

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
February 5, 2024
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday February 6, 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

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

Minutes from the January 2, 2024 meeting was unanimously approved on a motion from Penny Dzubinski and second from Brenda Kramer.

Citizens & Inquiries:

- ✓ Dave Rittenhouse and Ned Souders provided an update on Fire Dept news.
 - ♣ The fire dept had 37 dispatches in the month of January with 7 being in the Borough.
 - ♣ The fire dept had 429 dispatches in 2023 with an average of 7 responders per call.
 - ♣ Dave stated that all of the volunteers are dedicated and work very hard.
 - ♣ Final repairs are being done to Engine 37-1 and it will be back in operation soon.
 - ♣ The Laurel Fire Dept received membership through Buck's County Community College for training. Dave and Ned are enrolled in the Fire Instructor I class. Once completed, they will be awarded Nationally recognized Pro-Board Certifications.
 - ♣ Firefighter I Pro-Board and Vehicle Rescue Operations Courses are being scheduled.
 - ♣ Repainting of the apparatus bays is almost complete.
 - ♣ An in-house alerting system is being installed. The system will provide red flashing lights in the building, speakers throughout the building to broadcast radio transmission and radio traffic, and bells in the apparatus bay and meeting room. There will also be a small red rotating light on the outside of the building to alert traffic that responders are in the area.
 - ♣ On Saturday, Feb 24th, Rep Wendy Fink will hold a Legislative Meet & Greet Breakfast at the station for residents of Red Lion, Windsor Borough and Windsor Township.
 - ♣ The Events Committee has many fundraisers planned to include Ham Dinners, Chicken BBQ's, Sub & Sandwich sales and a Cornhole Tournament.

- ✓ Don Dippner from the Red Lion Lions Club attended the meeting to discuss the following:
 - ♣ The Red Lion Lions Club would like to hold a fundraiser at the Windsor Borough park and playground on May 18th from 8-4 to benefit the PA Lions Beacon Lodge Camp in Mt Union PA.
 - ♣ The PA Lions Beacon Lodge Camp caters to individuals living with a disability.
 - ♣ During the camping season, they offer a full-service summer camp experience for youth and adults with disabilities.
 - ♣ This will be a family event to include carnival games, face painting, games of chance, White Elephant Sale, magic show, gift basket raffles, a duck race in the creek and more.
 - ♣ They plan on having 4 food trucks and need to know if permits are required for the trucks.

- ♣ E High St, in the area of the Lions Club building, would need to be closed that day to allow room for food vendor trucks and activities
 - ♣ Council members thanked Mr. Dippner for attending and will discuss this further later in the meeting.
- ✓ Sabrina Bowman (13 W Main St) attended the meeting to inquire about the auditor position. At last month's Council meeting, it was noted that there were 2 residents who had been written in on the ballot for the Auditor position. Council members asked Donna to reach out to the residents. Ms. Bowman expressed her interest in filling the auditor position. Matt explained that the Borough currently has 2 auditors, but it would be best to have 3 auditors. Ms. Bowman stated that she has lived in the Borough for about 15 years, works as a tax professional and would be willing to help with the audit. Council members will discuss Ms. Bowmans interest later in the meeting.

Codes Enforcement Officer:

- ✓ Bob discussed the following:
- ♣ He conducts rental inspections monthly instead of trying to get them all done within a month or two.
 - ♣ For the Walnut Creek Development, as of 2-1-24, Bob issued 13 permits, completed 11 setback inspections, completed 7 final inspections and issued 7 Certificated of Occupancy forms.
 - ♣ Due to 3 snow events in the month of January, Bob sent out 49 notices of violation warnings to residents who did not clear their sidewalks within 24 hours and issued 4 citations to repeat offenders.
 - ♣ Bob stated he issued 2 parking citations for illegal parking near a fire hydrant. The citations went to the same resident.
 - ♣ The fallen tree obstructing the flow of the creek at 16 N Blacksmith Ave has been removed.
 - ♣ The owner of 38 Water St installed a carport without getting approval. The carport was placed right on the property line and is causing problems. Bob provided options to bring the structure into compliance and gave a deadline for the structure to be moved.
 - ♣ A Zoning Hearing has been scheduled for February 21st at 6 pm to review the Special Exception request for Tony Randazzo regarding 27 W Main St. Mr. Randazzo converted the house into a 3 unit apartment without getting proper approval.
 - ♣ Bob would like further guidance from Council members on what to do regarding houses being purchased and renovated without getting permits from the Borough. Bob questioned if an Ordinance stating that property owners must get permits prior to doing any work would be helpful. The process now is that when a property goes to settlement, Donna sends the final water, sewer and garbage bill to the Settlement Company along with a form the new owner is required to fill out and return to the office. The form asks for all contact information and whether the house will be used as a rental unit. Donna stated that the majority of the time, the Settlement Company returns the completed form but there have been a few times when the form is not returned, and the new owner doesn't contact the Borough until several months later. Resident Rochelle Geerling (108 School House Lane) stated that she and her husband did not receive the form when they went to settlement on their house. Donna explained that since they live in the new development (Walnut Creek), they are not permitted to rent out their house. Mrs. Geerling stated that in the paperwork they signed, they were prohibited from renting out their house for 1 year but nothing was in the contract that prohibited them for ever renting out their house. Matt will look into this as Council members had the understanding that the new development would be under an HOA and rental properties would not be allowed.

Mayor:

- ✓ Larry discussed the need to have background checks done for certain positions. The Solicitor stated that background checks can be required, especially for positions where financial records are being reviewed.
- ♣ Larry discussed the parking problem at 138 W Main St. Larry explained that he and Steve recently met at 138 W Main St to see if the parking spaces needed to be re-adjusted. Larry confirmed that the spaces were not evenly marked off so Steve was able to reconfigure them which resulted in 3 additional parking spots.

- ♣ Larry stated there are a few more spaces to be looked at and possibly reconfigured. Larry will work with Steve on this.
- ♣ Matt feels that the Borough should contact Columbia Gas and possibly seek reimbursement for the time and expense of reconfiguring the parking spaces since they did not do it properly. Matt asked the Solicitor to send a letter to Columbia Gas regarding the problem.

EMA:

- ✓ Mayor Markel reported that Constable Mike Smith completed all of the required paperwork/training in order to become the Borough's Emergency Management Officer.
- ♣ Mike stated that there will be a seminar on February 21st from 12-4 at the York County 911 Center. The seminar will discuss flooding and what is available to assist Municipalities. Mike will be attending the seminar.

Engineer:

- ✓ In John's absence, Matt reviewed John's agenda. The following was discussed:
 - ♣ The Surety Agreement for Phase III of the Walnut Creek Development will be discussed at the March Council meeting.
 - ♣ The construction entrance in Walnut Creek will be paved in the Spring.
 - ♣ John advertised the E High St project for bids and the project will be awarded at the March meeting.
 - ♣ John is working to arrange a meeting with PennDot to review the geometric design for Penn St/Main St.
 - ♣ Water St and High St will have road work done in March.
 - ♣ John submitted a grant application for work to be done on W High St, work to be done at the ballfield and sidewalk work to be done on W Main St.

Solicitor:

- ✓ Dean discussed a problem with collecting garbage fees. The following was discussed:
 - ♣ Donna reached out to Dean regarding a homeowner who rents out a property at 109 E Main St. The only service at this property is the garbage fee.
 - ♣ The tenant has not paid the quarterly garbage fee for the last several quarters.
 - ♣ Donna mailed several letters to the tenant and the property owner about the outstanding bill.
 - ♣ Donna informed the property owner that the garbage bill is ultimately the responsibility of the owner. The owner stated that she is not responsible for the tenants' bill and will not pay the bill unless she sees an Ordinance stating this fact.
 - ♣ Donna reported that there are no Ordinances stating that a landlord is responsible for the tenants' bill.
 - ♣ Dean advised creating an Ordinance to ensure that property owners will pay the bill.
 - ♣ Without an Ordinance, the Borough could not put a lien on the property for past due bills.
 - ♣ Donna stated that this isn't the first time a tenant or landlord has refused to pay a bill.
 - ♣ If the tenant should vacate the property and the owner refuses to pay, the Borough may not have a legal recourse to collect an outstanding bill.
 - ♣ Matt feels it would be wise to include verbiage about water and sewer fees.
 - ♣ Dean provided copies of garbage Ordinances from other Boroughs. Donna stated that she reviewed all of the Ordinances and will send a list of things to include for Dean to draft an Ordinance.
 - ♣ Council members would like to include that trash cans must be put away after trash has been collected and residents cannot leave out items that the trash company cannot accept such as electronics.
- ✓ Dean discussed the tax collector position. The following was discussed:
 - ♣ Bobbi Jo Daley submitted an official resignation letter stating that she would resign effective as of 1-15-24. This would allow her time to submit all required paperwork to the York Co Tax Office.
 - ♣ On a motion from Penny Dzubinski and second from Rich Mitzel, Council members unanimously approved Resolution #3-2024 to accept the resignation of Bobbi Jo Daley as the Borough's Tax Collector.

- ♣ Dean discussed Sharon Wolfe's letter of interest to be the Borough Tax Collector. Dean didn't realize that Ms. Wolfe was not a Borough resident and stated that she is not eligible to be the Borough Tax Collector. The State Statute says the Tax Collector must be a resident. It was pointed out that Ms. Wolfe is the Tax Collector for Chanceford Township and Felton Borough. Donna stated that she spoke with Ms. Wolfe and the Office Manager of Chanceford Township to see what process they went through to allow Ms. Wolfe to be the Tax Collector for Felton Borough. An Agreement was drawn up between the 2 Municipalities to allow Ms. Wolfe to be the Tax Collector. The Agreement would be similar to the Agreement that the York Co Tax Office will need signed should Council decide to use them. Unfortunately, there isn't enough time to draw up an Agreement as tax bills need to be mailed out this month.
- ♣ The appointment with the York Co Tax Office will be through the end of December 2025 as that is when the next election cycle will take place. Any interested Borough resident will have the opportunity to complete the required courses and be certified as a Tax Collector if they would like to be placed on the ballot in 2025.
- ♣ *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members unanimously approved Resolution #4-2024 to enter into an Agreement with the York County Tax Office to be the Borough Tax Collector.*

Council Members:

- ✓ Council members reviewed a Handicapped Parking Permit Application submitted by Mrs. Mead at 138 W Main St. The following was discussed:
 - ♣ Mrs. Mead states that she has a permanent disability, has a hard time walking, is unsteady and needs a cane.
 - ♣ Off street parking is available but is behind the house and she would need to cross over a bridge.
 - ♣ Since there are now 3 additional spaces, Council members asked Donna to reach out to Mrs. Mead to see if she still needs a handicapped parking space.
 - ♣ Council members asked that Mrs. Mead provide a copy of her handicapped parking hang tag or verification of a handicapped license plate.
 - ♣ Matt stated that the Borough's position on handicapped parking spaces is that anyone with a handicapped hang tag or handicapped license plate is allowed to park in a handicapped parking space. The Borough does not assign a handicapped parking spot to a particular vehicle.
- ✓ Matt discussed looking for a grant to upgrade the streetlights. Matt feels that converting the streetlights to LED lights would help reduce the cost of the monthly electric bill and would also like to get nicer light fixtures. Donna stated she will check with MetEd to see about converting the lights to LED's and will look for available grants.
- ✓ Council members discussed the request presented by Don Dippner for the use of the playground area to hold a fund raiser event on May 18th. Council members feel this would be a wonderful event for the community. They also agreed that none of the food vendors would need to pay any permit fees since this is a fundraiser. *On a motion from Brenda Kramer and second from Rich Mitzel, Council members unanimously approved to hold a fundraiser event to benefit the PA Lions Beacon Lodge Camp.*

Council members went into Executive Session at 8:02 to discuss personnel/legal matters. The Executive Session ended at 8:20 pm.

- ♣ Council members discussed Sabrina Bowmans interest to serve as an Auditor. During the meeting, Ms. Bowman stated she could also fill the Council position if that would be more helpful. It was noted that Ms. Bowman served as the Judge of Elections for the last few years. Council members feel that it would be more helpful for Ms. Bowman to serve as a Council member. Ms. Bowman would fill the position until the end of 2025. At that time, if Ms. Bowman is still interested in serving on Council, she will need to submit the required paperwork to be placed on the ballot. *On a motion from Rich Mitzel and second from Penny Dzubinski, Council members unanimously approved appointing Sabrina Bowman as a Council member (Resolution #5-2024).*

Secretary-Treasurer: Nothing to report

Maintenance: Nothing to report

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

On a motion from Penny Dzubinski and second from Rich Mitzel, the meeting was adjourned at 8:25 pm.

Respectfully Submitted

*Donna Martin
Secretary-Treasurer*

DRAFT