

Red Lion Borough Meeting Minutes
Monday, August 12th, 2024

Members present

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

Others present

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

Visitors

Pastor Chris Nauta
Blaine Markel
Lowell Anderson
Derek Eveler
Justin & Alexa Keithan

Tina Frutiger
Rick Bogart
Erick Sowers
John Brownlee
Bruce Stegman

Chris Minnich
Andrea Anderson
Sonya Holloway
John Krantz

1. The meeting was called to order @ 7:00pm. Pastor Chris Nauta from St. Paul's UMC offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**—Two corrections were necessary to the July 8th, 2024 minutes:
 - Mr. Klinedinst opposed the approval of bills.
 - Brett Patterson has not received his credit card yet as stated at the meeting.Mr. Klinedinst made a motion to approve the July 8th, 2024 Meeting Minutes with these two corrections; Mrs. Barley seconded. All were in favor; motion carried.
3. **Visitors & Public Comments**—the following were present to address Council:
 - **Rick Bogart, Kaltreider-Benfer Library** gave an update on the library's highlights. As of April 2023, the renovated & expanded library is operating again at full capacity with the public having access to 40,000 books & other materials. The library is excited to have a new leader of children's educational programs too. Rick stated, in 2023, KBL raised \$85,081 through fundraising efforts, and 42 volunteers (adults & teens) gave 5,720 hours of service. Currently, 64% of Red Lion residents have library cards, and in 2023, had borrowed 16,347 items.
Red Lion Borough gave \$10,000 to KBL in 2023/2024, which translates to \$1.57/capita (per resident). Rick thanked Council for the donation and said the library would be most appreciative of the same for 2024/2025, or more if the budget allows.
 - **Bruce Stegman, proposed alternate to the Zoning Hearing Board**, was present to meet Council and answer any questions they may have. He's been a Borough resident for 20 years and, as a retired engineer, he's interested in becoming involved in this type of thing. He believes that where zoning is concerned, emotions shouldn't take the place of the law. Dan will prepare a resolution to appoint Bruce as the ZHB alternate in September.
 - **Justin Keithan, 83 N. Main Street**—as he had advocated for crosswalks in town, he was happy to see the one installed at the corner of N. Main & Gay Streets. It's a step in the right direction & he hopes we can add more in town to increase safety for pedestrians & schoolchildren.
4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau was out of town for a few weeks but was home for the Street Fair which was well-attended.
Regarding the Tractor Parade, Mr. Hiester said the Economic Development Committee had discussed taking over the planning of it. Mrs. Lau said Rec had discussed combining it with the Halloween Parade. It seems more Rec-related than Economic Development, but more discussion can take place.
5. **Public Safety**—Mr. Holloway reported:

- EMA & Ambulance reports were received. There's no Fire Company report this month due to a system glitch they have to resolve.
- Utility pole at First Avenue/N. Charles Street—Met-Ed is waiting for Verizon & the cable company to remove their services from it before they repair/remove the pole. Mr. Holloway suggested just cutting the pole to a stub in the meantime, as it's been in disrepair for years. Atty. Craley said the Borough can lodge a complaint with the PUC regarding the time delay to have this work done.
- Speed table signs on N. Franklin Street—he knows staff is aware they need to be moved; he's just reminding everyone.
- The petition letter received by Council concerning a national movement on quality of life....Dan said he found out all but 1 of those who sent the letter are Windsor or York Township residents. Their interest in or patronization of Red Lion Borough isn't clear.
- A request for Fire Police was received from Springfield Township for their Community Appreciation Day, September 28th, 2024 from 1-5pm. Mr. Holloway made a motion to approve this request; Ms. Greer seconded. All were in favor; motion carried.

6. **Solicitor's Report**—Atty. Craley reported:

- Ordinance to advertise—Authorizing Council Members to Decline Compensation for the Performance of their Duties—Ms. Greer made a motion to authorize advertising this Ordinance for adoption in September; Mr. Klinedinst seconded. All were in favor; motion carried.
- Ordinance to advertise—Amending Parking Regulations Concerning When Parking is Prohibited When Streets are to be Swept. Discussion was held. Atty. Craley doesn't believe 12 hrs. is enough time to warrant a conviction if someone challenges a ticket and suggested 24 hrs. at a minimum. He believes the more time given, the less likelihood the Borough would lose in court if a ticket was issued for an unmoved vehicle. Strains on staff were discussed, as were different opinions. This will be tabled until the next Work Session.
- Two successful District Court hearings were held on zoning violations.
- Samantha Craley presented the PSP Incident Report for Red Lion Borough covering 4/1/24 thru 6/30/24, which includes:
 - Crash report—33 crashes, 3/injury or death, 1 DUI, 12 hit/run, 1 motorcycle, 23 non-reportable, 1 distracted driving
 - 112 citations were issued for speeding, registration, inspection, driving while privileges were suspended/revoked, following too closely, Stop signs, driving on road cleared for traffic
 - 195 warnings were given for maximum speed limit, vehicular hazard signal lamps, faulty equipment, driving on roadways laned for traffic
 - Crime report—81 investigations, 52 arrests, 12 drug investigations, 36 crimes against persons, 3 sex offenses, 28 assaults (13 harassment, 11 simple assault, 1 aggravated assault, 3 intimidation), 5 trespassing, 4 criminal/simple assault, 1 defiant, 2 reckless endangerment, 1 endangering the welfare of a child, 3 other
 - 24 crimes against property—1 burglary, 1 residential, 8 thefts, 7 fraud/forgery, 10 other (criminal mischief, embezzlement)
 - 31 crimes against society—5 DUI's, 13 drug offenses, 1 firearm/weapon, 9 nuisance, 10 other (corruption of minor, criminal contempt, fleeing/eluding)
- 254 W. Broadway—Mr. Klinedinst asked Atty. Craley if he's witnessed any wrongdoing or ordinance violations at the property, as his law office is next door. Atty. Craley has not seen any issues, but witnesses would be needed in order to prosecute.

7. **Engineer's Report**—Jeff Shue reported:

- A walk-through was conducted this morning for the Chestnut & Myrtle street projects. A list of things needing addressed was created. A request for payment from JVI will be acted on later tonight.
- No response has been received yet from DCNR regarding the revised change of scope for the grant funding, but Jeff doesn't foresee any issues with it.

ROARS had donated \$37,500 towards the amphitheater project, but now that it's not being built, they asked for reimbursement. Will the Borough need to match the grant funds for the revised scope of work (walkways in Fairmount Park)? Jeff said the Borough's responsibility was for engineering, design, permitting (referred to as "soft costs") while the grant funds were for construction costs, so the Borough completed the "soft-cost" work and is now at the point where we need to bid a construction-worthy project to use the grant funds. The donated ROARS funds were used for the furtherance of what they were donated for, but it's up to Council's discretion on whether to return their donation. Should we return the funds to ROARS because the project couldn't move forward due to the cost being way higher than the grant received, or Council can say, the donation was used to begin the project, as it was intended. Dan Shaw talked to Pam Kocman (ROARS) who assumed the amphitheater was completely off the table, but Dan said, as did Mr. Musso, that the project would be done in stages, with the walkways & accessibility being done now. The \$280,000 is for only the 6' wide walkway in the area of the amphitheater & to make them ADA-compliant. Mr. Hiester also spoke to a member of ROARS who said the Board may be agreeable to the Borough keeping the donated funds as long as they would go towards either the amphitheater or something related to it; however, that would need to be approved by the whole Board. The ROARS Board may also be agreeable to contributing to future projects that are for the good of the community.

- Bidding is proceeding on the Municipal Parking Lot wall. Bid results will be presented at Council's September 9th meeting.

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

- Resolution 2024-11—to add a field rental fee (for non-Rec related program use) to the Recreation Fee Schedule. The Rec Committee agreed on \$25/hr. per field for the remainder of 2024, with a review in 2025, based on satisfaction and/or what other municipalities charge. Mrs. Lau made a motion to adopt Resolution 2024-11; Mrs. Barley seconded. All were in favor; motion carried.
- Food Truck Friday is scheduled for September 20th. Volunteers are always welcome! Mrs. Lau will recommend that next year's Food Truck events are NOT in the summer due to everyone's busy schedules & other conflicting events that food trucks attend. She also suggested that the contract used for food trucks be reviewed by Atty. Craley to make it clearer & more concise, beginning 2025. Atty. Craley said the Rec Committee should review it & decide what language they want included, then bring it to Council.
- Suds 'n' Song event—this year's paperwork was piecemeal, based on last minute staff changes, but going forward, more definitive income/expense will be known.

9. **Municipal Services**—Mr. Klinedinst stated the Municipal Authority is asking for Council permission to place a bench in Fairmount Park as a memorial to Robert (Bob) Frutiger. Council thought this was a great idea & Dan suggested placing the bench near the lamp post light (near playground) that Bob had refurbished. Ms. Greer made a motion to authorize the purchase & placement of the bench; Mr. Holloway seconded. All were in favor; motion carried.

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

- Request for payment was received from JVI for street work in the amount of \$165,143.25. Mr. Klinedinst made a motion to approve the payment to JVI; Mrs. Barley seconded. All were in favor; motion carried.
- Source Water Protection Plan meeting will be held on 8/21/24 @ 6:30pm at the Red Lion Municipal Office.
- Mr. Klinedinst suggested adding the cost of a sign machine into the 2025 budget. He believes this would be a cost savings rather than paying someone to make all the Borough's signs. Brett said it takes 45minutes-1 hour to make one sign & the operator must be licensed through PENNDOT to do so. This can be discussed further, if Council wishes.
- Elm Lane—to maintain or abandon it? Jeff Shue said after the Borough would abandon it, the survey of deeds would reestablish how the abandoned land gets redistributed to the property owners.

Mr. Holloway made a motion authorizing Atty. Craley to create a resolution to abandon Elm Lane; Mrs. Barley seconded. Motion carried, with Mr. Klinedinst opposing.

- Four-way Stop sign at S. Franklin Street & Boundary Avenue—as discussed at Work Session, most of Council is in favor of this, as visibility is limited there due to parked vehicles.

Mr. Hiester made a motion to move forward with making this intersection a 4-way stop. Mrs. Lau seconded. Motion carried, with Mr. Klinedinst opposing.

Atty. Craley said this typically requires an Ordinance & a traffic study; however, Jeff Shue can give the Borough a letter in lieu of a traffic study.

- Of note, PENNDOT is replacing the bridge on Country Club Rd. The contractor had dropped a rock on the sewer line & busted it. This was repaired tonight.
- Of note, the payment to JVI included sidewalk replacement on Chestnut Street because the residents weren't notified that that cost was their responsibility. The sidewalk cost amounted to \$28,000. Per Ordinance, notification (via Certified Mail) must be given to residents 90 days before work begins. Then they have the opportunity to appeal to Borough Council, so with the appeal period, it would amount to nearly 120 days' notice being required. Mrs. Lau asked what practice is in place for this not to happen again, since it happened last year with Pine Street sidewalks. Maybe the residents should be notified before a project involving sidewalks is even bid. Council can help administration too, by knowing street projects ahead of time. Dan said it would be helpful to know 2025 street projects by this October or November, so notification can be sent, if necessary.
Review/report of sidewalks needing repaired or replaced is under Planning/Zoning's responsibilities, but as Mr. Musso stated, new management is creating policies & protocols to follow in the future.

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

- Planning Commission continues to work on revisions to the Sign Ordinance.
- Zoning change request proposal was received by SLCL Anderson Property, located at 20 E. Prospect Street, Red Lion Borough, York County, PA. to change from Industrial to Residential Town. Atty. Andrea Anderson represented SLCL and her brother, Lowell Anderson (one of the partners). She stated this 1.2-acre property has always been used as residential, so per the Borough's Ordinance, Residential Town would be a good fit. Blaine Markel, Engineer, said the property currently consists of a house, garage & outbuildings. He assumes the reason it was zoned Industrial is because the properties east of it were used as industrial, but this property never had been. The property is serviced by public water & sewer. The proposed use, if rezoned, is single-family attached dwellings (approx. 8 townhomes) with access off Church Lane. Atty. Craley urged them to check the Borough's Land Use Ordinance to verify Church Lane can be used as an access road.

In this case, a draft map amendment would be sent to YCPC for their comments. The Borough Planning Commission gave a positive response to the scope of rezoning.

Mrs. Barley made a motion authorizing Atty. Craley to draft a map amendment and send to York County Planning Commission for comment. Mr. Hiester seconded. Motion carried, with Mr. Holloway opposing.

- Mural design for outside bathroom wall at Nitchkey Field—Mr. Hiester presented the design at Work Session, created by Carolina Sumner. Mr. Musso & Mr. Hiester plan to donate the funds for the mural, so it will not be funded with taxpayer money.

Mr. Hiester made a motion to move forward with the mural at Nitchkey; Mr. Holloway seconded. All were in favor; motion carried.

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

- Bonding for Borough Manager—Rates for bonding amounts of \$100,000, \$200,000 & \$300,000 were discussed. Mrs. Barley made a motion to bond Dan Shaw at \$300,000 at a premium of \$662/year. Ms. Greer seconded. All were in favor; motion carried.
- MMO (Minimum Municipal Obligation) for 2025's Pension:
 - The MMO for the Red Lion Police Pension Plan is \$0. This is required to be reviewed for the four retired Red Lion Borough Police officers.

- The MMO for the Defined Benefit Plan—options are:
 - MMO rate with smoothing is \$18,310
 - MMO rate based on Market Value of assets is \$85,636 (this is the 2nd year of the 3-year rate to catch up since increasing the multiplier in 2023)—Mrs. Barley made a motion to approve the MMO rate of \$85,636; Ms. Greer seconded. All were in favor; motion carried. This amount will decrease after the 3 years.
- Adding Becky Magnani to the Members 1st accounts—Mrs. Barley made a motion to add Becky Magnani and Michelle Poole to the Members' accounts; Ms. Hiester seconded. All were in favor; motion carried.
- Resolution 2024-12, AMERICA250PA Initiative, Supporting the U.S. Semi-quincentennial—York County Commissioners approved this county-wide & are requesting support from municipalities. Mr. Hiester said there is \$0 cost obligation & no scope obligation from the municipalities. The County just needs a point of contact from each municipality for public events, as they're planned. Mr. Hiester made a motion to adopt Resolution 2024-12; Mr. Musso seconded. All were in favor; motion carried.
- CSDatum software upgrade to include permits & code enforcement. Mrs. Barley made a motion to approve this upgrade to the CSDatum system; Ms. Greer seconded. All were in favor; motion carried.
- Change of office hours in which they're open to the public. This is being done to allow staff uninterrupted work time on Friday afternoons & a half hour the other days to do accounting of funds received, wrap up tasks for the day, etc.
Working hours would still be 8am-4:30pm, but public office hours would be Monday-Thursday, 8am-4pm & Fridays, 8am-noon.
Mrs. Barley made a motion to approve the revised office hours; Mrs. Lau seconded. All were in favor; motion carried.
- Appointment of Code Enforcement Officer—Mrs. Barley made a motion to appoint Eric Sowers as full-time CEO with a tentative start date of August 28th, 2024; Mr. Klinedinst seconded. All were in favor; motion carried.
- FYI, Jack Gaul has been hired as the part-time Parking Enforcement Officer.
- 13. **Communication**—nothing further
- 14. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Ms. Greer seconded. All were in favor; motion carried.
- 15. **Adjournment**—With no further business before Council, Mrs. Barley made a motion to adjourn @ 8:45pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary