

Red Lion Borough Council Meeting Minutes
Monday, May 13th, 2024

Members present

Amy Lau
Brady Greer
Dennis Klinedinst
Evan Hiester
Mark Holloway
Tony Musso

Others present

Dan Shaw, Borough Manager
Michelle Poole, Asst. Manager
Mayor Gene Lau
Jeff Shue, Engineer
Mike Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors

John Brownlee	Pastor David Tietje
John Krantz	Justin Heim
Trooper James Grothey	Shauntia Phillips
Scott Thompson	Sandra Graham
Katie Bulla	Dyana Riley

Meredith Yakelis
Sonya Holloway
Jennifer Dettinger
Derek Eveler

1. The meeting was called to order @ 7:00p.m. Pastor David Tietje (St. John's UCC) offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mr. Klinedinst made a motion to approve the April 1st, 2024 Work Session Minutes; Mr. Musso seconded. All were in favor; motion carried.
 - Mr. Klinedinst made a motion to approve the April 8th, 2024 Meeting Minutes; Ms. Greer seconded. All were in favor; motion carried.
3. **Police Report--PSP Trooper James Grothey** was present to discuss the problem of dirt bikes riding on Borough roads, sidewalks, etc. He distributed a fact sheet from PENNDOT of what motorized devices, such as segways, scooters, & electric bikes are allowed, what are prohibited, the description of each & the requirements of using each on/off roadways. As dirt bikes are reportedly a problem in the Borough, Trooper Grothey said they must be registered, insured & driven by a licensed driver. Motorized scooters are allowed on sidewalks unless the municipality has an ordinance prohibiting it. Mr. Holloway reported on a recent situation of a dirt bike rider on a Borough sidewalk without a helmet, and a PSP trooper was sitting close by, witnessed this, but didn't do anything about it. Another time, Mr. Holloway called dispatch & told them where the rider lives, which was York Township. Can't PSP go into **any** jurisdiction? That particular rider was riding in Red Lion Borough. Some officers don't want to chase the riders in order to avoid injury to them & others, but Trooper Grothey said PSP **can** go to their address, if known. PSP doesn't want to ruin fun, but any egregious or dangerous behavior should be addressed. Grothey asked the contact information to be emailed to him, along with any pictures, description of bike, driver, etc. The 2nd time an officer has to respond to the same driver/address, citations can be issued.
Mr. Klinedinst asked Trooper Grothey if a tractor trailer can be cited for blocking two lanes of traffic while backing into an alley? It's a tricky issue and it depends how long they're blocking traffic; however, if the truck causes property damage, 911 should be called.
4. **Visitors/Public Comment**
 - **Derek Eveler, resident at 38 Pleasant View Drive** (located in Windsor Township, at the end of the gravel alley near the new Borough Offices) was present to discuss some boundary issues he & his neighbors are having. This 16' alley is a Borough lane that, although adopted by the Borough, is not maintained by the Borough. The residents along the lane were maintaining it; however, Derek said over the years, the right-of-way has become unclear, and he doesn't want to cause a neighbor dispute for going onto private property.
Mr. Craley said the actual status of the lane must be known, i.e. was it ever offered for dedication to the Borough? Was it ever accepted for dedication? Is it on the liquid fuels list? Dan Shaw said it IS an adopted street, but as long as he's worked here, staff has never maintained it. Derek isn't asking for the Borough to abandon the road, so it would still be considered the Borough's right-of-

way and the neighbor who extended their boundary/property line into that ROW, is now encroaching, which is prohibited. Mr. Craley stated if it's an adopted street, the Borough should be maintaining it, not the property owners. Dan will do more research on this & report back with more information.

- **Justin Keithan, resident at 82 N. Main Street** was present to discuss the lack of crosswalk enforcement in the Borough. It's especially dangerous for children who have to walk to school. The Keithan's were told the Borough needs to request a traffic study to make any progress with the crosswalks.

- **Jennifer Dettinger, resident of 208 Bellevue Rd.** was present to ask where the meeting minutes & agendas were posted on the website, as they have not been updated. She was also interested in getting updates on the crosswalks in town.

Staff said the website has just recently been updated & the Borough now has a new server, but it will take some time to load everything. Staff was very short-handed in recent months too, which delayed things a bit. If a resident wants to read previous months' minutes, they can ask at the Borough Office, in addition to downloading the Savvy Citizen app.

- **In response to the crosswalk issue, Mrs. Lau did some research**—years ago, the agreement was that the School Board would pay ½ & the Borough would pay ½ of the crossing guard salary; however, that amount is unclear. The school district then decides where the crossing guard is positioned. The school board had changed their walking pattern regarding which students should walk to school, who should take the bus, etc. In order to install flashing lights (indicating a crosswalk), a PENNDOT permit is required because it's considered a signal. Jeff Shue advised to first talk to the school district to determine what the walking patterns for schoolchildren are, and then place flashing lights & signage accordingly. Mid-block crossings have particular signage requirements & they must be justified in order to install them. Jeff Shue said those should not be encouraged because motorists aren't expecting pedestrians to be in a mid-block crossing.

In addition, the yellow moveable "pedestrian crossing" signs are visible to motorists, but often get hit by larger vehicles/trucks. Dan Shaw met with the school district a few months ago & they were looking into placing flashing lights at the N. Main & Gay Street intersection. Money wasn't in their budget this school year, but possibly will be for next.

More discussion was held. Reaching out to the school board for more information would be a great place to start.

5. **Mayor Lau's Remarks & Recommendations**—Mayor Lau said he's happy to see the meeting room so full tonight. He'd love to see it packed because it would show residents are interested in town issues. Council & the Mayor have the same interest & issues that residents do & want to work together, wherever possible.

Mr. Klinedinst mentioned the MA/PA Greenway that was discussed/planned years ago. There are 2 skids of bricks available to be installed somewhere in town. Mr. Hiester said the Economic Development may have use for the bricks in some of the greenery projects they're discussing.

6. **Public Safety**—Mr. Holloway reported:

- **Fire Company Report** was emailed to Council. Their gun raffle tickets are being sold for their September fundraiser.

- **Ambulance Report** was distributed.

- **Public Safety**—

- Speed hump on N. Franklin needs to be repainted. The signage warning about the speed hump should be moved back to warn motorists ahead of time.

In preparation of the new apartment building + the proposed Market Square being opened on N. Franklin & the potential for higher volumes of traffic, some Council members believe a traffic study should be done now to see what precautions should be taken. Other Council believe it would be premature to do a study at this time.

- Utility pole at First Avenue & N. Charles Street was hit & broken off by a vehicle years ago. This should be repaired, as it creates a safety hazard.

7. **Solicitor's Report**—Atty. Craley reported:
 - **Jeffrey Stine Zoning Appeal**—He did file an answer on April 25th & Atty. Craley sent him a proposed case management plan since Jeff is representing himself. Jeff needs to sign & return it. If he doesn't sign, Atty. Craley can take him to Motions Court to have a Judge determine what the timetable is.
 - **Map Amendment for property at Taylor & Wise Avenue**—York County Planning Commission & the Borough Planning Commission recommended approval of it. Council should advertise the amendment, then a public hearing can be held after the opening of the June 10th Council meeting. Mr. Klinedinst made a motion to authorize the advertisement of the map amendment and to hold a public hearing @ 7:15pm on June 10th, 2024; Ms. Greer seconded. All were in favor; motion carried.
 - **Mr. Klinedinst asked about 74 Auto Sales** and the vehicles sitting (with no tags/inspections) at Frey's Trailer Park. The Zoning Hearing Board approved 9 vehicles to be on the 74 Auto Sales lot, which the owner has exceeded. Michelle & Jay have been back & forth with the owner about his compliance with the ZH decision in addition to the vehicles he has parked at the trailer park. This is ongoing.
8. **Engineer's Report**—Jeff Shue reported:
 - **He met onsite (Chestnut Street) with the gas company** to discuss the Borough's schedule of street reclamation, curbing, sidewalk & storm sewer, and the gas company confirmed they will meet that schedule. The Borough's work on Chestnut is planned to begin the 1st week of June. A preconstruction meeting will be scheduled ahead of that.
 - **He spoke to DCNR regarding the funds** that were to go to the amphitheater project. DCNR is amenable to redirecting that money to pathway improvements, so Jeff plans to meet with Borough staff to determine the best way to utilize some or all of that money. Once that's determined, we'll work with DCNR to get it reapproved.
9. **Parks & Recreation**—Mrs. Lau & Meredith Yakelis reported:
 - Replacing the chain climber at Fairmount Park playground—Mrs. Lau made a motion to approve the replacement for a cost of \$2,343.37; Mr. Musso seconded. Motion carried with Mr. Klinedinst & Mr. Holloway opposing.
 - Event/Job Fair for graduating seniors—mentioned at Work Session, this will be further discussed at a Rec meeting.
 - Security deposit return for Community Building rental—previously mentioned, Mrs. Lau followed up & found the rental had to be cancelled & they needed to reschedule, so the security deposit was returned.
 - April Community Building rentals totaled \$2,480; total YTD is \$6,870.
 - Fire Company may possibly have a fire truck at Suds 'n' Song to have a presence & spark community interest.
 - Summer Camp—50 kids registered. Meredith is meeting with counselors tomorrow, 5/14.
 - Suds 'n' Song—4 bands are booked, brewers are booked, all servers will be RAMP certified prior to event.
 - Movie Nights in the Park are planned & will be in conjunction with Food Truck Fridays.
 - Splash Pad to open on Memorial Day, 5/27.
10. **Municipal Services**—Ms. Greer reported:
 - The Edgewood Tank has been demolished.
 - Fire hydrant reports have been submitted to Dan Shaw.
11. **Public Works**—Mr. Klinedinst reported:
 - Handicapped parking space request for 324 W. Maple Street will be denied, as there is currently one at 329 W. Maple.
 - Resolution 2024-9—for banners to be hung over N. Main Street & W. Broadway—Mr. Klinedinst made a motion to adopt Resolution 2024-9; Mr. Hiester seconded. All were in favor; motion carried.

- Traffic signal repairs by CM High, Inc. total \$13,887.42. This cost may be less, as some work can be done by public works staff.
Traffic signal repairs conducted at S. Main & Winterstown Rd. are split with Windsor Township. The cost to be split is \$5,552.59. Mr. Klinedinst made a motion to pay our share of \$5,552.59; Mr. Holloway seconded. All were in favor; motion carried.
- Of note, 3 new employees have been hired as laborers in the Public Works Department—Ronald Miles, Jonathan Sheeler & Antonino Musso, Jr.

12. **Planning, Zoning & Economic Development**—Mr. Hiester reported:

- Planning Commission continues to work on the revisions to the Sign Ordinance. Commission meets next Monday, 5/20 @ 7pm.
- Reapproval of the LDP for 267 Cherry Street mini storage—Mr. Hiester made a motion to reapprove the Land Development Plan as their 90-day timeframe to get it recorded had expired. Mr. Musso seconded. Motion carried with Ms. Greer opposing.
- Mr. Hiester made a motion to appoint Justin Heim to the Planning Commission; Ms. Greer seconded. All were in favor; motion carried.
- Resolution 2024-7 to appoint David McCabe to the Zoning Hearing Board for a term ending 12/31/2026. Mr. Hiester made a motion to adopt Resolution 2024-7; Ms. Greer seconded. Motion denied with Mr. Musso, Mrs. Lau, Mr. Klinedinst & Mr. Holloway opposing.
- Resolution 2024-8 to appoint Sonya Holloway to the Zoning Hearing Board for a term ending 12/31/2024. Mr. Hiester made a motion to adopt Resolution 2024-8; Mrs. Lau seconded. Motion carried with Mr. Holloway abstaining, as Sonya is his wife.
- Mr. Hiester made a motion to appoint Shauntia Phillips to the Economic Development Committee for a 3-year term ending on 12/31/2026. Mr. Klinedinst seconded. All were in favor; motion carried.
- Of note, a letter of interest has been received from Jennifer Dettinger to serve on the Economic Development Committee. This will be on next month's agenda for Council action.
- Reapproval of the LDP for 214 N. Franklin Street—the plan had been preapproved by Council subject to meeting some requirements by the Borough Engineer. Those requirements have now been met, but with the Borough Offices moving & staff changes, it hadn't been brought back to Council to sign within the 90-day timeframe. Mr. Klinedinst made a motion to reapprove the Land Development Plan for 214 N. Franklin Street; Mr. Holloway seconded. Motion carried with Ms. Greer opposing.

13. **Administration**—Mrs. Barley was absent tonight. Mr. Musso reported:

- Requests for final payment have been received—East Coast Contracting for \$5,500 and Frey Lutz for \$3,202. Mr. Klinedinst made a motion to approve both payments; Mr. Musso seconded. Discussion was held. Mr. Klinedinst withdrew his motion in order to split it into two separate motions. Mr. Musso withdrew his second.
Mr. Klinedinst made a motion to deny paying East Coast Contracting the \$5,500 because the curb was not up to Borough staff/Council satisfaction. Mr. Holloway seconded. All were in favor of not paying East Coast, motion carried.
Mr. Klinedinst made a motion to pay Frey Lutz \$3,202 for hail guards; Ms. Greer seconded. All were in favor; motion carried.
- Mr. Klinedinst made a motion to add the cabinets & countertop in the office (around copy machine) for \$2,500; Ms. Greer seconded. Borough staff to install. All were in favor; motion carried.
- Mr. Klinedinst made a motion for Borough staff to install acoustic panels in the meeting room for \$4,017.30. Ms. Greer seconded. All were in favor; motion carried.
- Mr. Klinedinst made a motion to add two message boards (one in the front & one in the rear of the building) for \$1,317.70 + shipping. Mr. Musso seconded. Motion carried, with Ms. Greer & Mr. Hiester opposing.
Mr. Klinedinst suggested hanging a letterboard with Council names, etc. inside the Borough Office. This will be added to next month's agenda for action.

- Mr. Klinedinst made a motion to approve the engagement letter with SEK for accounting consulting services regarding Quickbooks' transactions; billable at an hourly rate ranging from \$150-\$400/hr. Ms. Lau seconded. Ms. Greer had not received the contract, so did not feel comfortable acting on this.

Mr. Klinedinst amended his motion to accept the contract but to revise the payment terms from 30 days to 60 days (or at the following month's Council meeting). Motion carried, with Mr. Hiester & Ms. Greer opposing. Any Council who wishes to receive/review the contract, Michelle or Dan can forward.

- Mr. Klinedinst made a motion to approve the Professional Services Agreement prepared by Navarro & Wright subject to final revisions approved by Eric Brown (litigation counsel). Ms. Greer seconded. All were in favor; motion carried.
- Bank account options from Peoples Bank—last month, Becky M. had discovered someone had washed one of their checks, as that check number hadn't been issued yet. The amount they tried to steal was just over \$15,000. The bank gave the Borough two options regarding this account. 1) close the account & open a new one, or 2) enroll in a Treasury Management Solution program, which involves sending an approved list of payments to the bank, so if any unapproved check/ACH payment is presented to the bank, an authorized Borough staff member would receive a text or email to notify the bank on whether to approve or deny the payment.

There is also the availability of enabling Positive Pay on the Borough accounts, where an approved file that includes date, check number, payee name & amount of payment is sent to the bank. Any check presented to the bank for payment is checked against this list. If it's not on the approved file/spreadsheet, the bank would again, notify the authorized Borough staff member & if the check isn't approved by a certain time of day, the bank doesn't honor it. There are fees associated with this system and it's based on the number of checks the Borough writes/sends. Michelle stated, based on the Borough's February transactions, \$166 would've been charged; March's transactions would result in \$172.19 worth of fees.

Discussion was held on the above options. Because someone has already accessed the Borough account & tried to create a bogus check, something should be done sooner rather than later. Mr. Hiester said fraud is increasing and if we close this account & open another, the same thing could happen.

Mrs. Lau made a motion to close the account at People's Bank and open a new account from which to pay bills. Mr. Klinedinst seconded. Mr. Musso suggested Dan & Michelle research whether or not Peoples Bank can accommodate the Borough's needs, or research switching banks. Motion carried with Mr. Hiester opposing.

Ms. Greer also requested Dan & Michelle ensure bank account information is updated, if tied to any grant funding.

14. **Communications**—nothing further.

15. **Approval of bills**—Ms. Greer made a motion to approve the bills; Mr. Hiester seconded. All were in favor; motion carried.

16. **Additional Council business**

- Mr. Klinedinst requested the D.E. Gemmill proposal be on the June agenda for discussion/possible action.
- Atty. Craley stated, if any Council questions the result of a vote, they should mention it and the presiding officer can request a show of hands, a "rise" (stand up) or a roll call.
- Mr. Hiester requested that costs & options be gathered for adding audio/visual equipment in the meeting room. Mayor Lau adamantly opposed this, stating if people want to badly enough, they can attend a meeting in person.

Mr. Hiester said it doesn't need to be anything fancy; we can look into cost-effective options. Mr. Holloway suggested getting acclimated in the new building first and be aware of what monies were left over for the new office budget before spending any more money.

Mr. Musso suggested Mr. Hiester talk to John Krantz about A/V equipment options since the Municipal Authority uses some.

- Mr. Klinedinst restated his request for a streetlight report & also one on parking meters. Ms. Greer will work on this.

17. **Adjournment**—With no further business before Council, Mr. Klinedinst made a motion to adjourn the meeting @ 8:55pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary