

**Red Lion Borough Council
Meeting Minutes
Monday, April 10th, 2017**

Members

Cindy Barley
Dee Kabacinski
Tina Frutiger
Kelly Henshaw
Dennis Klinedinst
Tony Musso
Nevin Horne

Others

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

Visitors

Robert Frutiger
Henry Korte
Melanie Thompson
Stefanie Weaver
Shane Baldwin

Laura Kirk
Walt Hughes
Meredith Yakelis
Kathy Horne

Jeff Herrman
Rev. Kathy Kuehl
Nick Rhoads
Dennis Tyndall

1. The meeting was called to order @ 7:00p.m. Rev. Kathy Kuehl from St. James Evangelical Lutheran Church offered a prayer. Everyone present participated in the pledge to the flag.
2. Mr. Musso made a motion to approve the March 13th, 2017 Meeting Minutes; Mrs. Frutiger seconded. Motion carried, with Mr. Horne & Mr. Klinedinst opposing.
3. **VISITORS AND PUBLIC COMMENTS**—The following addressed Council:
 - Walt Hughes had two issues to discuss:
 - First, he questioned why Dennis Tyndall requested reimbursement from the Borough because of a recent court hearing where the defendant was found not guilty. Mr. Hughes researched Pennsylvania Rules of Criminal Court and didn't agree that any reimbursement be given to the defendant; however, this was not a criminal case. It was a civil zoning enforcement hearing against James Miller. In those cases, when the Zoning Officer issues an enforcement notice, the property owner can contest the validity of the notice via an appeal before the Zoning Hearing Board. Mr. Miller had not done that, so a civil enforcement action was started with District Justice Fishel. During that action, since no appeal was taken before the Zoning Hearing Board, the sole issue before the Judge is the amount of damages/penalties to assess in the civil hearing. Judge Fishel heard the decision & made a decision that he did not want to give the Borough damages but he awarded the Borough court costs. The Borough prevailed in the hearing even though no damages were awarded against Mr. Miller. Mr. Hughes wanted to verify the outcome, as he would be opposed to reimbursing any costs to the defendant.
 - Second, he thought the Easter breakfast was a great success and he thanked everyone involved, including many Council members, Borough Manager & the Recreation Director. He was very pleased with the turnout and thought everyone did a great job!
 - Shane Baldwin, who took over as EYC Director for the Basketball program, thanked Borough Council for giving him their support in the program. The program is really growing and many boys who don't want to play for their school teams are coming to the Rec program. He was pleased to announce that four County Championships were won by their participating Rec teams!
 - Dennis Tyndall followed up to Walt Hughes' comments by asking what ordinances were broken by his neighbor, James Miller. He asked why he was fined \$12,000? Mr. Craley

- stated that Mr. Miller would've been given the zoning enforcement notice stating what section of the Ordinance he was violating. Mr. Tyndall said no Ordinance was broken; however, the State Police notified the Borough Manager that one of Mr. Miller's roommates died of a drug overdose. Renting rooms in the Residential Zone is an Ordinance violation. Mr. Miller was in rehab and not living in the house at the time of the violation. He would've had 15 days to appeal the violation, but he didn't. He called Dan Shaw, told him he was no longer renting rooms, but it was found that he was and was still advertising for roommates and in violation.
4. **PUBLIC SAFETY**—Mr. Musso:
 - **Fire Company Report**—For April:
 - There were 19 calls with 67 personnel using 27 pieces of apparatus. \$0 fire loss
 - St. Baldrick's event went very well; approx. \$3,000 was raised for childhood cancer research. Mr. Musso received a pin in recognition of 3 years in a row that he shaved his head for the event.
 - **Ambulance Report**—distributed
 - **EMA Report**—Laura Kirk distributed her report. She thanked Mr. Musso for attending the Fire Chief's meeting when she had a schedule conflict. She also thanked Council and those from the public who follow EMA on social media.
 5. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—nothing to report
 6. **SOLICITOR'S REPORT**—Mr. Craley reported:
 - ArthurLee brief (regarding the width of the parking lot beside Hess Lane) is currently at the bindery. Mike will pick it up this week & file it with Commonwealth Court in Harrisburg. ArthurLee will have 30 days to file a response; he will keep Council posted with updates.
 - Animal Control costs are being reviewed per Council request.
 - Rules were discussed per Mrs. Kabacinski's question on etiquette of Executive Sessions. The purpose of the Session is to discuss real estate acquisitions, employment, legal issues, etc. They are recognized by law under the Sunshine Act and Mr. Craley's motto is "what happens in Executive Session should stay in Executive Session". There are no sanctions, no recourse; it's just an honor code to be upheld by elected officials.
 7. **ENGINEER'S REPORT**—Jeff Shue reported that some street work has begun. Inlets are in the first stage of repair. He and some Council met with St. Paul's Church before tonight's meeting about the alley and this matter should be resolved before the contractor begins work. Mr. Musso stated that Community Services wants to replace their roof, so hopefully that can be coordinated with the alley repair.
 8. **PARKS AND RECREATION**—Mrs. Kabacinski reported:
 - Easter breakfast—went very well. These events require a lot of work. A big thank you to all who attended & helped, with special thanks to the Easter Bunny (Ian Montgomery). \$700 profit was made.
 - Community Building work—the office is not quite done, but it looks great. Thanks to Brett Patterson & his crew.
 - Red Lion Recreation @ Revs Stadium—May 13th @ 6:30p.m; tickets are \$8/each and 50% goes to Red Lion Recreation. Presale tix are available for food packs for \$5 (hot dog, chips & drink), which is cheaper than if purchased at the stadium.
 - Gun raffle tickets available for \$20
 - Greenway plans for this week—to get the Rail Trail up & running.
 - April 22—Sportman's Show @ Leo Fire Company—many vendors will be there. All proceeds raised that day will go to Red Lion Recreation.
 - Kudos to Councilman Tony Musso for always being very involved in the community. He attended the Easter breakfast, participated in the St. Baldrick's event, is donating pizza for the town cleanup day (April 29th @ noon), among many other things.

9. **MUNICIPAL SERVICES**—Mrs. Barley reported:
- Parking kiosk for the municipal lot—credit card processing for the kiosk should be operational by May
 - Jeff Herrman reported for the Municipal Authority—flushing is running ahead of schedule and is going well. Also, shutoffs for unpaid water bills will be the week of April 17th.
10. **PUBLIC WORKS**—Mr. Klinedinst reported street sweeping will begin Wednesday, April 12th. People should obey the parking signs or their cars will be ticketed. Mr. Horne requested to see daily hours worked by Public Works crew; Brett will get this to him.
11. **PLANNING, ZONING AND REDEVELOPMENT**—Mr. Horne reported:
- May 6th @ 8am—tour of Glenn Rexroth buildings & site at Redco Avenue (old Yorktowne Kitchens)
 - Sample banner will be hung in lobby for viewing.
 - No April Planning Commission meeting.
 - Redevelopment Committee—a lot of ideas are being gathered in hopes of reaching out to local businesses.
12. **ADMINISTRATION**—Mrs. Frutiger reported that Teamsters meeting will be held this week to discuss insurance deductions. Mrs. Price & Mrs. Frutiger to attend.
13. **COMMUNICATION**—nothing besides discussion of the Red Lion Historical Society’s Caboose Painting Project. They are aware of the alley storm water drains and they will protect them during the project.
- Approval of bills**—Mr. Musso made a motion to approve the bills; Mrs. Frutiger seconded. Motion carried, with Mr. Klinedinst & Mr. Horne opposing; Mrs. Barley abstained. When Mrs. Kabacinski asked Mr. Horne & Mr. Klinedinst why they oppose the approval of bills each month, Mr. Horne stated it’s because Council is not made aware ahead of time what money is being spent and on what expenses. If there are any questions on certain bills, Mrs. Price can pull those invoices for review before the meeting. The actual checks are present & signed at each meeting where those particular bills are approved. If there is an issue with a particular expense, that check CAN be set aside until the issue is resolved; however, Council doesn’t want to shirk any of their obligations. Mr. Craley stated that operational expenses (\$1,000 or below) are typically not questioned. If Council wants to give staff direction, they have to be more detailed about what they want to say & which invoices they want information about. In addition, Financial Reports are distributed monthly. Any expense in question can be directed to Mrs. Price at that time. It was decided that, going forward, bills and any expenditures in question can be discussed at Work Session. Mr. Klinedinst asked that, at the next Work Session, someone show him where it was approved to spend \$5,700 on the Recreation basketball program. He was surprised the cost was so high. Mrs. Price & Mrs. Kabacinski were surprised as well, but stated it’s not out of the “norm” to pay that. The kids who join the program offset some of that cost with their membership fees, but that is the reason that Recreation plans so many events, in an effort to keep costs down.
14. **Adjournment**—Mrs. Barley made a motion to adjourn @ 7:55p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary