

**Red Lion Borough Council
Meeting Minutes
Monday, August 13th, 2018**

Members

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

Others

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

Visitors

Bob Frutiger
Laura Kirk
William Wonders
Pastor Courtney Erzkus
Harry Myers

Melanie Thompson
Kristin Sweitzer
Dean Lake
Felix Milner

Meredith Yakelis
Mike Poff
Cpl. Kevin Masinick
Nick Rhoads

1. The meeting was called to order @ 7:11p.m. Pastor Courtney Erzkus from Grace Lutheran Church opened with a prayer. All present participated in the pledge to the flag. Mr. Craley explained the meeting was started late due to Council being in Executive Session to discuss current litigation with ArthurLee, LLC. Executive Session was held from 6:30-7:09p.m.
2. **Meeting Minutes**
 - July 2nd, 2018—Mrs. Frutiger made a motion to accept the July 2nd Work Session Minutes; Mr. Klinedinst seconded. All were in favor; motion carried.
 - July 9th, 2018—Mrs. Frutiger made a motion to accept the July 9th Regular Meeting Minutes; Mr. Musso seconded. All were in favor; motion carried.
3. **VISITORS/PUBLIC COMMENT**—the following addressed Council:
 - Cpl. Kevin Masinick from State Police gave a quarterly report of calls & services for Red Lion Borough. Report for 5/1 thru 8/12/18 shows 774 total calls, involving 36 motor vehicle crashes, 214 traffic stops, 44 noise complaints, 13-911 hang-ups, 19 false alarms at a residence, 6 assaults, 1 burglary, 31 theft reports, and 17 criminal mischiefs. Mr. Klinedinst reported speeding in alleyways and South Main Street (down to Winterstown Rd.) continues to be a problem. Mr. Musso had reported this to PSP recently too. Cpl. Masinick will report this to his superiors. Resident Dean Lake asked what can be done about abandoned vehicles. If they're on private property and listed for the residence where they've been sitting for at least 48 hours, Police can tag/document it. If it's along the street, clearly blocking traffic, it can be taken immediately. Mr. Lake stated there was an abandoned vehicle sitting along Howard Street for approx. two years. Ms. Weaver had recently reported it to Dan Shaw stating it has been at that property since January. The Borough has a Towing Ordinance and Mrs. Price said ownership must be determined, then notification is sent to the owner. If the owner does not respond within the allowed time, Police are called to tow it. Meredith Yakelis asked Cpl. Masinick to report her thanks for increased Police presence in Fairmount Park. She believes it's made a big difference. Mr. Musso believes State Police are doing a wonderful job in the Borough & thanked them for all they do.
 - Dean Lake reported he has seen several "abandoned" vehicles around town (behind Cozy Closets, Runkle's, Lion's Den, East Lancaster & a few others). When he talked to Mrs. Price

the other day regarding the cars, he also asked about the one at Cindy Barley's residence and whether Mrs. Barley received a citation. Mrs. Price (& Mrs. Barley) confirmed she did receive a letter, giving 30 days to move the vehicle. The deadline for removal was yesterday (8/12) before a citation would be issued. Mr. Lake advised Codes Enforcement to walk around town; there are weeds growing up in the sidewalk many places (along the Fire Hall), cars parked that appear "abandoned". Mrs. Price will advise Codes & Zoning and Mr. Lake stated he will come back next month with more violations he sees around town.

4. **MAYOR HUGHES' REMARKS AND RECOMMENDATIONS**—no report
5. **PUBLIC SAFETY**—Mr. Minnich reported:
 - **Fire Company Report**—
 - 11 calls for the month, 34 personnel using 13 pieces of apparatus.
 - Mr. Minnich reported the Fire Company audit should be completed by the October meeting. Mr. Craley stated he will be available to help, wherever necessary.
 - Paving of the Fire Company parking lot to begin tomorrow, 8/14
 - Mr. Klinedinst asked if Mr. Minnich is aware of discussion of a merger between Felton & Windsor Fire Companies? Mr. Minnich believes there was discussion, but nothing definite yet.
 - **Ambulance Report**—distributed—42 calls for the month
 - **EMA Report**—Laura Kirk reported there were 3 medical emergencies during the Street Fair; one was transported, the other two were attended to on the premises. Mrs. Price asked Laura to attend the next RLABA meeting, as the Street Fair is their event.
6. **SOLICITOR'S REPORT**—Mr. Craley had no report.
7. **ENGINEER'S REPORT**—Jeff Shue reported:
 - Plans for the Rt.24/74 road project are being worked on.
 - 2018 Road Project—Jeff continues to work with Brett Patterson on this
 - MS-4 Audit coming up
 - Boundary Avenue project—when a curb was pulled out, a sinkhole (or "void) was discovered but contractor was able to block it with cement. This will be an additional cost to the project.
 - Monolithic curbing—Mr. Horne asked Jeff to discuss this. This is when the sidewalk & curb are poured together. The Borough does not allow it and advises against it because over time, it doesn't allow the curb and/or sidewalk to float separately and there may be more wear & tear. Recently, handicapped ramps have been designed monolithically because if a truck runs over the curb & onto the sidewalk, it has more strength to withstand it. Many streets in the Borough were done this way, typically on streets that were not inspected.
8. **PARKS AND RECREATION**—Mrs. Barley, Meredith Yakelis & Kristin Sweitzer reported:
 - July's Food Truck Friday went well; seven vendors were there & many people attended. Next one is Friday, August 17th; six vendors to attend.
 - Sunday, August 19th @ 6pm—Concert in the Park with Spring Garden Band (Rain date Aug. 25th)
 - September 22nd—Community Services Volunteer Fair from 9-2pm—for those who need/want to volunteer should attend. This is a free event, held at the Recreation Building.
 - Field hockey starts Monday, August 20th
 - Fall Fest plans have started—will be held October 13th from 4-8pm
 - Meredith presented a video of day camp, which runs for 8 weeks, Monday-Friday from 9-3pm for ages 6-12. There is a cost for day camp, but it is very affordable & not just for Red Lion residents. This year's counselors were all teachers or teachers in training and 25-40 kids attended per day.
 - Farmer's Market is over for this year—discussion being held for a more successful next year
 - Mr. Musso gave kudos to Meredith & Kristin for all they do to continually carry out successful events for the community.

- Mr. Klinedinst asked the status of using the library’s license to show movies this summer. The Borough dedicated \$500 to this but hadn’t shown any yet. The library assumed they could show movies (using that license) wherever they wanted, outside/inside, etc.; however, once they researched, it was found they could only show movies within the library. This was not known at the time the Borough gave the \$500. Maybe next year, the Borough could use the \$500 to research obtaining a license of their own to show outdoor movies.
A couple other municipalities have people that sponsor a large movie screen to show outdoor movies. Discussion was held about Red Lion possibly “partnering” with York Township Recreation, who has a movie screen/projector. Laura Kirk is on York Township’s Rec Board, so she may assist Meredith & Kristin to do this.

9. **MUNICIPAL SERVICES**—Ms. Weaver reported:

- Hydrant Agreement between Borough & RLMA—Authority told Ms. Weaver no maintenance records for the hydrants exist except those in the CSDatum system. They told her no repairs have been made to any hydrants since flushing this year other than hydrants replaced on Howard Street & West Broadway. Going forward, Council would like documentation of any maintenance done on the hydrants (during flushing or otherwise) so the condition of the hydrant would be known. Mr. Poff (RLMA) stated no preventative maintenance is done on hydrants unless a particular one is used for service and that info is records in the CSDatum system. The Borough can ask the Authority for access to CSDatum. Mrs. Barley stated part of the Borough’s hydrant fee was for fire protection, inspection fee, annual preventative maintenance, lube & valve & necessary DEP regulations. She said the Municipal Authority supposedly gave the Borough free labor on the preventative maintenance. Council asked for some type of checklist for these items; more on this later.

10. **PUBLIC WORKS**—Mr. Klinedinst reported:

- Village Realty request for release of financial security—Mr. Klinedinst made a motion to release the financial security in the amount of \$150,738.50; Mr. Musso seconded. Jeff Shue concurs with this amount; this is the final amount of security that was held. All were in favor; motion carried.
- Boundary Avenue project will not be done by the time school starts. Mr. Craley drafted an Ordinance to amend the parking on Boundary. The current Ordinance prohibits parking during 7-4pm, weekdays, on the South side of Boundary between Linden & Adams. The current Ordinance is repealing that to enact “No Parking” on both sides, all the time between Linden Avenue & Adams Lane. This Ordinance has been advertised for action tonight. Mayor Hughes he is vehemently opposed to a “No Parking” Ordinance because it adds to a problem and doesn’t resolve it. There are other streets in the Borough that are just as narrow as this portion of Boundary. Keener Kitchens is no longer in that area of Boundary and there is less truck traffic. What Mayor Hughes believes is the sensible thing to do is either put it back the way it was or make it “No Parking” on ONLY one side of the street or open the street. He is opposed to taking away parking on public streets. He asked Council to reconsider this Ordinance and if it goes to vote, he will ask for a roll call of who voted IN FAVOR of taking away public parking, and with the election coming up in November, he will remind voters who voted in favor of taking away any public parking. He also stated he will veto it, if it comes to a vote.
If Council decides to widen Boundary without the contractor, it will save money. This option keeps the parking on both sides. The “No Parking” on both sides would be in affect if the street remained as is (not widened). Mr. Musso stated his concern was by not widening it, with parking on both sides makes it difficult for safety vehicles to access the road.
Mr. Klinedinst read the July Meeting Minutes where Mayor Hughes stated he was in favor of installing the “No Parking” signs as he had spoken to Mr. Wonder (resident on Linden, opposed to the widening of Boundary). Mr. Klinedinst is not opposed to “No Parking” on one

side of the street, but if Council wishes to revise their previous decision, they must re-advertise. Mr. Craley stated if Council does nothing, the current Ordinance remains, “No Parking” on the South side of Boundary, Monday-Friday, 7-4pm.

Mr. Wonder stated he was opposed to any resolution that took property away from himself or from his neighbor (not present tonight). He is NOT opposed to one side of Boundary being “No Parking” **all the time** and 4-5 parking spaces will remain on the other side.

Mr. Musso agreed with this as well. He went on to say, if it comes to having to widen the public street, it may come to taking away Mr. Wonder’s grass strip. Mr. Musso is most concerned with the safety of the residents and safety vehicles being able to access the narrow area at the end of Boundary.

Mr. Klinedinst made a motion to re-advertise the draft Ordinance to prohibit parking on the South side of Boundary Avenue, **all the time, 24/7**. Mr. Horne seconded. Motion carried, with Mrs. Frutiger opposing.

- Jeff Shue reported he has come up with standard specifications (aesthetic & functional) for curbs when the time comes that they’re necessary.
- Red Lion High School representatives will attend the Engineer’s meeting on Thursday, Aug. 30th @ 9am to discuss curb/sidewalk replacement along Horace Mann Avenue.
- Mr. Klinedinst had concerns about Boundary Avenue’s curbs and the use of a double form (using the sidewalk as their back form). Jeff Shue said the Borough’s specifications are clean on this and using the sidewalk as their back form is the typical way to do it.
- Stewart & Tate project is almost complete—they paved Birch rather than Baker, but contractor did it in error and it will be remedied.
- MS-4 work—DEP (Kerri Wilt) will come in to look at what Borough is doing & compare that to the annual report. DEP has agreed to do this to keep the EPA satisfied. Mr. Klinedinst said he, Brett & Mrs. Price have visited the holding ponds around the Borough in keeping with the MS-4 requirements.
- Municibid award—Mr. Klinedinst made a motion to accept the \$1,600 bid for the John Deere mower & \$1,450 bid for the XMark mower. Mrs. Frutiger seconded. All were in favor; motion carried.

11. **PLANNING, ZONING & REDEVELOPMENT**—Mr. Horne reported:

- Zoning Hearing to be held—8/14/18 at 6pm—Anthony Reichard is upset with the delay in getting approved for his HVAC business; it’s been in the works since January. Mr. Craley stated from the time Mr. Reichard & his attorney came in with his request to now is normal processing time for this type of thing; approx. 6 months for a zoning change. If Council added a contractor’s office as a permitted use in the Commercial Zone rather than a Special Exception, it would’ve saved Mr. Reichard one month’s time. If he gets approval from the Zoning Hearing Board on 8/14, with no conditions, it all depends on how soon Dan can issue the permit to when Mr. Reichard can get his business up & running at 675 South Main.
- No Planning Commission meeting in August
- 163 First Avenue—landlord (Harry Myers) is in the process of evicting his tenants but the property had a zoning violation because it was an illegal apartment that was rented out as “in-law quarters”. Dan Shaw is not pursuing any violations against Mr. Myers as he is trying to remedy the situation by evicting the current tenants. Council advised Mr. Myers to contact the District Magistrate regarding the eviction process.
- Melanie Thompson reported the following from Redevelopment:
 - Rail Trail—Redevelopment is requesting a list of how much was spent & how much is left. Mrs. Price stated the grant money from PennDOT has not been received; they will build it. Where are the bricks that were paid for? They are being stored at the Public Works building.

- Enforcement of Ordinances—many people have complaints, but they don't come to Council to share them. There is a complaint form online that can be submitted as well. Redevelopment discussed contracting with a company that enforces Ordinances, evenings & weekends included; however, the Borough has staff that will do this. Some of the complaints (noise, vandalism, etc) are Police matters.
- Discussed livestreaming Council meetings to post to the website for those who are unable to attend meetings.
- Donated chairs from the old Sonic restaurant
- Facebook page for Redevelopment—is it possible? Mrs. Price will research this, establishing policies & guidelines & who will post things. She will report back to Ms. Thompson.
- Reminder—Silverback Services is still recycling electronics.
- Knox Box Ordinance—a draft is before Council for their review. Council wanted to include a Knox Box requirement for apartment buildings, government buildings (including schools) and public buildings. Mrs. Price said of this Ordinance, “B” & “C” included:
 - “B”--Government buildings, public buildings & nursing care facilities
 - “C”--Multi-family residential buildings that have restricted access through locked doors and have a common core corridor for access from the living unit (basically one entrance)
- Section “A” included commercial or industrial buildings protected by an automatic alarm system or automatic suppression system or such buildings that would restrict access during an emergency. Council was agreeable to keeping this section. Lion Pharmacy would fall under this Section, due to their automatic alarm system. A waiver provision could be added to give Council authority to waive unique circumstances, undue hardships or legal preemptions. Guidelines & criteria for waivers will be established.
- Mr. Minnich will discuss with the Fire Company about false alarms & what triggers them. This happens often with certain systems and then funds get expended on these false calls. Mayor Hughes suggested a False Alarm Ordinance. You don't want to penalize the owner of a business for good intentions; more on this later.
- Since Dan Shaw sent letters regarding the Knox Box Ordinance to businesses that must take action by 8/30/18, Mr. Horne made a motion to suspend enforcement of the Ordinance till the end of October; Mr. Klinedinst seconded. All were in favor; motion carried.
- Transient License Ordinance—some vendors are currently selling on Sundays, which the Ordinance prohibits. What times/days does Council want to revise? Review & get suggestions to Mrs. Price. More on this later.

12. **ADMINISTRATION**—Mrs. Frutiger reported:

- MMO (Minimum Municipal Obligation) for 2018 is \$43,241.00.
- Auditor for 2018-2020—The Municipal Authority appointed Maher-Duessel and a better price may be obtained if the Borough appoints the same. Ms. Weaver made a motion to appoint Maher-Duessel; Mrs. Frutiger seconded. A Resolution needs to be prepared to appoint; Ms. Weaver revised her motion to authorize a Resolution to be prepared to appoint Maher-Duessel as 2018-2020 Auditors; Mrs. Frutiger seconded. Motion carried, with Mr. Horne & Mr. Klinedinst opposed.
- Vehicle for administration use—Mrs. Frutiger made a motion to purchase a new Ford Escape for \$23,000 through CoStars; Mr. Musso seconded. Borough must go to a CoStars distributor to see what's available. Mr. Musso suggested rephrasing the motion to authorize the staff to see what other CoStars dealerships have available, with a maximum of \$25,000 to spend. After discussion, Mrs. Frutiger revised her motion to authorize staff to move forward with the

purchase of a vehicle for administrative use, not to exceed \$25,000 but spending less, if possible through whatever legal means are available; Mr. Musso seconded this revised motion. Motion carried, with Mrs. Barley opposing. Mr. Horne suggested lettering the vehicle with “Red Lion Borough” or similar lettering.

- York Adams Tax Bureau sample Resolution—YATB is conducting a feasibility study asking for support through the municipalities to continue their collection of earned income tax, rather than statewide collection of the taxes. Mrs. Price did not have an opinion; she believes YATB does a good job with collection. She would like to keep YATB but doesn’t really oppose the study to look at doing a state collection. Council can review until the September meeting.
 - Catherine Meyer Award—Council should think of nominees
 - Debe Sowers’ retirement luncheon will be held August 23rd @ 11:30p.m. at the Community Building. She retires on August 24th after 30 years with the Borough.
13. **COMMUNICATION**—a Thank You note was received from Myrtle McCleary for the fruit basket sent to her after the passing of her husband, Loren McCleary. (Of note, employee & Council member funds were collected for this, no taxpayer money was used).
 14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mrs. Barley seconded. Motion carried, with Mr. Horne & Mr. Klindedinst opposing.
 15. **Adjournment**—Mrs. Barley made a motion to adjourn the meeting @ 9:22p.m. Motion carried; meeting adjourned.
 16. **No Work Session Meeting in September**—due to Labor Day holiday.

Respectfully submitted by:

Stacy Myers, Recording Secretary