

Red Lion Borough Council Meeting Minutes
Monday, September 9th, 2024

Members present

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
Samantha Craley, Solicitor
Mike Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Sec’y

Visitors

Jason & Alicia Fry	Pastor Jay McWilliams	Pam Loss	John Brownlee
Muriel Slenker	John Krantz	LuAnne Hildebrand	Sandra Graham
Scott Thompson	Jen Dettinger	Aleksa Keithan	Mike Chrzanowski
Erica Edwards	Karen Trout	Todd Newman	

1. The meeting was called to order @ 7:00pm. Pastor Jay McWilliams from Pleasant View Church offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mr. Klinedinst made a motion to approve the August 5th, 2024 Work Session Minutes; Mr. Hiester seconded. All were in favor; motion carried.
 - Mr. Klinedinst made a motion to approve the August 12th, 2024 Council Meeting Minutes; Ms. Greer seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—the following were present to address Council:
 - **PSP Cpl. Confer** gave a YTD crime report for Red Lion Borough. Since January 1st, 2024, there have been 311 criminal offenses, 18 DUI’s, 91 crashes & a few homicide cases. Confer stated Red Lion has its fair share of major incidents such as stabbings & shootings. PSP conducts a patrol check at Fairmount Park nightly and Confer suggested having more video surveillance & knowing how to use it (& how to get it to PSP). Council is acting on new cameras tonight, especially in the park. Those with license plate reading capability can be very helpful. Regular checkpoints (license, registration, etc.) in the Borough are also being held. Council thanked PSP for increased patrols & presence throughout town!
 - **Jason & Alicia Fry, 215 E. Lancaster St.** were present as they were interested in installing a fence. They obtained a permit & had their property surveyed, but they wanted to confirm whether or not the Borough plans to open Lancaster Street (to connect on the other side) before they install the fence, as there is an existing right-of-way on both sides of his property that the Borough obtained years ago. He would like to fence his entire property with a gate, if possible. Atty. Craley said an agreement can be created between the Fry’s & the Borough that would allow them to install the fence with the understanding that if the Borough ever decides to open Lancaster Street, it must be removed. The Fry’s should also confirm that the Municipal Authority is in agreement with the fence being installed, as they may have utilities in that area.
 - **Mike Chrzanowski, 349 Country Club Rd.** was present to inquire about Council redoing Fairmount Park and updating the playground equipment. His family would be appreciative of more swings, a merry-go-round, etc. He stated there are several grants available for this type of thing & he would be willing to research those. This can be reviewed at budget time, but some of the grants require matching funds. Mike knows of a couple where Borough funds wouldn’t need to be used for the match. Parks & Rec can also help research grant opportunities. Mike had also spoken to Economic Development about a company who donates park benches made out of recycled material after 1,000lbs. of recycled plastic is collected. Council suggested Mike visit next month’s Work Session for more discussion on his idea.

- **Erica Edwards, 351 Country Club Rd.** also supported a park/playground upgrade geared towards younger children.
 - **Karen Trout, 152 Linden Ave.** suggested more walking paths be added in the park or the existing ones be repaved.
 - **Aleksa Keithan, 83 N. Main St.** is also in support of improvements to the park. If the tree grant moves forward, she suggested a tree canopy be planted to offer more shade, especially near the playground. Aleksa also asked about flashing lights at crosswalks—who installed them, in particular those on E. Broadway? The Borough had installed them, but per PennDOT, they are no longer legal, so that’s why there are no flashing lights at the crosswalk at Main & Gay Streets.
 - Mr. Musso thanked everyone who expressed interest in upgrading Fairmount Park. He said the entire park (walkway renovation, accessibility, playground, etc.) will be discussed, as it is on the “to do” list; however, the research takes time & money and the “to do” list is extensive.
 - **Jen Dettinger, 208 Bellevue Rd.** stated the garden at Nitchkey Field produced tomatoes, which she brought to tonight’s meeting & anyone can help themselves.
 - **Todd Newman, 47 East Ave.** was present to discuss parking shortages on his street & the fact that he had recently received parking tickets on both of his cars. The first incident was approx. 5 years ago & the Borough issued a ticket because his vehicle was obstructing the intersection. Mr. Newman agreed that the vehicle was probably in violation at that time. Recently, he received a ticket on both his vehicles. He moved one, as he agreed, it may have been too close to the intersection. The other vehicle was 20’ from the intersection & 15’ from the Stop sign. Michelle had suggested he attend tonight’s meeting for Council discussion, but she was responding to a complaint about Mr. Newman’s vehicle. Parking Enforcement stated neither vehicle met the setback requirements & issued the tickets. The Newman’s work with Community Outreach & the elementary school, so occasionally, they’re loading/unloading supplies from their cars, but they’re not obstructing the intersection. He measured & stated his vehicle was within the requirements. Mr. Klinedinst will visit the property & research this situation.
4. **Mayor Lau’s Remarks & Recommendations**—Mayor Lau was happy to see a full meeting room tonight, as it shows community interest in what’s going on. He also reported:
- He & his wife are very aware of the issues at the park, since they live next to it. He & Council are in agreement with resident concerns regarding the park.
 - He received a report of a hole in the sidewalk near the library that creates a safety hazard. Met-Ed (or other utility company) must’ve removed a pole, leaving the hole. Atty. Craley said it’s the utility company’s responsibility to fix it. Dan can contact Kevin Eck at Met-Ed to check if it’s their pole. The utility company should’ve pulled a permit too, if they were removing the pole. Staff can check that. Once the pole is identified, a letter can be sent, putting them on notice to fix it within 30 days. If not done, a complaint can be filed with the PUC. A temporary repair can be made in the meantime.
 - He also mentioned the 2nd incident where residents were not notified about sidewalk replacement & that being their financial responsibility. At this point, the taxpayers are on the hook again for this cost & he said that’s not fair. When a road project is done, the Borough pays for the curbing & the property owner pays for sidewalk repair/replacement, where necessary. How can we lien some properties & not others? This cannot keep happening. As soon as Council has a plan for road projects, residents must be notified via letter if sidewalk replacement is involved.
5. **Public Safety**—Mr. Holloway reported:
- **EMA Report**—information received. Mark would like to improve communications with EMA in order to report more thoroughly.
 - **Ambulance Report**—report distributed.
 - **Fire Company Report**—not received yet, although at the most recent meeting, it was reported they received a \$285,000 grant (to be distributed over the next 4 years) for recruitment & retention. Their gun raffle ticket sales will soon be closed. Their fundraising efforts & donations are down from former years.

- Thank you to Alliance volunteers for all you do & all the time you give!

6. **Solicitor's Report**—Atty. Craley reported:

- **Ordinance Authorizing Council Members to Decline Compensation for the Performance of their Duties**—this has been advertised & is ready for Council action. Council receives a salary of \$1,800/year, and some do not wish to receive it.

Mr. Holloway made a motion to adopt the Ordinance; Mr. Musso seconded. A vote was taken with Mr. Klinedinst, Mrs. Lau & Ms. Greer opposing, and Mr. Musso, Mr. Hiester & Mr. Holloway in favor. With a tie vote, 3-3, Mayor Lau can either cast a vote to break the tie or direct that the matter be tabled. If tabled, a special meeting must be held in not less than 5 days from tonight & no more than 10 days. If voting is held until the October meeting, the Ordinance will need to be readvertised. Mr. Musso offered to call Mrs. Barley to obtain her vote via speakerphone. A two-minute recess was taken at this time.

Mrs. Barley was reached via speakerphone. A roll call vote was taken with these results—Mr. Klinedinst, Mrs. Lau, Ms. Greer opposing the Ordinance, and Mr. Musso, Mr. Holloway, Mr. Hiester & Mrs. Barley voting in favor. Motion carried, 4-3. At this time, Mrs. Barley hung up & was no longer on the phone.

- **Authorization to advertise the Ordinance to establish a 4-way stop at the intersection of S. Franklin Street & Boundary Avenue.** This was discussed prior. Jeff Shue said there are bushes, etc. in the sight lines that would prevent a motorist from seeing clearly. Creating a 4-way stop wouldn't be a detriment to the safety in that area and, in Jeff's opinion, should improve it. Mayor Lau disagreed, stating he didn't see a problem at that intersection which he travels frequently. Mr. Hiester made a motion authorizing Atty. Craley to advertise the Ordinance to be acted on in October; Ms. Greer seconded. Motion carried, with Mr. Klinedinst opposing.

- **Elm Lane**—does Council wish to abandon it? If so, personal notice of that intent must be given to all homeowners of abutting property. Personal notice being door-to-door notification from the Borough. On the proposed Ordinance of abandonment, a copy of the tax map should be included showing the alley & its width. The Ordinance is then advertised two separate times. If anyone attends the Council meeting & objects to it, a Public Hearing will be held.

Mr. Holloway made a motion authorizing Atty. Craley to move forward with the action in preparation of abandoning Elm Lane; Mr. Musso seconded. All were in favor; motion carried.

- **Addressing grants & the roles of Council members**—Atty. Craley said the mayor & the 7 members of Council serve as one body. None of the members (nor the Borough Manager, Assistant Manager, Solicitor or Engineer) can act alone or do anything singularly without approval from Council. That includes spending any funds, submitting applications for anything, etc. Council approval must be on the record for any such thing.

The Tree Grant application was submitted without Council approval, so Mr. Musso said that application will not move forward without that. Mr. Hiester said the plan was to discuss everything tonight regarding that grant application & obtain Council approval; however, an email of approval was already received. As Council President, Mr. Musso removed Ms. Greer from serving on any committee & said she will no longer represent the Borough in any capacity. Her presence each month will be for voting purposes only.

7. **Engineer's Report**—Jeff Shue reported:

- **Two bids were received for the segmented wall** at 33 W. Broadway in the Municipal Parking Lot.
 - Shiloh Paving submitted a bid of \$455,200
 - York Excavating submitted a bid of \$984,580

Jeff said Shiloh's bid was approx. \$100,000 more than he expected. Under the Borough's consent order, this can be bid one time if Council doesn't want to accept the low bid. Mr. Klinedinst believes we'd get better bids if the project was rebid to be completed in the Spring; however, the Borough was bound under the legal agreement to bid this as soon as authorized to do so. Jeff agrees bidding in January would bring better results. Property owner (of the former Zarfoss building), Scott Thompson was

present tonight & stated this has been an ongoing issue for almost 10 years & the Borough is operating under a court order. He would like the Borough to stay within the bounds of that court order so this can be resolved. Jeff said, per that court order, this work can be rebid one time, if Council chooses to. And the reason it had been delayed was authorization from legal counsel (approvals from Navarro & Wright) hadn't been received until recently. Atty. Craley suggested discussion be held with the litigation counsel before bidding this project. If Council chooses to reject all bids & rebid it, Jeff said there's always a chance of receiving higher ones, or none at all. He believes Shiloh Paving overbid the job, but contractors don't want to work on a project of litigious nature. Both contractors vocalized that to Jeff Shue.

Mr. Klinedinst suggested putting the Country Club/Franklin Street project on hold until Spring to use that money for this project; however, some Liquid Fuels can be used for the Country Club project, but not for this wall project.

After more discussion, Mr. Klinedinst made a motion to award the project to Shiloh Paving with a bid of \$455,200; Mr. Musso seconded. All were in favor; motion carried.

Shiloh will submit the paperwork, get the bonding in place, and Jeff will bring an executed contract to the October meeting. The work will get started immediately after.

- **Amphitheater/Revised Scope of Work**—DCED is comfortable with the revised scope of work & the budget should be within the grant funds. The scope of work will get revised ADA parking & an improved walkway that extends down to the area that would allow for an amphitheater in the future, but it would not build the amphitheater. There would be no seating, no seeding, & no theater improvements funded with these funds. The scope includes essentially two ADA parking spaces, a curb cut & redoing the switchback of pathway to be ADA-compliant (from the water tank toward the Splash Pad & down to the gazebo).

Ms. Greer made a motion to reject the revised scope of work; Mr. Klinedinst seconded. Discussion was held. Right now, Council has over \$200,000 of grant money that needs to be assigned. No match is required for these funds. A vote was taken. Mr. Klinedinst, Mr. Hiester & Ms. Greer voted in favor of the motion to reject the revised scope of work. Mr. Holloway, Mrs. Lau & Mr. Musso opposed. This was a tie vote. Mayor Lau cast the tie-breaking vote in favor of opposing the motion; motion denied. Mr. Holloway made a motion to move forward with the project using the revised scope of work; Mrs. Lau seconded. Motion carried with Ms. Greer, Mr. Klinedinst & Mr. Hiester opposing. This was a tie vote. Mayor Lau cast the tie-breaking vote in favor of the motion; motion carried.

- **Resolution 2024-14**—to allow Council President & Borough Manager to sign for the Local Share Assessment Grant for the Charles Street bridge repairs in the amount of \$68,796. There are no matches on this grant and these repairs will address the concerns of the recent inspection of the bridge. Ms. Greer made a motion to adopt Resolution 2024-14; Mr. Holloway seconded. All were in favor; motion carried.

8. **Parks & Recreation**—Mrs. Lau reported:

- **Cameras/security at Nitchkey Field & other sites**—Michelle & Dan met with Advantage Security and did a walkthrough of the parks & Nitchkey. Monotronics is the current system used at Nitchkey for the keypad & cameras. CIA is the operator of the current system at the park, Rec Office & Borough Office; however, they don't seem to be monitoring anything for the cost they're charging, and the cameras are not working more often than they are. The cameras themselves can be used but the equipment it's connected to is what needs to be updated. Dan had requested the contract from CIA, but no response has been received yet. The contracts will be reviewed in an attempt to switch Nitchkey, Fairmount Park & the Rec Building to Advantage. Council agreed that we need to find a good system & get it functional to replace the non-functioning equipment.
- Windsor Township is interested in renting the fields for 13 weeks & offered to help maintain the fields (mowing, lining, etc.). Parks & Rec Committee want to maintain the current fee schedule through 2024 & revisit in January to bring it more in line with other areas. A possible discounted rate for long-term rentals can be discussed at that time.

- Pavilion rentals—YTD revenue is \$3,225 (August revenue, slightly over \$1,000).
 - August Food Truck Friday was cancelled due to inclement weather.
 - September 20th—Food Truck Friday—a band is booked to play from 6-8pm. Movie night will follow playing Kung Fu Panda. Movie will begin before 9pm due to earlier nightfall. **Food Truck contract will also be reviewed for 2025.
 - Splash Pad repairs—Brett will gather a repair list for budget time.
 - October 12th—Jim Thorpe bus trip; bus leaves @ 7am, returns @ 6pm. \$65/person (\$52 for staff) & 33 seats have been sold which covers involved expenses.
 - October 28th—Halloween Parade @ 7pm; registration closes Oct. 14th. No day-of registration will be held.
 - Summer Camp ended a week earlier than scheduled due to school openings, vacations & lower attendance.
 - No Basketball program will be held this year.
 - Suds ‘n’ Song post meeting will be held Sept. 25th @ 6pm at the Borough Office. The possibility of moving the event to the 2nd Saturday of June was discussed to avoid scheduling conflicts.
 - Mrs. Lau requested clarification for Rec Board members—how members get on the committee? Length of terms? What are the roles & responsibilities for members? An organizational chart should be created.
9. **Municipal Services**—Mr. Klinedinst reported:
- Watershed Weekend will be held Sept 21st & 22nd—Water Treatment Plant Tours will be held Sat, Sept 21st from noon-4pm.
10. **Public Works**—Mr. Klinedinst reported:
- He suggested the S. Franklin Street/Country Club stormwater project be put on hold until the Municipal Parking Lot/segmented wall repair is completed. More discussion can be held at budget time.
11. **Planning, Zoning & Economic Development**—Mr. Hiester reported:
- Planning Commission continues to work on revisions to the Sign Ordinance.
 - **Resolution 2024-13**—to appoint Bruce Stegman as Zoning Hearing Board alternate for the remainder of a 3-year term ending in 12/31/2026.
Mr. Hiester made a motion to adopt Resolution 2024-13; Mr. Holloway seconded. All were in favor; motion carried.
 - The mural at Nitchkey Field will move forward. Any community member wanting to paint a square should notify Mr. Hiester.
 - Mr. Hiester asked Atty. Craley for options to get the Healing the Planet Grant (discussed previously) moving forward tonight. There are 120 native trees available at no expense to the Borough, which he believes would lessen Public Works’ mowing workload. He showed a Powerpoint of the proposed locations for the trees which included Fairmount Park, MA/PA Greenway, around a stormwater management retention pond, Nitchkey Field & the Borough Office property. Some discussion was held, more under Administration.
12. **Administration**—Mr. Musso reported for Mrs. Barley (not present):
- Returning the \$37,500 to ROARS which was to be used for the Amphitheater. The money was used for the design of the Amphitheater project until Council changed the scope of work due to the excessive costs. Atty. Craley does not believe the Borough is obligated to return the funds because of how it was spent, but he will review C.S. Davidson’s invoices & the language included and report back in October.
 - Healing the Planet Grant—discussed previously with the 120 native trees. Mr. Hiester said a lot of community support was received for this project, and people have volunteered to help plant the trees. Council agrees this is a good program; however, Mr. Musso is concerned about the maintenance of the trees, once they’re planted. That would potentially create more work for Public Works, which we don’t want to do.
Mr. Holloway said this is a big project & the short Powerpoint presentation didn’t give a lot of time to process it, along with the follow-up maintenance after planting. Brett Patterson expressed concern of the locations for the plantings as he wants none planted in retention ponds. If Council approves it,

Public Works will deal with it, but he doesn't think the planting was thoroughly planned before the grant was applied for. Timewise for the funding, the grant should be approved prior to the October Council meeting. Who will remove any trees that die? Mr. Hiester said that would, most likely be Public Works.

Based on the information currently on hand, Mr. Holloway made a motion to deny the grant; Mr. Musso seconded. Motion carried with Mr. Hiester & Ms. Greer opposing.

- Of note, the Red Lion Borough Appreciation Dinner/Catherine Meyer Award Banquet will be moved to the Great American Saloon, as last year's dinner at the Community Building was staffed by Borough employees. Cost would be \$35.94/person at the Saloon. Ms. Greer made a motion to move the dinner to the Saloon, so staff can enjoy their appreciation dinner; Mr. Hiester seconded. All were in favor; motion carried. Tentative date is Thursday, November 7th.
 - Residents in the 200 block of Bellevue Road requested to close off the street for a block party on Sunday, September 22nd. Kelly Henshaw to set up & remove barricades.
Mr. Klinedinst made a motion to approve the request; Mr. Holloway seconded. With a request for a street closure/block party on Howard Street received last month, there is some liability involved & Council wanted to set up some guidelines prior to these events being held. Mr. Musso suggested tabling this until the October meeting until agreement from nearby residents is obtained, at the very least.
 - Final payment to East Coast Contracting, Inc. in the amount of \$5,500—Mr. Klinedinst made a motion to approve this final payment for the lousy concrete work; Ms. Greer seconded. Discussion was held about the workmanship that was done. Motion carried with Mr. Holloway opposing.
13. **Communication**—nothing further.
 14. **Approval of Bills**—Mr. Klinedinst made a motion to approve the bills; Mr. Musso seconded. All were in favor; motion carried.
 15. **Adjournment**—With no further business before Council, Mr. Klinedinst made a motion to adjourn @ 9:45pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary