

**Red Lion Borough Council
Meeting Minutes
Monday, January 13th, 2020**

Members Present

Tina Frutiger
Dennis Klinedinst
Chris Minnich
Muriel Slenker
Stephanie Weaver
Tony Musso

Visitors

Bob Frutiger
Kristin Sweitzer
Jeff Herrman
Nick Rhoads
Dick Stern

Laura Kirk
Meredith Yakelis
Pastor Tim Funk
Damon Hall
Scott Gingrich

Others Present

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

John Brownlee
Randy Gray
James Winkler
Melanie Thompson

1. The meeting was called to order @ 7:00p.m. Pastor Tim Funk from St. Paul's UMC offered a prayer, followed by the pledge to the flag.
2. Mrs. Frutiger made a motion to approve the December 2nd, 2019 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
Mrs. Frutiger made a motion to approve the December 9th, 2019 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENT**—the following addressed Council:
 - Damon Hall, Project Engineer for CHR Corporation (Rutter's) was present to request Council send a letter to PennDOT stating that the Borough finds Rutter's Store #48 Alternate #2 Traffic Improvement option acceptable. Mr. Hall explained as part of the expansion of this store (Winterstown/S. Main Street), Alternate #2 traffic plan includes shifting N. Main Street access entrance further from the traffic signal, restricts left turns onto Winterstown Road & lengthens the left turn from Winterstown Road **onto** S. Main Street. Alleyway improvements include restricting access from alley into Rutter's parking lot and eliminating deliveries on the alleyway.
Alternate #1 was what the Borough originally agreed to. This required obtaining right-of-way from 3 adjacent property owners. This would allow widening of the road and putting in a left turning lane. Rutter's reps were able to get ROW from only two of the three property owners, with the 3rd asking an excessive amount of money for right-of-way on his property. Rutter's said Alternate #1 was not feasible, so they're requesting Alternate #2 which doesn't provide the left turning lane.
Rutter's believes these proposed traffic improvements will make that intersection safer. Jeff Shue & TRG drafted a letter stating ultimately the Borough wanted Alternate #1, but they (Borough) understand the physical impediment of right-of-way which cannot be resolved without using eminent domain. The Borough wants to work with the applicant on this issue and will not impose the department acting on Alternate #2.
Mr. Musso stated he had talked to all three of the property owners awhile back & reported of the unwillingness of the 3rd property owner to budge from his decision. Mr. Musso doesn't believe the Borough should side with this property owner's unreasonable threats & delay Rutter's plans, should PennDOT approve the traffic improvement Alternate #2. If the State approves & doesn't require Rutter's to put in the turning lane, Mr. Musso asked that Council not object. Jeff Shue said what the Borough would be

agreeing to is the findings of the Traffic Impact Study. Rutter's next step is to obtain a Highway Occupancy Permit & also to submit a Land Development Plan to the Borough. Mr. Klinedinst made a motion stating the Borough does not object to the findings of the Traffic Impact Study & to authorize Mrs. Price & Jeff Shue to submit documentation to the State regarding this; Mrs. Frutiger seconded. All were in favor; motion carried.

- Deb Williams—313 First Avenue, was present to discuss the serious parking shortage on First Avenue. She has lived there for 13 years and this is the worst the parking problem has been that she remembers. She rarely has a parking space in front of her home when she gets home from work each day. She has parking in the rear of her property, but due to health issues, she's unable to walk that distance after work each day.

The lines the Borough painted awhile back had helped somewhat, but there is still a problem. Many homes on First Avenue have 4-5 vehicles and, with no garages, driveways or rear parking, all the cars get parked on the street, some which don't get moved for days. She was told that the Borough could assign parking spaces for property owners; however, this is not true. First Avenue is a public road & the Borough cannot assign parking on public roadways. Unfortunately, Council empathizes with Ms. Williams & the other residents experiencing this, but they're unable to do anything other than investigating those vehicles that are unmoved for an extended period. Dan Shaw will look into that issue.

- James Winkler—215 Lancaster Street, was present to give Council an update on the cleanup of this property. The buildings are so packed full of items, approx. 30-40 tractor trailer loads worth & he stated he may need more time, possibly 6 more months. He has given many of the items away & sold what he could. He has contacted several auction houses in an effort to get rid of more things, to no avail. Issuing fines against Mr. Winkler won't help the issue at this point. He doesn't have money to get rid of the junk; he won't have money to pay fines. Council has given him since February 2018 already and feel he's been given adequate time. Mr. Winkler agreed one year should've been enough time, but stated in the next few weeks, he was hoping to have half the one building emptied & ready for demolition. If he is unable to clean out & demolish the buildings, the Borough may have to do so, but for the Borough to take over the property, there would need to be a blighted property review in the land bank, so County funding could demolish the buildings. Otherwise, the Borough cannot afford to fund the demolition.

Mrs. Price said in order to be considered blighted, it would have to be the entire property. The taxes aren't current & Mrs. Price is uncertain whether the property will go to Sheriff Sale. There's no easy or quick solution to this situation. Mr. Craley said, although frustrating, the more the Borough can work with Mr. Winkler, the better everyone will be. Mr. Klinedinst suggested giving Mr. Winkler 30 more days before taking legal action (condemning buildings, etc). Mayor Hughes stated the responsibility for this situation lies solely with Mr. Winkler; the Borough has been more than fair. Dan Shaw will visit the property this week & then again days before the February 3rd Council meeting.

4. **MAYOR HUGHES REMARKS & RECOMMENDATIONS**—Mayor Hughes reported:

- The first committee meeting on the farmer's parade was held. The name has been changed to "Red Lion Holiday Harvest Parade" and it will be held on Saturday, November 28th, 2020. He & Kristin Sweitzer attended the recent Susquehanna Valley Model A Association Club meeting to promote the parade. Association members told them some car owners may not be able to participate because the cars cannot be driven at night. More information will be shared once known.

5. **PUBLIC SAFETY**—Ms. Weaver reported:
- **EMA Report**—in addition to the report, Laura Kirk welcomed the Borough’s new EMA Coordinator, John Brownlee, who has been with York Township EMA for many years & with Red Lion EMA for 6 months.
 - **Fire Company Report**—Scott Gingerich (newly appointed Fire Chief, Alliance Fire) and Dick Stern (newly appointed President, Alliance Fire) introduced themselves and stated they’re looking forward to working with Red Lion Borough staff & people. Dick Stern has over 50 years of service in the Fire Company; Scott Gingerich was Chief of Felton Fire Company. Scott reported:
 - February 5th, 2020—Fire Company Meeting.
 - Alliance recently acquired Fiddler’s Convention property. They hope to continue using this as a venue for weddings, concerts, etc. to raise money. Efforts will be put towards fundraising events that have been profitable.
 - Workers Compensation insurance—Felton & Red Lion are **both** paying their own policies and are both with SWIF. Red Lion’s policy ends April 2020, so more (name change due to the merger, etc.) discussion will take place prior.
 - For December, there were 23 calls with 158 personnel using 63 pieces of apparatus.
 - Borough Council thanked Scott & Dick for attending tonight’s meeting and thanked all volunteer fire personnel for their time & efforts.
 - **Ordinance 2020-1-1**—recognizes Alliance Fire & Rescue in place of Leo Fire Company as the Fire Company of Red Lion Borough. This has been advertised. Ms. Weaver made a motion to enact this Ordinance; Mrs. Frutiger seconded. All were in favor; motion carried.
6. **SOLICITOR’S REPORT**—Mr. Craley reported:
- Thank you to Council for appointing him for another two years.
 - Welcome to Muriel Slenker as the newest Borough Council member!
 - For Council’s informational purposes related to parking—changes have been made to the Vehicle Code giving municipalities the option, when installing a handicapped parking space, of designating that space to a specific person/vehicle. This is not mandatory, just an option.
 - He received a call from an attorney who stated she found a discrepancy in the property boundaries near North Charles Street bridge, the Rail Trail & Summit Lane. He reviewed a sketch plan that she sent him, but before moving forward, is asking for Council’s authorization to meet with her to resolve the discrepancy.
Ms. Weaver made a motion authorizing Mr. Craley to review the Summit Lane/Trail property issue & discuss with the involved attorney; Mrs. Frutiger seconded. All were in favor; motion carried.
7. **ENGINEER’S REPORT**—Jeff Shue reported:
- Rt. 24/Rt. 74 Project—the project has been bid & the State now has a signed contractor. Jeff & staff are working through the permitting process to get the Borough’s contractor to do the curb & sidewalk portion of the project in the Spring. Comments were received regarding the permit for the concrete work & PennDOT is requesting detailed ADA ramp drawings. After reviewing the project to see that the State plans to do what they promised to do, Mrs. Price found that isn’t the case. The State originally agreed to wrap the paving (from Rt. 74 & Rt. 24) back side streets to the end of radiuses. The only way the State agreed to this was if the Borough installed ADA ramps on side streets to allow side street crossing.
Now the State said they are not extending their paving back side streets, so Jeff does not feel the Borough should pay to install ADA ramps at side streets. A few of the items the

State said they weren't going to do previously, they are **now** going to do, to the benefit of the Borough. Jeff suggested removing the ADA ramps from the contract & not award those to the contractor, which results in an approx. \$81,000 credit on the contract. The Borough bid 15 ADA ramps; Jeff anticipates 8-10 that the Borough could still do.

The State is only installing ADA ramps that touch their (State) roads.

After the State comes through with paving, the Borough can review ADA ramps to see whether we would want to do them.

Mr. Klinedinst made a motion to pull the ADA ramps from the contract; Mr. Minnich seconded. All were in favor; motion carried.

Mr. Klinedinst stated it's frustrating to have a project pulled & revised after the time that he, Mrs. Price, Brett Patterson & Jeff Shue spent planning & reviewing it.

Jeff stated all the Borough's intersections are required to be ADA-compliant so as long as there's a plan in place to make them so, then we're compliant.

8. **PARKS AND RECREATION**—Kristin Sweitzer & Meredith Yakelis reported:

- Basketball is going well, with EYC having 20 teams just for Red Lion; this will be cut back next year.
- K-2nd basketball started last week.
- Cheerleading for basketball—almost 50 girls signed up (includes K-2nd and 3rd-6th grade)
- Pound & Tai Chi fitness classes going on now
- Softball registrations will start February 4th
- RL Rec will be hosting field hockey clinics; price to be approx. \$30-\$50/child & each child will receive balls & sticks to keep
- June 6th—Suds 'n' Song Event—more info to come
- Red Lion Holiday Harvest Parade is in the works, along with Easter activities & Food Truck Fridays!
- New Year's Eve was a great turnout—thank you to all who helped make this a success!
- Of note, a coded lock will be added to Nitchkey batting cages.

9. **MUNICIPAL SERVICES**—Mr. Minnich reported:

- February 25th, 2020—Source Water Protection Meeting to be held at Red Lion Municipal Office @ 6:30p.m.
- He will attend his first RLMA Meeting on January 22nd, 2020.
- There was a 5% increase in water rates for 2020; no increase in sewer rates.
- January 15th, 2020—water shutoffs for delinquent bills.
- Jeff Herrman reported the main 2020 project for RLMA is Burrows Lane water main extension. Staff has also started a project at the Water Treatment Plant that will make easier access into a vacuum chamber & pipe gallery. DEP & EPA water sampling is being completed.

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

- A handicapped parking space request was received for 267 W. High Street. Mr. Klinedinst made a motion to approve this request; Mrs. Frutiger seconded. All were in favor; motion carried.
- A complaint was received regarding the handicapped parking space for 39 W. Gay Street. The complainant said this resident can walk all over town but has a handicapped parking space. Mrs. Price said the 39 W. Gay resident provided disability paperwork when applying for the space, so she can't dispute that. Mr. Craley said if someone is pulling into the space to transport the user of the handicapped space, that's fine; however, if the Borough feels there's a violation of this handicapped space, the State Police can enforce it because it's a Vehicle Code violation or our Codes Enforcement Officer can enforce because they're violating the Borough's rules & Ordinance.

- Lancaster Street extension/street opening—is Council still interested in opening this street? Mrs. Price stated staff is still working on obtaining environmental clearances. Council is agreeable to continue to move forward.
- The Mill seems to be moving forward with their project.
- Leaf machine—does the Borough want to donate it? The Fire Company could possibly use it at the Fiddler’s Convention property. The Borough can donate it (to a nonprofit) or trade it in on other equipment, but not sell it because it was obtained through grant money. Mrs. Price will look into this & report back.
- Mayor Hughes reported he received several complaints about speeding on Church Lane (between Prospect & Gay), mainly during peak workday hours. At some point, speed limit signs were removed going South from Prospect. Also, a car is often parked at the crest of the hill near the utility pole, which is sitting at a dangerous spot. Brett Patterson will look at the area & reinstall the Speed Limit sign.
Mr. Klinedinst also reported people/kids living in the trailer & garage at the corner of Prospect & Church. There have been loud parties & raucous behavior at all hours on weekends, which will be mentioned to State Police.

11. **PLANNING, ZONING & REDEVELOPMENT**—Mrs. Slenker & Dan Shaw reported:

- January 20th, 2020--Planning Commission meeting @ 7:00p.m. to hear two Special Exception applications on Rexroth properties; 100 Redco Avenue & 401 E. Broadway. Zoning Hearing for these cases will be in February.
- Continue to work on obtaining 501C-3 status for non-profit status. This will help for recreation & arts projects & will enable businesses to make tax-deductible donations to Borough events. Funding of a \$7,000 grant has already been received through YCCF for planning & implementation. One goal for these funds is rehabbing The Leo Center (museum in the square). The museum will eventually be a location visitors & residents can go to gain information about various things in town.
- Redevelopment met in December—
 - Holiday Decorating Contest went well
 - Partial payment of the total cost of TV monitors & audio system is being paid tonight, in the amount of \$2,047. Ms. Weaver said Red Lion Municipal Authority agreed to pay ½ of the TV & projectors, not the audio because they have no use for the audio portion. RLMA’s portion to pay is \$1,334.50; Redevelopment is to pay \$2,759.50.
Mr. Musso said Council never voted on the purchase/reimbursement of the video, monitors & audio system. He was not aware that the split was not going to be 50/50 with RLMA and that Redevelopment would be paying the entire amount of audio.
 - Redevelopment Committee has a budget of \$1,000. Going forward, if they exceed this amount, Borough Council must review/approve the purchase before the bill gets paid.

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

- 2019 Audit will be held on February 3rd & 4th, 2020.
- Per the law, the school zone flashing lights must be added to the Borough’s electric bill because it’s the Borough’s permit.
- Any newsletter additions should be to Stephanie Grove by Friday, January 17th

13. **COMMUNICATION**—nothing further.

14. **Approval of bills**—Mrs. Frutiger made a motion to pay the bills; Mr. Minnich seconded. Further discussion of above Redevelopment monitor/audio cost was held. Ck #12162 in tonight’s bills combines the \$2,047 amount, rent & miscellaneous office expense. Mrs. Price was told by Mr. Klinedinst that RLMA would reimburse ½ the cost of all TV, monitor, projector & audio

expense; however, Keith Kahwajy told Mr. Klinedinst on Friday (1/10) that RLMA agreed to pay ½ of monitor & projectors **only**, no audio. Jeff Herrman said this was presented to RLMA as the monitors; nothing was said about an audio system; that's why the Authority agreed to only pay ½ of the equipment cost.

Mr. Musso said Borough Council is paying ½ of everything, not ½ of ½ of something. The proposal for the purchase of this equipment was presented to Council; however, purchase of this equipment & audio was never voted on by Council. As Chairman of Planning, Zoning & Redevelopment at the time, Mr. Horne should've been the one to make the motion for approval of the purchase.

Melanie Thompson (Redevelopment) said, originally, she thought only a laptop & projector would be purchased, using the previous white board in the meeting room as a screen. Once it was discussed that visitors in the audience may not be able to hear, a proposal for an audio system was discussed.

Above motion for payment of the bills carried (4-2) with Mr. Klinedinst & Ms. Weaver opposing.

15. **Adjournment**—Mrs. Frutiger made a motion to adjourn the meeting @ 8:59p.m. Motion carried; meeting adjourned. Council will hold a brief Executive Session for updates on ArthurLee litigation, but there will be no action.
16. **Next Council meeting will be held Monday, February 10th @ 7:00p.m.** There will be no February Work Session.

Respectfully submitted by:

Stacy Myers, Recording Secretary