

Red Lion Borough Council Meeting Minutes
Monday, July 8th, 2024

Members present

Cindy Barley
Amy Lau
Brady Greer
Dennis Klinedinst
Evan Hiester
Mark Holloway
Tony Musso

Others present

Dan Shaw, Borough Manager
Michelle Poole, Asst. Borough Mgr.
Mayor Gene Lau
Jeff Shue, Engineer
Mike Craley, Solicitor
Samantha Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors

Pastor Jay McWilliams
John Brownlee

Rita Mitcheom
John Krantz

Tammy Auker
Derek Eveler

1. The meeting was called to order @ 7:00pm. Pastor Jay McWilliams from Pleasant View Church offered a prayer which was followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mr. Klinedinst made a motion to approve the June 3rd, 2024 Work Session Minutes; Mr. Holloway seconded. All were in favor; motion carried.
 - Mr. Klinedinst made a motion to approve the June 10th, 2024 Meeting Minutes; Ms. Greer seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—the following addressed Council:
 - **Curtis Gillespie (445 Wise Ave.)** was present to discuss a nuisance vehicle that has been parked for quite some time in the grass alley on the east side of Wise Avenue (in the rear of 415 Wise). He submitted pictures of the vehicle, showing a 2019 expired inspection sticker, and a picture of the alley he's referring to. Mr. Gillespie said that grass alley holds all the utilities (cable, electric, etc.) for nearby residents, so if it cannot be accessed due to this nuisance vehicle, there will be a problem. Michelle was unaware that grass alley was not private property, so that's why she hadn't gone back there. Mr. Gillespie reported all Wise Avenue residents park their cars back there when the Borough is doing road work or need to use the street. Michelle will take care of the nuisance vehicle now that she knows it's not private property.
 - **Tammy Auker (12 Railroad Ave.), her husband & another Railroad Ave. neighbor** were present to discuss parking shortages on their street caused by patrons of Black Cap, apartment tenants & their visitors. They asked if "resident parking" signs could be installed along Railroad. Mrs. Auker said it's worse during the hours the brewery is open but occurs other times too. Even though the apartment tenants have assigned spaces, they (or their visitors) often park along Railroad. Council is amenable to installing "Railroad Avenue Resident Parking Only" signs, but reminded the residents, those signs cannot be enforced, unless they're parked for longer than 72 hours, at which point, they can be ticketed. Hopefully though, the signs will be a deterrent going forward.
 - **Rita Mitcheom (41 Boundary Ave.)** was present to discuss this year's fireworks & all the debris she collected in her yard. She had a bucketful plus some that was in her yard, patio & the alley behind her house. She also has some on her metal roof & shed. This happened last year as well, but this year, one of the embers burned a hole in a patio chair cushion and all the falling embers/debris makes her very nervous. On her daily walks, she found debris from Park Street to 29 Boundary Avenue. The display is set off at the park since the school district no longer allows them to be set off on school grounds, but research can be done for a possible new location next year. Mrs. Lau said the Recreation Committee can conduct this research.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau received rave reviews about the fireworks & stated the July 4th Car Show was well attended. He also reported:
 - Some of the "In Memory of Kain" signs/ribbons were taken down, as they were starting to get faded & torn. Some of the residents wanted to keep them; the others were collected.
 - The Celebration of Life for Walt Hughes will be held Saturday, July 13th at the Community Building, 1pm.
5. **Public Safety**—Mr. Holloway reported:
 - The recent Fire Company meeting went well.

- As of today, EMA, Ambulance & Fire Company reports have all been received.
 - The former Mayor's Office in the Municipal Authority building will be used for EMA business & rented for \$100/month on a monthly basis. Borough will be responsible for the cameras & internet access. Mr. Hiester made a motion to approve this office for EMA business at a monthly rental fee of \$100/month; Mrs. Barley seconded. Motion carried with Ms. Greer opposing.
6. **Solicitor's Report**—Mr. Craley had no report, but Samantha Craley gave the following Police incident report covering January 1st thru March 31st, 2024.
- **Crashes**—35 (8 w/injury or death, 1 DUI, 11 hit & run, 4 distracted driving, 111 citations issued for various situations such as expired registration, driving on road laned for traffic, no inspection, failure to stop at Stop signs, suspended license.
 - **Warnings issued**—168 for various situations such as expired registration, failure to stop at Stop signs/Yield signs, faulty equipment, lighting requirement, inspection, emissions.
 - **Crime**—91 criminal investigations, 53 arrests, 15 drug investigations, 34 crimes against society, 7 DUI's, 19 drug offenses, 14 drug possession, 4 paraphernalia, 1 sale of drugs, 34 crimes against persons (assault, trespass, harassment, simple & aggravated assault), 28 crimes against property (theft, fraud, burglary, criminal mischief).
7. **Engineer's Report**—Jeff Shue reported:
- 2024 Street Improvements are moving forward. Work is done except for the reclamation. Columbia Gas's work on Chestnut should be done this week. Reclamation work will begin on 7/15 & is expected to be completed by end of the month.
 - He spoke to Wendy Fink regarding the North Franklin Street improvements. Her office is researching grant opportunities for those.
 - Bids for the Broadway wall project will be discussed, as Jeff plans a September bid opening.
 - The inlet on Myrtle Lane was discussed regarding smoothing the grading when reclamation is done; this will help with runoff.
 - Pine Street/W. Walnut Street runoff—Mr. Klinedinst suggested installing a hump or curb to divert stormwater away from resident's yards. The "wraparound" inlet at that corner was replaced with a standard PENNDOT inlet last year, but the grading was not changed. Jeff said we can use the unit price of the current contract & when the contractor begins the reclamation work, he will meet with them to discuss this work which he estimates around \$1,000.
- Mr. Klinedinst made a motion authorizing Jeff Shue to work with the contractor regarding a solution to the runoff down W. Walnut Street; Mrs. Barley seconded. All were in favor; motion carried.
- Mr. Klinedinst also suggested possibly installing a curb on the south side of Chestnut, as he foresees the same thing happening there with stormwater runoff.
 - Amphitheater/DCED Grant money—Jeff stated Council should make a decision on the scope of work for the configured grant monies since the amphitheater plan has been tabled (Indefinitely? For the future?) DCED will need to rewrite the grant to match the scope of work, so discussion should be held before August's Work Session. Ms. Greer mentioned ideas: Put the money towards the upkeep/repair/replacement of what the Borough already has. Updating/improving Fairmount Park playground equipment to make it appealing to all ages. A fence along the Rail Trail. Council is amenable to Ms. Greer & Mr. Hiester gauging interest from residents to see what people of all ages would like in town.
8. **Parks & Recreation**—Mrs. Lau reported:
- Minutes were taken at the June Rec meeting & Mrs. Lau asked Council to read over them. Some items from that meeting:
 - Deb Turnbaugh asked if Milton Hershey School could have a table at the July 19th Food Truck/Movie Night, where information could be distributed about the school.
 - The Rec Committee has decided to put the idea of promoting community resources on hold at this time, due to being a busy time for personnel & volunteers.
 - Field rentals—Committee recommended field rental for non-Red Lion Rec programs be \$25.00/hr. per field. They will not get first priority over field rental, as has been done in the past. Mrs. Lau made a motion to put this into effect & to be added as an update to the Fee Schedule, when necessary; Ms. Greer seconded. All were in favor; motion carried.

- Community Building rental/employee discounts—Committee suggested the rental fee remain the same, which is \$50/rental. Who will qualify as an employee? Administration Committee to determine this.
 - Becky Gibney’s rate of pay for interim Recreation Director—Mrs. Barley made a motion to approve Becky’s pay increase from \$21.55/hr. to \$23.50/hr. retroactive from May 30th, 2024 (2 days before Suds ‘n’ Song event); Ms. Greer seconded. All were in favor; motion carried.
 - Fireworks display was a success. All food trucks paid a \$50 deposit & their 15% of their gross profit is due by July 19th. Gross profit should be known by the August meeting. Of note, the Food Truck Contract needs to be updated.
 - July 4th Car Show—90 cars were registered, but 134 attended, so it was very well attended. Next year, is the 25th Anniversary for this event. To date, \$2,564 was raised, some of which will be paid to the Felton Band and for gift cards given in the raffle. Gross profit should be known by the August meeting.
 - July 19th—Food Truck/Movie Night @ Nitchkey Field.
 - Summer Camp is going well. Revisions to the payment method(s) will be researched for next year.
 - Economic Development Committee would like to paint a sports mural on the white building at Nitchkey Field. ROARS is willing to help with this. Council is amenable if the design & involved costs is brought to them first.
 - Additional discussion was held on field hockey & past Rec activities, including past Rec Director programs that were held despite not being approved by Borough Council. Mrs. Lau does not want that to continue to happen in the future.
9. **Municipal Services**—Ms. Greer reported:
- Kingdom Hall Water Project—Dan Shaw spoke to the church staff who said the easement design should be submitted before the next Work Session. Atty. Craley said it needs to show, not only the location of the easement, but its width, so access can be granted & repairs done, whenever necessary. Cost was never discussed; does the Borough want to be compensated for easements? Ms. Greer highly suggested the Borough charge for easements from utility companies, as well as private citizens, companies, etc. Atty. Craley said, once granted, this particular easement may be a slight detriment to the Borough’s property value, but after construction, it won’t impede the use of the property. The church posting a \$5,000 surety/bond was suggested. More discussion can be held at Work Session & also the amount charged for this and future easements.
 - Mr. Klinedinst wanted to review trash arrears in Red Lion Borough compared to other municipalities’ contracts. Other aspects & details of the borough’s trash contract can be discussed.
10. **Public Works**—Mr. Klinedinst reported:
- Derek Eveler, Elm Lane resident, was present to discuss the maintenance of this road. It was reported that Elm Lane is not currently on the Liquid Fuels list and the Borough receives no money to maintain it. What is the opinion of other Elm Lane residents should the Borough abandon it? If vacated/abandoned, the Borough would be eliminating public access to it, although any resident who has property bordering it, must have access. Personally, Derek said he would rather the Borough maintain it rather than the residents who live there. Because this isn’t on tonight’s agenda, no decisions can be made on it, so it will be added to next month’s agenda.
 - 303 First Avenue—handicapped parking sign should be pulled, as it’s no longer necessary.
 - Crosswalk signs at N. Main & Gay Streets. A quote of \$9,074.37 for a lighted crosswalk sign was obtained through Tapco. There used to be a crosswalk at this intersection, but the Borough removed it because it is a state road & the school district discouraged walkers, as they’re getting paid to transport children by bus now. Until recently, the district said students were to enter Mazie Gable in the front but have now stated they can enter in the back (& be dropped off & picked up there). So, walkers are once again, crossing at N. Main & Gay. Jeff Shue stated the lighted crosswalks signs are permitted, but not required, with the municipality being the signal holder; however, the school district must agree they want the signage. Mr. Musso would like crosswalk signs (not necessarily a lighted sign) back at this intersection, mainly because of all the students crossing there. Ms. Greer suggested the Borough send a letter to PENNDOT stating the school district is not responding to their request. She believes PENNDOT will then come out & accommodate the request at no cost to the Borough.

Jeff Shue stated if Council isn't looking for a flashing crosswalk sign, piano keys can be painted on a state road. That, along with signs are permitted by PENNDOT. The Borough can petition PENNDOT to put them up, but typically they'll put that back on the municipality.

After more discussion, Mrs. Barley made a motion to purchase two signs at \$350/each & install them at N. Main & Gay Street in accordance with PENNDOT specifications: Mr. Musso seconded. All were in favor; motion carried.

- Request for payment in the amount of \$198,018 was received from JVI for street work. Mr. Klinedinst made a motion to approve the payment request to JVI; Mr. Musso seconded. All were in favor; motion carried. Retainage of 10% is still being withheld.
- Neighbors of the Linden Avenue retention pond are complaining about the dead trees in the area, which will require a tree trimming company. Atty. Craley suggested getting the property surveyed to determine property boundaries & property ownership. Mrs. Barley made a motion to move forward with the property survey; Mr. Klinedinst seconded. All were in favor; motion carried.
- Of note, Brett Patterson recently got his own company credit card.

11. **Planning, Zoning & Economic Development**—Mr. Hiester reported:

- Planning Commission continues to work on revisions to the Borough's Sign Ordinance.
- Intersection of S. Franklin St. & Boundary Ave. has a dangerous sight triangle. Mr. Hiester will gather more information until the August Work Session.
- Ms. Greer submitted LTAP requests for N. Franklin St. & Locust Lane. No response has been received yet.
- RLMA will donate landscaping rocks to Economic Development.
- Proposal to delete Chapter 15, 15:926 Schedule XXIII—"No Parking During Scheduled Street Sweeping" & change the portion that states exact days of the week that specific streets are to be cleaned, and to **amend** 15:311 "Parking Prohibited When Street to be Swept". Michelle said no schedule is needed for this & it's nearly impossible to stick to the "specific street" schedule. More discussion was held & suggestions given related to parking & enforcement during street sweeping. Atty. Craley will prepare draft language concerning these amendments for the August Work Session.

12. **Administration**—Mrs. Barley reported:

- The acoustic panels for the meeting room have been ordered.
- Council members' who don't want to accept pay—Atty. Craley said there's nothing in the Borough Code stating Council members can decline their salary. He spoke to PSAB who said there's no way a Council member can NOT take it. He said the Ordinance requiring Council to accept a salary could be amended with a provision stating any elected official may decline salary, but they must notify Borough staff prior to the beginning of their term or within 90 days if they change their mind. Mrs. Barley made a motion authorizing Atty. Craley to draft language for next month that Council/elected officials may decline their pay; Mr. Musso seconded. All were in favor; motion carried.
- Borough Ordinance requires the Borough Manager to be bonded. Council believe it's a good idea for the Asst. Manager to also be bonded, but at what amount? The Treasurer is bonded for \$300,000. Dan will get the costs to bond the Asst. Manager at \$200,000 & \$300,000 to compare at the August Work Session.
- Cyber crime loss is covered by our insurance with a \$10,000 deductible on the one policy & covered for up to \$10,000 on another policy. That \$10,000 can be used to cover the deductible on the other.
- The compromised bank account will be closed after all outstanding checks have cleared the bank.
- Internship Program—Ms. Greer volunteered to enter information (work orders, etc.) for Public Works into CSDatum, as she doesn't want to create more work for staff. Mr. Musso & Mrs. Barley don't believe this is a good idea at this time, because 1) Ms. Greer is not a Public Works employee, and 2) there are so many other things going on right now & it's not a great time to start something new.
- Lauer Construction Facia Replacement proposal of \$1,495 & services to provide our proposal to remove and replace concrete curbing and blacktop for \$5,200. Mr. Klinedinst made a motion to approve both proposals; Mrs. Barley seconded. All were in favor; motion carried.
- Payment of Navarro & Wright invoices—Mrs. Barley made a motion to reapprove the payment to Navarro & Wright in the amount of \$65,827.50; Mr. Holloway seconded. All were in favor; motion carried.
- Of note, the Jeff Stine zoning violation is no longer a violation. Dan Shaw will try to settle the case with Jeff Stine for \$2,000.

13. **Communications**—

- Resolution before Council “AMERICA250PA”. The County put this together & involves having a celebration of some type & possibly hanging banners. Most Council do not want to remove the Veterans banners in town, so Mr. Musso said no to adopting this Resolution. Mr. Hiester wanted to revisit this & more information can be gathered about it until next month.
- Mr. Klinedinst urged Council members to drive past 254 W. Broadway (rear)—there is a large tent & 2 campers in the backyard. Michelle is aware & working on it. Complainants must be willing to testify about this activity in court.

14. **Approval of Bills**—Mrs. Barley made a motion to approve the bills; Mr. Musso seconded. Motion carried, with Ms. Greer & Mr. Klinedinst opposing.

15. **Adjournment**—With no further business before Council, the meeting adjourned @ 9:29pm.

Respectfully submitted by:

Stacy Myers, Recording Secretary