

**Red Lion Borough Council
Meeting Minutes
Monday, December 14th, 2020**

Members present in person

Cindy Barley
Stephanie Weaver
Dennis Klinedinst
Tony Musso

Members present via Zoom

Tina Frutiger
Muriel Slenker
Chris Minnich

Visitors via Zoom

John Brownlee
Meredith Yakelis
Kristin Sweitzer
Nick Rhoads
Bob Frutiger
Ian Montgomery
Pastor Kathy Kuehl
Jordan Ilyes

Others present in person

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

Visitors in person

Samantha Craley

1. The meeting was called to order @ 7:02p.m. Pastor Kathy Kuehl of St. James Lutheran Church in Brogue offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mrs. Frutiger made a motion to approve the November 2nd, 2020 Work Session Minutes; Mr. Musso seconded. Mr. Klinedinst reported a typographical error was made under Mayor Hughes' Report, that "*Representative Saylor gave Mr. Saylor a Proclamation*" should read "Representative Saylor gave Mr. Slenker a Proclamation". This will be corrected. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the November 9th, 2020 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—No one was present to address Council, but due to tonight's meeting being held virtually, Mr. Craley asked Mrs. Price if she received any written or telephonic questions from the public to be addressed by Council. Mrs. Price stated she did not.
4. **Mayor Hughes' Remarks & Recommendations**—Mayor Hughes had nothing additional to report but wished everyone a very Merry Christmas & a safe and healthy new year!
5. **Public Safety**—Ms. Weaver reported:
 - The EMA & Ambulance Reports have been distributed.
 - The Fire Company Report was emailed to Council today. Included in the report was a note that the drain cover in the North Charles Street sidewalk was repaired & no longer poses a tripping hazard.
6. **Solicitor's Report**—Mr. Craley reported the following:
 - The issue regarding Met-Ed & the sidewalk cuts where their utility poles are installed—after researching, Mr. Craley stated that, because Met-Ed is a regulated public utility, the Borough's Ordinance regarding installation, repair & replacement of curbs cannot be enforced against them. The Borough cannot force Met-Ed to replace an entire square of sidewalk, but we can make them do a good job. They've done unsatisfactory work in areas of the Borough recently and Met-Ed paperwork Mr. Craley has reviewed stated they are willing

to work with the Borough. Although they wouldn't need to remove the entire square in order to repair the area, pictures should be taken & sent to Met-Ed requesting they do a more satisfactory job. His office has now placed Met-Ed on notice with the current conditions they've created, i.e. the area in front of Lion Pharmacy. That area poses a hazard to someone in a wheelchair or pedestrians & Mr. Craley wants it to be Met-Ed's problem, not the Borough's. If Met-Ed is not willing to provide a reasonable plan/solution to this problem, the Borough has a legal right to submit a complaint to the PUC (Public Utility Commission). He said, if nothing else, the area that Met-Ed cut out should be repaired/replaced correctly. Concrete work may not be done until Spring, but he & Mrs. Price will remain in contact with Met-Ed in an effort to get this resolved. Pictures will be taken of all areas where Met-Ed recently completed unsatisfactory work.

Mr. Klinedinst asked who's responsible for the chunks of concrete left beside the Lion Pharmacy? Mr. Craley didn't address that with Met-Ed; he was researching the legality of enforcing the Borough's Ordinance against Met-Ed which, we now know cannot be done.

- Mr. Craley is proud to report that his daughter, Samantha Craley passed her bar exam on December 11th. Congratulations to Sam!

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

- 2021 public improvements & street work plans to include work on Martin Street, Summit Lane, Railroad Avenue & general work throughout the Borough, as needed. Three separate contracts will be bid:
 - Contract #1—street construction (pavement-related)
 - Contract #2—concrete work (ADA ramps, curbs, sidewalks)
 - Contract #3—storm sewer work

This work will get the above-named streets back to a base-paving condition to prepare for asphalt sometime in the future.

Jeff & Borough staff will move forward with this outline & go out to bid for contracts.

Council can decide on specific things within the contract later, such as widening Martin Street and what curbing & sidewalks will be replaced/installed on this project. Council members are welcomed to walk this area so they're aware of what needs to be done and/or what the Public Works Committee wants to be done.

Jeff hopes to bring a draft to Council's January 11th, 2021 meeting that would include specifications of the project & request Council's authorization to go out for bids.

Jeff hopes to hold a bid opening in February with Council awarding the bid(s) at their March 8th, 2021 meeting.

- Project/widening at the square—this project includes overlay that PennDOT did not do, widening of the road in front of Lion Pharmacy & all inlet repairs involved with this work. Some minor storm sewer work is necessary in front of the karate studio. There was a question on where to stop/start the work on South Main. Mr. Klinedinst would like to go beyond Wallick Lane to repair that bump now rather than later when PennDOT permits would be required.

8. **Parks & Recreation**—Meredith Yakelis reported:

- Two performances of The Polar Express were held with a limit of 20 attendees/performance.
- Santa's Shanty was a huge success; Chris Minnich did a great job as Santa! It was well-attended; children could see Santa but not come inside the Shanty.
- Cheer Program was to start this week but is postponed one week due to COVID restrictions.
- Children's letters to Santa—to date, Meredith has responded to 25 children & has another stack to go through. She also received a donation to cover the cost of this activity.
- New Year's Eve activities have been canceled due to COVID-19 restrictions.
- Softball program & other Spring activities are being planned.

- Marcellus Shale Grant money (over \$25,000) was used to purchase new park equipment for Fairmount Park. The grant was written with a focus on adult equipment, i.e. stationary bikes, elliptical equipment, a chin-up station, balance equipment, etc. will be placed along the walking trail in the park. This is durable equipment, designed to be outside. The equipment will be placed in the park so as not to interfere with future car shows, vendor trucks, etc. This grant opportunity becomes available each year, so we could apply again for Rail Trail money, funds for a basketball court at the park or other areas.

9. **Municipal Services**—Mr. Minnich reported:

- December 15th water shut offs are canceled due to an error in the billing system.
- Tuesday, December 15th—Red Lion Municipal Authority Meeting to be held.
- Hydrant Agreement discussion—Mr. Minnich asked if the Borough Manager or Council President could send the Municipal Authority a letter stating the Borough’s position on this, but Mr. Klinedinst suggested holding off, believing this may be discussed at the Dec. 15th RLMA Meeting.

In August, Mrs. Price had distributed information on the hydrants to Borough Council. The reports & info came from RLMA’s CSDatum software, but Mr. Minnich stated there were two parts to it. Many of the hydrants were found to be leaking, rusted, not well-maintained so it’s important to ensure the hydrants continue to operate & operate well.

Of note, Mr. Klinedinst stated that someone on Maple Street had gone to Dallastown Borough, obtained a wrench & a pressure reducer & used the hydrant to wash their house. Mr. Craley said that is considered theft of services and is illegal. RLMA can prosecute that person. Mr. Klinedinst said that is in the works, but he wanted Council to be aware of it & that the hydrants need to be monitored closely.

- Jeff Herrman has submitted a letter of interest to be reappointed to the Red Lion Municipal Authority as his term expires December 31, 2020. Kelly Henshaw has also submitted a letter of interest to be appointed to RLMA. Mr. Minnich stated Jeff Herrman is a great guy, but he believes Kelly Henshaw would be a great fit to the RLMA Board.

This appointment will be done at the regular January 11th, 2021 Council meeting.

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

- Ed Pearson’s property will be surveyed within the next few weeks.
- A handicapped parking space request was received at 100 W. Lancaster Street. There are no other handicapped spaces in that area but there are apartments that fill available spaces on that street. Mr. Klinedinst stated the resident has a driveway, a garage & plenty of parking on Pine Street. The resident’s driveway is lower & not easily accessible because of her back problems. Her neighbor, Helena Foy has witnessed the problem of accessibility. Mrs. Frutiger made a motion to approve the handicapped parking space at 100 W. Lancaster Street; Mrs. Barley seconded. Motion carried, 5-2 with Mr. Klinedinst & Ms. Weaver opposing.
Can the 72-hour parking limit be enforced on handicapped parking spaces? Mr. Craley will review & report back.
- Woodchipper may be obtained through a 90/10 grant. Mrs. Price stated it was approved for purchase, but she needs to get the paperwork before it can be ordered.

11. **Planning, Zoning & Redevelopment**—Mrs. Slenker & Dan Shaw reported:

- No Planning Commission meeting will be held in December.
- No Zoning Hearing will be held in December or January.
- Jordan Ilyes, from Ilyes Holdings, LLC was present via Zoom to discuss his plan to develop 252 N. Franklin Street (previously David Edwards furniture factory). He obtained zoning approval to develop the 5,000-sq.ft. building into high-end apartments. He has experience doing this type of project as he just completed one in downtown York & previously in

Hanover. Mr. Ilyes is looking for relief on the Land Development process as he is not changing the existing footprint of the building and parking will be in an area that is already impervious.

Mrs. Frutiger said her only concern was stormwater runoff. Mr. Ilyes said he can install a 5,000-sq.ft. stormwater allowance once more details are reviewed.

Mr. Craley suggested Mr. Ilyes submit a formal request for a Waiver of a Land Development Plan, along with all documentation that Mr. Ilyes wants to provide. All the documentation should be sent to Jeff Shue for his review & Borough Council can act on that at their January meeting. Mr. Musso said a full Waiver request can be submitted but if Council feels like they need certain items to be included, this can be discussed at the January meeting also.

Mr. Craley believes it will be primarily internal improvements which typically are more of a zoning issue. The main concern here is stormwater management and even with the grant of a Waiver, conditions of the Borough's Stormwater Management Ordinance would need to be met.

Jeff Shue stated if a Land Development Plan is not done, he would like to hear Mr. Ilyes' proposal for issues such as stormwater management, believing those to be most important.

- Ordinance 2020-12-4—amending Chapter 1 of the Code of Ordinances to establish an Economic Development Commission. A Notice of Intent has been published for Council to act on this Ordinance which has been advertised.

Mrs. Slenker made a motion to approve Ordinance 2020-12-4 as drafted & advertised; Mrs. Frutiger seconded. Motion carried, 6-1 with Ms. Weaver opposing.

- Holiday Decorating Contest—tour of the contestants' properties will be December 15th, after which Ms. Weaver will tally the votes & submit a report to Council.
- A Church Lane property renamed "Red Lion Distribution, LLC" has been purchased by a company in Philadelphia. Mrs. Slenker said she is looking forward to some town businesses regrouping in 2021.

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

- 2021 Budget—Mrs. Frutiger made a motion to approve the 2021 Budget; Mrs. Barley seconded. All were in favor; motion carried.
 - Mr. Klinedinst questioned purchase orders for recycling cans, but Mrs. Price said they were included with budget information to show the cost, but the cans were obtained with grant money.
 - Mr. Klinedinst questioned whether employee job reviews were performed in September as required in the Borough Handbook. With this year's challenges, Mrs. Price said she didn't complete them, but staff is working on a new handbook for 2021 because of a new Teamsters contract.
- Resolution 2020-8—to set the 2021 millage rate at 4.2 mils (4.0 for general purposes & .2mils for fire protection). Mr. Klinedinst made a motion to adopt this Resolution; Mrs. Barley seconded. All were in favor; motion carried.

Of note, there have been NO tax increases in Red Lion Borough in 10 years.
- In reference to the soldiers in the square, Mrs. Frutiger wasn't positive who put the masks on them or who took them off, but she said the Borough should be cognizant of who is complaining & what our reaction/response is. Mrs. Price was told by Municipal staff that the soldiers belong to the Borough. She said she would like a say in what is done with them so she can field complaints when/if they are received.

Mrs. Barley said all Council members should've been made aware of the masks being put on the soldiers. Mr. Musso said it was a bad decision to put the masks on, as they're Borough property & he's glad they were removed as soon as complaints came in. Putting the masks on opened the doors for people to make comments either in agreement or against it.
- A schedule of the 2021 Meetings was distributed.

13. **Communication**—the following were mentioned:
 - A Thank You note was received from Kaltreider-Benfer Library for the Borough’s support.
 - Of note, Red Lion Municipal Authority’s December 15th Meeting will be held via ZOOM (or phone) ONLY.
 - Ian Montgomery is the new President of Red Lion Area Business Association—he’s looking forward to working with all the businesses in town & hopes to bring good ideas, communication skills & technology to the table.
14. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Mr. Musso seconded. Motion carried, 6-1 with Mr. Klinedinst opposing.
15. **Adjournment**—Mrs. Barley made a motion to adjourn the meeting @ 8:23p.m. Motion carried, meeting adjourned.
16. **Reminder**—NO Work Session will be held in January 2021.

Respectfully submitted by:

Stacy Myers, Recording Secretary