

WINDSOR BOROUGH COUNCIL AGENDA

October 7, 2024

6:00 PM

Minutes from Previous Meeting (August & Sept Minutes)

Citizens & Inquiries

Reports:

Codes Enforcement Officer

EMA

Mayor

Engineer – see agenda

Solicitor: - see agenda

Council Members:

- Discuss handicap parking application for 138 W Main St. (to be approved/denied, reserved spot, charge fee)
- Update on broken sewer line at 38 N Blacksmith Ave
- Plan Budget meeting date

Secretary-Treasurer:

- Applied for rebate for replacement of office lights. Rebate will be approximately \$750
- Office Assistance

Maintenance:

- Painting Projects
 - ♣ Cross walks need painting at Rutters intersection
 - ♣ S Camp & N Camp Road needs yellow double lines repainted
 - ♣ Can pay with Liquid Fuels. Will not cost more than \$6,000

Approve General Funds Bills

WINDSOR BOROUGH COUNCIL MEETING
Monday October 7, 2024
ENGINEER'S PROJECT UPDATE

YCPC – MS 4 Program

- Continue monitoring & improving implemented programs.
- Sch. Training/review/update meeting with Donna (Oct.)
- Review & update files with required monitoring forms (Oct.)
- Annual Report Submitted – 9/30/2024.

Walnut Creek Development

- Phase I & II Final plan:
 - Processing building permit applications.
 - Certificate of use and occupancy – being issued.
 - Storm piping to the new stormwater basin needs to be completed. (to be completed by York Ex. Co.)
 - Playground Installation to start week of 9/7/2024.
- Phase III Final Plan
 - Contractor is continuing with final utility improvements.
 - Review & Approve YEC required surety site work – Required site work has been completed.
 - Discuss & approve furnishing letter confirming YEC surety work items have been installed, inspected, and approved allowing sale of lots and issuance of building permits as required in the Developers Agreement.

2021-2023 CDBG funded project (High Street)

- Review/approve/make payment for request No.2
- Review & Approve Payment Request No. 3 for payment by YCPC.
- Review & Approve Change Order No. 1
- Submitted Request for additional Project funds (\$50,000.00) to YCPC.

Penn Street / Main Street signalized intersection geometric realignment

- Next Steps:
 - Meet with Property owners (in October/November)
 - Review Traffic Consultant (TRG) updated proposal.
 - Proceed with permitting & grant applications- (Fall/Winter 2024)

Grant Opportunities:

- Continue to research and gather opportunity information.
- Green Light Go Grant (Penn & Main Streets – 2024/2025)

Fishing Creek- Borough/Resident wall permitting:

- Coordinate including wall at 72 W. Main in permit (Matt has coordinated with Owner)
- GLB&A to follow up with Owner.
- Update permit application.
- Schedule another pre-application meeting with DEP
- Electronic filing of GP-11

YCCD Dirt, Gravel, Low volume road grant:

- Cold-In-Place Recycling Process completed 9/5/24.
- Inlet structure installation has been started.
- Review & Approve Water St. Payment Request No.1 & E. High St. Payment request No. 1.

Local Share Grant for Bridges (Herman & Heindel):

- Review and approve additional costs for (HRG) to prepare required cost estimate for grant application submission (\$1,000.00).
- Electronically submitted Grant Application 9/30/24.

2024 – 2026 CDBG Applications:

- 2024-2026 CDBG grant awarded for – 2025 (West Main St. curb & sidewalk) 2026 (wall installation & playground mulch)

GLB&A Project Cost Tracking:

- Will be provided.

General Discussion Items:



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MEMORANDUM

Attorney-Client Privileged and Confidential

TO: Windsor Borough Council

FROM: Dean E. Reynosa

DATE: October 7, 2024

RE: Solicitor's Report

Solicitor Report Agenda Items:

- A draft copy of a proposed Burn Ban Ordinance is attached for Council's review and comments.
- There was a discussion at the September meeting about the closure of Borough roads by private contractors without the Borough's knowledge or consent. A discussion was held that at a minimum, notice should be provided to the Borough by contractors and notice should also be provided by the contractors to the 911 center of the dates and times of the closures so that emergency vehicles may be properly dispatched to avoid any closed roads. Additionally, it was requested that I look into whether anything can be done to provide any enforcement provisions to a road closure policy. Unlike the Second Class Township Code (*see* 53 P.S. § 67308 – attached hereto), the Pennsylvania Borough Code (8 Pa.C.S.A. § 101 *et seq.*) does not have a specific requirement that borough street be temporarily closed only upon approval of the governing body. *See* 8 Pa.C.S.A. § 1701 *et seq.* I was able to locate an ordinance from Cleona Borough, Lebanon County, that permits Borough Council to temporarily close a borough street. (attached hereto). The ordinance provides for general road closure guidance. However, the ordinance only provides for a fine for those who drive on closed roads.

Old Business

- (38 Water Street) – Robert Huska and I discussed property owner's compliance requiring proof that the carport is not within the setback area and also completely on the property owner's lot.
- (109 E. Main Street) – Spoke with Robert Huska and provided an amended enforcement notice to be sent to property owner re: excessive vehicles.

Purdon's Pennsylvania Statutes and Consolidated Statutes
Title 53 P.S. Municipal and Quasi-Municipal Corporations
Part X. Townships of the Second Class
Chapter 141. Second Class Township Code (Refs & Annos)
Article XXIII. Roads, Streets, Bridges and Highways (Refs & Annos)

53 P.S. § 67308

§ 67308. Opening, repairing and closing roads

Currentness

(a) Public roads in townships shall, as soon as practicable, be effectually opened. All public roads shall at all seasons be kept in repair and reasonably clear of all impediments to easy and convenient traveling at the expense of the township.

(b) The board of supervisors may temporarily close any township road when it determines that conditions have rendered that road unfit or unsafe for travel and immediate repair or maintenance, because of the time of year or other conditions, is impracticable. The road or portion of road closed shall be properly marked at its extremities, and a means of passage for the customary users of the road shall, when possible, be provided.

(c) Anyone using the road or portion thereof after the road has been properly closed and marked, without a permit from the board of supervisors, commits a summary offense. All fines recovered are payable to the general township fund. Persons who have no outlet due to the closing of a road may drive on, over or across the road with the written consent of, and subject to conditions imposed by, the board of supervisors or their agents or contractors without being subject to the penalties imposed by this section.

Credits

1933, May 1, P.L. 103, No. 69, § 2308, added 1995, Nov. 9, P.L. 350, No. 60, § 1, effective in 180 days.

Notes of Decisions (107)

53 P.S. § 67308, PA ST 53 P.S. § 67308

Current through Act 92 of the 2024 Regular Session. Some statute sections may be more current, see credits for details.

End of Document

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§ 106. TRAFFIC ON STREETS CLOSED OR RESTRICTED FOR CONSTRUCTION, MAINTENANCE OR SPECIAL EVENTS.

1. The Borough Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
2. The Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.
3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 261. 7/1/2002, § 1)