

**Red Lion Borough Council
Meeting Minutes
Monday, February 13th, 2023**

Members present

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

Others present

Dianne Price, Borough Manager
Dan Shaw, Codes/Zoning
Jeff Shue, Engineer
Mike Craley, Solicitor
Samantha Craley, Solicitor
Mayor Gene Lau
Becky Magnani, Admin. Asst.
Stacy Myers, Recording Sec'y

Visitors

Meredith Yakelis
John Brownlee
Scott Gingrich
Mark Holloway

Chris Kenna
Bob Frutiger
Evan Hiester
Cheryl Williams

Wendy Fink
John Krantz
Felix Milner

1. The meeting was called to order @ 7:00p.m. Mark Holloway offered a prayer followed by the pledge to the flag.
2. **Approval of Meeting Minutes**—Mr. Minnich made a motion to approve the January 9th, 2023 Meeting Minutes; Mrs. Frutiger seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**
 - Cheryl Williams, from 159 First Avenue was present to discuss the problems she's experiencing with her 27 y/o neighbor. Cheryl had attended a meeting years ago with similar complaints about him, but she said the problems are getting worse. To her knowledge, Cheryl doesn't believe he has a valid driver's license, but he drives a dirt bike up & down the sidewalk & a Jeep that he continually sits in while revving the engine at various times of the day/night. He owns several 4-wheelers which he drives on the sidewalk & street also & Cheryl said some are so loud, she can't hear her TV even with all her windows closed. She has taken videos of this activity, which she showed to Steve, the Borough's Code Enforcement Officer. Steve advised her to call PSP, but when she called the Police, they tell her to call the Borough. She's very frustrated & really would like something done. Along with the loud vehicles, Cheryl said his yard is a mess, he owns a dog that barks constantly, and he yells profanity at her often because he knows she files complaints against him. Dan Shaw can send Nuisance Ordinance violation notices for the barking dog & tall grass (in the summer). In order to prosecute with the DJ's Office, if it comes to that point, at least two witnesses must be willing to testify. Cheryl said there are many neighbors who have witnessed this behavior. This young man doesn't own the property, his father does, so violation notices would be mailed to his father.
Atty. Craley stated the following about this behavior:
 - Noise violations & tall grass are Nuisance Ordinance violations—call the Borough Office
 - Disorderly conduct, terroristic threats & harassment are violations of the PA Crimes Code—call PSP to report this.
 - Keep a log of all incidences, along with audio, video, unlicensed vehicles, driving vehicles with a supposedly suspended license & if PSP won't do anything, go higher up the chain of command to report it.
 - Typically, most District Judge's fines are \$25/1st offense, \$100/2nd offense, but with a 3rd offense, the fine can go up to \$1,000 & that's usually what gets people's attention, especially since this young man's father owns the property & would receive the fines.

Council told Cheryl about the Block Watch Programs that are being created for certain areas of the Borough. Cheryl said she'd be interested in learning more & becoming involved and gave her contact information to Muriel Slenker.

4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau had a neighbor complain to him after receiving a notice about his barking dog. Mayor told him another neighbor must've called in the complaint because Code Enforcement doesn't drive around town looking for such issues.
5. **Public Safety**—Mrs. Slenker reported:
 - There was a great turnout last week for the community block watch meeting. She was encouraged to see the community working together & said there were some great discussions. PSP Trooper James Grothey was in attendance, as well as Chris Kenna (Director, 18 South) & Community REACH. Two block cleanups were already conducted. The homeless shelter issue was discussed & is an ongoing concern. Monthly meetings such as this will continue. Chris Kenna announced 18 South Youth Center will hold a program on February 22nd at 6:30p.m. on "Human Trafficking", knowing the signs, etc.
 - **Fire Report**—Chief Gingrich reported:
 - There were 70 calls in January, 15 in the Borough. A house fire in the Borough was held to a \$5 property loss.
 - Their 1999 F250 diesel truck will be going up for sale.
 - Venues are available for rent (Fireside at the Fiddler's & Alliance facility)
 - Gun raffle will be taking place in August (date TBD)—tickets will be \$100/each.
 - Mr. Klinedinst reported:
 - In 2022, Alliance spent \$27,000 for gas for their trucks.
 - Their recent fund drive brought in \$24,260.
6. **Solicitor's Report**—Mr. Craley reported:
 - Ordinance 2023-2-1—amending the Transient Retail Merchants' conduct. This has been advertised & is before Council for action.
Mrs. Barley made a motion to approve Ordinance 2023-2-1; Mrs. Slenker seconded. All were in favor; motion carried.
 - He submitted the Judge's decision regarding the Pearson case which will be discussed in Executive Session later tonight.
7. **Engineer's Report**—Jeff Shue reported on the 2023 Street Project as Council viewed the set of drawings that's part of the bid package to be advertised. The streets involved in the project are Pine Street, Chestnut Street, and O'San, Arbor & Newton Lanes. Also going for bid (as a separate project) is a contract that will allow a contractor to be available for base repair for Borough roads throughout the year. A cost (per square yard) will be put in place which will allow Brett to direct the contractor to do base repair, where needed. An estimated quantity will be put on this project also. Jeff reviewed the work for each street:
 - **Pine Street**—from W. Chestnut to Winterstown Road is to be micro surfaced. Micro surfacing is done where the street is believed to be in good shape but needs to be sealed. One ADA ramp will be replaced in this area. All curb & sidewalk repair to be conducted will be noted by address & the contractor will be responsible for that work.
Also on Pine Street, two inlets are proposed to be replaced. Storm sewer work/pipe replacement is also involved.
 - **W. Chestnut Street**—1st section, coming off S. Main, currently has no curbing on the northern side. Council voted to install curbing there during this project. Curb & sidewalk on the southern side in disrepair will be replaced. In areas where the current curb/sidewalk is in good condition, no repair/replacement will be done.
Base repair & reconstruction of the street (6' from the edge of both sides of street) will be done.

At the intersection of S. Pine/Chestnut, there will be storm sewer work conducted, a manhole installed & the two inlets on the south side replaced. Inlets on the north side have recently been replaced; no work is proposed there. Piping will be replaced, along with a swale to be graded in the 2nd section of W. Chestnut (between Pine & end of Chestnut). This last section of the street is to be milled, reconstructed & finished with base repair. Where Chestnut narrows from a 30' width to 20' width, that 20' will not be widened. An ADA ramp is to be replaced on southern side of Pine/Chestnut intersection, but those on the northern side will not be replaced.

- **O'San Lane**—Between Taylor & Lancaster Street, the 16' width will be reclaimed, meaning mill & grind down 12 ½", reclaim it with a calcium cement & add a binder & wearing course. The section of O'San with the concrete pads will need to be excavated to approx. 12" then new stone, binder & wearing course added.
- **Newton Lane**—From Main Street to Newton, there are 3 sections to be done. Mill 2" off top, replace with 2" of 9.5mm wearing course. It's a very narrow area that's difficult to access with the reclamation machine, so base repair will be done here. The 2nd & 3rd sections of Newton will be the full-depth reclamation (mill out, add bituminous), same as proposed for O'San.
- **Arbor Lane**—A reclamation of 4 ½" will be removed & replaced with 4 ½" of bituminous material on this 16' wide street.
- **Per the separate contract which will allow for base repair**, Mr. Klinedinst asked why this is being contracted when the Borough bought equipment that will allow staff to do this work. Mrs. Price said Public Works is short-staffed & everyone has their jobs to do. Mr. Klinedinst had conducted a personnel study, at Mr. Musso's request, to find out why employees were leaving, why aren't those who apply wanting to take the job, etc. Mrs. Price was unaware this study was conducted & said one of the employees who left took a job elsewhere & another did not come to work for Red Lion because his previous employer offered him more money to stay.

This part of the project will be bid as a "9th Project" with two separate line items:

- For base repair less than 50 sq. yds.
- For base repair greater than 50 sq. yds

The contractor will give a unit price & Jeff will estimate a number based on what Council/Public Works decides. The Borough will only pay for what is used.

The bid specs for this project are complete & will be advertised to allow a bid opening on March 2nd, prior to Council's Work Session. It will be discussed at Work Session then.

Jeff stated there is approx. \$600,000 worth of work & currently he's seeing good bid results.

Mrs. Barley made a motion to approve advertising the 2023 Street Project for bids; Mr. Minnich seconded. All were in favor; motion carried.

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

- Basketball is coming to a close, with 3 of the teams going to the championships.
- Cheer Program is coming to a close.
- Softball will be starting soon—Byron Trout has the batting cages open every Wednesday night, which is free for whoever wants to participate.
- Valentine Dance was held last Friday with over 70 people in attendance.
- May 6th—a Mother's Day tea is being planned, to be held at the Rec Building.
- A Girl Scout had approached Rec about achieving the Girl Scout Gold Award by building two benches & a small Library box where people can take, drop off & exchange books, free of charge in the small grassy area behind the swings in Fairmount Park (near the Library). She also plans to plant flowers in the area. Council gave their consensus for her to move forward.

- Food Truck Fridays are planned for June 16th, July 21st, August 18th & September 15th from 4:30-7:00p.m. at the Municipal Parking Lot.
- Movies in the Park will follow the Food Truck events listed above.
- April 1st--Breakfast with the Easter Bunny. Times & details about egg hunts coming soon.
- Summer Camp will be held for 9 weeks this year, running from June 12th to August 11th. Cost will be \$85/week for each camper, \$45 for each sibling after payment of the 1st child, or \$17/day if they don't wish to attend every day.
- June 10th—Suds 'n' Song will be held at Vulcan Park—Shriner's Hospital will sponsor the event for a \$500 donation. A spreadsheet will be started now to track expenses/revenue.
- June 24th—All American Camp Out will once again be held at Fairmount Park. More details coming soon.

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

- Smitty submitted a \$1,670 invoice to the Borough for a hydrant repair that was not paid, as Mrs. Price said the problem was beyond the valve of the hydrant. As the hydrant is a 1953 model it would need to be replaced rather than repaired & replacement cost is over \$3,000.
- Restructuring of the RLMA Board took place at their January meeting:
 - Chairman—Dennis Klinedinst
 - Vice Chairman—Gary LaTulippe
 - Secretary—Kelly Henshaw
 - Treasurer—Dave Reichard
 - Asst. Sec/Treasurer—Chris Minnich
- February 15th—shut offs for unpaid water bills.
- January 17th—Source Water Protection Plan meeting was held & a lot of great information was shared. The next meeting will be held April 19th.
- RLMA's website creation is underway.
- As an FYI, York County Conservation District is giving away trees. Mrs. Price is aware & said the Borough has received some in the past.

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

- Approval to begin survey & get the bid documents together for Amphitheater project—\$250,000 in grant money was applied for to go toward the amphitheater, proposed to be built in the park (towards Fairview Street). ROARS donated the matching funds for the grant in the amount of \$38,000.
Mr. Klinedinst made a motion to approve moving forward with the survey & bid documents; Mrs. Frutiger seconded. All were in favor; motion carried.
- Approval to place the 1995 truck on Muncibid—Mrs. Price sent pictures to Council of the truck that is rusted, irreparable & won't pass inspection. Mrs. Frutiger made a motion to post the truck for sale on Muncibid; Mr. Minnich seconded. All were in favor; motion carried.
- Approval to purchase an F600 truck through COSTARS for \$104,689—used vehicles are very hard to come by right now; Red Lion/Public Works has been waiting for one for over a year. This one became available after a municipality ordered it & didn't have the money once it was available. Mr. Klinedinst doesn't agree with the way the bid is written, without separate pricing listed for the separate line items. The truck is sitting ready to go, that's why it was offered like this. Mr. Craley said the product (vehicle) is already there, the blank line items to him, mean they're already included in the price & have already been done.
Mrs. Frutiger made a motion to approve the purchase of the F600 truck through COSTARS for \$104,689; Mrs. Barley seconded. Motion carried with Mr. Klinedinst opposing.

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

- No Planning Commission meeting in February
- Zoning Hearing to be held February 14th @ 6pm—action on Rutter's (N. Main) appeal of the violation they received for their interchangeable sign (this type of sign prohibited outside).

Rutter's appealed the violation stating the sign is **inside** their window & it's temporary. Mr. Craley will attend the ZH on behalf of the Borough.

- Troy Leiphart approached Dan Shaw about purchasing the small piece of Borough property near his storage area. It would have to be put out to bid if being sold, so Dan will tell Troy to make a formal request if interested. The parcel is slightly over one acre.
Mayor Lau said Troy had requested fill dirt be delivered, came back from vacation to find two dump truck's worth of fill on his property & also some in the wetlands next to his property. DEP notified him stating the fill dirt had to be removed from the wetlands, so Troy's inquiry about purchasing the parcel may stem from that.

12. **Administration**—Mrs. Frutiger & Mrs. Price

- Mr. Klinedinst stated:
 - December Council Meeting Minutes are not on the website yet. Mrs. Price will post them.
 - How much revenue did the Municipal Parking Lot generate in 2022? Mrs. Price will get that for him.
 - RLMA will be advertising for new auditors next year if Borough wants to join.
- Borough auditors will be here this month.
- The Borough will be signing up for the "Savvy Citizen" app where meetings, events, street closures, & other information & updates can be listed.
- As job applications & resumes are received, Mrs. Price will forward to Council for their review.

13. **Communication**—nothing further to report

14. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Mrs. Frutiger seconded. After some discussion regarding the Recreation budget, Mr. Craley suggested, going forward that a separate budget for Rec, including separate line items be put on the agenda for approval when the General Budget is acted on. Currently, all expenses for Rec are brought before Council who either approve or deny them. All were in favor; motion carried.

15. **Executive Session/Adjournment**—Council will move to Executive Session to discuss Arthurlee litigation, 21 W. Broadway & the Pearson case. No action will be taken afterward.
Mr. Musso made a motion to adjourn the meeting @ 8:50p.m. Meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary