

**Red Lion Borough Council  
Meeting Minutes  
Monday, September 14, 2015**

**Members**

Cindy Barley  
Dee Kabacinski  
Christina Frutiger  
Kelly Henshaw  
Dennis Klinedinst  
Tony Musso  
Walt Hughes

**Others**

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

**Visitors**

Loren McCleary  
Eric Immel  
Robert Frutiger  
Wade Elfner  
Gary LaTulippe  
Glenn Rexroth

Chip Godfrey  
Scott Kopp  
Byron Trout  
Nevin Horne  
Bill Henry  
Joe Yahnke

Lt. Palmer (Nicole)  
Jim Denniston  
Bridget McAuliffe  
Kathy Horne  
Blane Markel

1. The meeting was called to order @ 7:03p.m. Chip Godfrey offered a prayer and all present participated in the pledge to the flag.
2. Mr. Klinedinst made a motion to approve the August 10<sup>th</sup>, 2015 Meeting Minutes; Mrs. Frutiger seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**
  - Kathy Horne addressed Council regarding the incorrect markings, crosswalks and signage along East Broadway (Rt. 74) and others around town, and stated they are not compliant with state regulations. She offered information to Mrs. Price and Council from PennDOT's Public Safety Program about these issues, specifically citing PennDOT Title 75; Section 3542 and the American Disabilities Act. One example of the non-compliance is the requirement to have 3' of yellow paint on both sides of a crosswalk, and the crosswalk in front of Golden Crust Pizza does not have that. She stated there is grant money available to educate people and residents on safety compliance. President Hughes suggested Mrs. Price, Brett Patterson and Councilman Klinedinst meet to come up with solutions for the issues Mrs. Horne mentioned.
  - Nevin (Butch) Horne addressed Council about the Zoning Enforcement Notices that were mailed out stating that "storing vehicles" on borough properties was in violation of the Ordinance. He (Butch) had those vehicles on his property removed, towed by who he thought, was Borough Codes Enforcement. Brian Baker (Baker's Service Center) received a letter also. Mr. Baker was present and stated that 10 years ago, he had asked the Borough if there was a problem with keeping vehicles on his business property, located at 338 East Broadway. He was told it was allowed because he was a commercial lot. He has a fence surrounding the stored vehicles. Mrs. Price believes there is some confusion because the letters stated the storage of vehicles is prohibited on residential uses. Mr. Horne and Mr. Baker have commercial properties; however, Mr. Horne is located in Borough Center. Council President Hughes suggested the Planning & Zoning Committee (Mrs. Kabacinski), Codes Enforcement Officers and involved parties meet to discuss this situation and the "30-day violation" enforcement be put on hold until this is resolved.
  - Blane Markel (James R. Holley & Assoc) and Glenn Rexroth (Rexroth Equities, LLC) were present to discuss Mr. Rexroth's Land Development Plan for his property on Redco Avenue.

Mr. Rexroth also owns the Mia Brae Industrial Park on Boxwood Road, but recently purchased the old Yorktowne Kitchens building on Redco Avenue. This parcel sits partially in both Red Lion Borough and Windsor Township.

The plan was reviewed by Council. Rexroth Equities, LLC is prepared to offer additional right-of-way of Redco Avenue to the borough. As part of the improvements, he is also proposing to install parking lots, private access drives and concrete curbs & sidewalks, stormwater management facilities, stormwater collections basins, truck docks & loading areas, on-site landscaping & grading, retaining walls, 8" public water main & services and fire hydrants.

Mr. Markel & Mr. Rexroth wanted to address any questions Council may have regarding the plan, but the Waiver requests cannot be acted upon before Planning Commission makes recommendations. The Waivers were for 1) cul-de-sac length on Boxwood, and 2) leveling pads on Boxwood; neither one holds any impact to public interest.

Mr. Markel stated Mr. Rexroth wanted to get Council's opinion since both these streets are currently borough streets, but he believes Redco will remain a borough street and Boxwood would become a private street. They questioned whether they could legally make Boxwood private because of the trailer park that sits in between Redco & Boxwood. The trailer park, however, has another way of ingress/egress (Redco Ave) so should the borough agree to vacate Boxwood, it won't be a problem.

Currently, the internal traffic plan is for all trucks to enter through Redco Avenue, onto "Road B & C" on the plan (where the proposed truck docks would be) and out of Boxwood Road. A traffic study has been completed, but if further studies would be required in the future, Mr. Rexroth will comply. They are trying to increase interest in Mia Brae Industrial Park, so as businesses hopefully come in, traffic would increase.

After discussion, Council gave their informal consensus to vacate Boxwood Road to Rexroth Equities, LLC and to keep Redco Avenue as a borough street. No action was taken on the Land Development Plan or the Waivers. With this consensus, Mr. Rexroth will proceed with his plans. Any improvements and/or amendments to the Highway Occupancy Permit regarding Boxwood Road are 100% the responsibility of Rexroth Equities.

Jeff Shue said that, because one borough street (Redco) is now involved in this development, it becomes subject to improvements such as curbing, sidewalks, street lighting, etc. Council would like street lighting and proper curbing to be included in the improvements, but this will be addressed at a later date.

- Byron Trout (Gordon Brown & Associates), along with Jim Denniston & Bridget McAuliffe were present to obtain conditional approval on the final Land Development Plan for Village Realty's site along Country Club Road. Red Lion Planning Commission had recommended approval of the plan to move forward and Red Lion Municipal Authority gave conditional approval at their August meeting. RLMA's conditions were agreements that Village Realty owners have signed; the Authority just had to sign & execute them. The Authority's other condition was posting surety, which will be done once Borough Council gives their approval. The sprinkler plan was also requested by the Authority and Byron had sent that to Keith Kahwajy & the Authority's Engineer.

Highway Occupancy Permits for all utility crossings have been approved. The only outstanding HOP is for the driveway access and the road widening and this is in process. York Township had requested a long term agreement for maintenance & stormwater. This is still an outstanding condition as Byron has not heard back from York Township's Solicitor.

Three waivers for the plan are before Council for action:

- Section 22:506.4—widening road along Country Club to 16', not 18'
- Section 22:512.2.B—24' wide access drive coming off of Country Club, but at the last unit, the drive narrows to 18'
- Section 22:510.1—waived sidewalk requirements along Country Club Road
- Mrs. Barley made a motion to approve all three waivers listed above; Mrs. Kabacinski seconded. All were in favor; motion carried.

Discussion was held on conditions from Borough Solicitor:

- Final approval from Municipal Authority on their issues
- Financial security in an amount to be determined & provided by our Engineer
- Date of the approval of waivers be put on plan
- Obtaining the Highway Occupancy Permit for the improvements to Country Club Road.
- Execution of the long-term maintenance agreement with York Township
- Execution of the operation & maintenance agreement for stormwater by Red Lion Borough
- Mr. Musso made a motion to approve the Land Development Plan subject to the satisfaction of the six conditions listed above; Mr. Klinedinst seconded. All were in favor; motion carried.

#### 4. **PUBLIC SAFETY**

- **Police Report**—Lt. Palmer (Nicole) was present to give a year-to-date report from the State Police on activity in Red Lion Borough.
  - Total calls so far this year--1,461, which included 80 assaults, 35 burglaries, 54 thefts, 23 drug arrests, 34 DUI's, 94 car accidents, 12,665 traffic contacts (366 warnings were issued & 12,299 traffic citations were issued), 204 speeding citations, 135 inspection citations, 24 seatbelt violations, 38 driving w/suspended license, 24 stop sign violations and 43 unregistered vehicles.
  - Lt. Palmer said if there are complaints regarding a trooper or police services, please call in to the State Police barracks and do not wait for a Borough Council meeting to discuss it. This way it can be addressed promptly. She also stated that some State Troopers ARE conducting foot patrols in and around the Borough. Of note, a trooper conducting a foot patrol in Fairmount Park recently found a toddler whose mother was unaware the child got out of the house.
  - Eight new troopers have graduated from the academy, so they are going through training and residents may see two troopers in a vehicle.
  - Calls to State Police are prioritized according to importance. Theft or assault calls will take precedence over a nuisance complaint.
  - On behalf of Borough Council, Councilman Musso offered their thanks to State Police for doing a great job in the borough.
- **Fire Company Report**—Joe Yahnke was present earlier but had to respond to a call. This month's report will be given next month.
- **Ambulance Report**—distributed
- **EMA Report**—Scott Kopp reported:
  - ICS 300 training was completed last week (Tues, Thurs, Sat & Sun last week)
  - ICS 400 training will be conducted in November (at FEMA Headquarters)
  - County training will be held later this month
  - Requests to see any new plans involving road frontage in the borough to offer their comments/reviews for emergency equipment access.
  - Councilman Musso thanked Scott for all the time and hard work he is contributing to EMA. Keep up the good work!

5. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp reported:
  - Extended Thank You to Scott Kopp for all he's doing as Emergency Management Director for the citizens of Red Lion. He admires Scott's commitment to the job and as his father, he's very proud of Scott!
  - Quarterly weddings list has been submitted to Council President
  - October Council meeting will be held at the Community Building, where he will be presenting the Mayor's Service Award to Evans Fishel.
6. **ORDINANCES**—Ordinance 2015-9-2 amends Chapter 15 traffic controls. This eliminates the traffic light at Charles Street & First Avenue, eliminates the one-way signs on Sunday mornings (both First Avenue & West Gay Street) and establishes a 4-way stop intersection at First Avenue & Charles Street. Mr. Musso made a motion to approve this Ordinance; Mr. Henshaw seconded. All were in favor; motion carried.
7. **AGREEMENTS**—Two agreements before Council for action:
  - **Nitchkey Field Agreement for 2016**—Mr. Henshaw stated that, after meeting with the Recreation Department, they would like the Borough to take back ownership & maintenance responsibilities of Nitchkey Field and not renew the agreement with the Athletic Association for 2016. Gary LaTulippe (from Athletic Association) was present to voice his disappointment that Council did not notify the Association that they wanted to acquire Nitchkey again. Mr. LaTulippe stated he would like to personally purchase & maintain Nitchkey Field; however, Borough Council said it is not for sale, so they did not entertain Mr. LaTulippe's offer.  
Mr. Henshaw believes this move would develop & strengthen intermunicipal relationships through the sports played at Nitchkey, especially with Windsor Township.
  - **Gichner Easements**—this Easement gives Borough ownership of the grounds up to Locust Street. Mrs. Barley made a motion to authorize Council President to sign the agreement on behalf of Red Lion Borough; Mrs. Frutiger seconded. All were in favor; motion carried.
8. **ENGINEER'S REPORT**—Mr. Shue reported:
  - First Avenue project—project is all complete except some concrete repairs. Financially, the project came in just under the bid amount. One outstanding item is the contractor claim for a lateral break; however, the contractor's insurance company has ratified the claim.
  - Jeff (along with Mrs. Price, Brett Patterson & Council members) walked the curb/sidewalk area in preparation for the Gay & Charles Street projects.
9. **SOLICITOR'S REPORT**—nothing further; all issues discussed previously tonight
10. **PARKS AND RECREATION**—Mr. Henshaw reported:
  - Riteway Gifts held a car show on 9/5/2015 to benefit the Splash Pad. \$700 was raised
  - Flag football, pick-up basketball & karate programs underway
  - October 24<sup>th</sup>—Fall Fest/Haunted Mile event
  - October 26<sup>th</sup>—Halloween parade; rain date is October 27
11. **MUNICIPAL SERVICES**—Mrs. Barley reported:
  - September 15<sup>th</sup>—Intermunicipal stormwater fair being held at Hellam. Red Lion Municipal Authority will have a Source Water Protection stand there.
  - September 26<sup>th</sup>—Watershed Alliance Weekend—public tours will be held at the new Water Treatment Plant from 9am-noon.
  - Dredging at Green Branch/Cabin Creek has been delayed
12. **PUBLIC WORKS**—Mr. Klinedinst reported:
  - Curbs & sidewalks on Gay Street/Charles Street were discussed. Consensus of Council was to send letters to residents whose sidewalks are in disrepair. The requirement of replacement/repair will be May 1<sup>st</sup>, 2016. In the past, several scenarios have taken place in which Borough replaced curbs & residents replaced sidewalks. If residents did not replace the sidewalks during the specified time, municipal liens were filed for the involved costs. In

some instances the Borough has paid for both curbs AND sidewalks. There have also been resident payment plans instituted for the cost of the sidewalk repairs. Councilwoman Kabacinski mentioned a grant program that charges 0% interest for the loan and the resident only repays the loan when/if they sell the property, but the resident has to apply for the loan, the Borough can't do that for them. This grant literature may be included with the letters to be mailed to the residents.

Mr. Musso made a motion to send letters now to the residents with curbs and sidewalks not in compliance with Borough Code requiring the resident to replace **both**. Information of construction specifications and requirements, along with the grant information will be included with the letters and will allow one year for the repair. Mrs. Frutiger seconded. A vote was taken; motion carried with Mrs. Barley & Mrs. Kabacinski opposing.

- Church Lane repair (from East Gay to lower part of church alley)--Shiloh Paving submitted quote of \$10,631.20 + \$2,250 mobilization. Mr. Klinedinst made a motion to move forward with Shiloh Paving, not to exceed \$13,000 for the project. Mr. Henshaw seconded. All were in favor; motion carried.
- Recreation entrance of Community Building—discussion was held on repair of the area. Mrs. Price and Brett Patterson will come up with a plan to include this in the 2016 budget and report back to Council.
- Discussion was held on earmarking .2 of the 4.2 mils received by Borough as Fire Tax to give to Leo Fire Company. Mrs. Price will run the 2016 budget to include this & also without it.
- 107 East Broadway submitted a handicapped parking space request. Mr. Klinedinst made a motion to deny the request; Mr. Musso seconded. All were in favor; motion carried.

13. **PLANNING, ZONING & REDEVELOPMENT**—Mrs. Kabacinski reported:

- October 24<sup>th</sup>—Fall Fest—business donations/sponsorship letters have been mailed. Volunteers are needed!
- No Planning Commission meeting will be held in September
- September 15<sup>th</sup>—Revolution baseball game will not involve Red Lion-Dallastown rivalry due to lack of response.

14. **ADMINISTRATION**—Mrs. Frutiger reported:

- Minimum Municipal Obligation for 2016 is \$90,862.00 for pension and includes Municipal Authority, as well as ambulance personnel. This amount is offset by State Aid.
- Budget meeting is scheduled for October 14<sup>th</sup> @ 6:00p.m.
- No nominations were received for the Catherine Meyer Award this year

15. **COMMUNICATION**—nothing further

16. **Manager's Report**—distributed

17. **Approval of bills**—Mr. Musso made a motion to approve the bills; Mrs. Frutiger seconded. All were in favor; motion carried, with Mrs. Barley abstaining.

18. **Adjournment**—Mr. Musso made a motion to adjourn the meeting @ 9:27p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary