

**Red Lion Borough Council
Meeting Minutes
Monday, September 12, 2011**

Members

Christina Frutiger
Thomas Shellenberger
Dennis Klinedinst
Michael Gebhart
Garby Snell
Brad Smith
Kelly Henshaw

Others

Nicole Ehrhart, Solicitor
Dianne Price, Borough Mgr.
Jeff Shue, Engineer
Cpl. Good, YARPD
Brett Patterson, Public Works
Mayor Steven Kopp
Stacy Myers

Visitors

Clarence Schmuck
Dennis Tyndall
Jeff Herrman

Cindy Barley
Robert Frutiger
Scott Kopp

1. The meeting was called to order @ 7:00p.m. Rev. Ken Gibson from Pleasant View Brethren In-Christ Church offered a prayer. All present participated in the pledge to the flag.
2. Mr. Klinedinst made a motion to approve the August 8, 2011 meeting minutes. Mrs. Frutiger seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—The following addressed Council:

- **Clarence Schmuck** from 118 South Main Street addressed Council last month about his neighbor shooting target practice with bow & arrow. He wondered if anything was done about his request to stop this. Mrs. Ehrhart stated there is no Borough Ordinance against this, but there is a state statute that the PA Game Commission or the local Police Department can enforce. Cpl. Good believed the state statute pertained to hunting only, and stated that a person can shoot within a 150' radius from a residence, as long as they were not hunting. Mrs. Ehrhart said target shooting, even with bow & arrow, was prohibited by this statute, unless a certain distance from the backstop and side of the target was allowed. She also stated that the offender can be cited for "reckless endangerment". In this case, Mr. Schmuck has made complaints to the Police Department because he feels threatened by his neighbor. Cpl. Good said if a threat is involved, the matter should be further investigated and he offered to call the PA Game Commission to get further information on the state law. Council said it is a Police issue and they should be the ones to handle it.
 - **Dennis Tyndall** confronted Council because he had heard some of the members had a problem with him, and he wanted to address it face-to-face. He believes some of the problems he's experiencing is because Council members don't approve of what he's doing at his property. He is having trouble with getting in touch with the inspector to complete some necessary inspections at his First Avenue business. Council responded that proper procedures & permitting have to be followed, and they stated the complaints about his business come from Mr. Tyndall's neighbors, not from them. He also believes Council holds it against him because he was carrying a concealed weapon when he attended a past Council meeting. He stated he does have a permit to carry the weapon. Council stated it makes people a little uneasy when they know people have weapons, and they urged residents to try to get along & work together.
4. **PUBLIC SAFETY**—Mrs. Frutiger:
 - Fire Company—No representatives from Fire Company were present.
 - Ambulance report was distributed

- EMA—Scott Kopp reported that his Department and the Fire Company were extremely busy pumping out basements during the recent storms. They answered numerous calls, and he gives kudos to the Fire Department for all of their efforts. Because of the MOA with York Township, they were able to get some extra pumps from them which were very helpful.
 - Declaration of Emergency was supplied from PEMA/FEMA. Any residents that had damages from the recent storms should call the Borough office to report it. Scott said he also was notifying the residents who were calling with flooded basements about this.
 - Mrs. Price stated dumpsters were placed at the highway garage for residents to use as they were cleaning out their homes from the storms.
5. **POLICE REPORT**—Cpl. Good reported for August:
- Part I offenses—9
 - Part II offenses—20
 - Miscellaneous calls—182
 - Hours of service +108
 - Several stranded motorists & storm-related incidents were reported
 - Recent Sovereign Bank (in York Township) robbery was believed to be committed by same suspect as previous robbery
 - At this time, Cpl. Good stepped out of the meeting to phone PA Game Commission about Mr. Schmuck’s concern.
6. **MAYOR KOPP’S REMARKS AND RECOMMENDATIONS**—In light of the recent heavy storms, Mayor Kopp wanted to extend a huge “Thank You” to York Area Regional Police, Red Lion Emergency Management, Red Lion Fire Company, the Borough and Municipal employees, Red Lion Ambulance crew and most importantly, the citizens of Red Lion, as neighbors helped neighbors during a difficult time. Thanks from the Mayor & the Council for a job well done!
7. **ORDINANCES**—A motion to advertise the Act 32, Earned Income Tax Ordinance, was made by Mr. Smith and seconded by Mr. Gebhart. This is a county-wide Ordinance for collection of taxes to be done by York Area Tax Bureau. All were in favor; motion carried.
8. **PETITIONS**—none
9. **RESOLUTIONS**—none
10. **AGREEMENTS**—none
11. **BIDS**—none
12. **ENGINEER’S REPORT**—Jeff Shue:
- Confirmed that the Stormwater Ordinance has already been approved for advertisement
 - He, Brett and the road crew have looked into the drainage issue on East Broadway (near Laundromat) and are talking about solutions to this problem
13. **SOLICITOR’S REPORT**—no report
14. **PARKS AND RECREATION**—Mr. Klinedinst reported:
- Halloween activity is planned for Saturday, October 29th from 3-10 p.m.
 - Nitchkey Field tour was conducted to discuss how to make it a better field/complex
15. **MUNICIPAL SERVICES**—no report
16. **PUBLIC WORKS**—Mr. Smith reported an application for a handicap parking space was received for 33 East High Street. Meeting all the requirements, Mr. Klinedinst made a motion to approve the application. Mr. Shellenberger seconded. All were in favor; motion carried.
17. **PLANNING, ZONING & REDEVELOPMENT**—Mrs. Snell reported:
- The façade loan/grant application, which Leo Fire Company applied for was denied because they are non-profit. Mrs. Price will be attending an upcoming meeting to see if there is another option for them.

- The next meeting for the Redevelopment Committee/Business Committee will be Monday, October 3rd @ 10am at the Borough Office. Mr. Thomas Comitta from Thomas Comitta Associates, Inc. will be the guest speaker. He specializes in Borough revitalization. Anyone interested in attending may RSVP to Mrs. Snell at gsnell@redlionpa.org by September 23rd. Discussion will also be held on window décor and other ideas from Red Lion High School's art students.
 - Volunteers are always welcome to help with the Halloween event on Sat, Oct. 29th.
18. **ADMINISTRATION**—Mr. Shellenberger reported:
- MMO (Minimum Municipal Obligation) for non-uniform and Police pension plans for 2012 are: \$79,353 (non-uniform), which is covered by State aid, and \$0 (Police).
 - Catherine Meyer Committee has been formed:
 - Last year's recipient—Skip Missimer
 - Clergy representative—Monte Jones
 - Citizens representative—Scott Kopp
 - Business community representative—Evans Fishel
 - Tom Shellenberger
 - Award will be presented at November 3rd Banquet, which begins @ 7p.m.
19. **COMMUNICATION**—Mr. Klinedinst reported the tree at Taylor Avenue & South Main Street causes a sight restriction when pulling onto Main Street. Dan will address this.
20. **Manager's Comments**—report distributed
21. Mr. Shellenberger made a motion to approve bills and statements. Mr. Gebhart seconded. Motion passed with Mr. Smith abstaining.
22. Council recessed to Executive Session @ 7:48p.m. to discuss a contract issue. Council reconvened @ 8:10p.m. No action was taken.
23. Cpl. Good returned from his discussion with his PA Game Commission contact regarding Mr. Schmuck's concern. (Mr. Schmuck was no longer at the Council meeting at this time). Cpl. Good was told that Section 207 from the state statute does not pertain to target shooting. Unless the Borough would have a local Ordinance that would prohibit this, Mr. Schmuck's neighbor is not violating any laws. However, since Mr. Schmuck believes he is being threatened by his neighbor and/or his behavior, the Police can get involved. Cpl. Good will look into the issue further. Mrs. Ehrhart will do more research pertaining to this issue also.
24. Mr. Shellenberger made a motion to adjourn @ 8:20p.m. Meeting adjourned.

Respectfully submitted by:

Stacy Myers
Recording Secretary