

Red Lion Borough Council Meeting Minutes
Monday, September 11th, 2023

Members present

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

Others present

Dan Shaw, Borough Manager
Michelle Poole, Codes/Zoning
Mike Craley, Solicitor
Samantha Craley, Solicitor
Becky Magnani, Admin. Asst.
Mayor Gene Lau

Visitors

Joe Mula
Kacy Sparks
Glenn Eyster
John Brownlee

Bob Frutiger
Howard Taylor
Kevin Barnes
Evan Hiester

Pastor David Tietje
Jeff McKinsey
John Krantz

1. The meeting was called to order @ 6:58p.m. Pastor David Tietje from St. John's UCC offered a prayer, followed by the pledge to the flag. Council President Musso introduced Michelle Poole as the newest Borough employee/Codes & Zoning Officer. He also stated Dan Shaw completed his 1st official month as Borough Manager.
2. **Approval of Meeting Minutes**
 - Mrs. Frutiger made a motion to approve the August 7th, 2023 Work Session Minutes; Mr. Minnich seconded. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the August 14th, 2023 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—the following addressed Council:
 - **Howard Taylor & Jeff McKinsey, from the Jehovah Witness Church** (Boxwood Rd.) were present to ask about the possibility of running a water line from Lancaster Street to their building. Because they're an entity serving the public, PADEP has strict requirements about them testing their water. Mr. Klinedinst said the line can be run, but the church would need to first get permission from Borough Council to extend the line across their property at 438 E. Lancaster Street. They would also need to install a pit in the street. John Krantz (RLMA Superintendent) said the church would need to pay the tapping fee to connect to the water line, then RLMA would be responsible from the line to the meter (installed at the curb). Atty. Craley suggested the water line be at one of the sides of the Borough's new offices & a temporary easement should be in place for the construction/installation of the line. A permanent easement would then be created in the event RLMA needs to access the area/conduct work. Atty. Craley suggested the church present a sketch of where they want the line. Council was amenable to the church moving forward with preparing a sketch and to also working with John Krantz/RLMA, as necessary.
 - **Joe Mula from the mulá group** was present to update Council on renovations at the new Borough Offices, 438 E. Lancaster Street. He also had Applications for Payment for Council action & the construction budget to discuss. Of note:
 - Architectural & Engineering Services—Construction Phase is approx. 70% (not timewise, but level of effort). This is on schedule.
 - Building permit/building inspections—no change; at approx. 1/3 of what was budgeted.
 - Construction cost—from August, this number has increased due to additional work that was needed (duct work in poor condition). The contractor honored the

original bid price & Joe added this amount (\$37,000) to the construction cost budget.

- Owner contingency is currently at 44.7% completion.
- Additional piping, conduit, drywall repairs, etc. were necessary, as well as minor outside repairs (concrete).
- IT/Security is at 53% of what was budgeted, so that's good.
- To date, we're at 31.8% of the total Project Cost budget of \$1,346,609.77.

Applications for Payment:

- Shannon A. Smith (electrical contractor)--\$39,818.70 (certified by mulá group)
- East Coast Contracting (general contractor)--\$144,462.60 (certified by mulá group)
- Frey Lutz (mechanical & some plumbing)--\$32,781.81 (certified by mulá group)
- BLM Construction & Remodeling, LLC (plumbing contractor)—had some issues onsite so they've hired a subcontractor to perform a lot of the plumbing work. They sent an Application for Payment in the amount of \$49,326.35 but Joe is not recommending certification of that entire amount. He suggests holding back some of the payment. He's willing to certify \$22,824.20 of which 10% retainage will be held. The actual payment would be \$20,541.78. Earlier today, the plumbing subcontractor quit, so BLM is in the process of finding another one to fulfill the contract. Joe has been in contact with Frey Lutz to see if they would work as a sub for BLM, as he doesn't want to remove it from BLM's scope of work.

Discussion was also held on the Amphitheater—Jeff Shue had asked Joe Mulá to be involved with some of the aesthetics. The original design of the amphitheater was to be posts with a roof (open sides) & some back walls (not full height). A few additions were suggested such as water onsite (to wash down after events), electric, & lighting (to discourage vandalism). Jeff suggested creating a committee to hold discussions apart from regular Council meetings, including Joe & his staff. Jeff is hoping to have a bid early-2024 for construction to begin early-2024.

The original grant amount for this project was \$257,500, but depending on what decisions are made going forward, Jeff said we'll have to manage that number. The grant number may be increased if the scope of the project doesn't change (within reason). All project costs should be included under the grant money, but Jeff said "soft costs" such as design, would be a Borough expense. Jeff will resend that information to Council for their review. .

As budget time approaches, Mr. Klinedinst said a full-time custodian should be considered for the Amphitheater/Splash Pad/Park area.

Mrs. Lau, Mr. Klinedinst, Mrs. Frutiger & Mark Holloway (Council member as of January 2024) will serve on the committee. Jeff Shue will coordinate meetings through Dan Shaw.

- **Mark Holloway, Gay Street resident** & a few of his neighbors discussed a concern about property care/cleanliness of a couple neighboring properties. At 39 W. Gay, there are 5 lawnmowers, leaf blower with a flat tire, accumulating clutter & trash, etc. that they believe need to be addressed. Between the porch, house & garage, stuff is ending up on the sidewalk. Mark mentioned another property that is an eyesore to the town as well. Michelle Poole said she was at 39 W. Gay today. She will address these concerns.
 - **Evan Hiester**—noticed a 3" x 3" hole in Country Club Rd. while walking. He was concerned about a sinkhole forming. Council said that's a PENNDOT road & they have a hotline number that people can call with concerns.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau reported the paving in the alley behind the karate school has really helped the area; however, during a rain, he noticed the runoff

was flowing right over the storm drain & not going in. Jeff Shue said repair was only base repair to help the worst in that alley, but the grade of the area won't be changed until the wearing course is applied. That should help the runoff.

5. **Public Safety**—Mrs. Slenker stated the EMA & Fire Company Reports have been distributed.
6. **Solicitor's Report**—Mr. Craley will report on various items in the agenda, as necessary.
7. **Engineer's Report**—Jeff Shue reported:
 - 267 Cherry Street Mini-Storage—Jeff will report on later.
 - Patton Veterinary Hospital—adding 16 parking spaces. They are still working on stormwater requirements regarding that. Jeff continues to monitor this.
8. **Parks & Recreation**—Mrs. Lau/Meredith Yakelis reported:
 - Summer Camp is done. Thinking about doing a “counselor-in-training” program for 13 & 14 y/o next year since parents really want a place for their kids to go during the day.
 - Food Truck Fridays—last one is this Friday, September 15th. The last Movie in the Park for the year to follow Food Truck.
 - Field Hockey is going well.
 - Pumpkin Walk is planned for Saturday, October 21st. People will enter pumpkins they've carved & walkers will vote for what they like, i.e., scariest, most creative & kids. Walk to begin @ 6:30p.m.
 - Halloween Parade—Monday, October 30th @ 7pm. (Rain date, November 1st). The Red Lion Ambulance lot will be used for registration. **We could use another judge that night.
 - The Concert in the Park (with the Spring Garden Band) went well with 75 people attending.
 - Katie Bulla had started a donation pamphlet that Meredith will be working on for 2024. It would be sent out in the hopes of people donating for specific events.
 - Basketball—Meredith contacted the school about using the gyms.
 - Spreadsheet for Suds ‘n’ Song was distributed to Council (this is the final). Mrs. Lau requested a list of all contact people & vendors (bands, posters, t-shirts, etc.) which Meredith will forward to her.
 - Mrs. Lau requested a summary of Food Truck Friday events which Meredith will provide. Mr. Minnich suggested, once expenses/revenue are known, maybe the Borough could purchase some items that are used year after year, like a tent, a couple port-a-potties, etc.
9. **Municipal Services**—Mr. Minnich reported:
 - RLMA will raise the office rent by \$500, so beginning January 2024 it will be \$2,000/month. The Borough will rent the upstairs offices on a month-to-month basis. Dan Shaw will draft a letter for Mr. Musso to sign & send to RLMA requesting a month-to-month lease and a 30-day notice of when the Borough plans to move out.
 - Watershed Weekend is this Saturday, September 16th from noon-4pm. Residents can tour the WWTP.
 - The next RLMA meeting is Wednesday, September 27th @ 7pm.
10. **Public Works**—Mr. Klinedinst reported:
 - The Cross Easement between the Library, RLMA & the Borough has been fully executed by all parties. Atty. Craley will get it to the Library Solicitor to be recorded.
 - Handicapped parking space was requested for 327 W. Maple Street. There are no others on that street. Mrs. Barley made a motion to approve the space at 327 W. Maple; Mr. Minnich seconded. All were in favor; motion carried.
 - Removal of handicapped space at 115 W. Gay Street because it's no longer needed & parking is really limited along there. Council is agreeable to pulling this space.
 - Replacing the markings for two crosswalks on Church Lane behind St. John's UCC—Brett said because the paint wears off so quickly, he suggested using vinyl markings. Atty. Craley said crosswalks are typically installed at certain intersections, but if it can mitigate speeding behind the church, it doesn't hurt to have one in that area.

Mr. Klinedinst made a motion for the Borough to pay ½ of the cost, not to exceed \$3,000; Mrs. Frutiger seconded. All were in favor; motion carried.

- Mr. Klinedinst made a motion to award the bid of \$16,300 for the Gehl skid loader (advertised on Municibid). Mr. Minnich seconded. All were in favor; motion carried.
- Mrs. Barley made a motion to approve payment to Shiloh Paving & Excavating in the amount of \$439,154.63; Mrs. Frutiger seconded. All were in favor; motion carried.

11. **Planning, Zoning & Economic Development**—Mrs. Barley & Dan Shaw reported:

- 267 Cherry Street Mini-Storage—Glenn Eyster & his engineer, Kevin Barnes submitted Waiver requests & a request for conditional approval of the Land Development Plan.
 - Waiver to go to a Final Plan as it's not going to change.
 - Waiver to pay a “fee in lieu of” rather than conduct street improvements on Cherry Street (widening). This is basically two requests, 1) road widening & 2) curbing. *Jeff said the widening wouldn't make sense in this case. He concurs with this request.*
 - Existing driveway does not conform to the clear sight triangle requirements in the Ordinance—Waiver requested for the driveway leg to be reduced to 40'. *Jeff concurs with this request.*
 - Waiver from setback requirements for stormwater —owner proposing to install a pit in the back driveway, the middle driveway & between the building & Cherry Street, but since the site is not that large, they cannot comply with the setbacks. *Jeff Shue said he doesn't have a problem with this.. The reason you have setback requirements on a stormwater facility is because you don't want a basin right next to a property line so as not to impact the next-door neighbor. That isn't the case with this property; adjacent property lines are all streets.*

Mrs. Barley made a motion to approve all 5 Waiver requests; Mrs. Slenker seconded. All were in favor; motion carried.

Regarding the plan, Jeff said this is still being reviewed by the York County Conservation District & some signatures need to be added yet.

Mrs. Barley made a motion of conditional approval based on the C.S. Davidson letter dated August 11th, 2023 which outlines the outstanding items. Mrs. Slenker seconded.

Additional discussion-- Does Council want street trees? *No*. All were in favor; motion carried.

- Variance request from Turkey Hill Minit Markets to increase their hours of operation—they would like to go to 24-hours but will settle for 5am-midnight. Their current hours are Mondays-Saturday, 6am-11pm, Sundays 8am-10pm. Atty. Craley said the original hours were 7am-10pm, but pre-1997, they requested an additional hour of operation. The surrounding neighborhood will have to be taken into consideration. This will be before the Planning Commission next Monday, September 18th, then to the Zoning Hearing Board.
- Economic Development was held in August with ROARS in attendance and Red Lion Rotary Club now attending meetings. The following was discussed & being researched:
 - The idea of a town market.
 - Welcome Wagon/welcome boxes for new residents.
 - Benches for the Red Lion Mile.
 - Red Lion Mile to be put on a Trails App.
 - Comprehensive Plan redo—Dan said the last he spoke to Dianne Price, no grant funds were available for this. Jeff Shue said the grant cycle should begin again next year.
 - Holding a summit for non-profits to gather ideas from different organizations.
 - Of note, ROARS doesn't have a need for the former building (in the square).

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

- Assistant Treasurer & Assistant Secretary appointment—Mrs. Barley made a motion to adopt Resolution 2023-10 to appoint Dan Shaw as Asst. Treasurer, and to adopt Resolution 2023-11 to appoint Dan Shaw as Asst. Secretary. Mr. Minnich seconded. All were in favor; motion carried.
- Mrs. Barley made a motion to appoint Dan Shaw as the Right-to-Know Officer; Mrs. Frutiger seconded. All were in favor; motion carried.
- Mrs. Barley made a motion to appoint Dan Shaw as the pension Chief Administrative Officer; Mrs. Frutiger seconded. All were in favor; motion carried.
- Mrs. Barley made a motion to appoint Dan Shaw as delegate to the York County Stormwater Consortium; Mrs. Frutiger seconded. All were in favor; motion carried.
- Agreement for contractual work with Dianne Price—Mrs. Frutiger made a motion to approve the contract; Mrs. Barley seconded. Motion carried with Mr. Klinedinst opposing.
- Minimum Municipal Obligation for pension year 2024—non-uniform defined contribution cost is \$21,700.
- Minimum Municipal Obligation for pension year 2024—defined benefit cost can be either \$23,386/year for 10 years or \$90,712/year for 3 years. Mrs. Frutiger made a motion to approve the \$90,712 for 3 years. Mrs. Barley seconded. All were in favor; motion carried.
- Minimum Municipal Obligation for Police pension--\$0
- Payments for the Red Lion Borough Offices—Mrs. Frutiger made a motion to approve the following payments. Mrs. Barley seconded. All were in favor; motion carried.
 - Frey Lutz--\$32,781.81
 - BLM Construction--\$20,541.78
 - Shannon A. Smith, Inc.--\$39,818.70
 - East Coast Contracting--\$144,462.60
- Municipal Agreement with the SPCA for 2024 will be \$4,637.

13. **Communication**—nothing further

14. **Approval of bills**—Mrs. Barley made a motion to pay the bills; Mrs. Frutiger seconded. All were in favor; motion carried.

15. **Adjournment**—With no further business before Council, the meeting adjourned @ 9:05p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary