

**Red Lion Borough Council**  
**Meeting Minutes**  
**Monday, August 9<sup>th</sup>, 2021**

**Members present**

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

**Others present**

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

**Visitors**

Samantha Craley  
Scott Gingrich  
Bob Frutiger

Sarah Dotzel  
Cherie Booth  
Felix Milner

Ian Montgomery  
John Brownlee  
Katherine Deisley

1. The meeting was called to order @ 7:00p.m. followed by the pledge the flag.
2. **Approval of Meeting Minutes**—Mrs. Frutiger made a motion to approve the July 12<sup>th</sup>, 2021 Meeting Minutes; Mrs. Slenker seconded. Mrs. Frutiger questioned the last bullet point under the Administration Report that reports *Car Show Revenue of \$2,103 (\$106 of which was from June's Food Truck Friday)*. She wasn't sure that was correct, but Mr. Craley said the minutes can be approved as written & clarification of that statement can be verified with Meredith Yakelis. All were in favor; motion carried.
3. **Visitors & Public Comment**—the following addressed Council:
  - Katherine Deisley from Kaltreider-Benfer Library was present with highlights from the past year & how COVID affected library operations. KB Library had to adapt their services throughout the pandemic although maintaining them through curbside pickup, offering digital format programs & increasing Wi-Fi service for access outside the library. They are now back to full library services.  
In 2020, Red Lion Borough residents checked out 8,863 items that would normally cost \$150,671 if they had to purchase those materials themselves. The library's expansion plans should take place late winter into Spring 2022 & they include adding 4,000 sq. ft. of building space. During construction, Red Lion School District will provide space for some of the library programs. Through grants & fundraising, KBL is striving to stay within their budget, but asked the Borough to keep them in mind during budget time. In 2020, the Borough gave \$8,000 to Kaltreider-Benfer Library (\$1.26 per capita).
  - Ian Montgomery from the Red Lion Area Business Association reminded everyone of the Street Fair this Saturday, August 14<sup>th</sup>. Ian has obtained the permit for the street closure and many craft & food vendors, as well as local businesses will be participating. EMA will offer necessary services & a cooling station in the Municipal Office Meeting Room.
  - Pleasant View Church subdivision—Mr. Craley reported the Recorder of Deeds office refused to approve the subdivision plan because the lots didn't incorporate all the area of where Elm Lane was vacated (approx.20 years ago). Slight changes were necessary to the plan, which does not affect what the Borough is purchasing but it delays settlement a few weeks.  
Mrs. Frutiger made a motion to reapprove the Pleasant View Church Subdivision Plan; Mr. Minnich seconded. All were in favor; motion carried.

4. **Public Hearing opened at 7:10p.m.** for a liquor license transfer to the Rutter's at S. Main Street/Winterstown Road. Sarah Dotzel, General Counsel for Rutter's Corporation was present to request approval (by Resolution) of the liquor license transfer from Springettsbury Township. Mr. Craley swore in both Ms. Dotzel & Ms. Cherie Booth, District Supervisor of 13 Rutter's stores. Ms. Booth stated she oversees those 13 stores (2 of which sell beer & wine) both on the store side & the restaurant side. She has been Supervisor of Operations at the Winterstown store for the past 2 years and if approved tonight, that will be her 3<sup>rd</sup> store selling beer & wine. Rutter's currently sells beer & wine at 42 of their locations. Most beer/wine sales are take-out with a total purchase limit of 198oz. in one sale. Ms. Booth said it's rare for someone to purchase beer or wine to consume onsite, but there is a limit of 24oz. if anyone wishes to do so. It's Rutter's goal to have 100% of their employees RAMP-certified (Responsible Alcohol Management Program) although only 80% of employees are required per PA Liquor Control Board. Every two years, Rutter's requires employees to be recertified. This training involves knowing how to spot an intoxicated person, handling alcohol, handling difficult situations, & verifying real identification (also have card scanner that does this at cash register). To Ms. Booth's knowledge, Rutter's has never been cited for selling alcohol to a minor. Every Rutter's store is equipped with security cameras which can also help in a difficult situation involving an intoxicated person. The Winterstown store that is to be remodeled will have additional updated cameras both outside & inside the store, where allowed such as in the beer/cold case which will be monitored 24/7. When asked if she has seen an increase in criminal activity at the stores selling alcohol, she said no, there is typically more Police presence in those stores & overall, there aren't any true incidences involving alcohol sales at the stores. Ms. Dotzel stated in order for Rutter's to sell beer & wine in their stores, they must have an "R" liquor license (or Restaurant license) which allows for both on & off premises consumption. The Winterstown store currently sells over-18 items such as lottery & tobacco products, so the Manager & employees are already well-trained on how to handle the products & ID their patrons. Mr. Craley/Council had the following questions:
- At the time the Land Development Plan was approved for the Winterstown Road store, the Rutter's representative was asked if there were plans to sell beer/wine & the answer was 'no'. *Ms. Dotzel said this license was just purchased & not simply transferred from another Rutter's store, so it may have simply been a timing issue.*
  - The license transfer for the Rutter's at North Main was from Springettsbury Township & this one for the Winterstown Road is also from Springettsbury Township. *Ms. Dotzel said, since COVID, a lot of licenses are for sale; she believes this one is from Outback Steakhouse. Rutter's isn't limited (by PLCB) in geography of where the liquor licenses are held so two stores in close proximity to each other can both hold the license for beer/wine sales.*
  - Of note, Winterstown Road is not a 24-hour store. The Rutter's on North Main is open 24/7; however, Ms. Dotzel said the hours for alcohol sales are set by PLCB.
- Mr. Klinedinst made a motion to approve the liquor license transfer to Rutter's Store #48, South Main & Winterstown Rd., Red Lion & to adopt Resolution 2021-07; Mr. Minnich seconded. Motion carried with Ms. Weaver opposing. Public Hearing closed @ 7:26p.m.
5. **Mayor Hughes' Remarks & Recommendations**—Mayor Hughes reported he mailed letters to members of the farming community last week regarding the Lighted Tractor Parade, scheduled for Saturday, November 27<sup>th</sup>. He also contacted representatives from Penn State's Foliage & Field Program, their 4-H Department & Red Lion High School's 4-H & FFA Departments to invite them to join. He will also reach out to Red Lion Municipal Authority about entering their tractor, as any lighted tractor, hay wagon, or other farm equipment is welcome. Santa Claus will ride on the last float in the parade & end at the park for the Tree Lighting Ceremony.

6. **Public Safety**—Ms. Weaver stated the Ambulance & EMA Report had already been submitted & she emailed the Fire Company Report to Council earlier today. Chief Gingrich said volunteerism is still down but applications for new members are being received.

7. **Solicitor's Report**—Mr. Craley reported:

- As a follow-up from last month on nuisance issues—there has been some improvement on the Linden Avenue (Wilson) property. More research & the possibility of further legal action needs to be done at a property at Franklin/High Streets and one on Highland Avenue.
- Act 65—amendments to the Sunshine Law—biggest change is to the meeting agenda and that anything Council wishes to take action on, must be listed as specific agenda items. The agenda must also be posted at the Borough Office and on the Borough website 24-hours prior to the meeting. There are limited ways agenda items can now be changed:
  - Must be an emergency
  - Must be an issue that came up early
  - Must be something that Council unanimously approves

Last-minute visitors to meetings can be heard but anything requiring action, may need to be held until the following month's meeting. These amendments were made in an effort for municipalities to be more transparent with their business. It will involve any agency that would take official action such as Zoning Hearing Board, Council meetings, Council Work Sessions, School Boards, etc.

- Mr. Musso asked Dan Shaw if the Ordinance regarding outside storage of trash was researched. Dan said there are two different references in two separate chapters of the Ordinance, and he said one problem with requiring trash to be stored in a can/closed container is that residents purchasing bags from Penn Waste don't have to have a trash can. Mr. Musso is more concerned with residents storing trash bags (for days) outside of their garage, etc. because it draws rats & other pests. Understandably, it would be difficult for some areas of the Borough to accommodate a larger trash cart, if the Borough required them. Mr. Craley said he & staff can look at the Ordinance & bring suggestions of a possible amendment to include language that the storage of trash be in a way that prohibits animals from getting into it.

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

- **Street Project**—Restuccia Excavating (Contract #1) submitted two requests for payment. After last week's Work Session, the area was inspected & the issues mentioned at Work Session were either addressed or will be addressed. Paving is done & Jeff is satisfied with the work, but a final walk-through will be done to confirm.
- **Pleasant View Church**—an informational letter with a cost estimate & timeframe for the renovations of the church was sent to Council. The mulá group is an architectural firm in York that comes highly recommended for their work. Jeff said an architect is needed to create the plans & Joseph Mulá has done a lot of work in the Borough. The mulá group is currently working with Windsor Township on their Borough building. Ms. Weaver said the cost estimate for repairs & renovation, (\$415,000-\$490,000) is higher than expected & previously discussed. The work would need to be bid & is a prevailing-wage job but mulá's estimate includes everything involved, i.e., furniture, etc. When the job goes to bid, there could be options available that Council can pick & choose what they want to do. Every contract, by trade, will need to be bid separately. It's suspected that asbestos is in the church, but it's unknown right now how much remediation will cost. Mrs. Price said some renovations involved in the upper level of the church can be paid for with the American Recovery Act stimulus money, but if the Borough is spending money, paying prevailing wage cannot be avoided per State law.

9. **Parks & Recreation**—Mrs. Barley was not present tonight. Mrs. Price reported:

- Summer camp is almost finished.

- August 20<sup>th</sup>—Food Truck Friday & a band is scheduled to play.
- September 17<sup>th</sup>—Food Truck Friday
- Locations have been selected for installation of the new park equipment.
- The library had told the Borough they're not doing any indoor programming in the Fall & have asked to use the park; however, Ms. Deisley stated differently tonight, so clarification will be needed.  
The library was notified that their building permits were ready to expire, which they said they will resubmit.  
The Borough did waive the Zoning fee for their building expansion.
- August 22<sup>nd</sup>—Concert in the Park @ 6p.m.
- October 25<sup>th</sup>—Halloween Parade @ 7p.m.
- Splash Pad repairs will be budgeted for next year.
- Suds 'n' Song revenue/expense info should be available for Council next month.

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

- August 11<sup>th</sup>—shut offs for delinquent bills
- July 30<sup>th</sup>—Keith Kahwajy's last day of employment with the Municipal Authority. Jeff Beard is the interim Superintendent while a replacement is sought. Mr. Minnich said the search is promising & interviews are being held.
- September 18<sup>th</sup>—Watershed weekend—tours of the Water Treatment Plant are planned.

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

- Handicapped parking request was received for 56 S. Pine Street. Mr. Klinedinst made a motion to approve the request; Mrs. Frutiger seconded. All were in favor; motion carried. The parameters of the handicapped parking requests need to be discussed for possible amending. Council asked if the Borough could charge resident for installation of these spaces? Mr. Craley will research this but isn't sure it can be done because the spaces aren't exclusive to the person making the request. Anyone with a handicapped placard or license plate can use the spaces.
- Fairview Street—years ago, the concrete pipe installed for the storm drain was installed backward & is now deteriorating. The blacktop is sinking & the Public Works crew has been repairing where the sinkholes are occurring. Mr. Klinedinst said the street is in satisfactory condition, but the stormwater needs attention, although this isn't on the priority list because it's a low-volume street. Brett is creating a stormwater repair list for 2022.

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

- August 10<sup>th</sup>—Zoning Hearing @ 6p.m. to act on 118 Keener Avenue's Variance for a reduction of the rear setback.
- No Planning Commission meeting will be held this month.
- 215 E. Lancaster Street appraisal needs to be obtained; appraisal fee is \$2,800 & Mr. Winkler is willing to assist the appraiser & show them around the property. Mrs. Slenker made a motion to approve the appraisal; Mr. Minnich seconded. All were in favor; motion carried. Dan reported Mr. Winkler purchased an excavator & dump truck to help clean up the site.
- T.A. Leiphart Masonry requested the release of their letter of credit that was held at M & T Bank. Ms. Weaver made a motion to release the LOC; Mrs. Slenker seconded. All were in favor; motion carried.
- Economic Development has several plans in the works. A reminder, Street Fair is August 14<sup>th</sup> from 9am-4pm. Among the craft & food vendors, there will be music at the square.

13. **Administration**—Mrs. Frutiger & Mrs. Price reported:

- A new administrative vehicle is needed—Mrs. Frutiger made a motion to approve the purchase of a 2021 Escape through CoStars for \$23,838; Mrs. Slenker seconded. All were in favor; motion carried.

- The 2008 Escape—Ms. Weaver made a motion to put it on MuniBid to sell; Mrs. Slenker seconded. All were in favor; motion carried.
  - Contract negotiations for union employees will soon be held.
  - Catherine Meyer Award nominations are being received. The guidelines for nominations need to be modernized, so that will be discussed for future awards.
14. **Communication**—nothing further
  15. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mr. Minnich seconded. All were in favor; motion carried.
  16. **Adjournment**—With no further business, Council adjourned their meeting @ 8:25p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary