

LOWER WINDSOR TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
NOVEMBER 10, 2022  
6:30 PM

The Lower Windsor Township Board of Supervisors held their regular meeting at the Township Community Building at 2425 Craley Road, Wrightsville PA. The meeting was called to order by Vice-Chairman George Yakubowski at 6:30 p.m. with a pledge to the flag. Also present at the meeting were Supervisor Phil Rohrbaugh; Township Manager Sande Cunningham; Secretary-Treasurer Linda Zimmerman; Solicitor Andrew Herrold; Engineer John Klinedinst; Zoning Officer Monica Love; and Chief Thomas. Chairman Donald Schock was absent. Patrons in attendance: 26

**PUBLIC COMMENT:**

1. JOANN DIETZ: Mrs. Dietz thanked the Board for stopping the landfill expansion. She addressed the contaminates in Kreutz Creek and expressed we are not doing enough and must be proactive for safe and clean water. At the last meeting you asked me to become an activist. Mrs. Dietz stated she is not an activist but a concerned conservative resident of the Township and feels clean water is a fundamental right that we should enjoy and deserve. Since the last meeting, a group of concerned residents have met and discussed how we can work together to address these concerns and find solutions.
  - a. With the osmosis system the landfill will be implementing, how will we address the wastewater that will contain highly toxic by-products from the extraction process.
  - b. We have an environmental committee who is willing to volunteer their services. Have we accepted Hellam Township's proposal to work with them or are we going to form our own environmental committee to address these types of environmental issues?
  - c. The residents should receive monthly updates on the status of the discharge permits for the leachate pipe. It should be the township's responsibility to conduct these tests, not the Riverkeeper. Or donate to the Riverkeeper for conducting these tests.
  - d. Our Township should be in contact monthly with the new discharge permits for leachate pipe. This would keep a pulse on making sure these permits get completed.
  - e. A position should be for a moderator to report and observe back to our township supervisors with the results and finding from all the testing.
  - f. We have been told the landfill will be closing in 2025. When do we become proactive to clean up the site, which is already considered a Super Fund Site. A comprehensive plan should be in the works.
  - g. It was brought to our attention that wells have serious contaminants in them. Residents are concerned about their wells and the health and safety factors associated with the toxins coming from them. Could the Township pay for these tests or compensate the residents in some form?
  - h. Look at adopting an ordinance to address these concerns.
  - i. Signage should be posted at the bridge where the testing of the leachate pipe is being performed and along the creek at different spots where children play and pets wade. This is very toxic, and the residents should be warned.

Mrs. Dietz expressed this is a huge task that should have happened years ago, but it seems the Township takes small bites at a time to address issues when they become dire. Now is the time to look for

solutions for what we need to address now and what we'll be facing in the future. We want to work together to solve these issues and become good stewards of the community for generations to come.

2. TED EVGENIADIS – RIVERKEEPER-LOWER SUSQUEHANNA RIVER: There are a lot of concerns from residents of contaminated wells. Would the township support these well tests? We have received reports that some wells have PFOA's contaminants. It was determined that the York County Kreutz Creek area has the largest levels of contaminants in the country. These compounds are found in candy wrappers, non-stick cookware, water resistant clothing, and a lot of other things that we use. Looking for support to conduct these well testings from the Township. We may need to obtain an expert to look at this contamination issue. Mrs. Dietz asked if there will be continued communication.

Supervisor Rohrbaugh responded to the comments by expressing the Board heard the community's concern about the water situation. The township responded with a mailing to inform the residents of the contamination issue. Ms. Cunningham and one of the Supervisors met with the Northeast Area President of Republic Services to convey these concerns and requested a town hall meeting be considered with township residents to discuss their views and concerns. It was also requested that PADEP be present in these meetings to speak directly to residents. We were advised that Republic Services will consider our request. One of our board members contacted PADEP and asked them directly to address the Township community about concerns they have relative to the Landfill and its impact on ground and service water in the Township. It was further requested, if they could not have this type of meeting, that they would provide us a full explanation so that we could post it on the township website. Additionally, they agreed that if we provided them questions that they would provide us with responses that could be posted to the township website along with those questions. We previously reported to the community we rely on EPA and PADEP to regulate and provide oversight to the landfill and we do not have statutory authority to regulate it.

3. JIM SMITH: Questioned what Supervisor Rohrbaugh mentioned about DEP and EPA providing oversight of the landfill. He also stated that the Township has the ability too. Questioned when we gave out permits, did we verbally let the applicants know about the contamination issues.

#### REPORTS:

1. POLICE: Chief Thomas summarized his report.
  - a. Summarized police activity report.
  - b. Chief Thomas joined the Opioid Drug Force
  - c. Explorer repairs are due to be completed early next week.
  - d. Asking for Board approval to take Sgt. Leach off probation. Motion by Supervisor Yakubowski to take Sgt. Leach off probation, seconded by Supervisor Rohrbaugh, motion carried.
  - e. High number of dispatches and additional hearings for officers this month.
  - f. Supervisor Rohrbaugh questioned the increase in drug activity. Chief Thomas attributes this to level of staffing so our young officers can do more drug stops. Ofc. Lawrence and Ofc Lake will be taking additional classes on drug addiction and contraband search.

APPROVAL OF MINUTES: OCTOBER 13 AND 27, 2022: Motion by Supervisor Rohrbaugh seconded by Supervisor Yakubowski to approve the minutes as presented, motion carried.

2. MANAGER: Ms. Cunningham submitted her report for review.
  - a. Noted the camera system is currently being updated.
  - b. Asked the Board if they approve of the change to LED lighting in the new salt storage shed. Board agreed with LED lighting.

- c. Stated the repair/upgrade for the salt shed is continuing. Mr. Klinedinst added that a lighter gauge siding will be used, and a credit issued. Any T1-11 that will be removed will be replaced with 5/8's CDX plywood. Fastening of the T1-11 and wrapping with metal cladding will be done. They will be ready to move salt back in next week.
  - d. PADOT responded to a request from Craley Fire Co to place a flashing signal at the station, stating they needed engineered drawings before they can approve the signal. Ms. Cunningham asked for approval to have C S Davidson move forward with the drawings. She also questioned who would burden the expense. The Board agreed to have C S Davidson prepare the drawing and the Township pay for the expense due to the service the Fire Company gives to the community.
- 3. SOLICITOR: Atty. Herrold submitted his report for review.
  - a. Atty. Herrold noted that York County passed a resolution for tax assistance for fire fighters and EMS which gives credit on property taxes. Supervisor Rohrbaugh said this is encouragement to volunteer. And will also help with retention of volunteers. Atty. Herrold will draft a resolution for the Board to review.
- 4. ENGINEER: Mr. Klinedinst submitted his report for review.
  - a. Mr. Yakubowski questioned why they can't use pressured treated wood at the salt storage shed. Mr. Klinedinst said it is not recommended because of the salt being corrosive.
- 5. HIGHWAY: Mr. Miller submitted his report.
- 6. BUILDING MAINTENANCE: Mr. Taylor submitted his report.
- 7. EMERGENCY SERVICES - JESSE FRANTZ:
  - a. Two members from Craley Fire Co. and East Prospect Fire Co. passed the interior classes and are joining the ranks.
  - b. Craley, East Prospect, and Wrightsville Fire Co.'s underwent hose testing in each station. This offered them savings on the cost of testing.
  - c. Operating guidelines went live on November 1, 2022.
  - d. Fire alarm problems have ceased to exist.
  - e. Reports were received from Craley Fire Co., East Prospect Fire Co., EMA, and CVAC-LifeTeam. Supervisor Rohrbaugh inquired if we received any report from Yorkana Fire Co. No report was received.
- 8. RECREATION AUTHORITY: Ms. Cirilo submitted her report.
  - a. Ms. Cunningham attended this month's meeting and noted Molly Miller will be resigning at the end of the year and the new representative is going through training with Molly.

ZONING:

- 1. YORK CO. HARLEY DAVIDSON OWNERS ASSOCIATION – REQUEST TO HAVE ALCOHOL AT AN EVENT: Mr. Townsend, president of the association is here to request a letter from the Board authorizing the sale or giving of alcohol on their property during events. This is a new requirement from the PALCB. Atty. Herrold asked what type of group they have applied under to receive a special occasion permit. Mr. Townsend noted they are applying under the fraternity category. A lengthy discussion continued. The Board agreed they must meet Township requirements and must make application for each event by emailing Ms. Love with details of the event, then Ms. Love will bring it before the Board for approval. Chief Thomas remarked they have not had any issues or complaints regarding their events.
- 2. UPDATE TO ZONING ORDINANCE – SHORT TERM RENTALS & UTILITY GRADE SOLAR: Ms. Love provided draft copies of the ordinances for review.

3. COMPREHENSIVE PLAN UPDATE:

- a. Ms. Love noted the comprehensive Plan is on track for 2023 and provided a summary of recreation needs.
- b. Ms. Love along with Ms. Cunningham inspected the grounds of Rexroth Park and noted cracking of pavement, potholes, need for traffic directional signs, the need for shrubs/trees along with stormwater management. Ms. Cunningham also noted that the parking lot is in dire need of paving, oil & chip will not help at this point. Supervisor Yakubowski questioned if we budgeted any of this for 2023. Ms., Cunningham noted we discussed using money from the In Lieu of Fund.
- c. Ms. Love and Ms. Cunningham attended a Susquehanna Riverlands Recreational Summit and learned that Pennsylvania is ranked 6<sup>th</sup> in the country for outdoor recreation economy and recreation is considered big business in PA.

OLD BUSINESS:

1. AUTHORIZE TO ADVERTISE 2023 BUDGET: Motion by Supervisor Yakubowski, seconded by Supervisor Rohrbaugh to approve the ad for the 2023 budget, motion carried.
2. SALT SHED – APPLICATION FOR PAYMENT: Motion by Supervisor Rohrbaugh, seconded by Supervisor Yakubowski to approve the payment to Lauer Construction in the amount of \$64,953.00, motion carried.

NEW BUSINESS:

1. ANIMAL CONTROL SERVICES CONTRACT: After a short discussion the Board tabled this item.
2. AUTHORIZE TO ADVERTISE 2023 MEETINGS: Motion by Supervisor Yakubowski, seconded by Supervisor Rohrbaugh to approve the ad for the 2023 meeting dates, motion carried.
3. KOCHENAUR, EARNEST, SMYSER & BURG – ACKNOWLEDGE AD FOR 2022 AUDIT: Motion by Supervisor Rohrbaugh, seconded by Supervisor Yakubowski to approve the ad for KESB to perform the 2022 audit, motion carried.
4. DONATIONS: The Board has concerns with Yorkana Fire Co not attending training and not running calls in the Township, and if they do it is only 1 or 2 people. The Board tabled this item.
5. APPROVAL OF BILLS: Motion by Supervisor Rohrbaugh, seconded by Supervisor Yakubowski to approve the bills as presented in the amount of \$220,117.20, motion carried.
6. OTHER PERTINENT BUSINESS:
  - a. Supervisor Rohrbaugh questioned the draft solar ordinance.

Motion by Supervisor Yakubowski, seconded by Supervisor Rohrbaugh to adjourn the meeting at 7:57 pm, motion carried.

Respectfully submitted

Linda J. Zimmerman  
Secretary