

**Red Lion Borough Council  
Meeting Minutes  
September 13<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  
Randy Gray, Public Works  
Mayor Walt Hughes  
Stacy Myers, Recording Sec'y

**Visitors**

|                       |                  |                     |
|-----------------------|------------------|---------------------|
| Samantha Craley       | John Brownlee    | Bob Frutiger        |
| Scott Gingrich        | Meredith Yakelis | Pastor Dave Schultz |
| Mark & Sonya Holloway | Katie Bulla      |                     |

1. The meeting was called to order @ 7:00p.m. Pastor Dave Schultz offered a prayer followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
  - Mrs. Frutiger made a motion to approve the August 2<sup>nd</sup>, 2021 Work Session Minutes; Mr. Minnich seconded. All were in favor; motion carried.
  - Mrs. Frutiger made a motion to approve the August 9<sup>th</sup>, 2021 Regular Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors/Public Comment**—the following addressed Council:
  - Mark Holloway (31 W. Gay Street) was present to discuss a concern that he reported to Mrs. Price on March 29<sup>th</sup>, 2021 & to Dan Shaw several times regarding his neighbor at 37 W. Gay Street and the fact that they (37) had not obtained a permit for their deck. Dan stated he did not know when the deck was built, although Mark said it was started approx. 1 year ago & hasn't been completed. He filed a Right-to-Know request in the Spring about this property & a few other complaints & he received some but not all of the requested items. Mrs. Price said she gave him what items she had. Mark said rather than telling him which items the Borough did not have access to, he received no response at all. Mark stated he is frustrated that Dan had visited him on 3 jobs questioning whether he had permits yet when he (Mark) files a complaint, nothing is done. He is questioning the safety of the neighbor's deck due to the way it's being installed. The previous resident built a deck with steps & the Borough made them remove the steps due to a setback infringement. The current owners have now installed steps, but Mark said the Borough has not visited the property to ensure they comply. The rules should apply to all residents.

Council asked Mrs. Price to forward the RTK request & all involved information so they could review it. There is a RTK appeal process, should Mark want to pursue that route, if he believes he didn't receive all requested information. Mr. Craley stated if an applicant requests information that does not exist, they should be told.

As far as the deck & steps, Dan Shaw said a Google Earth map dated 2015 showed a deck in the area, but Dan cannot tell anything additional was built. Mark said in 2016, Google showed an upper deck at the property, shortly after, that deck was gone & the lower deck is now visible on Google Earth. Mr. Craley said there is no statute of limitations on construction codes; they can be enforced at any time. If it's a building code violation, the Borough would enforce that (not the construction of the deck, but the violation). Council advised Dan Shaw to send the resident a letter of violation first. If the property owner must

remediate the deck construction, that direction would come from the Borough's 3<sup>rd</sup>-party inspector.

4. **Mayor Hughes' Remarks & Recommendations**

- Lighted Tractor Parade—Saturday, November 27<sup>th</sup>. Mayor Hughes attended the recent Chief's meeting for Alliance, where Chief Gingrich agreed to the Fire Department leading the parade. In addition, Mayor Hughes & Ms. Weaver recently attended Steam-O-Rama to pass out literature & registration forms for the parade and they stated there was a lot of interest in participating. Mayor Hughes also mailed 140+ letters to local farmers after obtaining a mailing list from the organizer of Olde Tyme Days (Fawn Grove), so he hopes to receive positive feedback from those. The local schools with FFA & 4-H Programs have been contacted as well.

Of note, Santa Claus will be on the Borough's float (sponsored by Mayor Hughes & the Musso family) at the end of the parade which will take him to the Tree Lighting Ceremony in Fairmount Park. Dennis Klinedinst will serve as Grand Marshall of the parade & will contact Lancaster Farming magazine regarding advertising the parade.

An advertisement to promote the parade will be on the Lion Pharmacy marquee. The Parade Committee will hold another meeting on September 21<sup>st</sup>.

5. **Public Safety**—Ms. Weaver reported:

- Fire Company Reports were emailed to Council. Chief Gingrich also reported:
  - They received a FEMA Grant in the amount of \$164,000 which will go toward self-breathing apparatus. This was a shared grant that Alliance paid \$8,000 toward.
  - Volunteerism is still down. Daytime staff is limited so Chief Gingrich will present a budget for a part-time paid position for daytime hours. This person should also be trained as a firefighter. He would like to fund the position as a shared investment between the municipalities that Alliance serves, so he will visit & present his plan to all those municipalities. He will be in contact with Mrs. Price & Mr. Musso for a meeting prior to coming to Borough Council next month.
  - Ms. Weaver made a motion to approve a \$15,000 donation to Alliance Fire & Rescue to offset the Workers Compensation costs; Mr. Minnich seconded. All were in favor; motion carried.
- EMS & Ambulance Reports were distributed.

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

- Developer's Agreement with Jordan Ilyes for the redevelopment of 252 N. Franklin Street was before Council for review. This is in lieu of a formal development plan for the site. The agreement includes language that states Mr. Ilyes will agree to be bound by all determinations, representations & conditions on any of the following:
  - His plans
  - Any & all decisions by the Zoning Hearing Board
  - Any & all decisions by other governmental agencies (York County Conservation District, PA Department of Labor & Industry).
  - Any & all determinations issued by C.S. Davidson

Should Mr. Ilyes disagree with any of these decisions, it can be appealed to Borough Council for a final determination, which will be final & non-appealable. If Mr. Ilyes disagrees with any decisions issued by Dan Shaw, Mike Craley, or Dianne Price, that can also be appealed to Council who will have the final decision. Should any separate agreement, like the sanitary sewer easement, need to be modified, this must be done in writing. Any changes in use must also be done in writing.

After the completion of the multi-family residential portion of this project, Mr. Ilyes is to have a parking study conducted. The Borough agrees to review the study's findings & consider revising the Zoning Ordinance regarding off-street parking requirements. If Mr.

Ilyes can show he needs less than the required 2 parking spaces/unit, the Borough will consider amending that Ordinance.

The sanitary sewer agreement states the Borough is allowing Mr. Ilyes to extend his sanitary sewer across the Red Lion Mile (per his submitted exhibit).

Mrs. Barley made a motion to approve the agreement & sanitary sewer easement as written; Mr. Minnich seconded. All were in favor; motion carried.

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

- Road work in the Borough is essentially complete & a walk-through was done. Council has an Application for Payment for action tonight. One item that needs to be addressed is the overlay work on Charles Street that needs to be coordinated with Columbia Gas.

One Change Order needs action tonight for an area on Railroad Lane that was very soft & required base work to be done. The C.O. is in the amount of \$3,472 which Jeff believes is a very fair price.

The base contract amount came in \$5,000 less than the award amount. 5% retainage (approx.\$13,000) is still being held.

- Mr. Klinedinst & the Public Works Committee presented pictures & discussion was held on:
  - Road work done on Martin, Railroad & Summit. The curb reveal is currently 7¼" or 7½" where it should be a 6" reveal. Jeff stated a wearing course (to seal the street) will be done in 1-2 years on these roads.
  - Boundary Avenue has some areas that are cracked due to using a cheaper grade of sealant. A rubberized sealant can be used to prevent water from going under the street.
  - Some street patches are needed along Boundary in the area of the 2019 fire. The gas company should be the one to address those.
  - Rather than installing an ADA ramp at the corner of Lion Bowl, a concrete sidewalk will be added so pedestrians can walk from the parking lot to the sidewalk. Mr. Klinedinst doesn't believe this should be Mike Zelger's (Lion Bowl) expense because the blacktop wasn't extended like it should've been.
  - A few other Nuisance Ordinances were mentioned—251 N. Main's trash always in the alley, overgrown trees/branches extending into the right-of-way.
  - Application for Payment submitted by Kinsley Construction (paving contract)—Mr. Klinedinst made a motion to approve the payment of \$266,064.83; Mrs. Frutiger seconded. All were in favor; motion carried. 5% (or \$13,000) is still being held as retainage.

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

- Meredith introduced the new Special Events Coordinator, Katie Bulla.
- Field hockey is going well
- Adult kickball program—York Kickball Association is playing at Nitchkey Field on Saturdays (Red Lion Rec receives all income).
- Fall softball—1 team has been formed
- September 17<sup>th</sup>—Food Truck Friday from 4:30-7:00pm at the Municipal Parking Lot. Music is also planned.
- August Food Truck revenue is still being gathered.
- July Food Truck revenue was \$446.68 (before the port-o-potty costs)
- October 25<sup>th</sup>—Halloween Parade @ 7pm—11 registrations have been received, to date. NO registrations will be accepted that night.
- December 4<sup>th</sup>—8:30-10:30am—Breakfast with Santa at the Community Building
- December 3<sup>rd</sup> & 4<sup>th</sup> and December 10<sup>th</sup> & 11<sup>th</sup>—Santa's Shanty (times TBA)
- New Year's Eve celebration planning is in the works.

- Suds ‘n’ Song detail was submitted to Council for review. More explanation of expenditures will be available at the October meeting. Mrs. Barley suggested forming a Committee for next year’s event due to the amount of planning/scheduling that needs to be done. Council & staff agree, so more discussion will be held after the new year.
  - Splash Pad concrete repairs—Restuccia submitted a proposal of \$15,300 for the necessary work. Theirs was the lowest of 3 phone quotes obtained for the work. Mrs. Barley made a motion to approve Restuccia’s proposal; Mrs. Frutiger seconded. All were in favor; motion carried.
  - Mr. Klinedinst asked for a breakdown of the \$10,000 given to Red Lion Recreation (in 2019) due to the financial shortfall from COVID. It was either a loan or a gift. Mrs. Price stated the \$10,000 was not spent, so Council suggested that money go toward the Splash Pad repairs. Mrs. Barley made a motion to use the \$10,000 given to Red Lion Rec be used for the Splash Pad repairs with the remaining \$5,300 to come from the General Fund; Ms. Weaver seconded. All were in favor; motion carried.
9. **Municipal Services**—Mr. Minnich reported:
- The position of Municipal Authority Superintendent has been offered to John Krantz from Birdsboro. He will begin on September 20<sup>th</sup> & be relocating within 30 minutes from Red Lion (& the Water Treatment Plant). Keith Kahwajy will still serve as a consultant on an as-needed basis at a maximum of 3hr/day @ \$100/hr.
  - September 15<sup>th</sup>—shut-offs for delinquent water bills
  - September 15<sup>th</sup>—MS-4 training for Borough & Municipal Authority staff will take place at the Municipal Office Meeting Room @ 1pm
  - September 18<sup>th</sup>—Watershed Weekend—tours of the Water Treatment Plant will be available to the public, beginning at 10am. Meet at Windsor Assembly of God Church to be shuttled to the plant.
  - Of note, Red Lion Municipal Authority is not mandating vaccines for their employees at this time. They plan to invite a consultant from Wellspan to discuss the COVID situation and vaccinations with employees.
10. **Public Works**—Mr. Klinedinst reported:
- 735 W. Broadway—Dan to research a car that’s been parked in the handicapped space for 3 weeks & not parked within the lines.
  - 48 E. High Street-Handicapped parking request received. There is parking in the rear of the property that seems more convenient than street parking. Council tabled this request until more research is done.
  - 115 W. Gay Street—Handicapped parking request received. Mr. Klinedinst made a motion to approve this request; Mrs. Barley seconded. All were in favor; motion carried.
  - Resolution 2021-8—to authorize signing of the PennDOT Signal Maintenance Agreement. This is a revision from a hanging sign (the mast arm) to a vertical, standing sign. Mr. Klinedinst made a motion to adopt Resolution 2021-8; Mrs. Barley seconded. All were in favor; motion carried.
  - 162 N. Main Street—the curb stop was covered with concrete when the sidewalk was replaced/repared. Brett & Jeff to look at the area.
  - The Ford Escape received a high bid of \$8,400. Mr. Klinedinst made a motion to accept the bid of \$8,400 & sell the vehicle; Mr. Minnich seconded. All were in favor; motion carried.
  - Mrs. Price will notify the owners on Rt. 74 (near White Dove Laundromat) about flood funds available to repair stormwater problems. It’s available to private property owners.
11. **Planning, Zoning & Redevelopment**—Mrs. Slenker reported:
- Hometown Hero Banner Project is underway & is being met with a lot of interest.
  - Several small businesses in town seem to be succeeding; it’s good to see!

- Echo Barber Shop & the Locksmith businesses (N. Main Street) are both moving out by end of September.
  - September 20<sup>th</sup>—Planning Commission Meeting @ 7pm to review a Special Exception application for 438 E. Lancaster Street.
  - Dan Shaw stated he received plans from Labor & Industry for the Pleasant View Church that the Borough purchased. A Certificate of Occupancy was also received.
12. **Administration**—Mrs. Frutiger reported:
- Teamsters contract negotiations are ongoing.
  - 2022 MMO (Minimum Municipal Obligation) for the Defined Benefit Pension Plan is \$32,777 and for the Defined Contribution Plan is \$22,240. Police Pension Plan is \$0.
  - October 19<sup>th</sup>—Budget meeting @ 6pm
  - SPCA Contract for 2022 in the amount of \$3,282.61. Mrs. Barley made a motion to approve the new SPCA Contract; Mr. Minnich seconded. All were in favor; motion carried.
  - A Special Events Coordinator has been hired for Parks & Recreation.
13. **Communication**—Stephanie Grove got #1 in the Pennsylvania State Association of Boroughs contest for the Borough’s website design. Kudos to Steph!
14. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Mrs. Frutiger seconded. All were in favor; motion carried.
15. **Executive Session**—Council recessed to Executive Session @ 8:45pm for a personnel issue. Council reconvened @ 9:05pm. No action was taken.
16. **Adjournment**—Council adjourned @ 9:05pm.
17. **October 11<sup>th</sup> Borough Council Meeting** will be held at the Community Building for presentation of the Mayor’s Awards.

Respectfully submitted by:

Stacy Myers, Recording Secretary