

**Red Lion Borough Council
Meeting Minutes
Monday, November 12, 2012**

Members

Christina Frutiger
Garby Snell
Dennis Klinedinst
Kelly Henshaw
Thomas Shellenberger
Brad Smith
Walter Hughes

Others

Charlie Rausch, Solicitor
Dianne Price, Borough Manager
Dan Shaw, Zoning/Codes Ofc.
Brett Patterson, Public Works
Mayor Steven Kopp
Stacy Myers, Recording Sec'y

Visitors

Cynthia Barley
Ann Reichard
Felix Milner
Lori Badders
B.C. Rodkey

Christian Miller
Scott Kopp
Brian Baker
Dennis Tyndall
Bill Henry

Tony Musso
Joe Yahnke
Robert Frutiger
Glen Rexroth
Joseph Silar

1. The meeting was called to order @ 7:00p.m. Council President Henshaw offered a prayer. All present participated in the pledge to the flag.
2. Mr. Klinedinst made a motion to approve the October 8th, 2012 meeting minutes; Mrs. Frutiger seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**

Tony Musso, and his attorney, Christian Miller were present to discuss the waiver request they submitted from the SALDO (Subdivision and Land Development Plan Ordinance) and also the Stormwater Management Ordinance. Mr. Musso applied for a building permit in August 2012 to enclose a deck in the rear of his pizza shop located at 406 East Broadway. The deck was originally built in March 2006, for which he had obtained a building permit, but he now wishes to enclose the deck and put a roof on it. He was told by the Zoning Officer that a Land Development Plan, along with a stormwater management plan, is required for this. Mr. Miller stated that enclosing a deck does not require a Land Development Plan under the Ordinance, to which Jeff Shue, Borough Engineer disagreed per his written comments. The Engineer's comments stated this is an "expansion of a Commercial Zone" and that is where the Land Development process comes into play.

Mr. Miller said that no stormwater management was required at the time the deck was built, and he is trying to save his client some money by requesting the waiver from the above-mentioned Ordinances. Mr. Musso will abide by all the other building and permit regulations, but he stated that if no Land Development Plan is required, it doesn't trigger the necessity for a Stormwater Management Plan. Council agreed with the Engineer's comments that the run off from stormwater will definitely be affected by adding a roof to a deck. They suggested that Mr. Musso ask for waivers from specific items of the Stormwater Management Ordinance, but not from the entire Ordinance.

Mrs. Price stated that Mr. Musso had previously submitted plans, but they were simply a crude drawing on an 8½ x 11 sheet of paper. She would like him to submit one plan drawn to scale showing the building, including setbacks, and a second plan showing where stormwater runoff will go and where water collection will be. He can submit them to the Borough Office, and does not need to come to another formal meeting. Council does not have the Authority to waive the Stormwater Ordinance; only Department of Environmental Protection can do so.

4. **PUBLIC SAFETY**—Mrs. Frutiger
 - **Fire Report**—Joe Yahnke stated this month’s report will be submitted within the week. He then questioned Council’s status on the Fire Company’s request to pass a Fire Tax in order to generate more money for them. Consensus of Council was to not pass the Fire Tax at this time because of the poor economy. Joe said the Fire Company is hurting for money, despite their \$65,000 budget with the Borough. If the Fire Tax were to be passed, the Fire Company budget would increase to \$69,000. Even with the poor economy, Joe said their costs are not going down and they are requesting increased funding, especially with plowing costs. The front pad of the Fire Company needs to be kept clean during snowstorms, which is costly and they are requesting more money to be added to their budget.
 - **Ambulance Report**—distributed
 - **EMA Report**—no report
5. **POLICE REPORT**—this month’s report not available yet
6. **MAYOR KOPP’S REMARKS AND RECOMMENDATIONS**—Mayor Kopp reported:
 - He attended a ceremony on 10/27/12 honoring Dan Zerbe, the Red Lion graduate killed in Afghanistan in 2011. Dan’s parents also attended the ceremony, where his name was added to the memorial in Fairmount Park (at no charge by Bachman Memorial).
 - On Sat, 11/10/12, he & his wife enjoyed the Annual Leo Fire Company dinner which was held at Kerry’s on the Green.
 - On 11/17/12, he will be officiating at his 10th wedding ceremony at the Fiddler’s Hall.
 - He recommended suspending parking meters in the borough for the holiday season. Mr. Klinedinst made a motion to suspend the parking meters from December 16th thru December 31st, 2012; Mr. Hughes seconded. All were in favor; motion carried.
7. **ORDINANCES**
 - Tax Ordinance—Mr. Shellenberger made a motion to advertise the Tax Ordinance for 4.2 mils; Mrs. Frutiger seconded. All were in favor; motion carried.
 - Budget—Mr. Shellenberger made a motion to advertise the 2013 budget for review; Mr. Hughes seconded. All were in favor; motion carried.
8. **PETITIONS**—none
9. **RESOLUTIONS**—none
10. **AGREEMENTS**—to amend the contract timeframe to extend into 2014 on CDBG funds for the High Street project. Mr. Smith made a motion to approve this Agreement; Mr. Klinedinst seconded. All were in favor; motion carried.
11. **BIDS**—none
12. **ENGINEER’S REPORT**—no report
13. **SOLICITOR’S REPORT**—no report
14. **PARKS AND RECREATION**—Mr. Klinedinst reported:
 - As of 6/10/13, the Splash Park should be completed.
 - \$250 donation was received towards the tree lighting ceremony, which will be held November 25th, 2012 in Fairmount Park
 - \$200 will be spent on oranges for Santa to distribute to children
 - November 13th @ 9:30 a.m.—discussion on Events Coordinator position
 - Community building is experiencing humidity problem downstairs—two quotes were given for repair
 - Breakfast with Santa will be held Saturday, December 1st, 2012 from 8:30-10:30a.m.
15. **MUNICIPAL SERVICES**—Mr. Hughes reported there will be a 10% increase on water rates in 2013, but no increase on sewer rates.

16. **PUBLIC WORKS**—Mr. Smith reported:
 - A new policy will be enacted that no more handicapped parking spaces be issued in the Borough. The present spaces will continue to be maintained and the annual \$10 fee will no longer be required for the present handicapped parking space owners.
 - Sweeper is now back in service.
17. **PLANNING, ZONING AND REDEVELOPMENT**—Mrs. Snell reported:
 - Planning Commission meeting to be held Monday, November 19th, 2012 @ 7:00p.m.
 - Zoning Hearing to be held Tuesday, November 20th, 2012 @ 6:00p.m.
18. **ADMINISTRATION**—Mr. Shellenberger suggested that Mrs. Price begin employee evaluations at this time, and Council President Henshaw & Mr. Shellenberger will conduct her evaluation.
19. **COMMUNICATION**—nothing further
20. **Manager's Comments**—Mrs. Price distributed her report
21. Mr. Shellenberger made a motion to approve the bills & statements; Mrs. Snell seconded. All were in favor; motion carried with Mr. Smith abstaining.
22. Council recessed to Executive Session @ 8:18p.m. to discuss legal advice and personnel issues. Council reconvened @ 9:35p.m. No action taken.
23. Mr. Shellenberger made a motion to adjourn @ 9:35p.m. Mrs. Snell seconded. All were in favor; motion carried. Meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary