

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
July 10, 2023
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday July 10, 2023 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 (absent)
Penny Dzubinski
Melissa Raver

Larry R. Markel, Mayor
Donna Martin, Secretary-Treasurer
Steve Carr, Maint Supervisor
Dean Reynosa, MPL Law Firm
Robert Huska, Codes Enforcement Officer
John Runge, Gordon L. Brown Jr. & Assoc-Engineer

Minutes from the June 5, 2023 meeting were unanimously approved on a motion from Penny Dzubinski and second from Brenda Kramer.

Citizens & Inquiries:

- ✓ Dave Rittenhouse, Ed Souders and Barry Barshinger from the Laurel Fire Dept attended the meeting to provide an update.
 - ♣ During the month of June the fire dept responded to 35 calls; 5 were in the Borough.
 - ♣ Total dispatches from Jan-June 2023 were 226.
 - ♣ An estimate was obtained to install 2 bay doors at the rear of the building. Dave asked what permits were needed. Bob Huska stated no permits were required from the Borough but Common Wealth Code Services would need to be contacted as a permit may be required from them.
 - ♣ Some minor repairs are being done to the building including painting, floor refinishing, purchasing new tables and lounge furnishings. Dave stated this project is being funded from retention funds they receive from Windsor Township.
 - ♣ The fire dept will attend the Parade of Heroes at the York Fair. They will also attend the York Co Fire Convention in West Manchester Township.
 - ♣ It was noted that the fire dept has the generator that was purchased for them by the Borough many years ago. The generator will be used to provide power to the traffic signal in the event of a power outage.

- ✓ Tom Zimmerman (41 W Main St) attended the meeting to inform Council members about a potentially violent gang being in the Borough. Mr. Zimmerman stated that on July 14, 2021, an angry person came onto Mr. Zimmermans property and began an argument about his son setting off fireworks. Mr. Zimmerman asked the person to leave but the argument ensued and became physical. Mr. Zimmerman states his cheekbone was broken and he was severely beaten. Mr. Zimmerman called the police, but they would not press charges against the man. Mr. Zimmerman has identified the man as belonging to a gang called "The Bloods". Mr. Zimmerman states he has been receiving threats from the gang through other people and wanted to warn Council members.

- ✓ Cpl Confer with the PA State Police attended the meeting to provide an update. The following was discussed:
 - ♣ During the year the police have responded to calls in the Borough involving drug related problems, sex assaults and a hit and run incident.
 - ♣ Matt explained the Borough continues to have problems with a certain group of people riding unregistered motorcycles and ATV's in the Borough at high rates of speed. The drivers are on the public road as well as racing down alleys where children are playing, or people are walking their dogs. Larry stated that he noticed the police have been doing more patrols over the last few months which has helped to deter this activity but over the weekend, the group of people were setting off fireworks and riding ATV's/motorcycles down the alley. The group of people

were identified as tenants that live at 23 E High St. It was noted that the tenants were cited by the police before and Bob has spoken with the landlord several times about the problems.

- ♣ Matt stated that the Borough will soon be installing 2 solar radar speed signs in hopes this will help drivers to slow down. Matt asked for additional assistance in catching speeders. Cpl Confer discussed having plate readers installed on video surveillance cameras as this would also assist police in citing speeders.

Codes Enforcement Officer:

- ✓ Bob stated that he will attend a 2nd hearing at the York Co Court of Common Pleas for a property violation at 5 W Main St. The hearing is scheduled for Wednesday July 12, 2023. The Solicitor will also attend the hearing.
- ✓ The property at 11 W Main St was sold a few months ago and the new owner plans on using the building as a church. Bob informed the new owner that parking would be a problem because the church parking lot only has 4 spaces and typically there are no available spaces on Main St. Bob will research to see if there is an Ordinance that allows the Church to park on the opposite side of Main St on Sunday mornings.
- ✓ Bob discussed problems with the current Parking Ordinance. A few situations have come up that Bob needed to reference the Parking Ordinance only to find that answers are not in the Ordinance. Bob feels that the Ordinance needs to be revised again to address numerous errors/omissions and outdated restrictions. Bob will work with the Solicitor to make revisions.
- ✓ Bob stated that 184 W Gay St was recently purchased and is being turned into a group home. The owner is requesting a Certificate of Occupancy which Bob is unfamiliar with. Bob spoke with the Solicitor and he advised that the Certificate should come from the Borough's 3rd party inspector, Common Wealth Code Services. Once they issue the Certificate, the Borough should obtain a copy and keep on file. Bob stated there are 2 other group homes in the Borough and he has never inspected them because he feels they fall under State guidelines. The Solicitor advised that the Borough should obtain copies of the Certificate of Occupancy/State Inspections for all group homes in the Borough.

Mayor: Nothing to report

EMA: Nothing to report

Engineer:

- ✓ John stated that a citizens' meeting was conducted today prior to the Council meeting regarding the High St project. The York Co Planning Commission attended the meeting along with several residents.
- ✓ John stated that he received information from the York Co Conservation District regarding the request for funds to pave E High St and Water St. The Conservation District does not have enough Low Volume Road funds to approve the Borough's application. The Conservation District will review the application in September or October.
- ✓ John reviewed the progress at Walnut Creek
 - ♣ 4 permits were issued, and 3 foundations are in place.
 - ♣ They are currently waiting for a PennDot permit.
 - ♣ The Barclays have not replenished the escrow funds. Donna has sent several letters about this. John sent an email to the Barclays stating that no further permits can be issued or inspections completed until the escrow fund is replenished.
 - ♣ Copies of the Stormwater Agreement and Financial Security Agreement were provided to Council members for review and to be approved at the next Council meeting.

Solicitor:

- ✓ Dean discussed the Penn St/Main St intersection project. John Runge's team went to John Frey's property to stake out the proposed layout of the new road design so Mr. Frey could get a visual idea of the amount of space he would need to give up. Mr. Frey was not agreeable to this as he was not available to be there and ask questions, so John's team had to leave. Matt recommended that Dean move forward with the project since this is a PennDot project.
- ✓ Dean provided a draft Animal Control Ordinance to Council members for review. Dean included language in the Ordinance that will make tenants/landlords responsible for providing proof of vaccination for all pets. Language was also added to make pet owners/landlords responsible for paying ACO fee's. Council members will review the draft Ordinance and discuss it at the next meeting.
- ✓ Dean stated that he prepared a letter for the owner and tenant at 28 N Blacksmith Ave advising them that if the trash service is not paid in full, a lien will be placed on the property and attorney fees will be added.
- ✓ Dean discussed the intentions of Cory Fregm who owns 161 W Main St. and 163 W First Ave. Mr. Fregm wants to subdivide this property, so it becomes 2 parcels each with a house. Currently it is 1 parcel with 2 houses on it. Required setbacks cannot be met but this has been the case for many years. It was noted that subdividing the property would not cause a problem with parking as there is ample parking for both lots. Council members discussed whether to approve the subdivision or if a Zoning hearing is required. Council members voiced concerns that if they allow this property to be subdivided then other property owners may want to subdivide a property that has a house and a detached garage. Council members determined that a Zoning hearing is required.

Council Members:

- ✓ Council members discussed a project for the ballfield. They would like to put up a retaining wall at the outfield and add a walking path and an area for people to sit and watch the games. It was suggested that adding a pavilion would be nice. Steve was able to get a estimate and it was determined that a k-block wall would be best. The estimate came in at \$40,000. Steve suggested applying for a grant and add additional items such as rubber mulch for the playground area. Council members would like Steve to get more quotes.
- ✓ Council members received a resignation letter from Eric Beaverson. Mr. Beaverson serves on the Zoning Board and needs to resign as he is moving out of the Borough. Council members briefly discussed a replacement for Eric Beaverson. A suggestion was made to nominate James Cochran to the Zoning Board. Mr. Cochran was in attendance at the meeting and agreed to be appointed. James serves on the Water and Sewer Authority so Donna will check to see if he would also be allowed to serve on the Zoning Board.

Secretary-Treasurer:

- ✓ Donna provided Council members with a year-to-date budget report so Council members can review revenue and expenses. At last month's Council meeting, the expenses from the Engineer was discussed. Donna provided an update of the expenses:
 - ♣ The year-to-date total for Engineering fees is \$27,563.55.
 - ♣ \$7,186.70 was spent on Council Action Items.
 - ♣ \$12,478.55 was spent on the E High St project.
 - ♣ \$5,886 was spent on the Penn St/Main St project.
 - ♣ \$1,326.50 was spent on the Water St Dirt, Gravel and Low Volume project.
 - ♣ \$281.50 was spent on grant research.
 - ♣ \$404.30 was spent on Patterson Ave (new house construction).
 - ♣ Donna provided copies of invoices for the E High St project to Council members to review for accuracy.

- ✓ Donna stated that Tony Randazzo provided her with a copy of the structural inspection report that was completed for 115 E Main St. The inspection was completed by Structural Engineering Consultants with Johnston and Associates. The cost of the inspection was \$400 and Mr. Randazzo is requesting reimbursement for the invoice. The funds will come out of the escrow monies from the insurance company. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved reimbursing Mr. Randazzo \$400.* Donna stated that Mr. Randazzo has an outstanding balance for a rental unit at 92 W Main St. The outstanding balance is for the quarterly water, sewer and garbage bill that the tenant did not pay. Donna mailed Mr. Randazzo letters in March, May and June informing him that he needs to pay the quarterly bill. The amount of the bill is \$653.47. Council members agreed that once Mr. Randazzo pays the outstanding bill, the Borough will reimburse him \$400 for the structural inspection.
- ✓ Donna stated that per the Solicitors advice, Recreation Fees that are paid for new houses in the Walnut Creek development need to be placed in a separate account and used for Recreation purposes. Donna stated that the Borough has an Activities Fund account that has \$10,684 in it. Recreation fees could be placed in that account or the Borough could set up a separate account. Council members were in agreeance to use the Activities Fund account for Recreation fees.
- ✓ Donna informed Council members that she and Steve will have a telephone meeting with Shentel on 7-19-23 at 9:00. The purpose of the meeting is to discuss the timeline of the project and answer questions on what permits may be required and rules regarding when work can be performed. Council members are welcome to attend the meeting and ask questions. Donna will provide an update on the project at the next meeting.

Maintenance:

- ✓ Steve reported that he and Donna have a meeting with the radar sign company on 8-2-23 at 10:00 on how to program the radar signs. Once the training has been completed, Steve will be able to put up the radar signs.
- ✓ Steve reported that the retaining wall that was placed behind the Memorial to help with water runoff did not work as planned. The resident that lives beside the Memorial came into the office to report that after the retaining wall was put up, they have more water running into their basement. Steve said the best way to solve the problem is to force the water to stay in the middle of the road by milling and putting in a rolled curb. *On a motion from Melissa Raver and second from Penny Dzubinski, Council members unanimously approved this project with a cost of \$5,000.*
- ✓ Steve stated that Heindel Ave (at the bridge) had a large sink hole forming and needed to be fixed immediately. *On a motion from Penny Dzubinski and second from Melissa Raver, Council members unanimously approved repairs to Heindel Ave at a cost of \$2,500.*
- ✓ Steve stated that three storm boxes in the alley will need to be cleaned out soon. The cost will be approximately \$4,000 and can be paid with Liquid Fuels. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved cleaning out the storm boxes.*

Council members went into an Executive session at 8:55 to discuss employee holidays and Donna's work schedule. The Executive Session ended at 9:30 pm.

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

On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously adjourned the meeting at 9:35 pm.

Respectfully Submitted

Donna Martin
Secretary-Treasurer

DRAFT