

Red Lion Borough Council Meeting Minutes
Monday, March 11th, 2024

Members present

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

Others present

Dan Shaw, Borough Manager
Michelle Poole, Asst. Manager
Mayor Gene Lau
Mike Craley, Solicitor
Samantha Craley, Solicitor
Jeff Shue, Engineer
Meredith Yakelis, Park & Rec.
Stacy Myers, Recording Sec'y

Visitors

Joe Mulá
John Brownlee
Brady Greer
Chris Thompson
Gary LaTulippe

Kacy Sparks
John Krantz
Shauntia Phillips
Howard Taylor
Mario Paas

Scott Gingrich
Mike Adams
Brooks Thompson
Chris Kenna
Jeff McKinsey

1. The meeting was called to order @ 7:00pm. Councilman Mark Holloway offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mr. Klinedinst made a motion to approve the February 12th, 2024 Meeting Minutes; Mr. Musso seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**
 - **Joe Mulá was present with a construction/budget update on the new Borough Offices, 438 E. Lancaster St.** He presented the following points of interest:
 - Two applications for payment were received. One for Shannon A. Smith (electrical contractor) for \$14,439.60 & one for East Coast Contracting for \$31,124.95 (if Council votes to pay the full amount).
 - Difference under “Construction Costs” from the \$1.034million budget vs. \$935,000 spent is basically just the electrical generator, meter base & transfer switch. Frey Lutz (mechanical contractor) submitted a payment request, but not in time for tonight’s meeting.
 - Contingency, Fixtures, Marketing, Signage, IT/Security, Furniture, Equipment costs noted on the budget are all accurate as of today.
 - As of today, the Budget Total is \$1,346million and spent to date is \$1,184million. Joe said there’s approx. \$100,000 left to be billed in Construction Costs & there’s approx. \$150,000 left in the budget.
 - One Change Order that needs to be discussed involves the two HVAC units sitting on the ground. Joe said there are additional screens that can be put on those to better secure the coils. Price for the screens for both units would be \$3,202. Frey Lutz is also interested in conducting annual maintenance for these units, should Council approve that. It would consist of flushing the units & changing the filters twice/year. Mrs. Lau made a motion to allow Frey Lutz to add the additional screens to secure the coils for \$3,202 for both HVAC units; Mr. Klinedinst seconded. All were in favor; motion carried.
 - A walk-through was held the other day & a punch list created.
 - Joe said there are two open items, the generator & the meter base. The meter base has arrived & Shannon Smith has contacted Met-Ed to confirm it will fit. Shannon Smith also has the control system for the lights, and they will provide training on that. If Met-Ed is delayed in confirming the meter base,

Shannon Smith will still conduct the training to get everything programmed/customized.

- CIA/Telecom—phone system; waiting on Telecom to complete everything. We should be able to hold the next meeting at the new location, with or without the phone system. Joe said the Certificate of Occupancy has been obtained and some furniture is in the meeting room.
- Plumber was on site Friday to fix some things & that is almost complete.
- The final punch list items for General Contractor (East Coast) includes the following. East Coast is bulking somewhat at completing this work, as they don't believe some are their responsibility. Joe continues to push & they've said they're willing to complete the following for \$850-\$1,000.
 - Repair existing concrete curb near generator—East Coast agrees this is their responsibility.
 - Caulking between the display screen & the ceiling—they don't feel this is their responsibility because they didn't install the screen.
 - Install vinyl wall base (cabinetry in the meeting room) where there is a gap. East Coast insists the floor is out of level & that's the reason for the gap. If that is the case, Joe said the trim should've been scribed into the slope of the floor. Vinyl wall base can be pulled from attic stock that is available.
 - Weather barrier/flushing to be installed at the door. East Coast is arguing that this needs to be done. The plan detail shows a weather barrier & flashing installed. It also shows synthetic stucco, but this was changed to vinyl siding.
 - Replace two ceiling tiles in the lower-level vestibule—East Coast is saying this damage was caused by CIA.

Joe doesn't feel the Borough should pay to have the above items corrected. If East Coast refuses to do the work, there is still approx. \$31,000 of their money being held. Joe received a phone quote (sight unseen) of \$3,500 from a competent contractor to complete the work if the agreement with East Coast needs to be terminated. This contractor will visit the site so a firm price can be obtained. Joe is estimating the outstanding work at \$5,000.

The contract between East Coast & the Borough states we need to give them 7 days written notice of termination & the reason why we want to terminate the agreement. Joe will draft this letter, citing those sections of the agreement.

Atty. Craley recommended the Borough pay \$25,624.95 to East Coast and hold \$5,500 (estimated cost of above work + 10%). Mr. Holloway made a motion to pay \$25,624.95 to East Coast Contracting; Mrs. Barley seconded. All were in favor; motion carried.

Joe stated, if this doesn't work, we still have insurance & performance bonds the Borough can draw on, but Council wants to avoid that, if possible.

- Mrs. Barley made a motion to pay Shannon A. Smith \$14,439.60; Mr. Musso seconded. All were in favor; motion carried.
- **Representatives from the Jehovah's Witness Church (395 Boxwood Rd.) were present to ask for permission of an easement to install a water line through Borough property to their church.** Mario Paas, Howard Taylor & Jeff McKinsey, along with their contractor, Chris Thompson explained they would like to connect to public water & discontinue their private well use. A sketch plan was prepared for the water line extension & they have contacted John Krantz (RLMA) to discuss their plan. They would be boring underground to install the line, along with installing 3 junction boxes, so a temporary easement is being requested.

Jeff Shue stated the church is creating another utility line running through the Borough property that potentially may conflict with anything the Borough does in the future (electric

lines, water lines, etc.). Jeff's issue is where could the line be run so it's never in the Borough's way? This should be taken into consideration, and Jeff suggested the line hug the property line as close as possible.

Atty. Craley suggested the church create & forward a draft agreement and easement/right-of-way to Dan & him, so something can be prepared for the April Council meeting.

4. **Interviews of persons interested in the vacant Council position**—Council held a question/answer period for the four people interested—Brady Greer, Shauntia, Mike Adams, Gary LaTulippe.

- **Why are you interested in this position?**
 - **Brady**—I would like to help Red Lion, and I have a lot of skills that I use in my workday, that I feel could also be put to good use in the town where I live.
 - **Mike**—I'm a "doer" and would love to see Red Lion look amazing, similar to beautiful towns such as Lititz.
 - **Shantia**—I saw a need here in town & feel there are so many opportunities to better it & help it flourish. I would like to work collectively with Council & residents to accomplish a lot of good things.
 - **Gary**—I've lived here for 30+ years and have been heavily involved in different capacities, most currently as Vice Chairman of the Red Lion Municipal Authority. I feel I could be a good asset in this position.
- **What is the single most important issue that Red Lion residents face today?**
 - **Brady**—Infrastructure, and it's difficult to have the necessary budget to do the work that's needed. I would like to help focus on obtaining grant money to help fund that work.
 - **Mike**—Brady had a great answer. Safety is also important & I would like to determine how Red Lion can tackle that. I'm very impressed with the job the State Police are doing.
 - **Shantia**—The community's lack of knowledge & availability of resources to those in need.
 - **Gary**—Debt reduction & to improve the town's fiscal responsibility.
- **If the Borough received a \$1million grant to use any way you choose, how would you spend it & why?**
 - **Brady**—Improve the infrastructure problem.
 - **Mike**—Right now, I don't have a fundamental understanding of where all the needs are in the Borough, but I believe it could be put to good use.
 - **Shauntia**—I'd like to construct a facility to aid the homeless, and even if they don't stay, it would be a place of resources to help them get back on track.
 - **Gary**—Form a sounding board of citizens to get a strong idea of what people need versus what I think they need. There are 4 areas of focus to determine where funding is needed—infrastructure, debt reduction, crime reduction & cultural/green spaces.
- **Atty. Craley asked each candidate**—*Are each of you registered voters? **Yes (all 4)**. Have each of you lived in the Borough for at least one year? **Yes (all 4)**. If appointed by Council, are you aware the term goes until the end of 2025? **Yes (all 4)**. You're all aware, if appointed, you're required to file a Statement of Financial Interest where you would have to publicly disclose some income & debt? **Yes, that's not a problem (all 4)**.*
- **Discussion/deliberation was now held.**
 - Mr. Klinedinst—He supports Gary LaTulippe, as he appreciates all his experience.
 - Mr. Hiester—He likes that all 4 candidates have a common theme of helping the town flourish. He supports Brady Greer, as she brings a lot of planning & zoning experience.

- Mrs. Lau—She supports Brady Greer & her special skill set that would be very useful.
 - Mr. Holloway—He’s torn, as he really appreciates Mike Adams’ effort in beautifying the town, picking up trash, etc., and also appreciates Gary’s business plan & ideas. He supports Gary LaTulippe.
 - Mrs. Barley—She really likes Brady’s planning background, but if she is appointed to Council, she cannot serve on Planning Commission, as there are already two Council people serving there (Hiester, Barley). She would support either Mike Adams or Brady Greer, but if someone makes a motion for Brady, she will support that.
 - Mr. Musso—He will support Brady Greer.
 - Mr. Hiester made a motion to approve a Resolution appointing Brady A. Greer to Borough Council to fill the vacancy of Chris Minnich, until the 1st Monday of January 2026. Mrs. Lau seconded. Motion carried, 4-2 (Klinedinst, Holloway opposed). Welcome Brady & Thank you to all the other candidates.
 - Mayor Lau swore in Brady Greer.
5. **Mayor Lau’s Remarks & Recommendations**—Mayor Lau reported:
- Leaving a recent Rec meeting, he heard banging near the playground equipment. He approached 3 males & talked to them first, about park hours and second, about respecting the equipment being that it’s for younger children. They were respectful & apologized.
 - Tractor trailers in alleyways—Borough alleys are to have a 16’ ROW. From his building to the sidewalk across the alleyway is 15’ and at the other end of the alley, from their building across is 15’; however, the existing yellow pole with the Stop sign makes it 14’. The alley behind the Elks was recently blocked by a tractor trailer making a delivery & he doesn’t think that alley is as wide as the one behind the karate school.
And once again, the SYSCO truck delivering to Sign of the Horse hit his building. He doesn’t know if prohibiting tractor trailers in the alley or making the alley One Way is the answer, but most alleys are too narrow to accommodate them. Jeff Shue said a traffic study would prove this, but enforcement of both of the possible solutions is the problem. Other ideas were discussed. A solution may be for Borough administrators to address the issue with SYSCO or the owner of the Sign of the Horse.
 - He requests metered parking not be enforced during the Easter holiday—March 29th-April 1st.
6. **Public Safety**—Mr. Holloway reported:
- EMA Report & Ambulance Report were distributed.
 - Fire Company Report/Chief Gingrich reported for February:
 - There were 87 calls (19 in the Borough); 23 that both stations responded together.
 - 206 training hours were spent that month.
 - This past weekend’s Fire Company banquet went well.
 - Dallastown Borough events—Mr. Holloway made a motion to approve our Fire Police attending Dallastown Borough’s events; Mrs. Barley seconded. All were in favor; motion carried.
7. **Solicitor’s Report**—Atty. Craley reported:
- Ordinance 2024-3-2—prohibiting parking on the south side of Dixie Drive from N. Main Street to Church Lane. Mrs. Barley made a motion to adopt Ordinance 2024-3-2; Mr. Klinedinst seconded. All were in favor; motion carried.
 - Payment has been received for the two sidewalks on S. Pine Street with outstanding bills.
8. **Engineer’s Report**—Jeff Shue reported:
- Bid award for two street projects (West Chestnut Street & Myrtle Lane)—Mrs. Barley made a motion to award the bid to JVI in the amount of \$373,095; Mr. Klinedinst seconded. All were in favor; motion carried.

- Bidding the Amphitheater—Mrs. Barley made a motion to approve bidding the amphitheater project; Mr. Klinedinst seconded. Mrs. Lau suggested improving the park walkways at the same time the amphitheater is built. Jeff said this can be done. Once the bids come in, this work can be discussed. All were in favor; motion carried.
 - Bidding the retaining wall at the Municipal Lot (33 W. Broadway)—when the attorney for this litigation authorizes this bidding, Jeff would like to move on it. Everything went to Navarro & Wright for review & to seal the documents, but they refused to seal them or to put it on their letterhead. Mrs. Barley made a motion to approve bidding the retaining wall subject to final approval by Jeff Shue based on the litigation Counsel’s approval; Mr. Musso seconded. Motion carried, 6-1 with Mr. Klinedinst opposing.
 - Rutter’s (Winterstown Rd.) completed the final necessary improvements.
 - Patton Veterinary Hospital installed the items necessary to retrofit their retention basin.
9. **Parks & Recreation**—Mrs. Lau reported:
- Adopting the Recreation Fee Schedule for the Community Building, Splash Pad pavilion, Bower’s Pavilion, food trucks, Nitchey Field banner sponsorship, Summer Camp & Halloween Parade registration. If Council wishes to set up a separate policy of employee discounts for the above, they can do so later. Mrs. Lau made a motion to adopt the Resolution of the Recreation Fee Schedule. Mr. Klinedinst seconded. All were in favor; motion carried.
 - Two part-time people have been hired to monitor the Splash Pad on weekends. They were hired at \$15/hr. (16-20 hrs./week). They will each have a Borough shirt to wear during work.
 - July 3rd fireworks to be provided by Bixler Pyrotechnics for a cost of \$15,000, same as the past 2 years. They had erroneously given Dan the wrong contract stating the cost would be \$12,000. Mrs. Barley made a motion to send a 50% deposit of \$7,500 ASAP; Mr. Holloway seconded. All were in favor; motion carried.
 - Bus trip to Jim Thorpe—trip is planned for October & will be open to the public. Mrs. Barley made a motion to send the \$250 deposit; Mr. Hiester seconded. All were in favor; motion carried.
 - Basketball & Cheer programs have ended.
 - Easter Bunny Breakfast—Saturday, March 30th from 8:30am-10:30am. Egg hunt immediately following breakfast; special needs egg hunt begins @ 11am. Volunteers are needed! Mrs. Lau said there are a lot of consistent volunteers, but it may help to reach out to the community for more volunteers.
 - Teen glow egg hunt is scheduled for Saturday, March 30th @ 8pm.
 - Car Show money from last year was donated to sports programs & Summer Camp scholarships, but Mrs. Lau is unsure how much was used or what, if any is left. Audit outcome, regarding donations—when people donate, often times it’s for a specific purpose. It should be monitored that it’s spent/used as the donor specified. This needs to be tracked somehow so there’s no overlap. Meredith has been tracking it in a separate spreadsheet, but there should be a written policy of limited categories to monitor donations going forward. If a non-specified donation is made, it could be used wherever. Concerning the Summer Camp “scholarships”, which is financial help for those who can’t afford to attend, should be based on some type of criteria rather than the Camp Director/Rec Department making that decision.
 - An income/expense template has been created to use, going forward. Thank you to Evan for creating this!
 - Mayor Lau thanked Amy, Cindy & Denny for their work in clarifying some administrative matters.
10. **Municipal Services**—Mr. Hiester reported:
- April 17th—water flushing will begin (thru May 1st)
 - Entech is performing the lead pipe assessment, due to PADEP in October.

- Edgewood Tank replacement—demolition is scheduled for early March.
- March 19th @ 10am—meet/greet with the neighbors near Edgewood Tank (to inform everyone prior to construction of new tank). Mr. Musso & Mrs. Barley said the Borough didn't budget for the increased fees from the Municipal Authority. These included increased hydrant fees, as well as the monthly fee charged for the new Edgewood water tank. Mr. Musso said for some industrial & commercial users, the monthly fee is more than their actual water bill. It was unknown (& found out later) that the zone designation used (whether industrial, commercial, residential) is based on the County assessment office's designation of each property. It was previously explained that a \$5/monthly fee would be charged to each customer, but the fee varies, i.e. commercial properties are more than \$5/month. Many residents are also upset about the fee. Mr. Klinedinst reported, unfortunately, the previous Authority Board hadn't put money aside for the Edgewood Tank, which will be a \$3.8million project. But Council & some residents are very upset because the monthly fee wasn't explained clearly, especially regarding properties designated as commercial but are residential properties.

11. **Public Works**—Mr. Klinedinst reported:

- Thank you to Michelle Poole for issuing the parking tickets, where necessary.
- Street sweeper was out this week & is in good working condition.

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

- Planning Commission continues to work on revisions to the Zoning Ordinance.
- A request was received from Pauline Newcomer to rezone her property at the corner of Wise & Taylor Avenues from Industrial to Residential Town. Although the Commission didn't have a quorum in February to make a recommendation, those present were in favor of it. Atty. Craley said the process to do so involves submitting a map amendment to both YCPC & the Borough Planning Commission for their review & recommendation. Once comments are received, a public hearing will be held, the Ordinance will be advertised, and Council will take action on it.

Mrs. Barley made a motion authorizing Atty. Craley to prepare the map amendment and then submit to both planning agencies. Mr. Klinedinst seconded. All were in favor; motion carried.

- Request for release of security (letter of credit) by CHR Corporation for the Rutter's Store Land Development Plan, 5 Winterstown Rd. Mrs. Barley made a motion to release CHR Corporation's letter of credit. Mr. Klinedinst seconded. All were in favor; motion carried.

- **From Economic Development**—

- Plans for the Farmer's Market (discussed previously) was pushed to 2025.
- Process for seeking grants—a few people in attendance were experienced with this, so plans will move forward with creating this.
- Welcome Boxes to new residents (discussed previously)—currently researching ideas.

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

- Authorized names to be added to Members 1st accounts—Mrs. Barley made a motion to add Daniel Shaw, Michelle Poole, Antonino Musso, Cynthia Barley & Amy Lau to account access. Mr. Klinedinst seconded. All were in favor; motion carried.
- Request to purchase a 12' x 20' shed for \$6,888 to be placed at the new Borough Office to store recycle barrels/totes, no parking signs, etc. Mr. Klinedinst made a motion to approve this purchase; Mrs. Barley seconded. All were in favor; motion carried.
- Preventative maintenance proposal for the new Borough Office was submitted by Frey Lutz, 1st year--\$1,809, 2nd year--\$1,881, 3rd year--\$1,956. Action on this was tabled, as Council would like to get another quote until the April meeting.
- Resolution 2024-4—to amend the Fee Schedule for parking violation fines. Mrs. Barley made a motion to adopt this Resolution; Mr. Holloway seconded. All were in favor; motion carried.

- A meeting will be scheduled between the Borough & the Authority to discuss the 457B plan and money that is being received from MetLife.
 - Mrs. Lau reported on Community Building rental revenue--\$930 (in February), \$2,510 (to date).
 - During a recent check, State Police found vandalism at the park restrooms. All four of the vandals have been identified. Council is seeking full restitution.
14. **Communication**—Mr. Musso would like to plan a ribbon cutting ceremony for the new building. Council agrees.
15. **Approval of Bills**—Mrs. Barley made a motion to approve the bills; Mr. Hiester seconded. All were in favor; motion carried.
16. **Executive Session**—Council recessed @ 9:51p.m. to discuss active litigation at 314 Boundary Avenue. Council reconvened @ 10:00pm.
Mrs. Barley made a motion to authorize Borough Solicitor D. Michael Craley to file the complaint and all paperwork necessary for the appeal related to Red Lion Borough v. Jeffrey A. Stine (Case # 2024-SU-0000646). Mr. Klindedinst seconded. All were in favor; motion carried.
17. **Adjournment**—Council adjourned @ 10:02pm.

Respectfully submitted by:

Stacy Myers, Recording Secretary