

**Red Lion Borough Council
Meeting Minutes
Monday, March 14th, 2022**

Members present

Cindy Barley
Tina Frutiger
Amy Lau
Muriel Slenker
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
Stacy Myers, Recording Secretary

Visitors

Bob Frutiger
Chief Scott Gingrich
Blaine Markel
Mark Holloway

John Brownlee
Pastor Tim Funk
John Krantz
Cpl. Sweeney, PSP

Meredith Yakelis
Glenn Rexroth
James Mitzel

1. The meeting was called to order @ 7:00p.m. Pastor Tim Funk from St. Paul's UMC offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**—Mrs. Frutiger made a motion to approve the February 14th, 2022 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—Cpl. Sweeney from Pennsylvania State Police was present to give Council a report on Police activity over the past year. The calls included in the report is not limited to Red Lion Borough but also that of **surrounding areas/one of PSP's zones**. Approximately, 2,600 calls included 10 aggravated assaults, 100+ domestic violence incidents, 10 gun violation arrests, 100+ crashes, 78 noise complaints, 88 harassment/disorderly conducts, 20 burglaries, 29 mental health calls, 4 deaths due to drug overdoses (with 20 overdose calls), 2 homicides (1 attempted, 1 confirmed).
Cpl. Sweeney stated some of the statistics are a little higher than previous years while some are lower. The drug activity in the Borough is a little higher than average for a town the size of Red Lion. Cpl. Sweeney confirmed the vice unit is being proactive against drugs in the area.
Mrs. Lau asked what is a good deterrent from possible burglaries & potential criminal activity? Cpl. Sweeney said cameras on a resident's property can deter crimes like theft, but many of the car break-ins/thefts are done by youth (16-18 y/o). Most times if a resident confronts them (not physically) by yelling "I'm calling the Police", they will run away. There are, occasionally, more brazen youth that will retaliate, especially if it involves drug activity.
Cpl. Sweeney said any suspicious activity should be reported to Police immediately. If someone reports a problem area/problem house, "patrol checks" are set up where a patrol car will go through the area once every shift (3times/day). Police presence can be a great deterrent to criminal activity.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau reported:
 - He drove the Hazel Lane area during a windy trash day, after last month's report that the area's residents leave trash/recycling all over, potentially drawing rodents. The Mayor said everything was in the recycle bins & trash cans when he was there. He didn't see any issue that warrants a violation/warning to residents.
Mark Holloway, a resident of W. Gay Street believes Penn Waste doesn't completely empty trash cans sometimes, possibly adding to the problem of trash blowing all over the neighborhood.
Mark also stated that the intersection of Railroad & Hazel Lane is too tight for the trash trucks to turn, so they're tearing up the field in that area & dragging the mud down the lane.

In addition, the trucks are crumbling some of the tight alleys/roadways because of their weight & tight turns they try to make. The answer to this problem may be trash collection in the front of these homes rather than in the alleys, but the Borough wants to deter people from storing their trash/recycling on their porches.

- Lemon Lane—Mayor Lau visited this area to familiarize himself with the streets proposed for this year’s paving. He said that small area will only affect two garages when repaired; however, he understands the repair is necessary due to water currently running under & deteriorating the street. Lemon Lane’s deterioration also needs to be addressed prior to paving Pine Street, which is next year’s proposed project.
5. **Public Safety**—Mrs. Slenker apologized that the EMA, Fire Company & Ambulance Reports were sent to Council later than usual. Council gave kudos to all the first responders as they’re all busy & doing a wonderful job!
- **EMA**--The MOA (Memorandum of Agreement) with York Township for emergency services is before Council for approval. Mrs. Slenker made a motion to authorize Mrs. Price to sign the MOA; Mr. Minnich seconded. All were in favor; motion carried.
 - **Fire Company**—Chief Gingrich reported:
 - Fire Company Banquet—March 26th—RSVP to (717)244-8811
 - Chief expressed his concern for the lack of smoke detectors when fire personnel visit homes, found mostly in rental properties. The Fire Company purchases detectors from their own budget which they install before they leave a home, but fire personnel also advises the residents to contact their landlord to bring the property up to code. Chief reports these homes with no smoke detectors to Dan Shaw but without a Rental Inspection Ordinance, the Borough doesn’t conduct regular inspections of rental units. Dan said, very seldom does he find missing smoke detectors when he is inspecting.
 - The other concern for fire personnel is the number of people living in one home & the areas where some people sleep. It was found recently, people had their bed in the furnace room right beside the furnace which is very unsafe. The Borough can’t control this type of thing nor enforce any action. Atty. Craley stated the definition of “family” is always changing too & whether or not the residents consider themselves as such can be unclear & something unenforceable by the Borough. With inflation, more people may find it financially necessary to live together to make ends meet.
 - Mr. Musso urged the Fire Company to attend the Suds ‘n’ Song event in June, as it’s an opportunity for them to raise money.
 - **Of note**—there was a recent request for another streetlight to be installed on Taylor Avenue between Main Street & Wise Avenue. Currently, there’s a streetlight on Main Street & one at the corner of Taylor & Wise, but it’s dark in the area in between. The requesting resident lives on Main, but parks on Taylor and has had her car vandalized. Mrs. Price will obtain a cost for an additional light (the pole is already there) & calculate the additional electric cost.
6. **Solicitor’s Report**—Mr. Craley reported:
- Ordinance 2022-3-1—per Borough Code when the Secretary & Treasurer are the same person, an Ordinance is required. Mrs. Barley made a motion to approve Ordinance 2002-3-1; Mr. Minnich seconded. All were in favor; motion carried.
 - Amended agreement for 252 North Franklin Street—last month, Council authorized an amendment to the Developer’s Agreement stating the Borough would make a one-time financial contribution not to exceed \$5,900 or not more than 140’ of pipe. Mr. Craley made these amendments & emailed it to Mr. Ilyes’ attorney, who had a few questions regarding that. Mrs. Price said Ilyes was looking for an approximate \$30,000 contribution which is not feasible. What **would** be acceptable are the improvements along Franklin Street because they benefit the Borough & they’re in the public street. Jeff Shue estimated these improvements to

be approx. \$12,000 (to include the \$5,900 + 2 inlets/pipe). The speed table would involve the 2 inlets & two-20' pieces of pipe and Jeff estimates that material cost at approx. \$5,400. Currently, there's 140' of 36" pipe coming off the trail onto Ilyes' property & Brett priced the replacement at \$6,000 which Jeff agrees is a fair material cost. The existing pipe turns into a box culvert that, although Mr. Ilyes hasn't asked for this to be replaced, Jeff said could be discussed.

The agreement amendments were around \$6,000 + 140' of pipe. Jeff said if the Borough adds \$2,000 for the manhole to join the two sections of pipe, that total is \$8,000 which he believes is fair, along with the \$5,400 (2 inlets & two-20' pieces of pipe).

Mrs. Barley made a motion to amend Item #4C of the draft Developer's Agreement to specify the Borough's contribution of \$13,400 toward the drainage related to the speed table & replacement of the concrete box structure on the Ilyes' property. Mr. Minnich seconded. All were in favor; motion carried.

Of note, Mr. Ilyes' cannot occupy/lease any of the apartments or spaces until the Developer's Agreement is signed.

- LERTA (Local Economic Revitalization Tax Assistance) offers a break on taxes of the assessed value of the improvements. This is important to Mr. Ilyes for the 252 N. Franklin Street property because he'll pay taxes for the current property but when he has it reassessed, should it increase, he'll only pay a percentage each year, starting at 10% (up to 10 years) on the improved value. This will not begin until the property is reassessed & both County & School taxes follow the same waiver process.
- An update on the issue with Ed Pearson & the triangular piece of property on Summit Lane—As authorized by the Borough a few months ago, Mr. Craley filed the Borough's motion to request that the complaint be dismissed, as well as filing a brief in support of it. A few days ago, Mr. Pearson served the Borough with Discovery requests. Samantha Craley will review these items, especially with the Borough's motion to dismiss pending. More on this as it arises.

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

- Basketball program is done. 7 teams out of the 11 went to the playoffs with 1 team winning their division!
- Softball continues—every Wednesday, Byron Trout has the batting cages open.
- Breakfast with the Easter Bunny/Egg Hunt—April 9th, breakfast from 8:30-10:30a.m. The Egg hunt will be held @ 11am (no registration required). A special needs hunt will be held @ 11:30am (registration is required).
- Summer Camp will be held June 20th thru August 12th. A Camp Director has been obtained. Anyone wanting to be a counselor or knowing of an interested person, please notify Meredith.
- Splash Pad pavilion rentals have started!
- Food Trucks will be held June 17th, July 15th, August 19th & September 16th from 4:30-7:00pm at the Municipal Parking Lot. Katie is contacting bands to perform.
- Amphitheater in the Park—this was an idea talked about over the years & Byron Trout offered to help Borough staff with cost estimates for a design. Mrs. Price spoke to DCNR as they could possibly fund 50% with grant monies & ROARS is willing to do a fundraising campaign to raise the other 50% of the cost, but this would be a 2023 project. An Amphitheater had been a "phase" on the Splash Pad plan, so we wouldn't be starting over in that regard.
- Seeding the Rail Trail has begun.

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

- March 21st—tentative day for street sweeping
- April 11th—tentative day for flushing of the distribution system to begin

- March 16th—shut offs for delinquent bills
- March 23rd—RLMA Meeting @ 7pm
- CSDatum shared access has begun between the Borough & Authority

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

- Resolution 2022-10—to authorize the Borough Manager to sign & execute documents for the local share grant application for renovations on the new Borough Offices. Mr. Klinedinst made a motion to adopt Resolution 2022-10 & authorize Mrs. Price to sign & execute the documents; Mrs. Barley seconded. All were in favor; motion carried.
- Resolution 2022-11- to authorize the Borough Manager to sign & execute the documents for the local share grant for a Bobcat Compact Track Loader; Mrs. Frutiger seconded. All were in favor; motion carried. The cost is \$71,466.34 and Mrs. Price will verify with Brett Patterson that this is the correct equipment needed prior to moving forward.
- Awarding the bid for 2022 Road Project—bids were opened today, 3/14. The project estimate was approx. \$390,000; however, the lowest bidder came in at \$458,000, so some adjustments may need to be considered, as next year’s road project was to be a costly one. Mrs. Price said this year’s project includes Pleasant Avenue & Householder Avenue which have a lot of curb & sidewalk costs involved. Jeff Shue said these bids are higher than expected, but oil prices are increasing weekly so that affects paving costs. He believes \$20,000-\$30,000 of the bid overage is due to oil prices. Concrete costs for Pleasant & Householder are 3-4 times higher than seen in the past.

Jeff said there are 3 projects in this bid package:

- Juniper Lane is a stand-alone project & is twice the amount of the estimate which Jeff believes is because the contractors don’t want to bother with it. If taken out of the contract, would decrease the total by \$20,000 & Juniper could then be completed next year with Pine Street.
- Pleasant Avenue & Householder Avenue are higher based on the concrete costs.
- Cherry Street—these projects came in fairly close to budget except for the increased oil prices.

After some discussion & the belief that costs won’t come down anytime soon, Mr. Klinedinst made a motion to award the bid to Kinsley Construction for a bid of \$458,000; Mrs. Barley seconded. All were in favor; motion carried.

Mrs. Price said the ARPA (American Rescue Plan Act) money awarded to the Borough has not been spent to date & the rules for spending it have opened up to include expenses such as streets, so that money could go toward Pine Street work next year.

Of note, the 3 other bidders were:

- Stewart & Tate--\$468,947.35
- JVI Group, Inc.--\$479,778
- York Excavating Co.--\$586,321.47
- Furnace replacement at 10 E. Broadway—two bids were received for this; \$4,400 from Anthony’s Affordable & \$5,400 from Danny Neff. Mrs. Barley made a motion to accept Anthony’s Affordable bid of \$4,400; Mrs. Frutiger seconded. All were in favor; motion carried.
- Rt. 74 widening project/advertisement for bids—Jeff Shue said all former issues have been resolved & the Borough expects the required PennDOT permit & revised agreement within a week.

Mr. Klinedinst made a motion to authorize the advertisement for bids for the Rt. 74 widening project; Mrs. Frutiger seconded. All were in favor; motion carried.

10. **Planning, Zoning & Economic Development**—Mrs. Barley reported:

- A list of banners that were purchased will be obtained from Stephanie Weaver. Mrs. Slenker believes around 24 have been bought to date.

- A crosswalk is being proposed across Main Street at First Avenue to help the businesses in that area.
- Working on getting all the Borough parking areas on Google maps
- June 11th—Garden Tour is scheduled, rain or shine; tickets are \$12/each
- No March Planning Commission Meeting
- No March Economic Development Committee meeting
- Waivers & Land Development Plan for Rexroth property (Industrial Zone)—a Preliminary Final LDP was submitted for 100 Redco Avenue. Mr. Rexroth is proposing to construct an 11,000 sq. ft. addition on the building to the northern side of the existing Yorktowne facility. Mr. Rexroth's current tenant, Leverwood Knifeworks needs more space & will use the proposed addition for general manufacturing & indoor warehousing. A loading ramp into the building is being proposed as well as two loading docks.

Jeff Shue & York County Planning Commission have submitted comments which have been addressed. Per the Zoning compliance requests from Jeff Shue, Blaine Markel revised the plan & stated the property has more than sufficient parking spaces as well as existing loading space. Red Lion Borough's Planning Commission recommended approval of the plan & the four Waivers listed below, contingent upon Blaine's representation that everything in Jeff Shue's letter dated January 27th was addressed. Waivers requested were for:

- Submittal of a Preliminary Plan
- Existing topographic contours of the entire tract of land. A detailed survey was done only in the area of the proposed addition but the whole parcel will be completed. Mr. Rexroth agreed to do an as-built plan for this entire tract as well as the Mia Brae Industrial Park parcel. A note was put on the plan concerning that & that the as-builts must be completed 6 months' after receiving occupancy for the Leverwood addition.
- Location of all existing improvements & utilities (once the topo survey is completed this will be known, but this Waiver is requested only for this proposed plan).
- Location, arrangement & dimension of all parking spaces

Blaine said this is Mr. Rexroth's last plan for the Yorktowne property other than the previously approved plan for the two 15,000 sq. ft. buildings behind the trailer park.

Mrs. Barley made a motion to approve the four Waivers; Mr. Minnich seconded. All were in favor; motion carried.

Mrs. Barley made a motion to approve the plan as presented; Mr. Klinedinst seconded. All were in favor; motion carried.

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

- PSAB Conference Voting Delegate—Mrs. Frutiger made a motion to approve Dianne Price as the voting delegate for Red Lion Borough; Mr. Minnich seconded. All were in favor; motion carried.
- YCBA Dinner to be held at Stewartstown American Legion on March 24th—let Mrs. Price know if interested in attending.
- Ethics forms are due by May 1st

12. **Communication**—nothing further

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

14. **Adjournment**—With no further business before Council, the meeting was adjourned @ 8:29p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary