

**Red Lion Borough Council
Meeting Minutes
Monday, July 11, 2016**

Members

Cynthia Barley
Christina Frutiger
Anthony Musso
Kelly Henshaw
Dennis Klinedinst
Nevin Horne

Others

Dianne Price, Borough Manager
Jeff Shue, Engineer
Mike Craley, Solicitor
Stacy Myers, Recording Sec'y

Visitors

Wade Elfner
Bob Frutiger
Mike Hess
Mike Zelger
Chuck Rhodes

Nathan Elfner
Loren McCleary
R.L. Smith
Felix Milner
Skip Missimer

Eric Immel
Cindy Mann
Ashley Ziegler
Bill Henry
Kathy Horne

1. The meeting was called to order @ 7:00p.m. A moment of silent prayer was observed, followed by the pledge to the flag.
2. Two corrections were necessary to the June 13th, 2016 Meeting Minutes. *“Visitors” section should be added.* And under “Parks and Recreation”, *add that “cars were spray painted at the Suds ‘n’ Song event.”* Mrs. Frutiger made a motion to approve the minutes with those changes; Mr. Musso seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENT**—the following were present to address Council:
 - Mike Zelger, representing Red Lion Athletic Association reported:
 - 280 Chicken BBQ’s sold on July 4th. Profit/financial report will be given later.
 - He gave Mrs. Price a report (name/phone) of a woman who drove up stone path (behind Nitchkey Field) and hit the snack bar door. Mike thanked Brett Patterson for his quick response to enable them to open/close the door and a few days later, replaced it with a new door. Mike appreciated the effort!
 - A lot of damage has been done to equipment, they believe by the coaches. The groomer’s brakes need fixed/replaced; this isn’t an emergency, just something that needs looked into. Field brake was replaced at a cost of \$85; the old one was broken. Line bucket to line the fields is also broken. The cost of a new one is \$250. Mike didn’t replace the bucket yet; he just put 2 new tires on for \$50. Because he considers the broken line bucket “excessive wear”, he is asking Borough to share ½ the cost. Council is amenable to this. Once Mike has the actual cost for the bucket and rake, he will report back.
 - In October, a “pet day” will be held at either Nitchkey Field or Fairmount Park, which will include vendors & rescue organizations.
 - Wade Elfner, 734 S. Pine Street, along with five of his neighbors, came to express his opinion on the possible expansion of Rutter’s Farm Store (corner of South Main/Winterstown Road). He would not be in favor of the expansion, stating the lights, which are on 24/7, pneumatic truck gates, compressors on the store roof, traffic, etc. would make it a nightmare to live next to. He believes a bigger store would be bigger, more exaggerated problems that neighbors of the farm store already experience. Wade and his neighbors thought this was going to be voted on by Council tonight, so they wanted to be present to give their opinion. Mr. Henshaw said Rutter’s is supposed to attend the August 1st Work Session and everyone is welcome to attend that meeting.

- Cindy Mann, a resident of 13 Winterstown Road for 15 years, said living directly across the alley from Rutter's, she has seen rats in her shed she believes have come from the store, being attracted by litter & the trash dumpsters. Trucks making deliveries to the store at all times of the night wake her all the time. The lights & noise are a 24/7, all-year problem now; this will only get worse with a bigger store.
 - Nathan Elfner, 723 South Pine Street, backs up to the alley also. The expansion would put all the lights & noise from Rutter's closer into his backyard. Traffic and speeding in the alley are a big problem that he believes will only get worse should the store expand.
 - Barb Reinhold from 11 Winterstown Road said trucks coming up the alley between 11pm-midnight, sit and run their engines, creating noise and disturbance for all nearby neighbors. Traffic and speeding is experienced at all hours; to put a right-of-way from the alley into a larger Rutter's, would make these problems worse.
 - Dennis Sheetz, 721 South Pine Street, said his main concern for a larger store would be increased traffic in the alley. Motorists don't obey the speed limit there now; a larger store would make this area more dangerous. He suggested some type of fencing to stop the trash & debris from blowing into neighboring properties, or perhaps blocking off the alley altogether to deter traffic and speeding.
 - Jack Rogers, 726 South Pine Street, stated he concurs with all the other neighbors. He believes a larger store would increase light pollution, traffic, rodents, etc. It would just compound the problems these people already experience there.
 - Joey Snyder, an employee from David Edwards & Company, attended the June Council meeting and was present again tonight to discuss the road beside David Edwards that has been damaged by stormwater runoff. He wondered if there was any way to get the Borough to help avoid this problem and the road deterioration that is taking place there. Trucks cannot travel down this road due to ruts that the water has created. A sinkhole has been repaired quickly, which he thanked the Borough for, but he has not heard anything else regarding the road condition. Council wants to discuss the issue with Dan Shaw, Mike Craley & Jeff Shue and they will be in contact with Mr. Snyder.
4. **ENGINEER'S REPORT**—Jeff Shue reported:
- Charles & Gay Street project—concrete work is almost complete; final inspection to be done.
 - Pre-construction meeting was held last week with Kinsley Construction. They have a tentative start date of July 18th to begin paving. The concrete work for Charles & Gay came in approx. \$20,000 under budget. Brett Patterson suggested other paving work be considered for Hyson Lane, North Charles Lane, the connector alley between these two lanes and the new municipal parking lot. Kinsley has agreed to hold the unit pricing where the project was originally bid. The estimated cost for this additional paving work is \$61,696.20. Mr. Musso made a motion to approve this Change Order in the amount of \$61,696.20 and approve all work proposed by the Engineer; Mrs. Frutiger seconded. All were in favor; motion carried.
 - MS-4 Program, involving the proposed paving of Horace Mann Avenue was discussed. The MS-4 program is a federally mandated program related to stormwater runoff and the Clean Water Act. Jeff presented a Power Point presentation of the existing storm sewer of Horace Mann and Red Lion School District property, as well as, the existing basins on the school property. A project proposal was given for the school property and Horace Mann that would help the Borough meet their MS-4 program requirements, reduce the public infrastructure improvement costs and reduce degradation of Barshinger Creek. The school district can save money as well, by not replacing huge concrete structures on its property. Rain gardens are a new way of dealing with stormwater runoff, and many repairs and upgrades on the stormsewer can be included in the projects. It's a great way for the school to improve aesthetics, while correcting a lot of erosion issues.

As a part of the MS-4 Program, the Borough is required to do projects that reduce sediment-loading. This is a relatively inexpensive opportunity in which to do that. Grant money can be obtained for projects such as this; Jeff Shue has a few municipal clients that have received approx. \$85,000 in grant money through the County.

Bill Henry asked Jeff Shue why more sidewalks (more concrete) would be put in along Horace Mann Avenue and who determines where more sidewalks go? Council would determine that and the school district and other neighboring property owners would be participants in that decision. Jeff's proposal is the first step to determine the scope of the work for Red Lion School District and Horace Mann Avenue and to decide where sidewalks would be laid.

In addition, Bill Henry asked about the wall at Fairmount Park, which he says is sagging in the middle. Jeff Shue was unaware there was a problem with this and he will look at the wall to determine a solution for this issue.

5. **PUBLIC SAFETY**—Mr. Musso

- **Fire Company Report**—no one from Fire Company was present to give the report. Mr. Musso stated the total number of calls for June was 16, with 83 personnel responding using 25 pieces of apparatus and 137 miles traveled. \$0 fire loss. Ruth Carbaugh, a lifelong member of Leo Fire Company recently passed away. A moment of silence was observed in her memory.
- **Ambulance Report**—distributed
- **EMA Report**—Scott Kopp is on vacation; no report
- **State Police Report**—Mr. Musso reported the State Police continue to do a fine job in the Borough. Mr. Horne said he would like a burglary report for the Borough as Trooper Peters mentioned to him recently about a lot of burglaries in Red Lion. Mr. Musso believes this to be unfounded as he talks to several troopers on a weekly basis and no mention has been made of this.

6. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp is on vacation.

7. **ORDINANCES**—this is to advertise an Ordinance to permit vehicular traffic on Charles Lane from Charles Street to Railroad Avenue. This will repeal the 2011 action when Council closed the street. Mrs. Barley made a motion to advertise the Ordinance for action at August meeting; Mrs. Frutiger seconded. All were in favor; motion carried.

8. **AGREEMENTS**—the termination of Mastercraft Lease—the property has been purchased and the buyer has given the 90-day required notice to terminate the lease. No action required.

9. **SOLICITOR'S REPORT**—Mr. Craley reported all his issues have been covered in other areas of the agenda.

10. **PARKS AND RECREATION**—Mrs. Kabacinski was not present tonight. Mr. Henshaw reported he was disappointed with the fireworks this year. He did not think they were good. Mr. Musso said they were very drawn out; he was disappointed as well. Mrs. Price said they are meeting with the firework company and they have held the final payment.

The following residents were present to discuss the recent issue with the Splash Pad:

- Erica Gemmill said her children attend the Splash Pad and she heard there were some wastewater issues resulting from a backup of a toilet at the park. Does this cause wastewater to run into the Splash Pad? *Council said there were some toilet problems; however, it does not go into the Splash Pad water. Mrs. Price stated it happened over a weekend and a new protocol has been put into effect and no further problems have been experienced. No children/adults were removed from the Splash Pad area at the time because the water from the dressing rooms/restrooms does not have anything to do with the Splash Pad water. It's a different system.*

Ms. Gemmill was told the toilet run-over went into the Splash Pad and no one is there monitoring the area. *The Splash Pad is checked on a daily basis (3x/day) and on*

weekends. The Department of Health has been contacted by Councilman Horne, who said some of the issues/problems with the Splash Pad need to be resolved, due to the lack of supervision there. Councilman Klinedinst believes it is a good thing for the community; however, a solution needs to be in place, perhaps a basin or maybe grading in the area, to stop an overflowing toilet from resulting in a major problem.

Parking problems and cars traveling on the lane that was to be inaccessible creates a danger. Councilman Klinedinst said the Borough needs to block that access lane again.

- Ashley Ziegler, 105 East Broadway, said she does not take her children to the Splash Pad because it is so overcrowded. She wondered if it could be “gated” and open only to Red Lion School District residents or Red Lion Borough residents, via a “key card” method and charge a fee for the key cards. *The School District has nothing to do with the cost and operation of the Splash Pad. The Splash Pad was built through state funds and grant money. Councilman Horne stated again he is looking into all issues, including the supervision, cleanliness and over-population of the Splash Pad. A filter was removed from the system to make it run.*
- Michelle Abate, 105 East Broadway also thinks the Splash Pad should be open to Red Lion residents only. Trash and littering is a big problem there. *Mrs. Price is looking into a dumpster for the area.*
- Joey Snyder asked who is in charge of the Splash Pad. Who is responsible for its operation? He believes someone should be supervising to decrease the risk of Borough liability. *The supervision is the responsibility of the parents. The Splash Pad is like any other community park. There is a phone number that people can call if problems arise while at the Splash Pad/park.*
- Kathy Horne reported there is no phone number posted on either bulletin board at the park. *Borough and/or Recreation Director will re-post the phone number.*
- As mentioned previously, Brett Patterson reported he did remove one of the filters in the recirculation tank to keep the bacteria level down due to all the dirt, skin, etc blocking the filters. Brett stated the chemicals can do a better job of killing the bacteria if the filter is not reinstalled. The pre-filters were more harmful being in than out. Even after the filter was removed, the water quality has been much better. Taking all the comments & concerns into consideration, the Borough will begin to post the daily water quality results after testing so people can decide whether or not they want to use the park and Splash Pad.
- Food Truck Friday will be held Friday, July 15th in the new municipal lot.

11. **MUNICIPAL SERVICES**—Mrs. Barley reported:

- Paving of the new municipal parking lot should be completed later this month.
- Skip Missimer, from the Municipal Authority was present to report the following:
 - Water shut-offs for delinquent bills will be conducted July 13th
 - Annual safety meeting between the Authority & Borough will be held July 20th @ 9:30a.m. at the new Water Treatment Plant.
 - The application to switch to chloramines has been submitted to PA Department of Environmental Protection; it is still pending.
 - Sampling for raw water will begin in October, per PA DEP requirements.

12. **PUBLIC WORKS**—Mr. Klinedinst reported:

- Two handicapped parking space requests have been received; both on East Avenue from the same building. Thirteen parking spaces are available on East Avenue, one of which is handicapped. Consensus of Council is to keep the one handicapped space on that block and not designate any more as handicapped.
- L.S. Lee gave a quote of \$17,466 to install the barricades for the municipal parking lot. Mrs. Barley made a motion to order the material and have L.S. Lee install the barricades

at a cost of \$17,466; Mrs. Frutiger seconded. All were in favor; motion carried. This will be done *after* the lot is paved.

- Brett Patterson has not yet received the Borough's portion of payment for the truck that was sold on Munici-Bid. Mrs. Price and/or Mr. Klinedinst will look into this.
- Of note, people are pulling into the new car lot (Andy's, on North Main) to look at cars and they are blocking the right-of-way. Mr. Horne will talk to Andy regarding this.

13. **PLANNING, ZONING AND REDEVELOPMENT**—Mr. Horne reported:

- July 18th, 2016 @ 7p.m.—Planning Commission will meet to discuss/review two Zoning Hearing applications.
- John Domer expressed interest in serving on Redevelopment Committee to fill the vacancy. Mr. Horne made a motion to appoint Mr. Domer to the Redevelopment Committee for a 5-year term, or whatever the longest existing term is. Mr. Klinedinst seconded. All were in favor; motion carried.
- Joyce Seabolt expressed interest in serving on Planning Commission to fill the remainder of John Persing's term, until 12/31/2018. Mr. Musso made a motion to appoint Ms. Seabolt to the Planning Commission for the remainder of Mr. Persing's term. Mr. Klinedinst seconded. All were in favor; motion carried.

14. **ADMINISTRATION**—Mrs. Frutiger—no report. Per Mr. Klinedinst's request regarding the 2015 audit and Stambaugh-Ness' written report, Mrs. Price stated the main "finding" was a suggestion to have a full-time CPA on staff, which is not a cost-effective option for the Borough. A Liquid Fuels Audit will begin on July 12th, 2016 for the years 2014 & 2015.

A recent Safety Audit resulted in no findings.

The Pension Audit will be discussed in Executive Session this evening.

Mr. Klinedinst requested a spreadsheet of the Suds 'n Song event showing profit & expenses.

Mrs. Price will provide this once it's complete.

15. **COMMUNICATION**—nothing further

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

17. **Executive Session**—Council recessed @ 8:31p.m. to discuss current litigation regarding Hess Lane, zoning appeals and personnel matters. Council reconvened @ 9:15p.m. No action taken.

18. **Adjournment**—Mr. Musso made a motion to adjourn @ 9:15p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary