

**Red Lion Borough Council
Meeting Minutes
Monday, November 10th, 2014**

Members

Danielle Kabacinski
Cynthia Barley
Christina Frutiger
Anthony Musso
Kelly Henshaw
Dennis Klinedinst
Walter Hughes

Others

Dianne Price, Borough Manager
D. Michael Craley, Solicitor
Jeff Shue, Engineer
Dan Shaw, Codes/Zoning
Mayor Steven Kopp
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors

Loren McCleary
Beth Artman
Rick Slauch
Joe Yahnke
Brad Smith
Bill Henry
Robert Forte
Pastor Judy Sawmiller

Robert Frutiger
Lori Badders
Vince Caltagirone
Ben Rodkey
Scott Thompson
Rich Longnecker
Steve Detter

Felix Milner
Stephanie Weaver
Julie Yahnke
Scott Kopp
Sandra Graham
Bob Hammers
Kirby Henshaw

1. The meeting was called to order @ 7:00p.m. Pastor Judy Sawmiller, from Jubilee Outreach Ministries offered a prayer. Everyone present participated in the pledge to the flag.
2. Mr. Klinedinst made a motion to approve the October 13th, 2014 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—The following were present to address Council:
 - Beth Artman was here on behalf of Kaltreider-Benfer Library where she serves as a Board member. She thanked Borough Council for their contributions which help to support the library and offered a fact sheet about the library. Mrs. Artman stated that 70% of Red Lion residents hold library cards and in 2013, residents checked out 22,922 items. With the Splash Park recently opening, there has been a huge increase in the children's activities and interest in the library. As residents' interest grows, the Board is planning a building expansion for Kaltreider and they will be working with the Borough on issues such as parking, grants, etc.
 - Bob Hammers asked Council where they stand on the Police issue. At a previous meeting, he told Council he believes a strong Police presence is needed in the Borough. Councilman Musso stated the Borough will find out York Area Regional's decision on Wednesday, November 12th, when the Police Commissioners meet to vote. Mr. Hammers thought it was ridiculous that another month has passed before a decision was made, but the Commissioners have to vote at their scheduled meeting. YARP did not call a special meeting to address the contract issue.
 - Red Lion Council submitted their offer to York Area Regional, which Mr. Musso believes is a very fair deal, and now we have to wait for their (YARP) decision. He stated the offer is \$100,000 higher than last year, offering a flat \$675,000 for police coverage.
 - Nevin Horne asked why Council is offering a flat fee when YARP told them they would NOT accept a flat fee for services. He attended the September Commissioners meeting where the Commissioners said they would not accept the flat fee. Councilwoman Kabacinski stated that at the October Commissioners meeting (which Mr. Horne did not attend) the Commissioners told Red Lion to put their offer in a contract-form where they would then vote on it at their next public meeting, which would be November 12th. The Commissioners

could not vote on it in letter-form, so Red Lion put it into a contract. Mr. Horne said he heard the money was not in the budget for Police services, but Mr. Musso assured him the money WAS in the budget. The money had to be taken from different project, such as roads, but it is in there.

Mr. Horne is confused by the Council's actions, stating they are buying parking lots and giving raises, but don't have money for police protection. Storm drains are collapsing and other works needs to be done, and we're buying parking lots, Mr. Horne said. He stated he is not happy with Council's decisions and is not happy about the lack of police coverage. Mrs. Kabacinski said we are not going to lack in police protection. If people are going to come to Red Lion to do business, parking is going to be a necessity. Red Lion was paying for police hours that weren't being used and that was why the decision was made to cut the hours. Dallastown and Windsor also had overages.

Mr. Horne continued to say he is going to write a letter to the Auditor General's office because he believes money is being misused in the Borough. He can't understand how \$800,000 was spent in 2003 when Red Lion had their own police department and now we can't afford a lesser amount for York Area Regional. Councilwoman Barley urged Mr. Horne to come to the budget meeting to see how money is allotted for different areas. Mr. Craley reminded everyone that the Borough's budget is public and can be reviewed by residents, if they wish. Mr. Horne still believes this issue could've been settled 6 months ago, but he said Council is dragging their feet, hoping to get State Police coverage for the Borough. He said it will be Borough Council's fault if we lose York Area Regional.

- Mr. Musso said residents are calling Council members and blaming them, but no blame was ever directed at YARP for overspending. York Area wants more money because they want to spend more money, and it's unnecessary. Mr. Horne wondered why Council doesn't send a letter to the Auditor General about York Area Regional then, for misappropriation of funds. Mr. Musso stated this is what contract negotiations are all about, coming to a resolution.
- Solicitor Craley said that, if necessary, YARP's documents would be "discoverable in litigation". However, he stated Red Lion is NOT accusing York Area Regional of "misappropriation of funds". What Red Lion is saying is "maybe York didn't need to purchase a Hummer", "maybe they didn't need to replace cars every week". It's the legal, lawful use of the money that may be excessive; it's not misappropriation, it's not doing things wrong with it. It's being extravagant with it, and not giving Council an itemization of how money is being spent. It's the "business practice" that Council has questioned.
- Rick Slauch stated he believes that what York Area is doing is extortion. Why is it necessary for 4 Police cars to go on a chase down an alley, when 1 or 2 were used in the past? He also stated he believes Mr. Horne is upset about Red Lion not using YARP because YARP is a large customer of Horne's Body Shop. Mr. Horne said he does do work for them.
- Kirby Henshaw questioned the cost of police coverage years ago when Red Lion had their own force. Red Lion spent approx. \$750,000 and now we're spending less. Mr. Musso said the reason Red Lion went with York Area Regional originally was to save money, but over the years, the cost of a PPU has gone from \$11,000 to \$40,000. Kirby stated he hopes that Council has a "Plan B" if York doesn't accept the contract.
- Steve Detter believes a lot of YARP's time is spent at rental properties where the landlords just don't care. He believes that is what is costing the Borough money, and that all landlords should not be penalized for a few bad ones, but Council should be punishing those who deserve it for all the unnecessary Police calls. Mr. Detter said maybe then Red Lion would have more money for Police services.
- Kirby Henshaw agreed that the Nuisance Ordinance should be revisited; however, Mrs. Barley said that even though Windsor & Yoe have Nuisance Ordinances, there hasn't been a decrease in crime in those areas. Nuisance **properties** are the problem, not just rentals.

Nuisance properties have to be taxed, Mrs. Barley said. She believes the Borough can help by creating Ordinances and tools to help landlords get rid of unfavorable tenants, because once a tenant signs a lease, they have rights and it's hard to evict them.

- Mr. Longnecker questioned what will happen with State Police coverage in the event of a school bus accident and/or another traffic accident during rush hour? Can PSP offer a good response time? Mrs. Kabacinski stated that even Fire Chief Yahnke said that State Police come "flying through" the Borough to get to where they're going. To say they're not going to get somewhere fast enough in an emergency is inaccurate. Mr. Yahnke corrected her to say it's not safe for ANY response team; emergency, fire, or police to break the speed limit. Mr. Musso stated that, IF Red Lion has to use State Police; State Police is preparing itself to take on the Borough. They are not going to use the same manpower they have right now.
- Council President Hughes said this is a very important issue but nothing is going to get resolved until York Area Regional votes on the contract at their November 12th meeting. He urged the meeting to continue to other business.
- Steve Detter stated that some of the yellow curbs need repainted, especially at some cross streets where people are parking; it creates a sight hindrance when pulling out into traffic. Borough will address this issue.
- Rick Slauch mentioned that the Tax Collector would like to charge a \$3 fee for duplicate tax bills. He opposes this idea, saying the Tax Collector knew what he was getting into when he ran for the position. He hopes that Council votes that down later tonight.
- Felix Milner urged Council to stand with the smallest minority on this issue as well, that being the taxpayer.

4. **PUBLIC SAFETY**—Mr. Musso presented:

- **Fire Company Report**—Julie Yahnke reported:
 - Saturday, November 15th will be the Fire Company's annual banquet and awards ceremony, held at the fire hall.
 - Currently working with Dan Shaw regarding the Knox box program
 - January 2nd, 2015—Second Phase of construction upgrades will begin to include updating the Social Hall, create handicap-accessible bathroom and upgrade the kitchen.
 - Basketball program plans are in the works
- **Ambulance Report**—distributed
- **EMA Report**—Scott Kopp had nothing to report

5. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp announced that each year, the Mayor has the opportunity to recognize a person, or persons who have made a positive influence on the community. This year, Mayor Kopp would like to award Joseph & Julie Yahnke, of the Leo Independent Fire Company with the 2014 Red Lion Community Service Award. He offered a little background on both recipients:

- Joe Yahnke was born in upstate New York and joined the fire service at the age of fourteen. He moved to Pennsylvania when he was 18, and began his service with Red Lion in 1995. Over the years, Joe has held many positions with Leo Fire Company, both in administration and in service, serving as Fire Chief since 2011. He has received Firefighter of the Year Award twice, many lifesaving awards and Chiefs' Award. He has been a major decision maker in the construction of the new fire hall, in 2004. His hard work and dedication has earned him the respect of many throughout York County. Mayor Kopp said the citizens of Red Lion are grateful for his service.
- Julie Yahnke became a firefighter in 2002 as a result of dating Joe Yahnke. As the result of her training in Red Lion, she has become a Firefighter II, an Instructor II, an Officer II and an Engineer within the department. Julie is the first female driver of all fire apparatus. In 2010, Julie became a career Firefighter and continues to volunteer her services when not working.

She has held many offices throughout the years since becoming a firefighter, including President of Leo Independent Fire Company in 2007. Julie has received the Member of the Year Award twice, the Chiefs' Award and several lifesaving awards as well. She has written and received grants for Leo Fire Company in excess of \$550,000 over the years. Mayor Kopp said the citizens of Red Lion are grateful for her service as well.

- Mayor Kopp stated that Joseph & Julie's commitment to the citizens of Red Lion and Leo Fire Company has proven to be a labor of love and dedication to community service. It is with great pride, he presents them with the 2014 Red Lion Community Service Award. Joe said that on behalf of Julie, himself and the Fire Department, he thanked Council, the Mayor and the community of Red Lion. They enjoy helping, protecting and serving the citizens of Red Lion, or wherever their duties call them. They thank everyone for this recognition.

6. **ORDINANCES**

- Ordinance 2014-11-2—to amend the Nuisance Ordinance, which was authorized for advertisement in October. Mr. Musso made a motion to approve the Ordinance; Mrs. Barley seconded. All were in favor; motion carried.
- Ordinance 2014-11-3—to amend the Open Burning Ordinance, which was authorized for advertisement in October. Mr. Klinedinst made a motion to approve the Ordinance; Mrs. Frutiger seconded. All were in favor; motion carried.
- Authorization to advertise the Ordinance setting the 2015 Tax rate at 4.2 mils, and then if Council was going to amend the Tax Collector's ability to collect for duplicates. Mr. Craley stated that currently, the Borough Code states the Tax Collector is authorized to collect for certifications but Council sets the amount to collect by Resolution. Tax certifications and duplicates are two different things. The current Tax Collector would like to charge a fee for duplicate bills. Some municipalities don't send duplicates; the property owner is responsible to send the tax bill to their mortgage company, if required. If Council wishes to take action on this, a clause would be added to authorize a duplicate and the fee would be set by Resolution. If Council wishes to do nothing regarding the fee, the Ordinance would just set the tax rate. Mr. Henshaw made a motion to set the annual realty tax rate for 2015 @ 4.20 mils; Mr. Musso seconded. All were in favor; motion carried.

7. **RESOLUTIONS**—none

8. **AGREEMENTS**

- Agility Agreement with PennDOT—a 3-year agreement that allows PennDOT to perform work and trade services in kind with the Borough. Mrs. Barley made a motion to accept the Agreement; Mr. Klinedinst seconded. All were in favor; motion carried.
- York County Solid Waste Authority Amendment—allowing them to borrow from banks rather than from Bonds. Mr. Henshaw made a motion to authorize the Amendment; Mr. Musso seconded. All were in favor; motion carried.

9. **ENGINEER'S REPORT**—Mr. Shue reported:

- Edgewood (including Summit and Church Lane) road project coming to a close. That work has totaled out at \$250,164.41. A Final Requisition has not been received for this payment yet; however, Jeff recommends and agrees with this payment. One problem was found with Summit Drive, to be addressed in the spring. Also, the additional alley paving behind the Municipal Building—quote was not to exceed \$10,000. Quote came in at \$9,790.97. Mr. Klinedinst made a motion to approve these two payments; Mr. Musso seconded. All were in favor; motion carried.
- Closeout billing for High Street project. Additional monies were received from York County Planning Commission in the amount of \$25,000 to supplement other grant monies. Two payments will make up the completion of this project; 1) \$25,000—Requisition #6, submitted directly to YCPC, and 2) Balance of this contract which is \$19,962.65—final payment. Mr.

- Klinedinst made a motion to make these two payments to settle the High Street project; Mrs. Barley seconded. All were in favor; motion carried.
- 2015 road work project—First Avenue project will go out for bid in January to be awarded in February
 - Two plans are in process through the Planning Commission; 1) Village Realty and, 2) Leiphart storage facility. These projects are not ready to come back to Red Lion Planning Commission yet.
10. **SOLICITOR'S REPORT**—Mr. Craley reported:
- Title work has been started on 33-41 West Broadway project; will be ready to settle after that paperwork is done.
 - Will work with Jeff Shue on outstanding issues regarding Splash Park
11. **PARKS AND RECREATION**—Mr. Henshaw reported:
- Halloween parade and Fall Fest were great successes with great community response. Mr. Henshaw asked Joe & Julie Yahnke to pass along thanks to Fire Police for their help during the parade.
 - Sunday, November 30th—Christmas tree lighting
 - Saturday, December 6th—Breakfast with Santa @ 8:30a.m.
 - December 11th, 12th, 18th & 19th—Santa's Shanty will be open from 6p.m.-8p.m.
 - December 31st—New Year's Eve celebration in the Borough
 - May 16th, 2015—First Annual Draft Beer & Music Festival at Vulcan Road property
 - Mr. Klinedinst made a motion to accept the resignation of Kathy Nazareus from the Recreation Board; Mrs. Barley seconded. All were in favor; motion carried.
 - Mr. Klinedinst made a motion to accept the agreement with Red Lion Athletic Association regarding Nitchkey Field; Mr. Musso seconded. Mr. Klinedinst mentioned a couple issues that will need to be addressed in the building come spring. A vote was taken; motion carried with Mr. Hughes opposing.
12. **MUNICIPAL SERVICES**—Mrs. Barley reported that Mr. Klinedinst and she attended the October Red Lion Municipal Authority meeting, as the Authority now has one of their Board members attend Council meetings. It keeps the lines of communication open between both entities. As a gesture of good measure, Mrs. Barley would like to reimburse the Municipal Authority for street cuts that were previously paid in the amount of \$1,622.50; Mr. Henshaw made that motion; Mr. Klinedinst seconded. All were in favor; motion carried.
13. **PUBLIC WORKS**—Mr. Klinedinst reported that Stan Saylor's office sent a letter in regards to Snow Emergency routes. Mr. Klinedinst suggested we continue to ticket cars parked along a Snow Emergency route, \$75 for every 8 hours the car is in violation. Mrs. Price stated that tickets have now been printed to do this, so this will continue as the way of conduct. In addition, Mr. Klinedinst also stated that the Borough **must** start enforcing Ordinances that we already have.
14. **PLANNING, ZONING & REDEVELOPMENT**—Mrs. Kabacinski reported the resignation of Garby Snell from the Red Lion Planning Commission. Mr. Klinedinst made a motion to accept the resignation; Mrs. Barley seconded. All were in favor; motion carried. Mrs. Kabacinski also reported there will be no November Planning Commission meeting, but Redevelopment Committee will meet in November to discuss possible upcoming fundraisers, such as a fresh wreath competition.
15. **ADMINISTRATION**—Mrs. Frutiger made a motion to advertise the 2015 Budget for public review; Mrs. Kabacinski seconded. All were in favor; motion carried. It was also reported that this Committee will conduct an employee evaluation for Mrs. Price, Borough Manager, as she (Mrs. Price) conducts the evaluations for the other Borough employees.
16. **COMMUNICATION**—Of note, Brett Patterson is working on a plan for plowing of alleys during Snow Emergencies. Other communication is as follows:

- December 1st—Council Work Session
 - December 8th—Council Meeting
17. **Manager's Comments**—Mrs. Price distributed her report.
 18. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mr. Klinedinst seconded. Motion carried, with Mrs. Barley abstaining.
 19. **Adjournment**—Mr. Musso made a motion to adjourn the meeting @ 8:20p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary