

**Red Lion Borough Council Meeting Minutes**  
**Monday, October 9<sup>th</sup>, 2023**

**Members present**

Cindy Barley  
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.  
Brett Patterson, Public Works  
Stacy Myers, Recording Sec’y

**Visitors**

Meredith Yakelis  
Donna Olphin  
Pastor Jay McWilliams

John Brownlee  
Bob Frutiger  
Jordan Ilyes

John Krantz  
Bill Blymire  
Evan Hiester

1. The meeting was called to order @ 7:00p.m. 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 September 11<sup>th</sup>, 2023 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**
  - **Donna Olphin, a York Township resident who lives off S. Franklin Street in Red Lion** came to Borough Council in need of help with a stormwater problem. She & her husband have lived in their home since 1971 & have loved the area, but around 1985, when the Bellevue development was built, two retention ponds were installed to handle the stormwater runoff from that development. Mrs. Olphin said neither one of the ponds controlled the runoff. A drainage pipe was installed on one side of her property, so all stormwater from the area above hers travels across her property, across her driveway, to the pipe. After speaking to several entities about this problem, York Township told her DEP considers this a “natural stream” across her property. It’s never been there before, for several years from 1971, it was never there and over the years, it’s getting increasingly worse. If it rains lightly, it will be a small “stream”; if we get heavier rains, it can be a roaring “stream”. Not only does the water travel across her property & driveway, but the water carries trash, glass & plastic bottles, leaves, etc. so it’s an eyesore and looks more like a swamp.  
Mrs. Olphin has also spoken to Dianne Price (former Red Lion Borough Manager) and several times to York Township, but she doesn’t think anyone has actually visited her property to look at the area. She’s gotten no satisfaction which is very frustrating. On May 15<sup>th</sup>, Nick Kauffman, an Engineering Technician from York County Conservation District visited her property & sent a letter to York Township stating this is a Red Lion stormwater problem. Most recently, John Krantz, Superintendent of Red Lion’s Municipal Authority & Dennis Klinedinst, Chairman of the Authority Board visited the property. They agreed the area on her property is a mess & something needs to be done. Mr. Klinedinst agrees the retention pond needs to be cleaned out & the problem needs to be addressed.  
Atty. Craley said when this development went in, there would have been a Stormwater Management Plan showing the stormwater retention ponds. Whose responsibility is it to take care of the retention ponds? The Subdivision Plan should list who’s responsible for that. Mrs. Olphin said her neighbors began to get water in their basements because the retention ponds weren’t working. That’s when the pipe was installed to carry the water across her property & driveway. Atty. Craley said the purpose of the retention pond is to catch the water runoff that goes onto the street. To his knowledge, Mrs. Olphin’s problem has never been brought before Council, & many Council members are hearing about this issue for the first time tonight too.

Mrs. Olphin did take her concern to Dianne Price many times, along with York Township (Gary Milbrand).

Atty. Craley said Stormwater Management Ordinances weren't as strict in 1985 as they are now, but there was still a requirement for it when the development was built. The responsibility of the developer is to make sure the water/runoff doesn't go downhill in any greater volume or at any greater speed after the development is built. Those retention ponds/facilities are to hold that water, but it depends on where the water is going in & where the water is going out.

The plans need to be reviewed to see who's responsible. All these years later, the Borough won't be able to go back on the developer, so it will probably be either the Borough's responsibility to correct or whoever was to maintain the retention ponds.

Dan Shaw & Jeff Shue will research this issue & the Borough Council ensured Mrs. Olphin they will do what they can to address this problem.

- **Jordan Ilyes, Ilyes Holdings, LLC** was present tonight about parking improvements he wants to make on N. Franklin Street, but he doesn't own the particular property where he wants to add the parking. With Jeff Shue not in attendance tonight, Jordan can come to next month's meeting to discuss what he's proposing.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau is out of town, no report.
  5. **Public Safety**—Mrs. Slenker said the Fire Company & EMA reports have been distributed. Of note, the Fire Company is conducting their donation drive right now, so watch your mail!
  6. **Solicitor's Report**—Atty. Craley reported:
    - Pearson property/Summit Lane—he suggested the Borough soon install the fence between the trail & Mr. Pearson's property. Mr. Musso said that will be discussed at the budget meeting.
    - Eric Brown sent an email stating the Eric Malone lawsuit/Red Lion Country Club rezoning is officially done.
    - Of note, Republic Services will not accept any municipal bids unless it's a fully automatic pickup (automated toters).
  7. **Engineer's Report**—Jeff Shue is not present tonight, no report.
  8. **Parks & Recreation**—Mrs. Lau is out of town. Meredith Yakelis reported:
    - Field hockey has 1 more game.
    - Pumpkin Walk will be held on the Rail Trail, Saturday, October 21<sup>st</sup> @ 6:30pm. Food trucks will be onsite & gift cards will be given as prizes (purchased through a donation).
    - Halloween Parade—Monday, October 30<sup>th</sup> @ 7pm. (Rain date, November 1<sup>st</sup>)—to date, there are 35 floats registered. Volunteers are always welcome!
    - Basketball program—since Kelly Henshaw is the Board Representative at the school, he's working on obtaining gym use for this program.
    - Cheerleading program will start next week.
    - Committee meeting for the Amphitheater will be held on October 17<sup>th</sup> @ 10am at the Borough Office.
  9. **Municipal Services**—Mr. Minnich reported:
    - At their recent meeting, the RLMA Board voted to:
      - Increase office rent by \$500/month, beginning January 2024. If the Borough needs to stay beyond the end of 2023, a month-to-month lease can be offered.
      - Replace the windows in the Municipal Building, total cost \$37,749.
      - Amending the Employee Handbook regarding overtime pay for Supervisors.
      - Give RLMA Board members a pay increase from \$360/year (\$180 from both water & sewer) to \$800/year (\$400 from both water and sewer). This motion was made not realizing Authority members are appointed by Council so their salaries must be acted on by Borough Council & passed by resolution. This will be on Council's agenda next month for action & will also be discussed at their budget meeting next week.

- On shut-off days, the Municipal Office will be closed to the public. Anyone wanting to pay their bills can put it in the drop slot. Overtime was being paid for municipal staff to go back out & turn on water after payment was made. If the customer can't pay before 3:30pm, they'll wait until the next morning to have their water turned on. Some customers are belligerent & extremely rude to the office staff too, so the office will be closed altogether on those days.
- In September, there was a new VFD installed at Beaver Creek Pumping Station.
- High trihalomethane levels are being addressed at 5 Vulcan Rd. A blowoff or hydrant is needed there so flushing can be done to resolve the issue. The levels are fine right now.
- 700 more Kamstrup meters were purchased. RLMA staff will try to get the meter replacement project done by the end of 2024.

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

- Handicapped parking space was requested for 334 Atlantic Avenue. There is already one in the same block. Per Borough policy, Mrs. Barley made a motion to deny this request. Mr. Minnich seconded. All were in favor; motion carried.
- Handicapped parking space was requested for 115 W. Gay Street. There was one at 37 W. Gay Street, but it was removed two months ago. The resident has now requested it be put back because now the daughter needs it (previously was used by the mother). All the proper medical paperwork was submitted for the space. Mrs. Barley made a motion to approve the request for 115 W. Gay Street, as this will be a different block from 37 W. Gay. Mrs. Frutiger seconded. All were in favor; motion carried.
- Restuccia pricing was submitted to repair 3 blocks of walkway/alley between 33 W. Broadway & 105 W. Broadway. Plain concrete--\$8,300, stamped concrete with brick in the center--\$11,700. Mr. Laucks (105 W. Broadway) has no preference regarding which repair is done. Mr. Klinedinst made a motion to move forward with the plain concrete repair for \$8,300. Mrs. Slenker seconded. All were in favor; motion carried.
- Authorization for Atty. Craley to prepare an Ordinance to make Cherry Street (between N. Franklin Street & Western Avenue) "No Parking" on both sides. Mrs. Barley made a motion authorizing Atty. Craley to prepare & advertise the Ordinance for action at November's Council Meeting. Mr. Minnich seconded. All were in favor; motion carried.
- More parking tickets need to be printed. Current fees were discussed & increased as noted:
  - Parking Overtime—was \$10, increased to \$20.
  - Fire Hydrant—was \$35, increased to \$100.
  - Handicap Parking—was \$35, increased to \$100.
  - No Parking Zone—was \$35; increased to \$50.
  - Others—was \$15; increased to \$35.

Atty. Craley said an Ordinance will need to be passed & he'll confirm the increased amounts are in compliance with State law.

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

- Planning Commission Meeting will be held Monday, October 16<sup>th</sup> to continue discussion on the Sign Ordinance.
- York County Boroughs Association Meeting was held last month with a lot of discussion from DCNR. The annual meeting will be held Saturday, November 18<sup>th</sup> at Great American Saloon. The election of officers will take place. Mrs. Barley still needs entertainment for the evening.
- ROARS & Red Lion Rotary Club are joining with Economic Development in possibly planning a market in town.
- Of note, after Planning Commission recommended denying Turkey Hill's Variance request (for expansion of their hours), they withdrew their zoning application.

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

- Mrs. Barley made a motion for Michelle Poole to replace Dan Shaw as the Borough's delegate to the York County Storm Water Consortium. Mr. Minnich seconded. All were in favor; motion carried.
- The following Payment Applications were presented & certified by Joe Mulá for work at the new Borough offices:
  - Frey Lutz in the amount of \$64,912.30.
  - BLM Construction in the amount of \$23,851.94.
  - East Coast Contracting in the amount of \$110,675.25.

Mrs. Frutiger made a motion to approve the above contractor payments. Mr. Minnich seconded. All were in favor; motion carried.

- Phone system at the new Borough offices is a one-time investment of \$1,551.15 + a monthly fee of \$196.58 for seven phones. Dan said this will fall under the IT system or Miscellaneous items of the building budget.
- Budget Meeting will be held Wednesday, October 18<sup>th</sup> @ 6pm.
  - Of note, Mr. Musso distributed a memo to Council members regarding a rental property inspection fee that some other municipalities are charging. He thought this could be a way to avoid raising taxes; however, Atty. Craley said these fees cannot be used to raise revenue for general purposes. The fee that the Borough collects must be commensurate with the expenses they're charging for the program. This applies to Subdivision fees, zoning fees, permit fees, etc.
- RSVP's for the Employee Appreciation/Catherine Meyer Award Dinner are due ASAP. This year's Catherine Meyer Award recipient is Christina Frutiger. Congratulations Tina!

13. **Communication**—nothing additional

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

15. **Adjournment**—With no further business before the Council, Mrs. Barley made a motion to adjourn the meeting @ 8:22p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary