

Red Lion Borough Work Session Minutes
Monday, December 4th, 2023

Council present

Cindy Barley
Tina Frutiger
Amy Lau
Chris Minnich
Dennis Klinedinst
Tony Musso

Others present

Dan Shaw, Borough Manager
Michelle Poole, Asst. Manager
Mayor Gene Lau
Jeff Shue, Engineer
Brett Patterson, Public Works

Visitors

Bob Frutiger
Lori Jackson
Carlene Marks

Joe Mulá
Rachael Dell
Mark Holloway

1. Work Session was called to order @ 7:00p.m.

2. **Visitors & Public Comment**

- **Carlene Marks (641 S. Pine Street), Rachael Dell (603 S. Pine Street) & Lori Jackson (607 S. Pine Street)** addressed Council about the bills they received for sidewalk repair. The letters stated the bill must be paid by December 15th or a lien would be placed on their property. They wanted an explanation as to why the repairs were done in the first place. Mr. Musso explained that, during a road project, if curbing needs to be replaced, the Borough pays for that, but if the sidewalk is not up to Ordinance standards or in disrepair, the expense is the responsibility of the property owner. Due to staffing shortages & changes this summer, certified letters were not mailed to these property owners (as required by Ordinance). The residents asked why then, are they required to pay within a specified time, if they were never notified as required? Mr. Musso apologized for the Borough's error; however, the sidewalk maintenance, repair, and/or replacement is the responsibility of the property owner. Ms. Marks wanted an explanation of why theirs were replaced when there are many others within the Borough in worse shape, but only the sidewalks along the roads slotted for repair are inspected. This summer, South Pine Street was on the paving list, so there must've been a reason why those particular sidewalks were repaired. Ms. Marks said the street in front of her house (641) was not repaired (nor was the curb), but her sidewalk was & she received a bill. The council apologized again, as they believed the certified letters were sent out to homeowners, and found out later, they were not. Mrs. Lau said she understands the Ordinance & that the responsibility must fall somewhere, but due to the error of not mailing the letters, she had suggested splitting the repair cost with the homeowners. One of the residents said she was aware when she purchased her property 3 years ago that she was responsible for the sidewalks, but she thought the way the bill almost threatened a property lien & allowed only 45 days to pay was not acceptable. Payment plans were offered to those residents who received invoices. Brett has before & after pictures of all sidewalk repairs. Those pictures will be reviewed & more discussion will take place before next week's Council meeting.
- **Lori Jackson, 607 S. Pine** also has an issue with stormwater runoff in the rear of her property which backs up to Railroad Lane. When Railroad was paved last year, the asphalt was mounded as a curb, so her yard becomes a swamp during rain. All water from the north end of Railroad runs there. Some Council, Brett Patterson & Jeff Shue will look at the area to find a possible resolution.
- **Joe Mulá from the Mulá Group** updated the Council on the new Borough Office progress. Painting is ultimately complete; ceilings will soon be completed & flooring should be

installed soon. The project budget was reviewed. Although the budget states 66% completion, Joe said progress is actually further than that.

Three payments requests were received & approved by Joe & his staff:

- **East Coast Contracting** (general contractor)--\$80,651.83.
- **Frey Lutz** (mechanical contractor)--\$34,816.43.
- **Shannon Smith, Inc.** (electrical contractor)--\$1,761.62.
- This is the 2nd month in a row the plumbing contractor either did not submit an Application for Payment or submitted an incomplete request that Mulá Group did not approve.
- The payment requests will be acted on at next week's Council meeting.

Joe anticipates a Certificate of Substantial Completion will be issued in a few weeks which means retainage will be released. Since the beginning of the project, 10% retainage has been withheld from all payment requests, so that will begin to be released, except for the electrical contractor who will not get fully released until sometime next year due to the lead times on some materials.

Owner contingency stands at \$96,037.69, which is 83% spent.

Joe still foresees a move in date for Borough staff by the end of December. Of note, Michelle suggested the staff use Mike Kirkland for moving everything from the old office to the new. His quote was \$1,100-\$1,200, depending on the time it takes. This will be on next week's agenda for Council action.

3. **Public Safety**—Mrs. Slenker wasn't present tonight. Reports should be received by next week's Council meeting.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau said Santa's Shanty is going well. Mrs. Lau is keeping a tally of how many children come through. Also, Breakfast with Santa was well attended.
5. **Parks & Recreation**—Mrs. Lau reported:
 - Breakfast with Santa—83 adults attended, 37 children (6-12 yrs.) & approx. 37 children (under 6) attended.
 - Food Truck Friday reports & Santa Breakfast reports have been received, although Mrs. Lau said some information is still needed and some questions answered. Some contact information for the volunteers is still needed too.
 - Authorization of the bank accounts (at least the one for Rec) needs to be taken out of Dianne Price's name. Dan will talk to Dianne about it tomorrow, 12/5. If Council members are not allowed to have viewing rights on the bank accounts, a monthly report of account balances could be provided. Dan Shaw & Becky Magnani (as Treasurer) should be on the accounts & this should be a priority.
 - Some Rec cameras are antiquated & cannot always be accessed. A follow-up can be done for more information.
 - Tree Lighting went well, despite being late because one of the strands was cut.
6. **Engineer's Report**—Jeff Shue reported:
 - Council should remind Meredith about submitting Amphitheater programming so outlets, lighting, etc. can be installed at appropriate places. The plans are beyond 75% complete & Jeff suggested the Council plan to bid the project by end of January 2024.
 - 2024 Street Projects—Council should discuss & plan, as we want to bid early.
 - Franklin Street/Country Club Storm Sewer Restoration work—we need this pipe televised before moving forward with plans or work. The pipe is starting to fail on the downslope side where Franklin crosses Country Club. Brett & Jeff will work on planning the televising, as this project will also need to be bid.
 - Cherry Street Mini-Storage development plan was approved. Jeff is working with the developer to get everything resolved.

- N. Franklin Street (Jordan Ilyes) construction should begin shortly.
 - Troy Leiphart (601 W. Maple Street) will begin construction on the addition to his existing garage/outdoor storage area.
 - Patton Veterinary Hospital—waiting on an outlet structure for the basin so it functions better.
7. **Municipal Services**—Mr. Minnich reported:
- RLMA will be finalizing their 2024 Budget soon. The \$5 fee assessed on each resident’s bill to cover RLMA projects is built into the budget but is expected to only be billed for the next 3 years.
 - Only 10 shut offs in November.
 - Need to confer with Atty. Craley regarding a Resolution (per the Municipalities Act) & RLMA’s PENNVEST loan. Apparently, the Authority needs to be solvent until 2073, so an endorsement may need to be given by the Borough. More discussion will take place on this.
 - RLMA is not reappointing C.S. Davidson as their Engineer. They plan to appoint Entech for 2024.
8. **Public Works**—Mr. Klinedinst had no report, other than:
- The Council should give Jeff Shue a street list for 2024. Brett Patterson completed a potential list extending out 13 years, so Council agreed that can be reviewed & Brett & Jeff can report back.
 - Parking tickets—Atty. Craley reviewed suggestions offered by Michelle & Council members, and offered these updates:
 - Vehicle Code permits fines not to exceed \$50 except handicap parking violations, which are as follows:
 - An absence of a fine specifying fines not more than \$50
 - With a sign specifying fines not less than \$50, nor more than \$200.
 With this in mind, the proposed fine for street sweeping & snow emergency would need to be reduced, as well as the handicap fine being adjusted. We can still charge for towing & impounding vehicles in addition to the fines.

Michelle can get clarification from Atty. Craley so this can be resolved.
9. **Planning, Zoning & Economic Development**—Mrs. Barley reported:
- Economic Development has been working with ROARS & Rotary Club regarding planning a Market event. The Borough doesn’t have staffing to take the lead & ROARS & Rotary don’t want to do so either. More discussion will take place.
 - The Planning Commission Meeting will be held, Monday, December 18th @ 7pm. to work on the Borough’s Sign Ordinance.
 - The Planning Commission recommended approval of a Waiver of a final LDP submission and conditional approval of the LDP for 601 W. Maple (Troy Leiphart), regarding a building addition & outdoor storage. This will be acted on by Council at next week’s meeting.
 - 267 Cherry Street—Council may need to reapprove their plan, as the expiration date is approaching. More on that next week also.
10. **Administration**—Mrs. Frutiger reported:
- Reorganization of Borough Council—Tuesday, January 2nd, 2024 @ 7pm.
 - Dan will advertise the 2024 meeting schedule at both the Municipal Building & 434 E. Lancaster, at least for January & February meetings, as a move-in date isn’t definite yet.
 - Michelle has conducted two phone interviews (another tomorrow, 12/5) for a Codes Enforcement Officer.
 - More discussion needs to take place regarding Jeff Stine’s housing situation at 314 Boundary Ave.
 - 2024 Budget to be adopted next week.
 - The chain link fence that was to be installed along the Pearson property will be a split-rail instead.

- An Ordinance to increase Borough Council pay will be acted on next week.
- C.M. High's proposal to maintain/repair traffic signals will be acted on next week.
- Mr. Musso requested a letter be sent to PENNDOT to request a "No Right Turn on Red" sign at High & Main Streets (traveling north on E. High).
- Traffic signal upgrades—Dan & Jeff to research these via PENNDOT.

11. **Adjournment**—With no further business before Council, Work Session adjourned @ 9:00pm.

Respectfully submitted by:

Stacy Myers, Recording Secretary