

**Red Lion Borough Council  
Meeting Minutes  
Monday, January 11<sup>th</sup>, 2021**

**Members present in person**

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

**Members present via Zoom**

Tina Frutiger

**Visitors via Zoom**

John Brownlee  
Meredith Yakelis  
Nick Rhoads  
Stephanie Grove

**Others present in-person**

Dianne Price, Borough Manager  
Dan Shaw, Codes/Zoning  
Mike Craley, Solicitor  
Jeff Shue, Engineer  
Mayor Walt Hughes  
Brett Patterson, Public Works

**Others present via Zoom**

Stacy Myers, Recording Secretary

**Visitors present in person**

Samantha Craley  
Jeff Herrman  
Pastor Ron Doverspike

1. The meeting was called to order @ 7:00p.m. Pastor Doverspike of Bethany U.M. Church offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**—Mrs. Slenker stated the November 2<sup>nd</sup>, 2020 Work Session Minutes were correctly recorded, under Mayor Hughes' Report, "Paul Saylor received a Proclamation from Representative Stan Saylor". The suggested correction at the December 14<sup>th</sup>, 2020 Council Meeting that it should read "Paul *Slenker*" was not accurate. With this noted, Mr. Minnich made a motion to approve the December 14<sup>th</sup>, 2020 Meeting Minutes; Mrs. Slenker seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—No one present addressed Council but since tonight's meeting is also being held virtually, Mr. Craley asked Mrs. Price if she received any communication or questions from the public to be addressed tonight by Council. Mrs. Price stated she did not.
4. **Mayor Hughes' Remarks & Recommendations**—Mayor Hughes shared the following opinions & suggestions:
  - This year, contract negotiations with the union will take place. Mayor Hughes reviewed the union contract & employee handbook. Regarding the employee handbook, which doesn't address union employees, he asked if it applies to union or no? With the upcoming union negotiations, can some areas in the handbook be unified? Mrs. Price stated there are plans to rewrite the employee handbook in the near future. Mr. Craley stated some of the same standards can be reviewed & possibly unified to be less confusing & more streamlined for both union & non-union employees. Any discrepancies can be dealt with & included in what needs to be negotiated.
  - Performance evaluations—Mayor Hughes agrees this is a great management tool & a good practice to follow. He suggested setting a date to hold them every year. The employee handbook notes evaluations should take place in October; however, due to the 2020 pandemic, things needed to be handled differently. From his experience, the Mayor suggests the Supervisor conduct the evaluations with subordinates in a one-on-one situation and that evaluation would be filed in their personnel file. The Administration Committee would conduct the Borough Manager's evaluation.
  - Random drug testing—this is still conducted for Public Works employees (& CDL holders). Mayor Hughes reported on a case in another municipality where an employee was injured in a Borough-owned vehicle. The employee ended up assaulting the Police Officer who was

called to the scene, later giving the excuse that he was on medical marijuana. Litigation will follow in this situation, but Mayor Hughes stated marijuana (in someone's system) is treated like alcohol in a vehicular accident and can result in DUI charges. He believes the employee handbook should be clear on the Borough's stance with medical marijuana.

- He has spoken to Mrs. Price about a dedication of the Rail Trail to hopefully be held this year, if the trail is complete & an event can be held safely. He'd like to recognize anyone who has contributed to the trail's completion.
  - Red Lion Borough recently received a Local Government Excellence Award—Borough Secretary Stephanie Grove applied for the award (through PSAB) without being prompted to do so. She submitted the Borough's website & social media page and won 3<sup>rd</sup> prize in "Boroughs of population between 5,000-10,000". A recognition plaque was sent to Councilwoman Stephanie Weaver, so it's believed that PSAB mixed up the two "Stephanie's", but this will be resolved. Mayor Hughes suggests a Thank You letter be sent to Stephanie Grove.
  - Mayor Hughes announced his intention to run for a 2<sup>nd</sup> term as Mayor.
  - Mr. Klinedinst suggested Mayor Hughes (as head of Safety) make himself available over the next two weeks, in the event that Red Lion Borough sees activity (such as demonstrations, peaceful protests, etc.) such as York City is currently experiencing.
5. **Public Safety**—Ms. Weaver reported:
- Fire Company & EMA Reports have been distributed to Council. Ms. Weaver contacted Chief Scott Gingrich for a detailed report like he submitted previously. Once she receives that, she'll email it to Council.
  - Ms. Weaver contacted Fire Company officers about the live ins at the fire house. Alliance pays for those individuals to live there and unless they make a certain number of fire calls, they're not required to pay rent, contribute to the electricity bills, etc. That, along with keeping the living space clean, was part of the arrangement between the live ins & Alliance. One of the tenants complained about having to clean, but if he's living there for free and that's the arrangement, there should be no argument.
6. **Solicitor's Report**—Mike Craley reported:
- He provided to Council a memo regarding handicapped spaces and the fact that the 72-hour parking rule can be enforced on those spaces; however, they're given 1 extra hour. When residents holding those spaces renew their permits, they will be made aware of the 73-hour parking enforcement Ordinance.
7. **Engineer's Report**—Jeff Shue reported:
- Charles Street and MA/PA area survey is complete. CSD staff found they generally agreed with the property line work but the valuation map for the railroad (the railroad's historical boundaries that they maintained) was not factored into Ed Pearson's discussion with the Borough. Jeff has provided all this information to Mrs. Price & Mr. Craley. The valuation map was not considered previously so this may become a legal issue as to land rights. That document shows that from the center line of the trail, the Borough has an additional 18' onto the property in question. That area would've been managed by the railroad. There are rules & regulations about how land is acquired versus what is done with it. If the land is abandoned (which, Jeff stated, the railroad did abandon it) it must be determined whether or not the land reverts back to the original owner. Mr. Craley said there are several things to consider with this issue. The railroad didn't abandon the land; they conveyed their rights to Dave Lutz who later conveyed them to Red Lion Borough. 100 years ago, railroads had a lot of clout, so in order to resolve this issue & what legal affect this railroad valuation map holds, Mr. Craley said he will contact the Rail Trail Solicitor to

gather information and report back to Council who can decide how to move forward with Mr. Pearson.

Mr. Craley said a similar issue came up years ago with the land behind the laundromat (off East Broadway) and whether or not the railroad owned land in fee simple (actually owned the land itself) or did they just have a right-of-way. Jeff Shue, working as the Rail Trail Authority's Engineer, has dealt with a lot of properties that were historically railroads. The railroad, in an effort to acquire property to build the railroad, would negotiate with the property owners in whatever fashion the property owner would negotiate. In some cases, it was fee simple; others were right-of-way, so it varies from property to property. If it was a ROW, over the years, it would sometimes get misinterpreted by an attorney who would think it was owned by the railroad when in fact, it was a ROW, and they would write the deeds to the edge of the ROW rather than maintaining the property the way it was meant to be. So, deeds would become more & more incorrect and would have to be traced back. The valuation map that Jeff Shue gave to Mike Craley dates back to 1918. Mr. Craley will research & report more on this next month.

- Roadway management work—delayed one month until Council knows more about a potential loan for additional public works improvements. He will assume the bidding documents will be brought before Council for approval & authorization to bid next month. If Council members want to look at the streets included in this project (Summit, Martin & Railroad), they can do so. Any questions can be directed to Mrs. Price.
- Lancaster Street opening/extension—a conference call meeting with DEP is scheduled for Thursday, January 14<sup>th</sup> @ 1:30p.m.
- Rutter's (5 Winterstown Rd.) has submitted their Land Development Plan to the Borough & it's under review.
- Jeff will be meeting with the developer of the Franklin Street apartments. They made a request for a waiver of a Land Development Plan which Jeff doesn't agree with. He said we could minimize the requirements to eliminate administrative matters that aren't useful, but he stated there are issues related to a LDP that need to be resolved. Mr. Craley agrees & supports Jeff's suggestion on not waiving an LDP.

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

- March 27<sup>th</sup>—Easter breakfast & egg hunt will be scheduled. If we find that this cannot be held due to pandemic restrictions, it will be reported later. Patton's Veterinary Hospital offered to help with any recreation event; Meredith will contact them. Volunteers are always welcome, especially with this event!
- June 5<sup>th</sup>--Suds'n'Song is being planned & Meredith is contacting breweries and many are interested. If this cannot be held, it will be reported later.
- She has started mailing letters for billboard sponsors for Nitchkey Field.
- She has been working on policies & waivers for Recreation. She's looking at areas that need improvement & also things that should be in place to protect ourselves better.
- Cheer program started last week; there are 4 different groups that are practicing social distancing, wearing masks & following other precautions.
- Online softball registration has started. Every Wednesday, Byron Trout holds a practice-type event where batting cages are open for kids who have already played or who are interested in playing, learning about softball, etc. They can register there as well. Meredith contacted Sheetz to inquire about donations & Sheetz agreed to donate \$500 which will go toward uniforms.
- Field hockey clinics are being planned for Spring.
- Marcellus Shale Grant money that was planned to buy equipment for the park-some of the equipment is no longer available, so Meredith is checking on different items from other vendors.

- Rail Trail—in an effort to draw people to the trail, Meredith would like to plan a treasure hunt activity where visitors would look for strategically placed signs along the trail to find code words that make up sentences about Red Lion, the town, etc. Once the provided form is all complete, they can bring it to Meredith for a small prize.  
Currently, there is no signage at the heads of the trail. These will be added shortly to give visitors direction.
- Summer Day Camp—Meredith plans to hold camp this year but with an attendance cap of 20-25 kids/day. Other locations may be available so more kids can attend. More on this later.
- Mayor Hughes asked if a log is kept on all community building/pavilion rentals? Meredith keeps the contracts for two years, along with a calendar of contact information for those renters.  
He also suggested possibly adding art or sculptures along the Rail Trail to draw visitors. Mrs. Price said the Borough has been approached about memorial trees & benches to be added also. All of these will be taken into consideration.
- At the next Recreation meeting, a list of events will be created to present to Council where the Borough would like to waive alcohol restrictions.
- Mr. Klinedinst mentioned the Quonset hut behind Shades (E. Broadway) is owned by the school but may be up for sale. Dan Shaw said the school plans to put up another building, but it could be a few years till they do so. Meredith said she's interested in looking at the hut and whether or not it could be useful to Recreation. Dan will contact the school to get details.
- **Resolution 2021-1**—to increase the funding reimbursed to the Borough for the MA/PA Greenway. The amount to be reimbursed by PennDOT has increased by \$300,000, so the amount is now \$1,107,618. This does not impose any additional financial liability on the Borough. Mrs. Barley made a motion to adopt Resolution 2021-1; Ms. Weaver seconded. All were in favor; motion carried.
- **Resolution 2021-3**—amending park rules to prohibit motorized vehicles on the trails. This is tabled right now for Council & Recreation to review before next month.  
Mr. Craley urged Council to look at the problems created by these vehicles & we can discuss prior to adopting this Resolution. He used the term “Red Lion Recreational Trail” because that's how it reads in the Ordinance. If we need to amend the Ordinance to expand or include certain language, we want to do it all at one time.  
Mr. Musso stated as long as private or public property is not being ruined, he doesn't think anyone should tell children not to go outside & play.

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

- January 13<sup>th</sup>—water shut offs for unpaid bills. December shut offs didn't take place because it was not printed on the bills as notification to customers.
- Red Lion Municipal Authority received two letters of interest to fill Jeff Herrman's expired term for another 5 years. Kelly Henshaw has submitted a letter of interest and Jeff Herrman submitted his letter to serve another term. Mr. Minnich said he has enjoyed working with Jeff Herrman the past year on the RLMA Board & he previously enjoyed working with Kelly Henshaw serving on Borough Council.  
Mr. Minnich made a motion nominating Kelly Henshaw to a 5-year term on Red Lion Municipal Authority; Mr. Klinedinst seconded. Motion carried (6-1) with Ms. Weaver opposing.  
Mr. Musso thanked Jeff Herrman for his years of service on the Municipal Authority.

10. **Public Works**—Mr. Klinedinst didn't have anything additional to report.

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

- No Planning Commission meeting will be held in January.
- No Zoning Hearing will be held in January or February.

- Dan received the LDP for Rutter's (5 Winterstown Rd.) and it's currently being reviewed. Planning Commission meeting may meet in February to discuss.
  - Waiver request by Ilyes Holdings (Franklin St. apartments) will be discussed at Friday's meeting, January 15<sup>th</sup>.
  - Rutter's (301 N. Main St.) revised their previous plans for a 2<sup>nd</sup> vestibule. The only exterior things they're proposing now is a roof over the utility/electrical area in the rear of the building and updated signage, but no signage details, sizes, etc. were submitted.
  - Dan is still waiting on the original copy of the library's subdivision plan. Mr. Craley will look into this.
  - **Resolution 2021-2**—appointing Robert Frutiger to a 3-year term on the Zoning Hearing Board. Mrs. Barley made a motion to adopt this Resolution; Mr. Minnich seconded. All were in favor; motion carried.
  - Appointing Wade Elfner to a 4-year term on the Planning Commission. Mrs. Barley made a motion to reappoint Mr. Elfner to Planning Commission for a 4-year term; Mr. Klinedinst seconded. All were in favor; motion carried.
  - January's Redevelopment & Economic Development Meeting may be held via Zoom. This is to be determined because of rebuilding the team/committee and being in a transition period. Letters will be mailed to those with knowledge of the community & to new and local businesses in hopes of helping build this committee with an emphasis on revitalizing businesses in town.
  - A local Eagle Scout is interested in building an oversized chair as his project and placing it at The Leo Center, once complete. It will be 8'(H) x 8'(L) x 6'(W) and the hope is it will be a point of interest & an area for visitors to take pictures once the center is open.
  - Holiday decorating contest winners were as follows:
    - Traditional—1<sup>st</sup> place—203 N. Main, 2<sup>nd</sup> place—309 S. Franklin, 3<sup>rd</sup> place—43 E. Broadway
    - Griswold—1<sup>st</sup> place—15 E. Lancaster, 2<sup>nd</sup> place—211 S. Pine, 3<sup>rd</sup> place—559 Wise Ave.
    - Festive Business display—1<sup>st</sup> place—Integrity Insurance (117 E. Broadway), 2<sup>nd</sup> place—Candi Duda (43 N. Main), 3<sup>rd</sup> place—Top Coat'n Tails (77 N. Main)
    - Best in Show—402 Hillside Drive
12. **Administration**—Mrs. Frutiger & Mrs. Price reported:
- The Borough's been approved for a loan for \$2.5million through PIB, if Council wishes to move forward with it. Most Council members are not comfortable with that amount of debt, so this is tabled for now.
  - Scott Kopp appointment—Mrs. Frutiger made a motion to appoint Scott Kopp to the Vacancy Board for 2021; Mr. Minnich seconded. All were in favor; motion carried.
  - A LERTA application (Local Economic Revitalization Tax Act) was received for 252 N. Franklin Street (Ilyes' Holdings). This is available for commercial, industrial & delinquent properties to make improvements. Once the improvements are made to the property & the property owner gets approved by Red Lion Borough, the County and School District, they can receive a tax break on a sliding scale for 10 years. This is an incentive to do the improvements. Council agrees on Mr. Ilyes moving forward with his application for LERTA.
  - Of note, there are vacancies on several Borough committees (Zoning Hearing Board alternate, Planning Commission, Recreation, possibly more)
13. **Communication**—nothing further to report
14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mrs. Barley seconded. All were in favor; motion carried.
15. **Council recessed to Executive Session** @ 8:22p.m. to discuss ongoing litigation with Arthurlee, LLC. Council reconvened @ 8:50p.m Mrs. Barley made a motion to move \$13,500 from the

General Fund to create an escrow account for payment of the independent structural engineer who is going to be used pursuant to the court order in the Arthurlee case. Mrs. Frutiger seconded. All were in favor; motion carried.

16. **Adjournment**—With no further business before Council, Mrs. Barley made a motion to adjourn the meeting @ 8:52p.m. Motion carried, meeting adjourned.

17. **Red Lion Work Session** will be held Monday, February 1<sup>st</sup>, 2021 at 7:00p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary