

**Red Lion Borough Council
Meeting Minutes
Monday, June 13th, 2022**

Members present

Tina Frutiger
Muriel Slenker
Amy Lau
Dennis Klinedinst
Chris Minnich
Tony Musso

Others present

Dianne Price, Borough Manager
Jeff Shue, Engineer
Mike Craley, Solicitor
Samantha Craley, Solicitor
Mayor Eugene Lau
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors

Bob Frutiger
John Brownlee
Mark Holloway

Tess Croy
Pastor Jay McWilliams

Scott Gingrich
John Krantz

1. The meeting was called to order @ 7:00pm. Pastor Jay McWilliams from Pleasant View Church offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mrs. Frutiger made a motion to approve the May 2nd, 2022 Work Session Minutes; Mr. Minnich seconded. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the May 9th, 2022 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—no one to address Council
4. **Mayor Lau's Remarks & Recommendations**—no report
5. **Public Safety**—Mrs. Slenker stated both April & May Fire Company reports were distributed.
 - Eureka Volunteer Fire Company (Stewartstown) request for Fire Police—it was the consensus of Council to approve Alliance's Fire Police to assist Eureka with their events.
 - Samantha Craley reported PSP's crime data report for January-March 2022 in Red Lion Borough is as follows:
 - 23 crashes, 2 w/injuries & death
 - 1 DUI
 - 7 hit & runs
 - 1 distracted driving
 - 87 citations; 73 warnings
 - 83 criminal investigations; 51 arrests
 - 12 drug investigations
 - 27 crimes against persons; 34 crimes against property; 31 crimes against society
6. **Solicitor's Report**—Mr. Craley reported:
 - **Fairmount condos**—Council asked Mr. Craley to research after Punkin' Patch Day Care installed "Staff Parking Only" signs in the parking lot behind the library. Mr. Craley stated the building (previously the Jr. High School) was originally owned by Gerald Kline. There had been approval to have 4 apartment units on the 3rd floor of the building. In May 1992, Mr. Kline stated there were 92 parking spaces available for that building and the Zoning Hearing Board gave approval for multi-uses. Mr. Craley & Council do not believe there were 92 available parking spaces at that time, as the lot is too small. In November 1993, there was a request to add some commercial uses to the building which the ZHB denied. In May 1995, there was a request for 5 additional parking spaces & that was denied. At that time, Mr. Kline maintained that half of that parking lot was his. Also at this time, there were 7 condominiums created in the building & 6 spaces in the alcove (in the rear of the building). Dan Shaw had been told that Labor & Industry was in charge of the building

& that Dan was not to get involved. (This was before the UCC was formed). Between November 2004-April 2009, there were a number of UCC violations issued & it's unknown how they were resolved. Mr. Craley said in 2004, the use of the building was a day care center for 130 children, 18 apartments, the patio & a church space. In April 2009, parking was permitted for the day care in the front yard, off Henrietta Street. Transfers that have occurred over the years:

- 2005—condo unit #4 was transferred to Failor's Photography
- Units #1 & #5 were transferred to Scott & Laurie Kline
- The parking lot is owned by Mark & Allison Emschweiler (Gerald Kline's stepdaughter), along with Unit #6 & Unit #3
- In 2020, the master condo was transferred to Emschweiler's.
- The parking lot across the street (the one in question) is still with the building & still with the Emschweiler's, for the day care & the other units they own. Mr. Craley said the Borough could send notice that parking can't be restricted to staff only & that some must be used for other building occupants. Many people park along the street in that area, but unless the Borough hears of parking problems, Mr. Craley doesn't feel there's any action they can take. The day care didn't "sell off the parking lot" as was stated at last month's Council meeting; there was a transfer of ownership. Mr. Klinedinst said Mr. Kline stated years ago at the Zoning Hearing, that the parking lot would stay with the building. Because some of the condos are in arrears with their taxes, Mr. Klinedinst is concerned that the building may sit empty should those get sold at tax sale. Should Council wish, Dan Shaw could send a letter stating the parking lot labeled "for staff only" is a violation of Zoning Ordinance (i.e., parking).

- **Per Ordinance 21:408, Sidewalk Inspection Report** is to be completed every year—Mr. Klinedinst requested this several times. In 2002, this Ordinance was amended to read "the Borough Manager shall inspect all sidewalks, curbs & gutters on an annual basis or sooner, on complaint, and if necessary, issue notice or correction in compliance with Section 21:409." Mrs. Price will submit this report by the end of 2022. Mayor Lau commented that sidewalks along State roads are not consistent at all in depth.
- **Report on Zarfos building**—Borough staff, nor Atty. Eric Brown have received any word on when to expect this report. Mrs. Price is holding all payments until it's received.

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

- **Street work**—there's a list of corrections to be completed, tentatively by end of this week.
- **Work in the square**—Jeff is working with that contractor who has now issued their shop drawings. Materials are ordered but not expected for approx. 6 weeks. Jeff will notify staff & Council when pre-construction meeting is scheduled.
- **Rutter's (Winterstown Rd.)**—the contractor mistakenly cut the loops at the signal in the intersection so that is being corrected.

8. **Parks & Recreation**—Mrs. Lau & Tess Croy reported:

- Summer camp—starts next week, June 20th
- Campout night in the park/movie night, Friday, June 24th—to date, 55 people are coming. Breakfast will be served in the Community Building @ 7am the next day. Volunteers are always welcome!
- Food Truck Fridays—first one is Friday, June 17th

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

- June 15th—water shutoffs for delinquent bills
- June 22nd—RLMA meeting
- June 29th—Source Water Protection Plan meeting

- S. Camp Street Water Main Replacement Project—pre-construction meeting was held in May. Once materials are received, the project should take 6-8 weeks to complete.
 - Of note, Borough fire hydrants to be cleaned & painted by local kids.
10. **Public Works**—Mr. Klinedinst reported:
- **Lancaster Street connection**— Mr. Klinedinst made a motion to move forward with the application for the Lancaster Street Extension. Discussion was held on pros/cons of opening up this road. A few cons included costs, road maintenance, permitting for crossing the wetlands, & pushback from nearby residents who don't want the road opened. There will be approx. \$20,000 in engineering costs to obtain required permits which may take 9 months to receive.
Approximate cost to open the street is \$130-140,000 of which 70% could be covered with grant money, if approved, but the Borough would need to cover the other 30%. Mr. Musso said it's unknown how much road repair may be necessary once the road is opened. He believes opening Lancaster Street would benefit Borough residents, but the involved costs (& unknown costs) are prohibitive.
Mrs. Price said the grant funds are available each year; however, last year the Borough didn't get funded. Mayor Lau doesn't feel many people would benefit from opening the street. At this time, other Council members are hesitant to move forward because of the unknown factors once it's opened.
The application the Borough is submitting for funding is only for the piece of Lancaster that is currently missing. Once the connection is made, larger problems could occur on either side. Mr. Craley stated in early 2000's, the rights-of-way were obtained to put Lancaster Street through. He said, the approximate costs mentioned above are the minimum necessary to make it a functional street for people to drive on.
Mr. Klinedinst's motion died for lack of second.
 - Of note, the utility pole that Ilyes' installed in the Rail Trail (Franklin Street) has been moved.
11. **Planning, Zoning & Economic Development**—Mrs. Barley was not present tonight. The following was reported:
- No Planning Commission meeting to be held in June
12. **Administration**—Mrs. Frutiger reported:
- Contract to award professional services for 438 E. Lancaster Street building (new Borough Offices)—Mr. Minnich made a motion to award the contract to the mulá group; Mrs. Slenker seconded. All were in favor; motion carried.
13. **Communication**—Mr. Klinedinst asked about a Legion event that is supposedly planned for Flag Day, June 14th from 6-8pm but Mrs. Price said it doesn't affect the Borough, so she was unaware of details.
14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mr. Minnich seconded. All were in favor; motion carried.
15. **Adjournment**—With no further business before Council, the meeting adjourned @ 7:55p.m.
16. **Of note**—no Work Session will be held in July

Respectfully submitted by:

Stacy Myers, Recording Secretary