

# WINDSOR BOROUGH COUNCIL AGENDA

April 6, 2026

6:00 PM

## Minutes from Previous Meeting

### Citizens & Inquiries

- Dan Hoerr & Christine Emma to discuss paving on Patterson Ave

### Reports:

Codes Enforcement Officer

EMA

Mayor

**Engineer** – see agenda

### Solicitor:

- Main St/Penn St project – sign Ordinance
- Review Parking Ordinance

### Council Members:

- Sign Resolution to appoint Joseph Bryant as Council member (#2026-2)
- Approve Joseph Byrant's resignation as Zoning Board member
- Review handicapped parking application for 58 W Main St

### Secretary-Treasurer:

- Discuss bill for 109 E Main St
- Memorial Grant not approved
- Garbage contract expires 3-27. Begin thinking about when to bid out contract. Oct-Dec is a busy time. Should not wait until Jan 2027 to bid out contract.
- General Funds audit completed. Will need to review with auditors.
- Water & Sewer audit – will meet with auditors on 4-16

### Maintenance:

- Discuss paving a section of road on W First Ave (behind Rutters). Approximate cost - \$7,300
- Review bridge inspection reports
  - ◆ W Gay St
  - ◆ Heindel Ave
  - ◆ Herman Ave
  - ◆ Myers Ave

## Approve General Funds Bills

**WINDSOR BOROUGH COUNCIL MEETING**  
**Monday, April 6, 2026**  
**ENGINEER'S PROJECT UPDATE**

**YCPC – MS 4 Program**

- Continue monitoring & improving implemented programs.
- Sch. Training/review/update meeting with Donna (Spring 2026)
- Review & update files with required monitoring forms (Process started) – **Need to insert information into Donna's files.**
- **DEP MS4 Inspection Audit completed 3/11/2026 – No violations.**

**Walnut Creek Development**

- Phase I & II Final plan:
  - Processing building permit applications.
  - Certificate of use and occupancy – being issued.
  - Tot Lot **sidewalk needs to be installed.**
  - Review/approve Phase #1 Surety Reduction Request #3 & Phase #2 Surety Reduction Request #2. **Conditionally approved based on Engineer & Solicitor review & approval. Reviewed resubmitted Surety Reduction request and provided approval letter.**
- Phase III Final Plan:
  - Processing Building Permit Applications.
  - Review/approve Phase #3 Surety reduction Request #2. **Conditionally approved based on Engineer & Solicitor review & approval. Reviewed resubmitted Surety Reduction request and provided approval letter.**

**Phase IV Final Plan:**

- Site & Utility work.
- Rear corners in Phase 4 have been set and there appears to be no conflicts/issues **(Confirm in the Spring).**
- Review & discuss reduced Surety for Phase #4. Conditional Final Plan approval was conditioned on providing updated Developers Agreement, Update Stormwater Agreement, and posting of surety. **Surety was conditionally approved based on Engineer & Solicitor review & approval. Reviewed revised Surety breakdown and provided approval letter.**

**Penn Street / Main Street signalized intersection geometric realignment**

- Next Steps:
  - Per direction at January's Borough Council meeting, Solicitor sent Agreement Documents with reference to the possibility of Eminent Domain to the impacted property owners. Will follow up with updated Site Plan. Provided updated site plan.

- Meet with Property owners (Spring 2026)
- Review and approve Traffic Consultant (TRG) updated proposal (Following resolution of property owner's Easement or Right-of-Way requests).
- Proceed with permitting & grant applications (Summer 2026).
- Penn DOT Street Betterment Program project (North & South Penn St.) scheduled to Bid in 2027. Appears this date may be pushed.

**Grant Opportunities:**

- Continue to research and gather opportunity information (Donna).
- Green Light Go Grant (Penn & Main Streets – 2027)
- Multi-Model Grant – Awarded \$692,463 for replacement of Herman & Heindel Bridges. Upon receiving and executing Contract, coordinate design – permitting – bidding. Scheduled for 3/31/2026.
- 2025 Category 4 – Local Share Grant – Waiting on notification.

**Fishing Creek- Borough/Resident wall permitting:**

- Walk West Gay Street to determine property wall issues. Completed walking evaluation.
- Prepare base mapping of locations with pictures.
- Coordinate with residents on wall issues and Borough's proposal.
- Update permit application.
- Schedule another pre-application meeting with DEP
- Electronic filing of GP-11

**YCCD Dirt, Gravel, Low volume road grant Projects:**

- East 1<sup>st</sup> Avenue – Cold-in-Place Recycling & Paving scheduled for April.

**Statewide Local Share Grant for Bridges (Herman & Heindel):**

- 2025 Statewide Local Share Grant -- Waiting on decision.

**2024 – 2026 CDBG Grant:**

- W. Main Street Curb & Sidewalk/Improvements
  - Prepare and submit PennDOT Highway Occupancy Permit application for curb installation/restoration following plan modifications.
  - During project walk through with Larry we decided to expand the limits of work to account for the sidewalk replacement at 222 W. Main St. (Commercial Building)
  - Reach out to YCPC to see if there are additional funds available. Directed by YCPC to submit request for additional funds.

- Citizen's Informational meeting conducted at 5:30 PM on March 2, 2026, before the scheduled Borough Council meeting.
- Advertise project in **April/May**.
- Bid opening **May/June**.
- Larry and I met with affected property owners on 2/16/26 to notify of project and informed them of informational meeting on March 2, 2026, at 5:30 PM at the Borough Office. **Meeting with residents week of 3/30/2026 to review design modifications.**
- **Schedule meeting with YCPC to review bid package.**

#### FEMA Flood Plain Requirements:

- Provide updates as needed.

#### GLB&A Project Cost Tracking:

- Will be provided quarterly – **Attached**.

#### General Discussion Items:

- Water runoff from stormwater ponds in Windsor Township
  - Larry coordinating with Bret Raver on televising storm sewer line. **Update**
  - GLB&A will reach out to Med Ed on work within easement.
  - Check with Kipp at Windsor Township on horse farm runoff.
- Coordinate with solicitor on updating Zoning & SALDO Ordinances (2026). **Started**
- Coordinate with Kipp (spoke w/Kipp) and PennDOT (waiting until we review design options) on stormwater runoff from property at 100 S. Camp Street and possible controls.
- Walnut Creek HOA document (received), President (**Rob Barclay**), and individual responsible for decisions or interpretations (**P.A. Management**). Waiting on follow-up from Rob Barclay. **Connected with Rob Barclay and he provided me with the executed Declaration of Covenants and Restrictions for Walnut Creek. Electric file was forwarded to Solicitor, Donna, and Matt. Appears from conversation with Rob Barclay PA Management Team is responsible for overseeing the covenants.**
- Trucks still use older portions of Schoolhouse Lane. Solicitor (Dean) has researched validity of enforcing "Weight Limit Sign". Needs engineering study. Dean has referenced in his meeting report last month. Coordinating on a letter to put Barclay's & Keystone on notice that they may be responsible for repairing road damage. **Letter Sent**
- Hess Farm – Geofabric blowing into pasture – put Barclays & Keystone on notice. GLB&A will monitor this issue.
- Walnut Creek/Borough Water Meter Vault – Steve has coordinated with John Barclay. Site meeting will be scheduled in the Spring to review/discuss modification to the vault to improve the situation.
- Coordinate with Matt D. on walk above & below Racetrack Road to evaluate potential Stormwater Control Facility (late Winter/early Spring). **Completed, prepare estimate to do a preliminary evaluation.**



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**MEMORANDUM**

*Attorney-Client Privileged and Confidential*

**TO:** Windsor Borough Council

**FROM:** Dean E. Reynosa

**DATE:** April 6, 2026

**RE:** April 6, 2026, Solicitor's Report

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**Solicitor Report Agenda Items:**

- Consideration of Resolution to Appoint Joseph Bryant as Member of Borough Council. The resolution has been drafted and it is attached. This item needs to be on the Borough Council Agenda for Monday, April 6, 2026.

**Old Business**

- Main Street Intersection – I received the attached updated plan from John Runge that should be included with a request to seek eminent domain related to the intersection. I plan to send the updated plan (by e-mail) to Attorney Doug France (counsel for Mr. John Frey – 3 E. Main Street, Windsor) and Attorney Richard Mylin (counsel for Mr. Thomas Abboud – 2 W. Main Street). I will again ask what their respective clients' intentions are about the project and whether there is any room for an agreement without the need for eminent domain. I have had no response from the property owners at 5 W. Main Street (Yakubowski/Rauhauser).

Attached is a draft ordinance for purposes of instituting eminent domain proceedings. Pursuant to Section 1501 (1) of the Borough Code, the Borough is authorized to institute eminent domain for purposes of "changing the....lines of streets." Section 1751 of the Borough Code describes the process and procedure as to how to institute eminent domain for purposes of changing the lines (*i.e.*, straightening) of streets. Section 1751 provides that

The straightening or relocation shall be considered as an opening or vacation and shall be effected in the same manner and by the same procedure as provided in section 1731 (relating to authority to open and vacate streets and procedure) but may be considered as a single proceeding to be effected by enactment of a single ordinance.

8 Pa.C.S.A. § 1751.

Section 1731 of the Borough Code (Authority to open and vacate streets and procedure) provides the process and procedure including notice. The proposed ordinance must be advertised once a week for two successive weeks in a newspaper of general circulation. 8 Pa.C.S.A. §. 1731 (b). On or before the first advertisement, “personal notice must be provided to the owners of a property abutting the street proposed to be opened or vacated.” *Id.* The proposed ordinance must have attached to it a “map or survey sufficient to apprise the public of the proposed location, profile and dimensions of the street and must list the names of the owners of a property abutting the street.” *Id.* I plan to attach the plan that John Runge recently sent over to satisfy this requirement. The plan is attached to this memorandum.

Within ten (10) days after the second publication date, an interested party may petition Borough Council for a hearing. Council must enact the ordinance within thirty (30) days after the second publication where no hearing has been requested, or within thirty (30) days following the date of any hearing held. 8 Pa.C.S.A. § 1731 (b). Any hearing requested will be held before Borough Council upon proper notice at which Borough Council must determine whether it is in the best interests of the Borough that the realignment is necessary. If a hearing is requested, the hearing must be held within sixty (60) days of the date that the petition for the hearing was submitted by the interested party. *Id.* Personal notice of any hearing must be served on any property owner abutting the intersection and published in a local newspaper at least fifteen (15) days in advance. 8 Pa.C.S.A. § 1731 (c).

Copies of the draft ordinance, plan attachment and statutory provisions referenced are attached with this report. The action item for Borough Council will be whether to approve moving forward with eminent domain related to the intersection which would include personal service of the proposed ordinance and attachments and then advertisement of the intent to consider the eminent domain ordinance. I still need legal descriptions for the areas to be taken by eminent domain and I have asked John Runge to assist in providing those to me. He said that he would work with the surveyor and ask that those be prepared. Once we have those in hand, we are good to proceed.

We have appraisals for the two right-of-way actions. Those will likely need to be updated since they are dated July of 2023. We will also probably need an appraisal for the value of the traffic signal easement too. That can be done while the eminent domain process moves forward. We would need Council to authorize updating the appraisals that we do have and also to obtain an appraisal for the traffic signal easement taking as well.

This should be listed as an agenda item on the posted agenda for Monday, April 6<sup>th</sup>. The agenda item could be “Discussion and consideration of the Windsor Road, N. Penn Street and Main Street intersection project and publication of intent to authorize eminent domain for portions of adjacent properties.”

- 9 N. Camp Street – I checked in with Attorney Erik Spurlin of MPL Law Firm, LLP, and he reported that they are waiting on the lien search for the property.
- George Herbert – The two judgments were submitted for filing at the Prothonotary’s Office in 2025. Filed copies of the judgments were attached to the December 2025 Solicitor’s Report.

At the March 2026 meeting it was reported that Mr. Herbert made another payment. We were instructed to hold off pursuing execution of judgment proceedings to permit Mr. Herbert to continue making payments.

- Zoning Ordinance – This would likely be a year-long process as it would involve additional agency review.

**Pending Plan Agenda Items:**

- At the March meeting, Wynthrop Partners had requested a reduction of the bond for the development based on its report that some of the improvements have been completed and requested that bonding should be reduced accordingly. I spoke with John Runge and reviewed his letter concerning his review of the requested reductions. I understand that Mr. Runge's letter for the reductions was approved by Council and sent to developer's engineer.

**Miscellaneous Items**

- Parking Ordinance – Robert Huska and I met on March 25, 2026, at the Borough building to discuss comments and suggestions about amendments to the current parking ordinance (1-2021). I have attached the original ordinance and a draft revised ordinance for comparison purposes. There are some items in the revisions that we discussed where Borough Council input and background would be helpful. For instance, the time of street sweeping as noted in Section 1.B.4. Also, background information concerning the restriction of Class 2 and 5 trucks in Sections 4.C 22 and 24 (amended). There are other comment blocks in the draft amended ordinance which is attached.
- Robert Huska and Donna Martin reached out to us concerning several Right to Know requests. The requests we reviewed from the Borough include:
  - (1) Angel Lucas, [foia@dataresearch.blog](mailto:foia@dataresearch.blog), March 4, 2026 – “all property-related and building/code enforcement violation records for the last 30 days[.]” Right to Know request attached. Robert Huska provided this right to know request to us on March 20, 2026. The thirty (30) day extension must be invoked by the Borough within five (5) days of the submitted request. I understand Robert Huska is currently compiling this information. Attorney Thomas Lang of our office is assisting with these right-to-know requests.
  - (2) John Garner, March 20, 2026 – Walnut Creek, 110 Schoolhouse Lane seeking inspection records and certificate of occupancy. Right to Know request attached. It was our suggestion to invoke the automatic thirty (30) day extension to respond so that the request could be thoroughly vetted. Extension letter dated March 24, 2026, is attached. Response due April 20, 2026.

- (3) John Garner, March 20, 2026 – multiple Walnut Creek addresses including 122 and 133 Schoolhouse Lane and 400, 405 and 415 Little Walnut Court seeking inspection records and certificate of occupancy. Right to Know request attached. It was our suggestion to invoke the automatic 30 day extension to respond so that the request could be thoroughly vetted. Extension letter dated March 24, 2026, is attached. Response due April 20, 2026.
- (4) Doors for Dollars, LLC, March 23, 2026 – Seeking “open/active” property list of code and property maintenance violations. Right to Know request attached. On March 26, 2026, we suggested to invoke the automatic thirty (30) day extension to respond so that the request could be thoroughly vetted. Extension letter dated March 30, 2026, attached. Due date is April 23, 2026.