

WINDSOR BOROUGH COUNCIL
MINUTES OF MEETING
October 7, 2024
6:00 PM

The regular monthly meeting of the Windsor Borough Council was called to order on Monday October 7, 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
Sabrina Bowman

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)

On a motion from Penny Dzubinski and second from Sabrina Bowman, Council members unanimously approved the August and September Minutes.

Citizens & Inquiries:

- ♣ Adam Anderson and John Barclay attended the meeting to request a reduction of the Security Bond for Phase III of the Walnut Creek Development. Adam stated that water and storm sewer work, road work and street construction have been completed. The Security Bond will be reduced to \$153,667.50 for the remaining work to be done. Adam provided a detailed list of the remaining work and answered Council members questions. John stated that his office approves of the request. On a motion from *Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved the Bond Reduction request for Phase III of \$153,667.50*

- ♣ Dave Rittenhouse from the Fire Dept provided an update:
 - The dept responded to 34 calls in August
 - The fire dept purchased an engine/tanker from Allegheny Township to replace the tanker that was totaled in an accident. After work/upgrades are completed, they will use it as a tanker engine and determine if they can downsize and have only 1 engine and 1 engine/tanker.
 - Several members completed Hazardous Materials training and Firefighter certification.
 - A non-functioning fire hydrant will be placed at the rear of the station to be used for hydrant operation training.
 - The fire dept will attend different events for Fire Prevention week. The Fire Prevention Open House will take place on Oct 13th from 12:30-3:00 pm.
 - Over the last few years, the fire dept has given awards or some type of incentive to members who achieve different levels of training. Windsor Township donates each year, and Dave is requesting that Council members consider donating an additional amount to help with this.

- ♣ Tom Zimmerman from 41 W Main St attended the meeting to discuss problems with a neighbor. Mr. Zimmerman stated that the neighbors have been creating lots of problems for some time and it needs to be stopped. The neighbor is speeding down W Gay St doing burnouts at various times of the day and night. Many times, there are kids playing in the alley or people out in the alley walking dogs. Some neighbors confronted the person who was speeding, and he pulled a handgun on them. Mr. Zimmerman stated that he had a discussion with another family member in the house about the problems and was threatened with a handgun as well. Mr. Zimmerman stated that the police have been called several times, but nothing is being done to stop the problems. Mr. Zimmerman stated that since the offending party is a member of the Laurel Volunteer Fire Dept, Council members should do something about the problems. A Council member was able to confirm the problems as he has witnessed them. Matt Dietz explained to Mr. Zimmerman that Council members do not have any authority

over the fire dept since they are all volunteers. Matt advised to continue to have the police involved in this situation.

- ♣ Tim Gladfelter from 20 Water St attended the meeting to request that the neighbors at 14 Water St be contacted and reminded that they need to put their garbage cans away after trash pickup. Mr. Gladfelter would also like the neighbors at 16 Water St to be contacted about their overgrown weeds. Bob stated he will take care of this.
- ♣ Jeremy Smith from 23 Water St attended the meeting to discuss a citation he received from Bob Huska. Mr. Smith stated that he received a warning letter from Bob and then cleaned up the property so he feels a citation should not have been issued. Bob explained that he sent letters to Mr. Smith a few times and was lenient about how long it took for the property to be cleaned up. Bob stated he has pictures with dates showing the property was not cleaned up within the designated time. Bob and the Solicitor stated that Mr. Smith can contest the citation and appeal it in court.

Codes Enforcement Officer:

Bob discussed the following:

- ♣ The owner of 38 Water St applied for and received a permit for the carport. However, the carport is not in compliance with the 3 ft setback. The owner was notified that he must obtain a property line survey to verify that the carport meets the required setback distance or move the carport a few feet to ensure the setback distance is correct.
- ♣ The owner of 109 E Main St was sent a notice of violation for having too many cars on the property. The owner spoke with Bob and was going to dispute this but has not formally done this yet. Many cars were removed from the property, so it looks better. Council members will continue to observe the condition of the property to determine if a Zoning Hearing will need to take place.
- ♣ The abandoned car on Baseball Alley was removed. Bob had a discussion with the State Police and is aware of the procedures that must be followed. Cars that need to be towed away for a violation, the owner will receive a fine in the amount of \$650 and is responsible for the towing fee of \$500.
- ♣ Bob received a permit request from Mandy Crumling of 56 W Main St. Ms. Crumling wants to put a 12x16 dog kennel and a 12x20 shed/garage on the property. Bob spoke with the Solicitor and Council members about this. The Solicitor explained that per the Zoning Ordinance, kennels are not allowed in a Village Center Zone area. Also, the Engineer stated that per the Flood Plain Ordinance, there may be some requirements that would prevent structures of this size from being placed on the property.

Mayor:

- ♣ Mayor Markel stated that he has started painting the yellow curb areas on Camp St. Typically, this job would be done by people who need to complete Community Service hours but they have not been reliable in showing up so Larry felt the project needed to be done before winter.

EMA: Nothing to report

Engineer:

John discussed the following:

- ♣ Walnut Creek Development:
 - The playground equipment for the Tot Lot will be installed this week.
 - John provided Payment Request #2 for Restuccia in the amount of \$89,409.73. John stated that since the payment request could not be approved at last month's meeting (due to lack of quorum), he is requesting that

the Borough pay Restuccia and the County will reimburse the Borough. If the payment request has to go through the County, it will be an additional month before Restuccia will receive a payment. *On a motion from Rich Mitzel, and second from Penny Dzubinski, Council members unanimously approved the payment request for Restuccia in the amount of \$89,409.73.*

→ John provided Payment Request #3 for Restuccia in the amount of \$83,877.46. John and Steve completed inspections and approved the payment. *On a motion from Rich Mitzel and second from Brenda Kramer, Council member unanimously approved the payment request in the amount of \$83,877.46.*

→ John presented a Change Order Request for the following work:

- * Provide & place 3 vein grates in place of standard grates.
- * Remove & replace 12 curb stop boxes with new B&T boxes.
- * Provide & place 4" rises on 2 set inlets.
- * Remove existing asphalt, place 6" stone base and pave additional SY of asphalt road.
- * The additional cost will be \$77,033.64. John stated that the County would pay \$50,000 so the Borough would be responsible for the balance of \$27,033.64.
- * *On a motion from Sabrina Bowman and second from Rich Mitzel, Council members unanimously approved the Change Order Request.*

♣ John presented a Payment Request from Recon Construction for the Water St project (milling work). The payment amount is \$48,599.91. *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members unanimously approved to submit the payment request in the amount of \$48,599.91.*

♣ John presented a Payment Request for Recon Construction Services for the cold in place work done on E High St. The payment amount is \$47,541.42. *On a motion from Penny Dzubinski and second from Rich Mitzel, Council members unanimously approved to submit the payment request in the amount of \$47,541.42.*

♣ John stated that he needed a detailed cost sheet & report from HRG to submit with the grant application for bridge repairs. The cost is \$1,100. *On a motion from Brenda Kramer and second from Sabrina Bowman, Council members unanimously approved paying HRG \$1,100 to complete required paperwork to be included with a grant request.*

Solicitor:

♣ Dean provided a draft of a Burn Ordinance that Council members requested. Dean explained that the Ordinance would require residents to obtain a permit to be allowed to burn and open burning would be allowed from Memorial Day through Labor Day. Dean stated that Council members would need to set times when burning would be allowed and the Ordinance also states that open fires must be 25 ft away from a property line. Mayor Markel stated that Dave Rittenhouse should be involved in reviewing the Ordinance and get input from the Fire Dept. Council members will review the draft Ordinance to be discussed at the November Council meeting.

♣ Dean provided information on what the proper procedures are for road closures. Dean stated that most Municipalities do not have an Ordinance that dictates what procedures must be followed. Council members discussed what should be done when a resident or company needs to temporarily close a road for situations such as tree trimming, delivering material/supplies or work to be done in a resident's yard. Council members feel that for safety reasons, a person/company will need to provide flaggers, road work/closure signs, notify the Borough and also notify 911. Council members requested this information be posted on the website.

Council Members:

- ♣ Council members discussed the handicap parking application for the tenant at 138 W Main St. Dean provided information at the Sept Council meeting that Municipalities are not required to offer reserved handicapped parking spaces and they can charge reasonable fees to offset the cost of the sign & maintenance. Council members decided to offer the tenant a handicapped parking sign. The tenant must pay the required annual fees, and the handicapped parking space can be used by anyone who has a placard.
- ♣ Matt provided an update on the broken sewer line at 38 N Blacksmith Ave. Matt stated that all repairs have been made as required.
- ♣ Council members will need to meet this month to prepare the 2025 annual budget. Council members will meet on Oct. 23rd at 5:00 pm.

Secretary-Treasurer:

- ♣ Donna stated that she applied for a rebate for the new office lights. The rebate amount will be approximately \$750 and will help offset the cost of purchasing the lights.
- ♣ Donna stated that she found someone who is able to offer office assistance when needed. Donna would like to use this person to assist with filing and organization but will have more projects in the near future. Council members will need to discuss with Dean if/what may need to be done.

Maintenance:

- ♣ Steve reported that there is a section of foundation in the basement (furnace room) where water is seeping in. The ground by the outside wall will need to be dug up so the drainage problem can be fixed. The cost will be approximately \$2,500. *On a motion from Rich Mitzel and second from Brenda Kramer, Council members unanimously approved making the repairs.*
- ♣ Steve stated that there are a few very large potholes that should be repaired. The potholes are in the parking lanes on High St and Heindel Ave. The pot holes are very large and will need to be filled and paved. Since Restuccia is paving a portion of High St in the next week or two, it would make sense to have them fix the potholes. If the potholes are not fixed soon, it will be more expensive next year to repair. Steve estimates it will cost approximately \$3,000 to have the potholes filled and paved. *On a motion from Rich Mitzel and second from Sabrina Bowman, Council members unanimously approved paving the potholes.*
- ♣ Steve stated that the crosswalks at the Rutters intersection need to be painted. The double yellow lines at North and South Camp St also need to be painted. The cost will be approximately \$6,000 and can be paid with Liquid Fuels. *On a motion from Brenda Kramer and second from Penny Dzubinski, Council members unanimously approved the painting projects.*

On a motion from Rich Mitzel and second from Sabrina Bowman, Council members unanimously approved payment of invoices.

The meeting was recessed at 9:00 pm and will re-convene on October 23rd at 5:00 for a budget planning session.

The Windsor Borough Council reconvened the meeting on Wednesday October 23, 2024 at 5:00 pm. The following members were present: Larry Markel, Matt Dietz, Brenda Kramer, Penny Dzubinski, Rich Mitzel, Sabrina Bowman and Donna Martin.

- ♣ Council members briefly discussed changes they want to make at Council meetings. Council members want to post signage to remind residents that when discussing a concern in the Borough, they are allowed 5 minutes to talk and must conduct themselves in an appropriate manner. Yelling, cursing and threats will not be allowed. Matt will speak with the Constable about when he should intervene if residents become unruly.
- ♣ Council members discussed reducing the number of times the Solicitor and Engineer attend the Council meetings. Currently, the Solicitor charges approximately \$600 to prepare and attend a meeting. This fee does not include work he does during the month. The Solicitor fee will increase in 2025. The Engineer charges approximately \$400-\$500 to attend a meeting. Matt stated that the Solicitor and Engineer always sends a monthly report of things they've been working on and if Council members have any questions, Donna can reach out to them for answers. Council members decided that it is not necessary to have the Solicitor and Engineer attend every meeting.
- ♣ Council members reviewed the 2025 General Funds budget. The following was discussed:
 - Council members discussed Dave Rittenhouse's request for a larger donation for the fire dept. Council members would like to review their annual revenue and expenses to understand the financial situation and what challenges they face. The Borough gives them tax revenue and a donation. The fire dept also solicits residents for additional funds. Council members will discuss this at the November meeting.
 - Work needs to be done on the Maintenance building. The doorway is 9ft wide and the snow plow cannot be easily parked because the plow is as wide as the door. Steve would like to have the doorway widened to 10 ft. and a new door will be needed. The cost is approximately \$7,000. *On a motion from Penny Dzubinski and second from Brenda Kramer, Council members unanimously approved this project for a cost of up to \$10,000.*
 - Council members would like to upgrade all of the Borough's streetlights to LED lights. The cost to upgrade 12 lights is \$12,000. Council members added in a line item to include the cost of upgrading 12 streetlights. They would like to upgrade 12 lights each year until all streetlights have LED bulbs. This will reduce the electric bill.
 - After reviewing the 2025 preliminary budget, Council members feel that the revenue is sufficient to cover expenses so there is no need to increase taxes for next year.
 - Council members met in an Executive session to discuss employee payroll. *On a motion from Sabrina Bowman and second from Brenda Dietz, Council members unanimously approved a 3% pay increase for Steve and Donna.*

On a motion from Sabrina Bowman and second from Brenda Kramer, Council members unanimously agreed to adjourn the meeting at 6:26 pm.

Respectfully Submitted

*Donna Martin
Secretary-Treasurer*