

**Red Lion Borough Council
Meeting Minutes
Monday, September 12, 2016**

Members

Cynthia Barley
Dee Kabacinski
Christina Frutiger
Kelly Henshaw
Tony Musso
Dennis Klinedinst
Nevin Horne

Others

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

Visitors

Scott Kopp
Felix Milner
Mike Poff
Bill Henry
Don Dellinger

Bob Guinn
Beth Nidam
Mike Zelger
Kathy Horne
Dave Dennish

Lee Guinn
Skip Missimer
Robert Frutiger
Pastor Ron Doverspike

1. The meeting was called to order @ 7:00p.m. Pastor Ron Doverspike from Bethany United Methodist Church offered a prayer. Everyone present participated in the pledge to the flag.
2. Mr. Musso made a motion to approve the August 8th, 2016 Meeting Minutes; Mrs. Frutiger seconded. Motion carried, with Mr. Klinedinst & Mr. Horne opposing. Mr. Klinedinst opposed due to Item #14—Administration states “*employee evaluations and hiring/firing of the employees is ultimately the decision of the Borough Manager, not Council*”. He stated this statement was not made at the August 8th Council meeting; however, Solicitor Craley and several other Council members agreed it was. Mr. Klinedinst quoted Section 1104-G of the Borough Code, which states “all appointments made by Council shall be made with the majority of Council members unless a different vote is required by statute.” Mr. Craley stated this involves an appointment or replacement of something that invests in Council, but that doesn’t mean every appointment is made by Council. The ones that are appointed by Council are done by majority vote. In the past, Council has delegated authority to the Borough Manager to do hiring & firing and she is acting within the bounds of what she was authorized to do.
3. **VISITORS AND PUBLIC COMMENTS**
 - Bob Guinn from 144 South Franklin Street was present to address the problem of parking congestion in the alley between Franklin Street & Boundary Avenue. He stated the parked cars make it difficult for residents to pull in & out of their garages/carports because of the sight restrictions. It also leaves a narrow travel lane down the alley, where snow plows and/or emergency vehicles would not be able to travel. Mr. Guinn spoke to the Police; however, this would be something the Parking Enforcement Officer can address. Mrs. Price will have him visit the area.
 - Mike Zelger was present to discuss the “Fall Fling for Fido” event scheduled for October 1st, 2016. Everything is in place for the event, with approx. 20 vendors lined up to attend, along with several rescued dogs. Libre’, the rescued Boston terrier who made recent headlines, will be there. Visitors with their dogs will be able to walk up & down the Red Lion Mile (approx. 2-mile walk). The goal of this event is to find homes for rescued dogs. One of the fields (directly behind old Mastercraft) is not available for use. Silverback Towing (800 Maple Street) has purchased the old Mastercraft building and there is a discrepancy in what they believe is their property. They are not amenable to any event taking place at Vulcan Field; however, most of the fields there belong to the Borough. Several

arguments have ensued, involving harassment and threats. Mrs. Price has spoken with State Police regarding this.

- Dave Dennish from Kaltreider-Benfer Library Board was present to discuss a fact sheet of the library, involving highlights of the past year and future plans. In addition to many books and resources available at the library, audio books and books to download to Kindle devices are available for members. A program called “Hoopla” enables members to download movies to watch on their Ipad or computer for free.

In 2015, Red Lion Borough gave \$6,000 to Kaltreider-Benfer, which converts to \$.94/resident. The Borough has budgeted \$7,500 as a library donation for 2016. Mr. Dennish asked, if at all possible, the amount could be increased over the next 3 years in reasonable increments.

4. **ENGINEER’S REPORT**—Jeff Shue reported:

- The surveying at the old Mastercraft property should be completed by October Council meeting.
- 2017 road work—will be presented at October Council meeting
- Subdivision Plan for Kaltreider-Benfer Library property—discussion was held on the property owned by Municipal Authority which they gave to the library via a lease hold. At this time, the Borough is not part of the Subdivision; it is between the Library & Municipal Authority. This involves a split between the Authority maintaining ownership of a piece of property and giving the other piece to the library. Mr. Missimer (Library Board) stated a portion of the basketball courts may be needed for the library expansion to handle stormwater, so the Authority is prepared to give that property to the library as well. The Municipal Authority will still have ownership of the property at the water tank, as well as Myers’ Avenue and a portion of the parking lot, but not the roadway. Agreements between the Library & the Borough, the Municipal Authority & the Borough and the Municipal Authority & the Library would be drawn up & recorded once details are finalized. With regards to library parking, the Authority has no desire to change any parking as long as the Borough continues to maintain those lots (snow removal, maintenance, etc). Mr. Craley stated that these responsibilities should be formalized & noted on the plan. There is a Kaltreider-Benfer Library Board meeting on Tuesday, September 20th, 2016 where this will be discussed further.

5. **PUBLIC SAFETY**—Mr. Musso

- **Fire Company Report**—this month’s report will be presented next month
- **Ambulance Report**—distributed
- **EMS Report**—Scott Kopp reported:
 - Red Lion Street Fair was a success. There were 4 heat-related calls and 21 operators were on site that day.
 - Quarterly EMA training will be held in October.
 - Emergency Operating Plan & Resource Manual is now complete.
 - October 1st & 2nd—Red Lion & York Township EMA will hold amateur radio training. Alan & Diane Reed (Scott’s successors) will participate in this training.
 - Scott hopes to have Alan attend Council meetings from October to January 2017, when he takes over Scott’s position.
 - Bethany United Methodist Church (121 West Broadway) has volunteered as a disaster relief shelter. Scott is hoping to also bring St. Paul’s UMC (First Avenue) and St. John’s UCC (North Main) on board as well.
- **Fire Police**—Mr. Musso stated they did a great job at the Street Fair.
- **State Police**—Mr. Musso stated they were a great presence at the Street Fair.

6. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp reported:
 - Thanked John Domer, owner of Gift Rite Way, for inviting the Mayor to his car show on August 27th, 2016. He thanked Mr. Domer for his financial support of the Splash Pad. The proceeds from the car show, amounting in \$1,413 were given as a donation to the Splash Pad.
 - October 10th, 2016—Borough Council meeting will be held at the Community Building where Mayor Kopp will present Henry Herrman with the 2016 Red Lion Community Service Award.
7. **SOLICITOR'S REPORT**—Mr. Craley reported he has been working on Zoning Ordinance revisions, which will be presented in draft form at the September Planning Commission meeting (Sept. 19th, 2016).
8. **RESOLUTIONS**
 - **Resolution 2016-7**—the municipal election to opt into the York County Regional Pollutant Reduction Plan. Jeff Shue reported that York County is the only county in PA to work with Pennsylvania Department of Environmental Protection to make this a county-wide responsibility rather than an individual municipal responsibility. The cost to opt into the plan is not known at this time; however, Mr. Shue believes the cost will **not** outweigh the responsibility to negotiate with DEP as a lone municipality. If Red Lion did not take part in this, a separate impairment plan for each stream in their Watersheds would be required to show how they were reducing nitrogen, phosphorus, sediment-loading, etc. He believes it will be a benefit to be part of the plan, despite the cost. The cost will be determined after the County sees who will opt in and how much is reported, but Mr. Shue believes this is the most economical way to handle anything that the Environmental Protection Agency enforces. If they choose, the Borough can opt out of the program once the permitting cycle, which is 5 years, is complete.

Mr. Craley also stated he cannot imagine the cost of opting into this program with the County would be greater than trying to do things on our own.

Mrs. Frutiger made a motion to adopt Resolution 2016-7; Mr. Musso seconded. All were in favor; motion carried.
 - **Resignation letter** was received by Peter French. Mrs. Barley made a motion to accept the resignation of Mr. French from the Zoning Hearing Board. Mr. French has recently moved out of Red Lion Borough. Mrs. Frutiger seconded. All were in favor; motion carried.
 - **Resolution 2016-8**—appointing Stephanie Weaver to the Zoning Hearing Board. Ms. Weaver, of 60 West Howard Street will fill the vacancy left by Peter French. Mr. Klinedinst made a motion to adopt Resolution 2016-8; Mrs. Frutiger seconded. A vote was taken; motion carried, with Mr. Musso opposing.
9. **PARKS AND RECREATION**—Mrs. Kabacinski reported:
 - September 16th—last Food Truck Friday of 2016. Music, food vendors, etc to be held in the municipal parking lot at 33 West Broadway.
 - October 1st—“Fall Fling for Fido”—to be held at Vulcan Fields from 10am-2pm. Food vendors, activities for dogs, and chance to adopt dogs; walk on the Red Lion Mile as well.
 - October 8th—Fall Fest—held at Vulcan Fields from 4pm-10pm. From 4-8pm—activities for kids, bounce house, games, crafts, food trucks, etc. From 8-10pm—Haunted Mile event for ages 10 & up. A contest will be held for the “scariest group on the Mile”.
 - October 24th—Halloween parade @ 7p.m. Raindate is October 25th.
 - October 31st—Trick or Treat from 6-8pm
 - September 13th—Recreation meeting @ 7pm at the Community building.
 - September 16th—Splash Pad to close for season
 - Repairs in Recreation building are taking place.

- Meeting with Windsor Recreation for discussion on this season's baseball program is scheduled for this week. Mr. Klinedinst also suggested discussion on joint basketball programs.
- Fall ball programs will begin week of September 19th
- An increase in the summer program cost for next year will be discussed.
- Brett Patterson & Jon Persing have spent a lot of time on weekends and weeknights to help with Splash Pad cleaning and maintenance. They have really helped to keep things running smoothly. Mrs. Kabacinski made a motion to recommend a net bonus of \$500 for both Brett Patterson & Jon Persing. Mr. Musso also commended Brett (and Jon, who was absent tonight) for coming to help, when called. Mr Musso seconded the motion. A vote was taken. Motion carried (5-2), with Mr. Klinedinst & Mr. Horne opposing.
- Mr. Klinedinst suggested that next year, food truck vendors pay a \$50 deposit to protect Recreation if food vendors back out & don't show up. Council thought this a good idea.
- Mr. Musso commended Mrs. Kabacinski for all her hard work and time she devotes to Parks and Recreation and all its events.
- More discussion was held on Silverback Towing. Threats and arguments have ensued over property lines between the towing company and the Borough. The Borough has had the property surveyed, pins will be installed and fencing will be put up when events are held on Vulcan Field. The towing company can also have their property surveyed, if they wish. Mrs. Price has notified State Police to make them aware of the threats towards the Borough, visitors to Vulcan Field and neighboring properties; including chasing people off what they believe is their (Silverback) property. Locked gates may be installed on the Red Lion Mile to prohibit vehicles from travelling on it & to protect walkers.

10. **MUNICIPAL SERVICES**—Mrs. Barley had no report.

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

- 166 Linden Avenue (Ronald Trout) submitted a request for a handicapped parking space previously and the request was tabled. Mr. Klinedinst made a motion to now approve the space; Mr. Musso seconded. All were in favor; motion carried.
- Barnes & Barnes Contractors—Borough has paid them, but to date, they have not paid their subcontractor. The Borough has no relationship or contract with the subcontractor.
- Weaver Lane—Grace Lutheran Church reported concrete chipping away. The church did utility work under the street years ago and it is now deteriorating. Mrs. Price, Brett Patterson & Mr. Klinedinst has visited the area, but they don't see a problem with the street right now. Mr. Klinedinst recommended putting any repair work on the street on hold for now.
- Gay & Charles Streets—will the Borough be placing liens on sidewalks not repaired? Mrs. Price reported they may lien some, but not until 2017. The paperwork given to the residents by York County Planning Commission offering financial help for sidewalk repair was outdated material. The County no longer offers grant money for sidewalks; however, they are trying to work individually with the residents and requested a little more time from the Borough. Council has agreed.
- Kinsley Contractors payment for pavement work. Mrs. Barley made a motion to pay Kinsley in the amount of \$251,878.56. Jeff Shue concurs with this amount and reported that no retainage is being held. Mrs. Kabacinski seconded. All were in favor; motion carried.
- Community Building repairs—items have been budgeted; repairs are moving forward.
- Mr. Musso mentioned low-hanging trees and, with winter coming and snow plowing, the branches will cause problems. Borough Ordinance allows for the Borough (or a hired contractor) to trim them & lien properties where property owners do not do it.
- Mr. Klinedinst is working with Brett Patterson on the 2017 project list, one of which will be North Railroad Avenue.

12. **PLANNING, ZONING & REDEVELOPMENT**—Mr. Horne reported:
 - Redevelopment Committee—information about banners, including material, color & cost were sent to business owners. Mr. Horne will contact Creation Cabinetry about a design using school colors.
 - Zoning Hearing is scheduled for Wednesday, September 14th, 2016 @ 6p.m.
 - Planning Commission meeting is scheduled for Monday, September 19th, 2016 @ 7pm
 - Default on façade agreements to be discussed in Executive Session.
13. **ADMINISTRATION**—Mrs. Frutiger reported:
 - MMO (Minimum Municipal Obligation) for 2017 is \$81,894 (defined benefit pension plan) and \$17,275 (defined contribution pension plan). These amounts have been budgeted and are offset by State Aid & employee contributions. These amounts are for Borough & Municipal Authority employees combined. Mrs. Frutiger made a motion to approve the MMO amounts as presented; Mr. Musso seconded. All were in favor; motion carried.
 - MMO for Police is \$0—no additional funds get contributed to the plan by the Borough.
 - Catherine Meyer Award—Robert Frutiger has been nominated for this year’s award.
14. **COMMUNICATION**—nothing further
15. **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.
16. **Executive Session**—Council recessed to Executive Session @ 8:35p.m. to discuss ongoing litigation. Council reconvened @ 9:20p.m. No action was taken.
17. **Adjournment**—Council meeting adjourned @ 9:20p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary