

**WINDSOR BOROUGH COUNCIL**  
**MINUTES OF MEETING**  
**January 9, 2023**  
**6:00 PM**

**The regular monthly meeting of the Windsor Borough Council was called to order on Monday January 9, 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  
Penny Dzubinski (absent)  
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 December 5, 2022 meeting were unanimously approved on a motion from Melissa Raver and second from Rich Mitzel.*

**Citizens & Inquiries:**

- ✓ Dave Rittenhouse and Ed Souders from the Laurel Fire Dept attended the meeting to provide an update.
- ♣ During the month of December, the fire dept responded to 26 calls & 3 were in the Borough.
- ♣ For 2022 the fire dept responded to 319 calls with 36 calls in the Borough.
- ♣ The Duty Truck will be operated & rotated among the 3 fire chiefs. The Duty Truck can be used as a command post or service vehicle to respond to emergencies.
- ♣ All emergency vehicles are equipped with the Crew Force App which ties directly to the CAD system at the York Co 911 center. This allows volunteer responders to see what equipment & units were dispatched to a call along with all notes entered by the dispatcher.
- ♣ Dave stated that volunteers who have blue flashing lights on their vehicles are not given special privileges when responding to calls. If Council members see a volunteer speeding or breaking the law in other ways when responding to a call, let him know and he will address the issue.
- ♣ Volunteers who have red lights on their vehicles are given special privileges, allowing them right of ways not available to other drivers.
- ♣ The fire dept is looking into placing a 30x30 or 30x40 pole building on the lot across from the fire house. This would be used for the fire police and free up room for equipment.
- ♣ Dave mentioned that the property located at 5 W Main St is putting up a fence and is being placed close to the road which will create problems for navigating the big trucks through the intersection. Bob stated he will speak with the owner about this.
- ♣ Ed stated there is a car parked on Church St & W First Ave that will impede fire trucks from getting around the corner. The owner of the vehicle lives at 20 Church St. Bob stated he will contact the owner about this.
- ♣ Donna provided information from Steve regarding the use of a generator at the traffic emitter pole. Per Steve, he spoke with Milt to make sure it would be safe to use a generator at this pole and Milt verified that it was safe and will work as it did before.
- ♣ Dave asked Council members to consider his request for parking the Duty truck on Main St in front of his house. Since the Duty truck will be rotated between 3 fire chiefs, he would park the truck in front of his house quite often.

**Codes Enforcement Officer:** Bob reported the following:

- ✓ Bob reported that the former church at 11 W Main St was recently sold at a public auction and is listed again to be sold. Bob has been getting calls questioning what the building can be used for. One inquirer asked if the building can be used as a church again with parking permitted on Main St as was previously permitted. Council members

would have to discuss granting permission for people to park on Main St. Also, PennDot may have to be contacted for permission since this is a state road.

- ✓ Melissa asked Bob about the property located at 2 Maryland Ave being used as a car repair shop. Melissa stated that there are many cars parked in the front and side yard which looks unsightly. Also, when pulling out of Maryland Ave onto Main St, it is hard to see oncoming traffic due to the cars parked in front of the building. Bob stated he had a complaint last week about this property and will be looking into this.

**Mayor:** Nothing to report

**EMA:** Nothing to report

**Engineer:**

- ✓ John reported the pond improvements on Mr. Barclay's property was stopped by the York Co Conservation District (YCCD). John had a site meeting with the YCCD, DEP, John Barclay, Adam Anderson & York Excavating regarding the YCCD Inspection report of violation. It was determined that an Erosion & Sediment Control Plan had to be prepared by Mr. Barclay's engineer and submitted to the YCCD for review and approval. John anticipates that the pond conversion & improvements will be completed by July 2023.
- ✓ John stated that the revised Letter of Credit and Bond for Walnut Creek was received for Phase I & II. The revised Developer & Stormwater Agreements have been recorded. Issues associated with HOP have been addressed.

**Solicitor:**

- ✓ Doug provided an update on the Penn St/Main St intersection reconfiguration plan. The following was discussed:
  - ♣ Doug contacted 3 companies to get appraisal costs for the 2 properties that will be affected by the reconfiguration of Penn & Main St. Prices ranged from \$3,000 - \$6,000.
  - ♣ PennDot suggested the Borough use an appraisal company that works directly with them.
  - ♣ The Borough isn't required to get an appraisal, but Doug recommends it in order to have a fairly accurate dollar amount to offer.
  - ♣ Should the owner refuse to accept the Borough's offer and the Borough decides to pursue this in court, an appraisal would need to be done.
  - ♣ The Borough would need to purchase the property from the resident then the property would be transferred to the Borough.
  - ♣ Doug recommends using Walters Appraisal Services as they work with PennDot. Their fee is \$3,000.
  - ♣ Walters Appraisal will do an appraisal and provide a "strip" report to the Borough. This is an accurate reflection of property value but would not hold up in court. A full appraisal would need to be conducted if going to court and that appraisal would be more costly.
  - ♣ *On a motion from Melissa Raver and second from Brenda Kramer, Council members unanimously approved using Walters Appraisal Services to conduct an appraisal for 5 W Main St and 1 E Main St.*
  - ♣ Doug stated that the appraisal company will contact the owners and inform them they will be conducting the appraisal. Doug advised Council members to speak with the owners before the appraisal company contacts them.
- ✓ Council members went into an Executive Session at 7:30 to obtain legal advice from the Solicitor related to resident complaints about the tax collector. The Executive Session ended at 7:40 pm. Following the Executive Session, on a motion by *Rich Mitzel and second from Melissa Raver, Council members unanimously approved the Solicitor to prepare a letter to the tax collector to address resident complaints.*

- ✓ Doug discussed a situation that Donna contacted him about. On 6-29-20 there was an explosion and fire at 115 E Main St. The owner's insurance company sent an escrow funds check to the Borough in the amount of \$5,745.00. The house was then sold in November 2021 to Tony Randazzo. Donna asked Doug at what point the escrow check should be returned to the insurance company. Doug reported the following:
  - ♣ It was noted that Mr. Randazzo continues to clean out the house but no significant renovations have been done.
  - ♣ Bob informed Mr. Randazzo that before he could proceed with renovations, a structural engineer would need to certify that the building was structurally safe. Bob is unaware if Tony has proceeded with renovations.
  - ♣ Doug stated he could send a letter to Tony informing him the Borough is requiring that the house be inspected by a structural engineer within a reasonable amount of time.
  - ♣ Council members can opt to use the escrow funds to pay for the inspection or have Mr. Randazzo pay for it.
  - ♣ Escrow funds can also be used to pay fees for Doug and Bob. .
  - ♣ The insurance company should be notified in advance that the Borough is requiring a structural engineer to certify the property. Doug will call the insurance company.
  - ♣ *On a motion from Brenda Kramer and second from Rich Mitzel, Council members unanimously approved for Doug to schedule an inspection with a structural engineer.*

#### **Council Members:**

- ✓ Council members discussed using Commonwealth Code Services for the inspection of new houses in the Walnut Creek Development. Some Council members expressed dissatisfaction with prior inspections Commonwealth Code conducted and are concerned that the inspection for new houses may not be thorough enough or performed in a timely manner. Commonwealth Code Services recently sent out a new pricing sheet as their fees increased. Council members agreed to use Commonwealth Code Services for now and will monitor the inspection of the new houses.
- ✓ Council members discussed granting a parking space to Dave Rittenhouse for parking the Duty truck. Council members were divided in granting a parking space. Since there are so many parking problems on Main St, Council members were reluctant to take away parking spaces. It was also noted that Mr. Rittenhouse has 2 parking spaces behind his house. It was also noted that if Mr. Rittenhouse is granted a parking space, it will become permanent. *On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously agreed to grant Mr. Rittenhouse a parking space for 90 days.* Council members want to see if this will create problems with other residents. If Council hears feedback from neighbors that the reserved spot is causing problems, they will reconsider their decision. Council members stated that Mr. Rittenhouse will be required to pay the one-time fee of \$125 to have a sign posted, pay the annual fee of \$25 (if this becomes permanent) and he will be required to maintain the sign.
- ✓ Council members discussed a request from a resident who lives on Penn St. The resident attended a Council meeting a few months ago to request that Council members change the speed limit sign on Penn St from 35 mph to 25 mph. At that time, Council members informed the resident that since this is a State road, she would need to discuss it with Penn Dot. The resident reached out to PennDot and was told that the Borough could conduct a Traffic Study to see if it warranted having the speed limit changed. Council members are aware that there is a cost to conduct a Traffic Study. Also, Council members feel that if the speed limit was changed, it will not have any impact on how fast people drive. Council members asked John to research the cost of a Traffic Study and will discuss this next month.
- ✓ Council members were reminded that the Windsor Township Recreation Committee would like to have a Borough representative attend the meetings to represent the Borough. Council members will give some thought as to what resident may be interested in serving on the Windsor Township Recreation Committee.
- ✓ Donna informed Council members that the Christmas banners will be taken down soon. The spring banners that are usually hung are very faded and many of the banners are torn. Council members stated they will have to choose new banners and will place an order soon. Once Council members decide which banner they want, Donna can obtain prices.

- ✓ Matt informed Council members that he, John, Bob and Donna met prior to the Council meeting to review procedures when building permits are submitted. John anticipates the Keystone will submit building plans for a model house at Walnut Creek this month. Applicable fees for the building permits were reviewed. Council members reviewed the Fee Schedule and made a change. The Residential Lot Development Plan for Building Permit categories were eliminated as this is covered under the Residential Building Permit Fee. *The Residential Stormwater Inspection fee was changed from \$100 to \$300 on a motion from Rich Mitzel and second from Melissa Raver.* Matt also explained that Bob and Donna will have more duties to keep up with when houses are built. Matt would like Council members to consider giving Bob a flat rate amount for each new house that he has to inspect. Council members will discuss this at the next meeting.
- ✓ Matt stated that he is planning on meeting with DEP to discuss procedures residents have to go through in order to fix the retaining walls on their property at the creek. If a retaining wall needs immediate repairs, residents are required to apply for an Emergency Permit with DEP and the permit fee is \$350.00. Once the Emergency Permit is approved, DEP requires that the resident submit a drawing from an Engineer showing what repairs will need to be done. To have an Engineer involved usually costs \$1,500-\$2,000. Once DEP gives permission, the resident has to pay for materials and labor to fix the retaining wall. Matt will meet with DEP to emphasize that most people in the Borough cannot afford the various fees imposed by DEP. This will lead residents to simply ignore the necessary repairs which will lead to other erosion problems. Matt is concerned that there are many retaining walls in the Borough that need to be repaired but are being ignored because of the costs and paperwork that is required.

**Secretary-Treasurer:**

- ✓ Donna stated that she received an invoice from the Animal Control Officer for an amount of \$72.00. The invoice was for a residents dog that was loose and was picked up by another resident in the Borough. The ACO was called to return the dog to the owner. Donna asked if Council members want the dog owner billed for this service. Council members were in agreement the dog owner should pay the fee. The Fee Schedule states that pet owners can be billed for ACO charges.
- ✓ Donna stated that Dave Rittenhouse submitted a list of members that were applying for the Volunteer Fire Fighter tax credit. Although the tax credit Ordinance was adopted in 2020, this was the 1<sup>st</sup> year anyone applied for it. The tax credit provides a benefit to volunteers of up to \$500 on Earned Income Tax. A list was provided to Council members of all volunteer firefighters who applied for the tax credit. The list was submitted to the County Tax Office.
- ✓ Donna stated that she reached out to the Zoning Board members, Paul Holland and Eric Beaverson last month to inquire if they were still interested in serving on the Zoning Board. Paul Holland responded and stated he was still interested in serving on the Board. There was no response from Eric Beaverson. Council members feel that it is necessary to have 3 members on the Zoning Board. Donna will reach out to Mr. Beaverson again and report back to Council next month.

**Maintenance: Nothing to report**

*On a motion from Rich Mitzel and second from Melissa Raver, Council members unanimously approved payment of the current invoices.*

*On a motion from Brenda Kramer and second from Rich Mitzel, Council members unanimously adjourned the meeting at 8:25 pm.*

*Respectfully Submitted*

*Donna Martin  
Secretary-Treasurer*