

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
August 1, 2022
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday August 1, 2022 by Matthew Dietz, Council President, at the Borough Municipal Building, 2 East Main St, Windsor PA. Attendance was as follows:

Matthew Dietz, President
Brenda Kramer
Rich Mitzel
Penny Dzubinski
Melissa Raver

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

Minutes from the July 11, 2022 Council meeting were unanimously approved on a motion from Brenda Kramer and second from Penny Dzubinski.

Citizens & Inquiries:

- ✓ CJ Weigle from the Kaltreider-Benfer Library in Red Lion attended the meeting to provide a brief update. Mr. Weigle stated that the library building expansion project began in May. Once completed the expansion will add approximately 4,000 square feet to the original building. The library is currently using space at the Windsor Manor Elementary School until construction is completed. The library recently created an intern program for high school students who are interested in exploring a career in this field. Mr. Weigle thanked Council members for their annual donation to the library.
- ✓ Angela Nett from Emmanuel UMC attended the meeting to request the use of the Borough parking lot on Aug 20th from 11-1 pm. The church would like to reach out to the community by hosting a lunch for children in the Borough and they will provide hotdogs, chips and bottles of water. The Borough parking lot is centrally located to most residents so the church feels this would be the best place. Matt advised that the church provide traffic control during the event as Penn St is a highly travelled street. Council members were in agreeance with the request and thanked Ms. Nett for sponsoring this community event.
- ✓ James Cochran (Heindel Ave) attended the meeting to discuss the following:
 - * he received a letter from Bob Huska regarding the trailer he parks in the alley. James feels that Bob is targeting him unfairly as there is a much larger unattached trailer that has been parked on High St. for many months which is violating the Borough Ordinance. Bob explained that he feels the trailer being parked on the alley is a cause for concern as the alley is sloped so the trailer could roll down the alley and hit something. James stated that most of the time the trailer is either attached to his truck or has wheel chocks.
 - * James also questioned what was being done regarding people riding dirt bikes in the alley during the day and at night. Bob stated that he was able to identify who was riding the dirt bikes and reached out to the landlord with a warning. Bob thought the problem had been resolved. James stated that this has been an ongoing problem and he called the police but they told him the Borough would need to handle it. Larry Markel and Doug Myers explained that the Borough cannot enforce traffic laws so this is a police matter. Larry reminded James that in order to issue a citation, a witness would have to appear in court to testify what they saw. Most residents do not want to get involved because of fear of retaliation.
 - * James stated that he continues to have problems with PennWaste not picking up his trash. Donna stated that other residents have made similar complaints so she emails the route Supervisor when complaints are made. PennWaste states there is a staffing shortage or there are new drivers which causes the problems. Donna will

review the PennWaste contract to find out when the company can be fined by the Borough for missing trash pickups.

Codes Enforcement Officer: Bob reported the following:

- ✓ Bob has 4 court hearings this week for street sweeping violations. Bob is concerned that in the Ordinance, it states a resident can pay the fine in the office to get a reduced fee. Bob explained that he is unable to put tickets on vehicles due to the number of vehicles that park on the street during street sweeping. Bob stated that he provides a list of license plate numbers to Donna and she requests the owner information from PennDot. Once Bob gets this information, he fills out the citations and sends them to Judge Fishel's office. Bob questioned if the Ordinance should be changed so a resident can't fight this with Judge Fishel and state they did not get the opportunity to pay the reduced fee. Council members discussed this and feel that for now, the Ordinance should be left as is as they doubt that a resident will take the time to read the Ordinance and challenge this in court.
- ✓ Bob stated that he mailed a letter to the owner of the property (Max Kopp) located on South Ave where someone has been dumping trash and household items. Bob informed Max that the trash will need to be cleaned up before winter as it will attract rodents. Rich Mitzel stated that the garage that Max Kopp owns but rents out (on W Gay St) is where the dirt bikes that residents are complaining about are being stored. Rich stated that on Saturday, the people who rent the garage were setting off fireworks/bottle rockets which hit people's houses. Residents called the police but there was no response. Bob stated that if Max calls him, he will inform Max about the activity at the garage as well.
- ✓ Bob stated that a Borough resident expressed interest in purchasing the parcel located at 146 W Gay St. The resident would like to build a pole garage. Doug researched what would be allowed on the parcel and stated that the resident would need to apply for a Zoning Variance or go through a reverse subdivision plan. Bob will pass this information onto the resident.

Mayor:

- ✓ Larry spoke with Dan Orwig regarding expenses that volunteer firefighters have to pay for out of their own pockets. Dan stated that the fire dept receives funds from Windsor Township (approximately \$20,000) to help offset expenses and this year the funds will help pay for new uniforms. Dan stated that required trainings are also paid for volunteers. Matt suggested that Council discuss what they can do for volunteer firefighters during the budget planning session.
- ✓ Larry requested Doug to send a letter to the parents of the children who built a dam in the creek last month and remind them this is prohibited and should it happen again, they will be held financially responsible.

EMA: Nothing to report

Engineer:

- ✓ John stated that the Water St project is currently underway. John has 2 change order requests to be approved. The first request is a result of a dip in the roadway (which holds water) at 22/24 Water St. The contractor redesigned the layout of a pipe which will eliminate the dip in the roadway. The approximate cost is \$2,500. The second change is for a retaining wall that is needed. The approximate cost for this is \$2,500. John, Steve and the contractor have discussed the changes and feel they came up with the best solution. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members gave a conditional approval for up to \$8,000 to be spent for necessary changes as discussed.*
 - * John reported that when the contractor was demolishing a wall, he found 4 gas lines (which had been marked). 2 lines look active and 2 lines look dead. John has been calling Columbia Gas about removing the gas lines but is having a problem in getting this resolved.

- * John also needs to have a payment request approved. The payment request will be in the amount of \$36,255.60 but will need to be done in 5 different payment request applications. John explained that the County needs to move funds from different accounts so 5 request forms need to be completed. *On a motion from Melissa Raver and second from Penny Dzubinski, Council members unanimously approved John to submit 5 payment request applications for a total of \$36,255.60.*
- ✓ John is ready to submit the applications for the Dirt, Gravel & Low Volume Road Grants for the High St & Water St projects. John explained that the Borough may be required to commit to spending a certain dollar amount from the Borough's budget. If a grant is not received for the paving project on Water St, John stated that the road will be no worse than it is now. 2 applications will be submitted since there are 2 different projects. *On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously approved submitting the applications.*
- ✓ John provided a draft of the updated Storm Water Ordinances with some changes required/requested by DEP. Larry Markel will review the document and provide feedback at the next Council meeting.
- ✓ John stated that Mr. Brenneman (118 E Main St) had a block wall installed at the stream bank which met DEP requirement's so the project has been completed. John will reach out to the DEP rep with a report.
- ✓ John discussed the Main St/Penn St intersection project. John advised Council members to have the Design Concept Drawing Plan completed to show property owners what changes Council members want to make to the intersection as the changes will affect their land. John stated that the cost will be approximately \$6,000 and the plans could be ready within 2 months. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved to have the Concept Plans drawn up.*
- ✓ John discussed the High St project. John stated that this project will include Best Management Practices for Storm Water runoff as this will be a infiltration project to alleviate or improve stormwater runoff. Council members discussed the possibility of placing additional wheel chair ramps in various areas as there is a resident that lives at 15 E High St that is confined to a wheelchair and there are older residents that live on High St.

Solicitor:

- ✓ Doug informed Council members that Rob Barclay contacted Donna last week requesting the Borough return the Letter of Credit for the Walnut Creek project that was issued by his bank. Donna contacted Doug for advice. The following was discussed:
 - * The Surety Bond is through York Excavating and is similar to the one the Borough originally rejected in favor of the Letter of Credit from the bank.
 - * Doug stated that there could be a possibility that with the Surety Bond, if York Excavating doesn't get paid by Walnut Creek, then they can stop the project which will have an impact on the Borough.
 - * Doug stated he hasn't reviewed the Surety Bond thoroughly and needs time to do this.
 - * Doug requested to speak with Council members about this in an Executive Session at tonight's meeting.
- ✓ Doug researched requirements for the Borough to place a sign on Gay St reminding residents there is a hearing impaired/deaf child living close by. Doug stated that since this is not a state-owned road, there are no requirements. Council members stated the resident will need to contact the Borough to request a sign and Council members will need to determine if the resident should pay for any fees associated with costs for the sign.

On a motion from Melissa Raver and second from Rich Mitzel, Council members convened the meeting at 8:08 to discuss legal matters in an Executive Session.

Council members re-convened the meeting at 8:18.

Council Members:

- ✓ *On a motion from Penny Dzubinski and second from Rich Mitzel, Council members decided not to release the Letter of Credit to Rob Barclay in order to allow Doug and John time to review the Surety Bond from York Excavating.*
- ✓ *Rich Mitzel stated that many of the alleys have problems with trees and bushes encroaching on the roadways and wondered what can be done. Matt explained that the property owner is responsible for trimming trees and bushes. Rich should report the problems to Bob and he will send the property owner a reminder letter.*

Secretary-Treasurer: Nothing to report

Maintenance: Nothing to report

On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved payment of the current invoices.

On a motion from Penny Dzubinski and second from Melissa Raver, Council members adjourned the meeting at 8:40 pm.

Respectfully Submitted

*Donna Martin
Secretary-Treasurer*