

**WINDSOR BOROUGH COUNCIL**  
**MINUTES OF MEETING**  
**November 1, 2021**  
**6:00 PM**

**The regular monthly meeting of the Windsor Borough Council was called to order on Monday November 1, 2021** by Matthew Dietz, Council President, at the Borough Municipal Building, 2 East Main St, Windsor PA. Attendance was as follows:

Matthew Dietz, President  
Rebecca Whiteley  
Ron Deckman (absent)  
Brenda Kramer

Larry R. Markel, Mayor  
Donna Martin, Secretary-Treasurer  
Stephen W. Carr, Maint-Supervisor (absent)  
Andrew Miller, MPL Law Firm  
Robert Huska, Codes Enforcement Officer  
John Runge, Gordon L. Brown Jr. & Assoc-Engineer

*Minutes from the October 4, 2021 Council meeting was unanimously approved on a motion from Rebecca Whiteley and second from Brenda Kramer.*

**Approval of November Agenda**

- The November agenda was amended to include signing of Ordinance #3-2021 and an Executive session to take place at the end of the Council meeting. On a motion from Brenda Kramer and second from Rebecca Whiteley, Council members unanimously approved amending the November Council meeting.

**Citizens & Inquiries:**

- Keith Gordon attended the meeting to discuss the possibility of purchasing the meat market located at 73 W First Ave. Mr. Gordon stated that his realtor is submitting a proposal to the owner. Mr. Gordon would like to purchase the property and use it for his business. He currently has several ice cream shops in the area and needs a building that can be used to make ice cream, receive deliveries and possibly use it for customers who want to pick up an order. Mr. Gordon is aware that he will need to go through a Zoning meeting in order to get a Special Exception/Variance in order to use the building for this purpose. Mr. Gordon stated that he will get two deliveries a day; once during the day and once during the nighttime hours. The truck that will make the deliveries will be able to easily navigate the alley. Mr. Gordon stated he will need no more than 5 parking spaces for employees or customers and the property will allow for that many parking spaces.

**Codes Enforcement Officer:**

- Bob reported that there continues to be problems with the property located at 98 W Main St. The property was recently purchased with the understanding from the previous owner that it could be used as a 2 unit rental. Bob informed the new owners that it cannot be used as a 2 unit rental because it does not meet the parking requirements of 2 spaces per unit. The new owners are disputing this because they were not informed of this prior to purchasing the property. Bob stated that the previous owner (Joey Myers) lived in one unit and used the second unit as a rental for a very short time. At some point Mr. Myers reported to the office that the 2nd unit was vacant and being renovated. For many years Bob only knew 1 unit was being lived in so technically this was registered as a 1 unit house. The office records show that Mr. Myers did not inform the office that he was using it as a rental unit. Bob found out all of this information after Mr. Myers sold the property. Bob feels strongly that the new requirement of 2 parking spaces per unit should be enforced. Council members agree because of the many problems with parking issues along Main St.

- Bob informed Council members that the property at 115 E Main St is currently under contract. Tony Randazzo is planning on purchasing the property to use as a rental unit. No repairs from the house fire have been done yet so Mr. Randazzo will need to make all necessary repairs before he can rent it out.
- Bob stated he was just informed that a house on 14 Church St was recently purchased to be used as a rental unit. Bob stated that the new owner was unaware of Borough requirements and the property will need to have 2 parking spaces behind the house. Bob isn't sure if this can be done due to the green space law. Bob is frustrated with owners who purchase properties to be used as rental units then has to fight with them about Borough requirements.

**Mayor:**

- Larry Markel stated that there was a very nice turn out for trick -or-treat. The State Police and the Borough Constable patrolled the area. The pizza shop and Rutters also participated in handing out candy. Larry said there was approximately 150-175 kids out on Halloween night.

**EMA:**

- Larry Markel stated that he will check with Mrs. Leiphart to see if she is still interested in filling the EMA position. Mrs. Leiphart told him sometime ago that she is working on getting the required EMA certifications. Larry will report back to Council members at next month's meeting.

**Engineer:**

- John started that the E. Gay St project is completed and a walk through is scheduled for 11-5-21. John prepared payment request #2 to be approved and signed by Council. John recommends waiting to sign the payment request until after the walk through has been completed. If there any repairs that need to be done, completions must be made before a payment request can be submitted. John will have the application ready to be signed for next month's meeting. John also stated that the project went over budget by approximately \$1,800 due to some changes that were made. John will submit a request for CDBG funds to cover this amount.

**Solicitor:**

- Andy Miller discussed Larry Markel's request from last month regarding landlords being required to provide tenants with an area for dogs to use the bathroom. Andy stated that he researched it and was not able to find any Municipalities that required landlords to provide bathroom areas. Andy stated that the Borough's Pet Ordinance states that all pet owners are required to clean up after their pets so this can be used to give citations. Larry stated that there are several rental units in the Borough that do not have any yard space so this seems to be a main source of pet owners allowing dogs to defecate in the park or in other peoples' yards and not cleaning it up. Larry asked the Solicitor to look into this further to find ways in which landlords can be pressured to get tenants to clean up after their dogs. Bob suggested that landlords would be required to pay an annual fee to the Borough for any tenant that had dogs. This would put pressure on landlords to not allow tenants to have dogs. This will be further discussed next month.
- Andy reported that the new rules of the Sunshine Act clearly states that an agenda must be posted at least 24 hours prior to a Council meeting. The agenda will need to list topics of discussion but most importantly, any items that need to be voted on need to be on the agenda. If the items are not listed then they cannot be voted on unless Council members amend the agenda before starting the meeting. The Engineer and Solicitor will need to submit their reports to Donna at least 4 days prior to the Council meeting so she can add any action items to the agenda.
- Andy presented Ordinance #3-2021 for approval. The Zoning Amendment Ordinance allows an auto repair garage to operate at 99 School House Lane. *On a motion from Brenda Kramer and second from Rebecca Whiteley, Council members unanimously approved Ordinance #3-2021.*

**Council Members:**

- Council members reviewed the annual contract for the York Co SPCA. The annual fee is \$679.80 to use their services. *On a motion from Brenda Kramer and second from Rebecca Whiteley, Council members unanimously approved using the York Co SPCA for 2022.*
- Council members reviewed the annual contract for Klugh Animal Control Services. The rates remain the same as contract year 2021. *On a motion from Rebecca Whiteley and second from Brenda Kramer, Council members unanimously approved using Klugh Animal Control Services for 2022.*
- Council members reviewed the annual contract for MPL Law firm. The hourly rate is \$160. *On a motion from Rebecca Whiteley and second from Brenda Kramer, Council members unanimously approved using MPL Law Firm for 2022.*
- *On a motion from Rebecca Whiteley and second from Brenda Kramer, Council members unanimously approved using Gordon L. Brown/John Runge for Engineering services for 2022.*
- Matt stated that he has been getting complaints about the tax collector. Donna stated that she also has residents who are complaining about not being able to get return phone calls. Matt stated that the check he mailed to her for his taxes has not been cashed for over a month. His wife called and left 2 voice mail messages for the tax collector but she never received a return call. Matt questioned what can be done. Donna offered to speak with Bobbi Jo to find out if there is a problem that she isn't receiving the messages. Donna also stated that if Council members choose not to use a resident of the Borough to collect taxes, they can contract with York Adams Tax Bureau for tax collection services. Donna was not sure what their fee is and will look into this along with what needs to be done in order to use their services.
- Matt asked Council members to think about what the ARPA funds should be spent on and discuss this at next month's meeting. Matt would like to purchase solar electronic speed limit signs and feels they would be helpful in the Borough. Donna will check if this would be an approved purchase. Matt also suggested getting a Borough app that residents can download on their phones. This would be a great resource for communicating important messages to residents. Donna will check into the feasibility of this.
- Matt discussed the E High St project. Matt would like to have the design plans ready to be reviewed by Council members in a few months so that if changes need to be made, John will have time to do that. Matt wants the design plans approved and ready to go when the grant funds become available so that work can be started immediately. John will provide information at next month's meeting.
- Matt asked John to prepare the reconstruction design plans for the Penn St & Main St intersection. Matt stated that the Borough needs to get design plans approved and ready to be submitted to PennDot so that the reconstruction project can be done prior to PennDot paving the state roads. PennDot has not informed the Borough yet of when paving of state roads will be done. John will work on this.

**Secretary-Treasurer:** Nothing to report

**Maintenance:** Nothing to report

***Council members went into an Executive session at 8:15 to discuss an amendment to the approved 2022 General Funds Budget.*** Steve and Donna presented information and a request to Council members regarding their annual salary. According to 2 surveys that were done in 2020 and 2021, Municipalities with a population of 1,000-4,000 residents paid their Maintenance Supervisor and Secretary-Treasurer more than what Steve and Donna make. Since Steve and Donna take on more than the average role of Maintenance Supervisor and Secretary-Treasurer, they requested that Council

members consider increasing their annual salary by \$5,000 (each). The addition to their salary could be taken from the ARPA Federal funds the Borough received as this was an improved expense. Steve and Donna agreed that they would forgo the 4% pay raise that was previously approved and accept the pay increase of \$5,000. They also agreed that they would not ask for a pay raise in 2023. Donna will transfer \$10,000 from the ARPA funds in January 2022 and in January 2023 to cover the increased pay expense. *On a motion from Rebecca Whiteley and second from Brenda Kramer, Council members unanimously approved this request.* The Executive session ended at 8:38 pm.

**Bills:** General Fund & Liquid Fuels

*On a motion from Brenda Kramer and second from Rebecca Whiteley, Council members unanimously approved payment of the current invoices.*

*On a motion from Rebecca Whiteley and second from Brenda Kramer, Council members unanimously adjourned the meeting at 8:40 pm.*

Respectfully Submitted

Secretary-Treasurer

DRAFT