

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
November 7, 2022
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday November 7, 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 (absent)

Minutes from the October 3, 2022 Council meeting were unanimously approved on a motion from Rich Mitzel and second from Penny Dzubinski.

Citizens & Inquiries:

- ✓ Tiffany Hafner from 10 N Penn St attended the meeting to discuss her concern about cars that speed down Penn St. Ms. Hafner is concerned about children's safety as cars speed down the street and don't necessarily slow down or stop for school buses. Ms. Hafner would like to have the speed limit changed to 25 mph. Matt Deitz and Larry Markel explained that since Penn St is a State road, she would have to contact them about changing the speed limit sign. Larry stated that Council had a discussion with PennDot years ago about the speed limit on that street and they were not able to get it changed.
- ✓ Dave Rittenhouse from the Laurel Fire Dept attended the meeting to provide an update.
 - ❖ During the month of October, the fire dept responded to 32 calls.
 - ❖ 2 new officers were appointed – Ned Souders and Dakota Crumling.
 - ❖ The appreciation banquet was very successful in honoring Dan Orwig and Barry Barshinger. Between the 2 of them, they served in the fire dept for 110 years.
 - ❖ Dave requested that Council members grant a reserved parking space on E Main St in front of his house for the fire dept duty truck that he drives. Dave stated that he can get to the duty truck more quickly if it's parked in front of his house and time is of the essence when responding to calls. Dave has off street parking behind his house but stated that it will take more time to get to his truck if parked behind his house. Council members will discuss this request and let him know shortly.
 - ❖ Dave asked Council members about the traffic light on Main St/Penn St. When power goes out for the traffic light, can it be hooked up to a generator? Dave is aware that the traffic light was upgraded about a year ago with a traffic emitter so he wasn't certain if using a generator would cause any problems. Council members did not have an answer to the question but will speak with Steve Carr about this.

Codes Enforcement Officer: Bob reported the following:

- ✓ Bob reported that there are a few houses on School House Lane that have basketball hoops in the street or on the sidewalk. This obstructs people from walking on the sidewalk and forces cars to swerve around basketball nets in the street. Bob has been reaching out to the owners about this problem but in reviewing the Sidewalk Ordinance, he discovered that nothing states that sidewalks are to be kept clear of all items in order for people to safely use it. Bob feels there should be a specific reference that all objects (toys, lawn mowers, bikes, etc) must be kept off of sidewalks. Council members asked Bob and Doug to draft a revised Ordinance to discuss at next month's meeting.
- ✓ Bob stated that he received several calls regarding the church (located at 11 W Main St) that will be going to auction next week. People were asking if the church could be used for a business of some type. Bob stated that the church

has a parking lot which will only hold about 5 cars. Council members stated that in order to use the church building for other uses, the new owner would have to go through a Zoning hearing to change how it can be used.

- ✓ Bob stated the owner of 109 E Main St contacted him about using the car lot for a different purpose. The lot is no longer being used to sell vehicles. The owner rented the building out to someone who would like to use it for something else. The owner could not provide definite ideas so Bob informed her that she needs to submit a plan to him and he will review what was determined in the prior Zoning hearing for this property.
- ✓ Bob feels that when residents come to the meetings with complaints, they should only be allowed to talk for 5 minutes each. Bob was very upset that 2 people came to the last meeting and were allowed to complain about him for a total of 45 minutes. Matt stated that he will be limiting the amount of time residents can speak at future meetings and apologized to Council for allowing this to happen.
- ✓ Bob stated that he will begin rental inspections in November starting with problem properties. He will then conduct inspections on other properties as long as it can be done in a safe manner.

Mayor: Nothing to report

EMA: Nothing to report

Engineer: Nothing to report

Solicitor:

- ✓ Doug stated that he and John worked out an acceptable Surety Bond Agreement for Phase I of Walnut Creek. The Barclays will submit a reduced letter of credit for Phase I and the Borough can then return the original letter of credit on file. Doug stated that the Barclays need to provide an acceptable agreement for Phase II.
- ✓ Doug discussed Act 57 Tax Notice that was just approved. This would allow Council members to waive any late penalty fee's on property tax for new homeowners for the first year. When purchasing a new house, the tax bill can be mailed to the wrong mortgage company, or the new owner receives the bill late. Council members agreed to have Doug draft a Resolution to be signed at the next meeting.
- ✓ Council members asked Doug to research if the Borough could charge fees to residents to cover Bob's time when he has to go to court after issuing a citation. Doug stated that when Bob issues citations, it is for a Summary Offense and the law will not allow the Borough to charge additional fees because the judge determines if the resident will pay a fine.
- ✓ Council members asked Doug to research if the Borough can require that pet owners pay the Animal Control Officers fee when the ACO is called. Doug stated that there are certain circumstances that the pet owner can be required to pay the ACO fee. For instance, if the ACO picks up a stray dog and returns it to the owner then the Borough can require the pet owner to pay the fee. If a pet owner was given a citation, then the Borough cannot require the owner pay the ACO fee. Council members will add this to the Fee Schedule.

Council Members:

- ✓ Council members reviewed changes made to the 2023 General Funds budget at the Budget meeting that was held on Oct 24th. No further changes were made. *On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously approved the General Funds 2023 budget.* Donna will advertise this as required.
- ✓ Council members reviewed the Fee Schedule. The following was discussed:
 - ❖ **Animal Control Officer** – add fee for when the ACO responds to a call.
 - ❖ **Fence permit fee** – fee will be increased to \$25 (base fee).

- ❖ **Parking Violation fees**, Council changed the fine amount for 6 violations to \$25 each (they were \$10 each) so now all parking violation fees are either \$25, \$50 or \$200.
- ❖ **Residential Building permit** – Council added a base fee of \$50 plus \$5 for every additional \$1,000 for when the Codes Enforcement Officer has to inspect new residential houses.

- ✓ Council members discussed using John Runge from Gordon Brown’s office as the Engineer for 2023. *On a motion from Melissa Raver and second from Rich Mitzel, Council members unanimously approved using John Runge as the Engineer for 2023.*

- ✓ Council members discussed using MPL Law Office as the Solicitor for 2023. It was noted that the hourly fee has increased to \$180 per hour. *On a motion from Melissa Raver and second from Penny Dzubinski, Council members unanimously approved using MPL Law Offices as the Solicitor for 2023.*

- ✓ Council members discussed using Michelle Klugh as the Animal Control Officer for 2023. It was noted that there is a retainer fee of \$50 and the rate has increased to \$53 per hour (plus mileage) or \$79.50 for after- hours calls. *On a motion from Penny Dzubinski and second from Melissa Raver, Council members unanimously approved using Michelle Klugh as the Animal Control Officer for 2023.*

- ✓ Council members reviewed the annual contract for the SPCA. It was noted that the annual fee of \$679.80 remains the same for 2023 but will increase to \$967 in Jan of 2024. Council members had a few questions regarding the contract such as do resident pay an additional fee for taking their pets to the SPCA and what does the annual fee actually cover. Donna will get further information to be discussed at next month’s Council meeting.

- ✓ Council members discussed the parking request from Dave Rittenhouse. Council members are concerned about granting a reserved parking spot for Dave because parking in that area has always been congested. If Dave gets a reserved parking space, will his neighbors be inconvenienced and upset about this? Also, Council members question if this will become a permanent parking spot for Dave. Council members decided to table the request for further consideration.

- ✓ Council members discussed work done by Steve and Bob for Walnut Creek. Council members want Steve and Bob to keep track of any time they spend doing work at the new development. Number of hours worked should be submitted to Donna so that she can deduct their pay from the Walnut Creek escrow account.

- ✓ Council members discussed problems with the Borough tax collector. Residents continue to call the office and complain that they leave messages for the tax collector but do not get return phone calls or they cannot leave a message because the mailbox is full. Residents also complain that they mail checks to the tax collector and checks are not cashed for a month or two which makes residents question if the check was received by the due date. The County tax collector’s office has also called the Borough office to follow up on complaints made by residents. The tax collector’s term ends in 2026. The Borough cannot elect to have the County collect taxes unless the tax collector would submit a letter of resignation. Council members can decide to contract with the County tax collector at the end of the tax collector’s term. Council members asked Donna to provide a list of the number of complaints from residents since January so they can determine how serious the problem is. Council members will discuss this at the next meeting.

- ✓ Rich Mitzel asked about putting a skills machine/games of chance at the tire shop located at 91 W Main St. Rich stated the skill games would be very similar to what is in the pizza shop (2 W Main St). Council members stated this could create problems because there is not adequate parking at the tire shop. Doug Myers stated he would need to look at what the Zoning rules say. This will be further discussed at the next meeting.

- ✓ Donna provided a list of Council meeting dates for 2023. Council members agreed the meeting time should remain at 6:00 pm. *On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously approved the 2023 meeting dates.*
- ✓ Penny stated that she purchased outdoor holiday lights to put up at the Memorial, Lions Club and office. She will put them up at the end of November. Penny will submit her receipts for reimbursement.

Secretary-Treasurer:

- ✓ Donna stated that George Herbert who serves on the Water and Sewer Authority will need to be re-appointed as his term will expire at the end of the year. George agreed to serve another 5 year term. *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members agreed to appoint George Herbert for another term on the Water and Sewer Authority.*
- ✓ Donna stated that the Water and Sewer Authority approved their 2023 budget. The quarterly sewer fee will increase beginning Jan 1, 2023 from \$100 per quarter to \$105 per quarter. Donna explained that the Sewer Authority pays fees to Windsor Township, York Township and Springettsbury Township to pump sewage through their lines. The cost of the fees for the year totals about \$150,000. The Sewer fund has a sizable savings account but each year money has been taken from the account to pay expenses.
- ✓ Donna reported that the Water and Sewer Authority approved contributing an additional 1% into Steve and Donna's pension fund. This would increase the Authority pension contribution to 4%. General funds will contribute \$1,100, Authority will contribute \$3,930 and the balance will be paid through State Aid and past employee pay raises. The total pension amount will be 17%. *On a motion from Brenda Kramer and second from Rich Mitzel, Council Members unanimously approved the Water and Sewer Authority to contribute 4% to the employee pension fund.*
- ✓ Donna stated that she would like to contract with a different credit card processing company for the quarterly water, sewer and garbage bills. The current company is Paymentus and Donna has not been satisfied with them from the beginning. Donna has researched another company (NCR) that offers features that will save her time and offers better services to residents. There is no fee to the Borough unless Council members want a credit card machine in the office. Council members were interested in this service and would also like to see if other fees could be paid (such as rental inspect fees). Donna will get more information from NCR to discuss with Council. In order to terminate the contract with Paymentus, Donna needs approval from Council to submit a letter to them. *On a motion from Rich Mitzel and second from Penny Dzubinski, Council members unanimously approved Donna to submit a letter to Paymentus to terminate the contract.*

Maintenance: Nothing to report

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

Council members went into an Executive session at 8:45pm. The Executive session ended at 9:10 pm.

On a motion from Melissa Raver and second from Rich Mitzel, Council members unanimously adjourned the meeting at 9:10 pm.

*Respectfully Submitted
Donna Martin*

Secretary-Treasurer