

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
June 3, 2024
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday June 3, 2024 by Matt Dietz, Council President, at the Borough Municipal Office, 2 East Main St, Windsor PA. Attendance was as follows:

Matt Dietz, President
Brenda Kramer, Vice President
Penny Dzubinski
Rich Mitzel (absent)
Sabrina Bowman

Larry R. Markel, Mayor
Donna Martin, Secretary-Treasurer
Steve Carr, Maintenance Supervisor (absent)
Dean Reynosa, Solicitor (MPL Law Firm)
Bob Huska, Codes Enforcement Officer
John Runge, Engineer (Gordon Brown Associates)

Minutes from the May 6, 2024 meeting was unanimously approved on a motion from Penny Dzubinski and second from Brenda Kramer.

Citizens & Inquiries:

- ✓ Cpl Justin Carmen from the State Police Office attended the meeting to report the following:
 - ♣ In reviewing reports/stats for the last 6 months, there does not seem to be a significant increase or decrease of criminal activity or traffic stops compared to last year.
 - ♣ Matt explained that he witnessed someone setting off fireworks on the ball field. Matt approached the person and they stated that the police had already been there and gave them permission to set off fireworks. Matt asked Cpl Carmen to discuss this with his staff because the Borough has an Ordinance prohibiting the use of fireworks and the ball field is private property so this would not be allowed. Cpl Carmen explained that the Dispatcher will tell people that setting off fireworks is only allowed if there are houses more than 150 ft away.
 - ♣ A resident stated that more police presence is needed in the area because of the number of cars that speed on Main St.

- ✓ Shawn Dickason (3 W High St) attended the meeting to discuss a fence permit he recently applied for. Mr. Dickason wants to replace an existing chain link fence and increase the length/size of the fence which will become a split rail fence. The application was denied because Mr. Dickason lives on a corner property, and it was determined by the Solicitor and the Engineer that the fence would violate the clear sight triangle rule that is in the Subdivision and Land Development Ordinance (Saldo). The following was discussed:
 - ♣ Mayor Markel stated that the street Mr. Dickason lives on is a low traffic area with a speed limit of 15 mph.
 - ♣ Mr. Dickason stated that the current fence is 10-12 ft off of the road and he is willing to keep the new fence the same distance from the road but would like to increase the length of the fence.
 - ♣ Council members feel that the SALDO sight triangle rule should be reviewed on a case-by-case situation.
 - ♣ *Council members feel in this situation, Mr. Dickason should be allowed to replace the existing fence and unanimously approved the permit.*

- ✓ Mrs. Mead at 138 W Main St attended the meeting to discuss her handicapped parking application with Council members. The following was discussed:
 - ♣ Mrs. Mead states that she submitted her application several months ago and received a letter stating that Council members want to review the Handicapped Parking Ordinance to ensure that it is ADA compliant. The letter also stated that since the parking spaces were recently reconfigured, this should help with parking.
 - ♣ Mrs. Mead stated that reconfiguring the parking spaces only made the problem worse because people are parking 2 vehicles in 1 spot and it blocks her from getting her car out. Mrs. Mead stated that she has not been able to go to the doctor's for her appointments because she cannot get her car out of the parking space.

- ♣ Mrs. Mead stated that she has several health problems which make it very difficult for her to walk far to get to her car.
 - ♣ Sabrina Bowman and Penny Dzubinski explained to Mrs. Mead that they reviewed the ADA rules for handicapped parking spaces and explained that anyone with a handicapped placard or license plate would be allowed to park in any handicapped parking space. The Borough is not required to have assigned handicapped parking.
 - ♣ Council members stated they will discuss her application later in the meeting.
- ✓ Adam Anderson and Rob Barclay attended the meeting to discuss the Walnut Creek Development. The following was discussed:
- ♣ The Developers Agreement needed to be revised for Phase III. Language was added that states Building Permits will not be issued until contractor work is completed and inspected by the Engineer or the Bond Agreement has been approved and is in place. The Agreement will need to be signed by Robert Barclay and notarized.
 - ♣ Financial Security Agreement - A Letter of Credit was also reviewed. *On a motion from Penny Dzubinski and second from Sabrina Bowman, Council members unanimously approved the amended Financial Security Agreement*
 - ♣ The Stormwater Facilities Agreement was provided for review and discussion. *On a motion from Sabrina Bowman and second from Penny Dzubinski, Council members unanimously approved the Stormwater Facilities Agreement.*
 - ♣ York Excavating has started work for the construction entrance way and it should be done by the end of June. Matt stated that the York Excavating trucks and other construction equipment have been using the School House Lane entrance over the last year and there are potholes forming on School House Lane. Mr. Barclay stated he will speak with York Excavating about this.
 - ♣ Tot Lot- Mr. Barclay stated that originally the playground equipment was going to cost approximately \$42,000. This price was a quote from 10 years ago. Now the cost of the playground equipment is approximately \$72,000. Mr. Barclay asked Council members to consider reducing the Recreation fee the Borough charges for each property. Council members stated they will discuss this.
 - ♣ Matt stated the Borough receives violation reports from the York County Conservation District regarding the Development. Matt reminded Mr. Barclay that when violations have been fixed, he needs to take pictures and send them to the Conservation District so they can document that the violations have been corrected.

Codes Enforcement Officer:

- ✓ Bob discussed the following:
- ♣ 7 citations were issued in May for property maintenance violations (grass & weed growth).
 - ♣ A Summary Trial appealing 2 citations for failure to clear sidewalks of snow & ice during 2 snow events was held in May. The Magistrate ruled in favor of the Borough and the defendant was ordered to pay the fine and court costs.
 - ♣ A Summary Trial is scheduled for June 24th to hear an appeal from a resident who parked on the street during street sweeping.
 - ♣ An incident involving the illegal discharge of firearms was reported, investigated, confirmed and a notice of violation letter was sent to the resident. Bob spoke with the resident who admitted to committing the violation, offered an apology and agreed to cease the activity immediately.
 - ♣ A Civil Complaint will be filed against the property owner at 38 Water St for construction of a carport without property permitting.
 - ♣ Matt asked Bob to provide an update on the cars sitting at 109 E Main St. Bob stated that he sent a letter to the owner of the property (Evelyn Vasquez) informing her that there are too many cars sitting on the property. Bob will review the Zoning Hearing rules from the previous owner to make sure the owner is following all stipulations.

Mayor: Nothing to report

EMA:

- ✓ Mike Smith reported that there will be another EMA Disaster Response Simulation to plan for possible emergency events that may happen at the General Election Polls.

Engineer: John reported the following:

- ✓ John reported that he will attend a pre-construction meeting on 6-4-24 with the York County Planning Commission for the E High St project.
- ✓ John stated that he will schedule a meeting with the property owners to discuss the Main St/Penn St project.
- ✓ John stated that he would like to apply for a grant so that repairs can be made to the Herman Ave & Heindel Ave bridges. John was advised by Steve Malesker to have the bridges inspected first so the report can be submitted with the grant application. The report will explain what repairs need to be made. The cost of bridge inspections will be approximately \$1,200 each. *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members unanimously approved having the bridge inspections completed.*
- ✓ John followed up with the retaining wall problem at 118 W Main St. When the resident notified the Borough that the retaining wall fell into the creek, John assisted with contacting DEP to get a permit. Recently, John followed up with DEP about the permit application. They stated they have no paperwork for this property. John asked Council members how he should proceed. John feels that there will be ongoing problems with erosion. Council members stated they would like to look at the property and discuss this before moving forward.
- ✓ John will be looking into a drainage problem at 86 School House Lane. The drainage problem is impacting several residents and there is a concern about a large tree that could easily become uprooted and fall.

Solicitor:

- ✓ Dean provided the updated Garbage Ordinance for approval. Information was added to the Garbage Ordinance that each rental unit is billed a water, sewer and garbage fee. *On a motion from Brenda Kramer and second from Sabrina Bowman, Council members unanimously approved the Garbage Ordinance #1-2024.*

Council Members:

- ✓ Council members discussed the Handicapped Parking Application for 138 W Main St. The following was discussed:
 - ♣ Council members requested Dean to review the Handicapped Parking Ordinance (4-97) and make any necessary revisions. The Ordinance will need to comply with State Laws. Also, Council members agreed that they do not want to have assigned parking so that anyone with a handicapped placard or license plate can park in a handicap space.
 - ♣ Mayor Markel has been observing the parking situation in this area over the last 2 months and doesn't see where there are parking problems.
 - ♣ Council members discussed whether tenants should be given handicap parking spaces because landlords are required to provide off street parking. The other problem is that when a tenant moves out, the Borough is not notified, and the handicapped parking sign would not be taken down. This would prevent someone from using a much-needed parking space.
 - ♣ Council members would like Steve to measure the parking spaces again to make sure everything is correct.
 - ♣ Council members concluded that they will issue a handicapped parking space for the tenant but it will not be a designated space so anyone with a handicap license plate or hang tag will be allowed to use the spot. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved a handicap parking sign to be placed at 138 W Main St.*
- ✓ Council members discussed the request by Rob Barclay to reduce the Recreation Fee for each new house in the Development. The following was discussed:
 - ♣ Each house built in the Walnut Creek Development is charged a Recreation Fee of \$905. The fee was originally \$1,200 but Council members agreed to reduce it to \$905 for Mr. Barclay several years ago.
 - ♣ Once the Borough officially adopts Walnut Creek, the Recreation fees will be used to maintain the Tot Lot.

- ♣ Council members realize that the cost of equipment and materials increases each year, but they had no control over the amount of time it took to get the Development started.
- ♣ Council members feel that by the time the Development is completed and adopted, prices to maintain the playground will have increased, so they must build a reserve of funds to maintain the Tot Lot.
- ♣ Council members did not agree to reduce the Recreation Fee.

Secretary-Treasurer:

- ✓ Donna discussed the flooring project and Council members approved a color. The color for the table was also approved. Donna will begin to schedule a date to have the floor installed. Council members would like the floor installation to take place on a Friday, Saturday and Sunday (if needed) so the office will be closed for a minimal amount of time.

Maintenance: Nothing to report

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

On a motion from Penny Dzubinski and second from Brenda Kramer, the meeting was adjourned at 8:30 pm.

Respectfully Submitted

*Donna Martin
Secretary-Treasurer*