on this.
 - e. Has the Board not come up with an agreement yet? Has the Board considered another way to communicate with the advisory group and give status updates?
 - f. Use of Facebook page to communicate with residents to voice their opinions. Ms. Cunningham replied that the township Facebook page has not been accessible since the meeting in May. Atty. Herrold mentioned that if we allow comments, we must allow all comments, even if they are distasteful, we cannot censor those comments.
 - g. Send newsletter, put the word out to everyone about the landfill.
 - h. Send out survey to residents and let them voice their opinion.

- i. Should have fair, no-one sided opinions.
 - j. Get help from an environmental organization to help provide legal services for free. The Community Environmental Legal Defense Fund (CELDF) also assists in education and grass roots organization.
 - k. What will happen if the Board says no to expansion?
6. MS. GARBER, Atty for Landfill: Ms. Garber stated that there are several different levels of decisions and approvals the township will have to make. If the Township says no, there may be opportunities for appeals. We are in the very first step in pursuing expansion. The point we are right now with the Township, has to do with the contract and the benefits the Township will get if there is an expansion. This does not approve the expansion, just sets the benefits that will flow to the township if the expansion gets approved by the Township. There are multiple levels during which there will be detailed applications and opportunities for comment, and then before the DEP as well. Comment was received that the proposed agreement ties the hands of future residents to have any say in the future.

APPROVAL OF MINUTES – AUGUST 13, 2020: Motion by Supervisor Schock, seconded by Supervisor Yakubowski to approve the minutes as presented, motion carried.

REPORTS:

1. POLICE: Chief Arnold submitted his report for review. Mr. Schock complimented the staff on the Police brochure that was prepared by the Department staff. Sgt. Thomas also reminded everyone “Coffee with a Cop” will be held next Wednesday, September 16, 2020 at 6:00 pm.
2. MANAGER: Ms. Cunningham submitted her report.
 - a. Noted that the Fall/Winter Newsletter is available online.
 - b. Noted the York County Convention is cancelled.
 - c. Reported a resident asked to have a sign posted to warn of curve on Knights View Rd. The Board asked Ms. Cunningham to explain to the resident that we cannot place a sign for curves because it is not warranted under the Manual on Uniform Traffic Control Devices. However, Mr. Klinedinst will review the site to confirm.
3. SOLICITOR: Atty. Herrold submitted his report.
4. ENGINEER: Mr. Klinedinst submitted his report.
 - a. Noted he received confirmation on the delivery of the culvert for September 23rd. Prep work to begin the week of September 21st and the road will be closed for at least 2 weeks.
 - b. Will have results of Snyder Corner Road study at the next meeting.
5. HIGHWAY: Mr. Miller submitted his report.
6. EMERGENCY SERVICES: Reports were submitted by CVAC, Yorkana Fire Co., Craley Fire Co., East Prospect Fire Co.

7. RECREATION AUTHORITY:

- a. Chairman Miller noted that the authority adopted a policy to follow the school district's scheduling for canceling sporting events.
- b. Reported Tomlinson-Bomberger has donated time and materials for the reseeded of the fields at Barshinger Fields.

ZONING:

1. LANDMARK HOMES – STORMWATER WAIVER REQUEST – 3 CAMELOT LANE: Landmark Homes is requesting a waiver of Section 308B.4 to reduce the required pipe diameter to 12" instead of 18" for installation underneath the driveway in the Township right-of-way for stormwater management. Motion by Supervisor Yakubowski seconded by Supervisor Schock to grant the waiver of Section 308B.4 for 3 Camelot Lane, motion carried.
2. FISHING CREEK ROAD SIGNAGE: At the request of Chief Arnold, staff reviewed the existing stop sign on Fishing Creek Road where the short connector street from Bull Run Road has been abandoned due to the pipe removal. Mr. Klinedinst recommends removal of the stop sign according to the Manual on Uniform Traffic Control Devices because it is not needed. Motion by Supervisor Schock, seconded by Supervisor Yakubowski to remove the stop sign as recommended, motion carried.
3. KNIGHTS VIEW ROAD SIGNAGE: At the request of Chief Arnold, staff reviewed the existing stop sign on Knights View Road where a tree is obstructing the view of the stop sign. Mr. Klinedinst recommended that a stop sign ahead sign is warranted only if the tree cannot be trimmed back further or removed. Chairman Miller knows the owners and will talk with them to remedy the problem.

OLD BUSINESS:

1. TIM O'DONNELL – REPUBLIC SERVICES – CONCEPTUAL DRAWING OF EXPANSION: Mr. Tim O'Donnell is fulfilling his promise by presenting the conceptual drawing of the possible landfill expansion. Mr. O'Donnell described this as the overall general concept of the expansion and stated that the proposed footprint is less than the current site and less acreage in the disposal area as well. Mr. O'Donnell expressed that there are many steps in this process and the plan may be subject to further regulatory requirements and investigation. Mr. O'Donnell expressed they are thankful for the relationships with the Board, neighbors, and business community. Mr. O'Donnell noted they are committed together with the Township and community to make sure the project is developed safely and responsibly and to ensure we can enable prosperity and environmental stewardship for decades. Mr. O'Donnell requested that any questions on the expansion plan be emailed into the Township or by completing a form on the ModernLandfillPA.com website. Mr. O'Donnell stated there will be ample time for comment for every process.

Comments received from residents:

- a. Landfill is an existing Superfund site. How are they cleaning it up?
- b. Regardless if they clean-up the site and maintain the landfill, it will still be there.

- c. Are you aware of fault line that exists under landfill?
- d. Very aware that the landfill supports the community. Are meetings advertised? Are private meetings being held?
- e. Board can stop expansion on their own. Courts are negligent to overturn decisions by governing body.
- f. Needs to be rezoned and that is how we can stop it.
- g. It is polluting our wells, air, streams, and rivers. The land can never be used again for crops. Why not use waste to energy management program?

NEW BUSINESS:

1. 2021 MMO – POLICE & NON-UNIFORM PENSION OBLIGATION: Mrs. Zimmerman informed the Board that the 2021 Pension obligation to the Police Plan will be \$181,740 and \$27,072 for the non-uniform plan.
2. APPROVAL OF BILLS: Motion by Supervisor Schock, seconded by Supervisor Yakubowski to approve the bills as submitted in the amount of \$142,295.79, motion carried.
3. OTHER PERTINENT BUSINESS: None

Meeting adjourned at 8:26 p.m.

Respectfully submitted

Linda J. Zimmerman
Secretary