

**Red Lion Borough Council  
Meeting Minutes  
Monday, May 13<sup>th</sup>, 2019**

**Members**

Cindy Barley  
Tina Frutiger  
Dennis Klinedinst  
Nevin Horne  
Stephanie Weaver  
Tony Musso

**Visitors**

Melanie Thompson  
Bob Frutiger  
Scott Kopp  
Randy Gray

**Others**

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

Eric Immel  
Laura Kirk  
Pastor Jay McWilliams

1. The meeting was called to order @ 7:00p.m. Pastor Jay McWilliams from Pleasant View Church offered a prayer, filling in for Pastor Tom Osenbach after his recent passing. Pastor McWilliams stated Tom's passing was a great loss to the church & the Red Lion community. The pledge to the flag followed prayer.
2. Mrs. Frutiger made a motion to approve the April 1<sup>st</sup>, 2019 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.  
Mrs. Frutiger made a motion to approve the April 8<sup>th</sup>, 2019 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—no one to address Council
4. **MAYOR HUGHES REMARKS AND RECOMMENDATIONS**—Mayor Hughes reported the regular June Council meeting will be held at the Community Building for the Awards Ceremony.
5. **PUBLIC SAFETY**—Mr. Klinedinst reported Chris Minnich is recovering from a recent accident, but he's doing well.
  - **Police/Public Safety**
    - A Dallastown resident frequently rides his motorized wheelchair from Dallastown to Red Lion Tavern. This will be reported to State Police because Council is concerned for the man's safety, as he typically drives on the roadway.
    - There was a recent suicide in the 600 block of South Main Street.
  - **Fire Company Report**—April's report:
    - 13 calls with 52 personnel using 19 pieces of apparatus
    - Old Engine 34 is for sale for \$1,500
    - New ladder truck—staff will be reviewing the new unit on May 15<sup>th</sup> @ 6p.m. for those Council who want to attend.
    - New doors at the fire station will be installed this week. Mr. Klinedinst said the old doors could possibly be used at the salt bins, but Scott Kopp was unsure of the Fire Company's plans for them.
    - Fire Company merger between Red Lion, Felton & Windsor is moving forward. Borough Council expressed their concerns to Scott Kopp:
      - Council reps & staff want Fire Police in Red Lion—Scott explained that volunteerism is down, and this merger won't necessarily increase the number of volunteers; however, Red Lion had two new members join the Fire Police recently. The merger is also good from a business standpoint, as the joining companies will share equipment, as well as volunteers. Scott stated he does

not want to see the Fire Company go to a paid entity and believes the task of getting volunteers is a joint venture with the Borough. In an effort to draw volunteers, Council said something can be included with the Borough newsletter, the Fall Borough magazine and suggested the Fire Company do a career day event at the school, if possible. Mr. Musso suggested a table or banner be set up at the June 1<sup>st</sup> Suds 'n' Song event to get exposure & hopefully draw volunteers.

- Council asked how workers compensation will be handled after the merger? Red Lion currently handles the billing for workers comp then gets a reimbursement at the end of the year, but once the merger takes place, the insurance amount is going to be much higher and Borough staff & Council would like to see monthly or quarterly reimbursements, rather than waiting till the end of the year. Scott stated this could be discussed at merger talks, and the municipality managers can discuss this together to determine how to handle it. All the volunteer Fire Companies currently have the same Workers Comp coverage through SWIF (State Workers' Insurance Fund), but claims are completed in the municipality where the incident occurs or where the Fire Company is located. Currently, if an incident occurs in Windsor Township, the claim is handled through Red Lion; if it occurs in Dallastown or Yoe, it's handled there. Mr. Craley said the Workers Compensation Act states the municipality in which the Fire Company is located pays the Workers Comp for the volunteers. If the merger occurs, wherever the "home" Fire Company is, that would be the municipality handling the Workers Comp (& claims) for everyone. Being that the formula for the reimbursement of Workers Comp insurance is rather complicated, Mr. Craley suggested all participating municipalities discuss & determine who will handle what.
  - At the June Fire Company meeting, the by-laws will be available for review & comment for the new organization (merged companies). After this review, a tentative "go live" date to move forward with merger discussions is July 1<sup>st</sup>.
  - January 1<sup>st</sup>, 2020 is the tentative date scheduled as the full merger to take place. Scott said the merger committee has put a lot of work into planning the merger and it's all volunteer hours.
  - Council believes a public meeting with the community is a good idea to share information of the merger. Scott will relay this idea back to Fire Company personnel.
  - Is there an exit clause, should the merging companies not get along, etc.? Council is concerned with all the equipment & assets being put into the Alliance Fire Company name, what happens if things don't work out? Mr. Craley said if the merger takes place & a dissolution would happen in the future, the courts would decide how the assets would be divided.
- **EMA Report**—Laura Kirk distributed her report and stated she will participate in two separate trainings this week & weekend.
6. **SOLICITOR'S REPORT**—Mr. Craley reported:
- Concerning the Horace Mann project, he received the Right-of-Way Agreements from the school. One required a small modification, but as soon as it's returned to Mr. Craley, he will get those recorded.
  - He received information on the assessment change for the Rail Trail now that the Borough owns that piece of property (formerly Lutz).
  - His draft of the Commercial Maintenance Code revisions for Commercial properties should be ready by June Work Session.

7. **ENGINEER'S REPORT**—Jeff Shue reported:

- On May 10<sup>th</sup>, Jeff & Brett conducted test pits with the contractor for the Horace Mann project. They were as expected with a few vertical changes to stormsewers, but the changes were done without affect to the contract/prices. Shop drawings are now being reviewed for the ordering of materials.
- The Mill of Red Lion—Jeff's office received plans, but it's up to The Mill's owner & project manager whether he wants to come before Planning Commission. Jeff said to date, no comments have been received from PennDOT, so he feels there isn't anything new to discuss until we hear PennDOT's feedback. Dan Shaw & Jeff believe a staff meeting should be held with The Mill staff & Dan will contact them regarding this.

8. **RESOLUTIONS**

- **Resolution 2019-1**—Adopting the York County Hazard Mitigation Plan—Mike has reviewed the document & concurs with it. Mrs. Barley made a motion to adopt Resolution 2019-1; Mrs. Frutiger seconded. All were in favor; motion carried.
- **Resolution 2019-2**—Application for a low-interest loan for equipment—Public Works plans to purchase a JCB wheel loader. Loan is for \$50,000 @ 2% interest. Mrs. Barley made a motion to adopt Resolution 2019-2; Mr. Klinedinst seconded. All were in favor; motion carried. Mr. Klinedinst said prices were obtained for a Case wheel loader also, but the JCB is less expensive & has a better warranty.
- **Resolution 2019-3**—Entering into a reimbursement agreement with PennDOT—This Resolution is a proactive effort to begin the discussion of reimbursement regarding the Rt. 24/74 road project. Mrs. Price reported the cost to replace only the sidewalk (of curbing & sidewalk) from Bethany U.M. Church (West Broadway) to Charles Street was \$43,200 (from Restuccia Excavating). Is it necessary to replace that portion just to make the curb higher in that location & what benefit is it to the Borough? We don't get any reimbursement for this type of work on State roads, but if we enter into an agreement to replace that piece of curb, we must take whatever dollar amount the State says. If Bethany Church didn't participate or pay the \$43,200, it isn't feasible to put a lien on the church for that unpaid amount. If we move forward with the reimbursement agreement, we agree to pay any amount PennDOT says & Mrs. Price nor Council are comfortable with that. Improvements along West Broadway & Charles are the Borough's responsibility & Council & Borough staff are amenable to that, but do we want to replace the curb in that location for the sole reason that it only has a 3-4" reveal? If the curb is replaced/raised up, the sidewalk will need to be replaced also; however, Mr. Klinedinst stated the church plans to replace part of the sidewalk anyway because of getting water in their basement. On North Main Street, we will have the same issue with St. John's UCC. And from the old Black Cap location to Gay Street would require curb and sidewalk. We can lien those properties for sidewalk replacement costs, but we wouldn't get the money until the properties get sold.  
The Borough can bid on their own, if desired, but it must be done before the State begins their work. Sidewalks can be done without a State permit, but curbing requires a PennDOT permit. And if the Borough does it on their own, they would need to pay for cost of bidding, traffic control, equipment mobilization & other issues included in a State contract.  
This Resolution is starting the process & paperwork of the reimbursement and who will pay for what can be discussed later. The Borough can add language & change the limits of what they're doing later, but Jeff Shue said it must be defined on the final drawings presented to PennDOT.  
Council & Borough staff are uncertain of how to proceed with this agreement & the Resolution. This will be tabled to allow more discussion with the churches in town regarding this project.  
Of note, First Avenue curbing/sidewalks will be discussed for future work/replacement.

9. **PARKS AND RECREATION**—Mrs. Barley reported:
- Breakfast with Easter Bunny brought in \$400 profit.
  - The day of the breakfast, the kitchen counters were charred and present a fire hazard. Mrs. Frutiger made a motion for renovations on the one wall, shelving, cabinets & paneling to replace the wood, not to exceed \$3,000; Mr. Klinedinst seconded. All were in favor; motion carried.
  - July 3<sup>rd</sup> Fireworks—the school is not offering use of their field, but River Rock agreed to offer theirs.
  - May 4<sup>th</sup> Cleanup in the Park was canceled due to rain
  - Memorial Day Parade is set & staging will be at the Community Building
  - Summer camp signups are going well
  - Softball & lacrosse are still being played
  - Field hockey camps will be offered this summer
  - June 1<sup>st</sup>—Suds ‘n’ Song event, from 1-8p.m.—final meeting will be held May 28<sup>th</sup> @ 6:30p.m. Glasses & koozies will be available for purchase the day of the event. Shuttles will be available that day from parking areas to the event.
  - June 21<sup>st</sup>—Food Truck Friday—11 food trucks are booked. Mrs. Frutiger made a motion to waive the alcohol restriction to allow Collusion Tap Works to attend & serve beer. Mrs. Barley seconded. There was a 3-3 vote (in favor—Mr. Musso, Mrs. Barley, Mrs. Frutiger; against—Mr. Klinedinst, Mr. Horne & Ms. Weaver). Being a tie vote, Mayor Hughes offered a tie breaker, voting in favor; motion carried. If there are any issues or problems that evening, beer sales will be shut down.
  - Recent vandalism to Fairmount Park—vandals used fence posts to break plexiglass on the bulletin boards & removed silt bags from storm drains. This was reported to State Police. Portions of the fence are not covered by the security cameras, but another camera may be purchased to point toward the unmonitored area.
10. **MUNICIPAL SERVICES**—Ms. Weaver reported:
- Water usage is down from this time last year
  - 2.35” rainfall was received since March’s meeting
  - 1 new connection since March meeting
  - May 15<sup>th</sup>—shut offs for delinquent water bills
  - May 15<sup>th</sup>—Source Water Protection Meeting to be held @ Windsor Township building @ 6:30p.m.
  - Flushing was completed April 22<sup>nd</sup>
  - It was discovered recently that a valve at the Splash Pad was left open & 993,000 gallons of water was lost. The water seeped into the ground after it went into the overflow tank. Eric Immel said it’s not unusual to not notice this much water was lost because it was over a 2-week period. Brett knows who was working at the Splash Pad on that day/time, so it can be addressed with that employee. Borough staff will request that the Municipal Authority waive the sewer charge for the lost water.
  - As discussed at Work Session, the Hydrant Maintenance Agreement will be put in writing. Mr. Klinedinst said he believes hydrant maintenance should be turned over to the Borough & the Borough would save \$1,200/month.
  - Personnel issues--3<sup>rd</sup>-shift operator has given his 2-week notice. A part-time employee has now been promoted to full-time status. Currently looking for a part-time Treatment Plant Operator.
  - Most of the sewer repair projects are now completed
  - Flushing schedule for 2020-can it possibly be moved to May or delayed two weeks to allow for street sweeping & limb cleanup? This can be discussed at that time next year.

11. **PUBLIC WORKS**—Mr. Klinedinst reported:
  - Rt. 24/74 Road Project—discussed earlier
  - Horace Mann Project—scheduled to begin June 10th; no weekends will be worked unless there are rain delays.
  - Loader information—a Case was brought in today to look at, cost is \$177,929. The JCB loader that was brought in costs \$155,470. The Case has more horsepower & may hold its value better, but the JCB has a better warranty & service plan. Lights & a camera will be added to the unit that is purchased. A snowplow will be purchased later. Mr. Klinedinst made a motion to move forward with the equipment purchase, not to exceed \$177,900; Mrs. Barley seconded. All were in favor; motion carried.
  - Storm drains on State roads—during a recent discussion at Stan Saylor’s office, Brett was told as long as the Borough does not have piping connected to the storm drain, storm drains are PennDOT’s responsibility. PennDOT says they are the Borough’s responsibility; anything on the surface is PennDOT’s responsibility; below surface is the municipality’s responsibility. That rule is different with cities & townships. Of the 76 storm drains in the Borough on State roads, 5 of them are connected to piping, yet according to PennDOT they are all the Borough’s responsibility. There is a meeting scheduled for 5/16/19 at Red Lion Ambulance Club @ 6:30p.m. More discussion on this will be held then. Jeff Shue said PennDOT will typically work with a municipality regarding storm drains.
12. **PLANNING, ZONING & REDEVELOPMENT**—Mr. Horne reported:
  - No Planning Commission meeting will be held this month. The Mill has not received comments from PennDOT regarding their plan for the Rt. 74 property.
  - Holiday decorating contest will be held offering prizes in 3 decorating categories—traditional, Griswold & modern (LED) and a grand prize (“Best in Show”) offered overall between the three, as well as a “Best Business” prize. Judging will be December 15th @ 6p.m. This event will be advertised/posted by September 1<sup>st</sup>.
  - Projector quotes for the meeting room are being gathered.
  - Christmas banners will be offered to businesses interested in changing their street banners for the holidays. A 2-year warranty will be offered on the banners (after installation).
  - Of note, Mr. Horne asked if another street sign can be installed for Birch Lane. Borough staff will look into this.
13. **ADMINISTRATION**—Mrs. Frutiger had no report
14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mrs. Barley seconded. All were in favor; motion carried.
15. **Executive Session**—Council recessed to Executive Session @ 8:51p.m. to discuss a legal matter. Council reconvened @ 9:10p.m. Mrs. Barley made a motion to approve a settlement offer at the settlement conference for ArthurLee, LLC as set forth in Attorney Brown’s letter.
16. **Adjournment**—Council adjourned @ 9:12p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary