

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
May 2, 2022
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday May 2, 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

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 April 4, 2022 Council meeting were unanimously approved on a motion from Penny Dzubinski and second from Brenda Kramer.

Citizens & Inquiries: Nothing to report

Codes Enforcement Officer:

- ✓ Bob reported that during street sweeping, 32 cars were parked on the street. Bob is getting very frustrated with going through the process of issuing citations because of the following:
 - * Bob provided Donna with the license numbers the day after street sweeping and she sent a request to PennDot immediately to obtain the owner information. It has been almost 2 weeks since the information was sent to PennDot and no information has been returned. Donna stated that she wrote on the request form that information is needed asap because per District Magistrate Judge Fishel, we have a limited time frame in which to issue citations. Donna stated that she sent a second request last week. Donna stated that she can only email the request forms and does not have a phone number to call and follow up on the requested information.
 - * Bob explained that it is extremely time consuming to fill out the citations because so much information is needed on the form and Judge Fishel will dismiss the citation if anything is missing.
 - * Each year there are approximately 30 cars that park on the street and since the Borough has not been able to follow through with citations, residents seem to ignore posted No Parking signs for street sweeping.
 - * Penny asked if cars could be towed and feels this would be a strong message to residents. Bob stated he does not want to get involved with having cars towed.
 - * Larry feels that the Borough should stop cleaning the streets because it's a losing battle to get cars to move. For every one car that is parked on the street, three spaces are not cleaned. Also, since the Borough can't issue citations, this is a waste of Bob and Steve's time.
 - * Matt suggested that Bob speak with Judge Fishel about the problem and see if he can offer any help in getting vehicle owner information in a more timely manner.
 - * Matt stated that he will make a complaint at Stan Saylor's office and see if they have any helpful suggestions.
 - * Matt stated that Council members should see how things work out with issuing citations then make a decision next year on whether the Borough should continue with street sweeping.

- ✓ Bob stated that he sent letters to several residents regarding the condition of their property. A letter was sent to 15 E High St and the tenants are working to clean up the yard. Bob sent a letter to Gene Lau who owns 34 W Main St but hasn't gotten a response from him. Mr. Lau has been working to renovate the property for many years but the work seems to be done occasionally. A letter was also sent to the DeHoff's at 60 W Gay St as neighbors made complaints about all of the equipment and materials that lay in the driveway area.

Mayor: Nothing to report

EMA: Nothing to report

Engineer:

- ✓ John provided an update on the Water St project. All paperwork has been received and John will schedule a pre-construction meeting so work can begin soon. John also contacted the Windsor Assembly of God Church and asked if Water St residents could use their parking lot during daytime hours for a few weeks while work is being done on Water St. The church agreed to this request.
- ✓ John is planning on doing an MS4 presentation next month prior to the Council meeting for residents and Council members. Public education is a requirement for the MS4 program. The meeting will start at 5:30.
- ✓ John stated the Mr. Barclay will start work next week to replace the outlet structure, a pipe, fix the berm and create a drainage channel.
- ✓ John provided an update on the Walnut Creek project. John reported that construction for the Phase I plan has resumed after utility issues were resolved. John reported that there was a problem about two weeks ago where York Excavating dug up the marked water main. Steve had to isolate water in that area and some residents experienced cloudy water. York Excavating fixed the problem. John advised Donna that any overtime Steve had due to the broken water main should be taken out of the escrow account. Donna reported that she sent a letter to Mr. Barclay along with invoices to be reimbursed and requested additional funds for the escrow account. Currently the escrow account is in the negative by \$3,890.
- ✓ John stated that his office has a copy of the title search for the Main St & Penn St project. They are currently reviewing it and will provide an update soon.
- ✓ John provided an update on the stream bank erosion problem at 118 E Main St. John stated that the owners are going through the permitting process to make repairs. DEP contacts John occasionally and to report any complaints they receive from neighbors. Stream bank repairs will take some time as DEP has to approve any work that will be done.
- ✓ Matt asked John and Doug if there will be any changes to the requirement that when Municipalities submit a bid packet for a project and only 1 bid is received, the project will need to be re-advertised. Doug stated that there could possibly be some changes with this requirement soon. Donna asked if John advertises the projects on any websites as most contractors now check the websites vs the paper. John stated that his office will be looking at the Pennbid website soon to see if they can start placing bids there. If bids are placed on the website then the Borough will not need to advertise in the newspaper which could possibly save some funds. Also, placing a bid on the website will reach more contractors.

Solicitor:

- ✓ Doug provided Ordinance #3-2022 for approval and signatures. The Ordinance covers Peddling and Solicitation in the Borough. Changes were made to Ordinance #1-2013 so that permits are not required for food trucks, children who take orders for and deliver newspapers, candy, bakery items and the like or who represent Boy Scouts, Girl Scouts or similar clubs. Permits are also not required for people selling goods for charitable or philanthropic purposes. *On a motion from Penny Dzubinski and second from Rich Mitzel, Council members unanimously approved Ordinance #3-2022. On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously approved keeping the Solicitation permit fee at \$5 for 1 day, \$10 for 1 week, \$25 for 1 month and \$100 for 1 year.* The fees will be reviewed annually at budget time.

- ✓ Doug provided Resolution #8-2022 for approval. This Resolution will increase the Zoning Hearing fee from \$450 to \$700. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved the new Zoning Hearing fee of \$700.*
- ✓ Doug discussed a Resolution that Donna requested. Donna had to submit an annual report last week detailing what the Borough spent the ARPA funds on. Donna stated that annual report was very complicated and when researching how to complete the report on the Treasury's Coronavirus State and Local Fiscal Recovery Funds website, it was stated that Municipalities with a population below 250,000 residents and the ARPA allocation was less than \$10 million, it was best to claim the ARPA funds as lost revenue. It was advised that the Borough create a Resolution to approve accepting the standard allowance as lost revenue. Doug provided Resolution #9-2022 to accept the standard allowance. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved Resolution #9-2022 to accept the standard allowance of the ARPA funds.*

Council Members:

- ✓ Council members discussed the replacement of Ron Deckman. Larry spoke with Melissa Raver and confirmed that she would like to join the Council. Doug explained that Ron should provide a resignation notice first so Council members can officially approve his resignation. Then Council members can appoint Melissa Raver and Larry will swear her in. This can take place at the June Council meeting. Matt stated that Ron has not turned in a resignation notice. Donna stated that she mailed a letter to Ron reminding him that Council needed a resignation notice and asked Ron to mail it prior to the May Council meeting. Donna stated that she tried calling him today but it went directly to his voice mail. Matt tried calling Ron's phone during the Council meeting but again, it went directly to his voice mail. Doug stated that a letter should be mailed and emailed to Ron requesting an official resignation. It should be explained that if Council members do not receive an official resignation notice then it will be determined that he is resigning since he hasn't attended Council meetings for many months. Matt stated that Ron verbally told him on two different occasions that he will be resigning due to health issues. Donna will follow up on this.
- ✓ Steve provided Council members with prices for removing the tree in the park. Council members feel that it is best to remove the tree because it has to be trimmed/maintained every year. The quotes are as follows: Tom Snyder - \$2,000. Keith Pennell - \$1,750.00 *On a motion from Penny Dzubinski and second from Rich Mitzel, Council members unanimously approved using Keith Pennell to remove the tree in the park with a cost of \$1,750.00.*
- ✓ Council members discussed placing political signs on Borough property. Last week, a candidate placed a political yard sign on the Borough property. A resident came into the office and complained about the sign being on public property as he felt that if Council members allow this sign to be posted, then the Borough should allow anyone to place a sign on Borough property. The sign was removed from the yard. Donna called the Elections Office to find out if there were any regulations for Municipalities on placing political signs on public property. Donna was informed that each Municipality can make their own rules about the placement of political signs but should have a written policy for residents to refer to. Doug confirmed this and stated that it may be best to not allow any signs to be placed on public property as this would prevent unnecessary problems. Larry felt that the Borough didn't need to do anything in regards to creating a policy. If a sign is placed on public property then it should be taken down and disposed of. *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members unanimously approved creating a sign policy stating no signs are allowed on Borough property except on Election day and signs must be taken down afterwards.* Donna or Doug will work on this.
- ✓ Matt stated that work needs to be done on the Memorial as it needs to be re-pointed. Council members began to discuss various ways in which they would like to see the Memorial improved. Donna stated that the Historical Society would be a great resource to contact as they work with Municipalities to preserve historical landmarks. Donna also said there are grants available for the preservation of historical items. Penny volunteered to research the information to see what can be done.

Secretary-Treasurer:

- ✓ Donna provided Council members with a copy of the Franchise Agreement for Shentel Communications. The agreement was drafted by Cohen Law Group. Donna stated that she read through the agreement and didn't see anything of concern. Donna did not send the agreement to Doug because he had previously stated that Franchise Agreements were Cohen Law Group's area of expertise. The agreement will allow Shentel Communications to install fiber optic equipment in the Borough in order to provide residents with internet, cable and phone services. Phil from Cohen Law Group needs to know what public buildings in the Borough should be included on the Franchise Agreement to receive free services. Specifically Council members mentioned churches, the fire dept and the Lions Club. Donna will check on those and include it in the agreement. *On a motion from Rich Mitzel and second from Penny Dzubinski, Council members unanimously approved signing Resolution #10-2022 (the Franchise Agreement).*
- ✓ Donna provided Council members with information regarding a pattern she is seeing with office hours. The office hours are Monday through Thursday from 8-4:30 and Friday's are 8-noon except the weeks of Council or Authority meetings then the office is closed. Donna stated that over the past year, she often comes in at 7:30 and has noticed that more people either call her before 8:00 am or come into the office versus the number of people that come into the office or call between the hours of 4-4:30 pm. Donna asked Council members if they would like to change the hours to 7:30 – 4 to accommodate residents who try and contact the office before their work schedule. Matt stated that he would like Council members to consider the possibility of hiring a part time office person to assist Donna with multiple duties and also provide extended office hours. The part time person could fill in when Donna is on vacation or on the Friday's when the office is closed. Council members will give this further discussion at the next Council meeting.
- ✓ Donna provide Council members with copies of the 2021 General Funds audit that was submitted to DCED. Donna also provided Council members with a quote from Hamilton & Musser to have the General Funds audit professional done. The Water and Sewer Authority asked Donna to get quotes from other CPA's to complete their annual audit and Hamilton & Musser requested that they provide a quote for both the Authority and Council. Their quote was for 3 years and the price is as follows: 1st year - \$6,300, 2nd year - \$5,900 & 3rd year - \$6,000. Donna stated that an audit from a CPA will be drastically different from the audit she does. Donna completes the audit then has two residents review the numbers and sign off on it. Donna stated that if someone would question who does the audit, it would not look good for the Borough that Donna completes the audit and the Council President's wife and father review and sign off on the audit. Also, a professional auditor will review any fraudulent activity or areas of concern in office procedures. Matt stated that they will give this further consideration at budgeting time.

Maintenance: Nothing to report

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

On a motion from Penny Dzubinski and second from Brenda Kramer, Council members adjourned the meeting at 7:45 pm.

Respectfully Submitted

*Donna Martin
Secretary-Treasurer*