

Red Lion Borough Council

Meeting Minutes

January 7th, 2008

Members

Jeffrey Herrman
Manager

David McCabe

Kandy Paules-Sowards

Christina Frutiger

Cynthia Barley

Others

Stewart Graybill, Borough

Dennis Klinedinst

Michael Gebhart

D. Michael Craley, Solicitor

Robert Frutiger, Mayor

Stacy Myers

Visitors

Elwood McCleary

Susan McCleary

Nicholas McCabe

1. Mayor Frutiger called the meeting to order at 7:00 p.m. The Mayor then led everyone in prayer; all present followed with the Pledge of Allegiance.
2. The Oath of Office was administered by Mayor Frutiger to the following elected Borough Council members:
 - a. Christina Frutiger
 - b. Dennis Klinedinst
 - c. Michael Gebhart
3. Mayor Frutiger opened the floor for nominations for Council President and Council Vice- President.
 - a. Michael Gebhart nominated David McCabe for Council President. A vote was taken; all were in favor. Mr. McCabe was nominated for a two-year term.

- b. Michael Gebhart nominated Cynthia Barley for Council Vice-President. A vote was taken; all were in favor. Mrs. Barley was nominated for a two-year term.
4. The meeting was then turned over to newly appointed Council President David McCabe.
5. Appointment of a Manager/Secretary. Mrs. Frutiger made a motion to re-appoint Stewart Graybill to this position. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.
6. Appointment of an Assistant Secretary. Mr. Gebhart made a motion to re-appoint Connie Boyer to this position. Mrs. Frutiger seconded the motion. A vote was taken. All were in favor; motion carried.
7. Appointment of a Codes/Zoning Officer. Mrs. Frutiger made a motion to re-appoint Dan Shaw to this position. Mr. Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
8. Mrs. Barley made a motion to re-appoint Michael Craley as Solicitor for the 2008 calendar year. Dennis Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
9. All Council members were designated to sign checks in addition to the President and Vice-President.
10. Council member Jeffrey Herrman was previous representative to the York Area Earned Income Tax Bureau. Stewart Graybill offered to represent in this capacity. Jeffrey Herrman offered to represent as an alternate. Ms. Sowards made a motion for Stew to be the representative, and Jeff to be an alternate. A vote was taken. All were in favor; motion carried.
11. Mrs. Barley made a motion to retain Kochenour, Earnest, Smyser and Burg as Independent Auditors for all Borough accounts for the 2008 calendar year. Mrs. Frutiger seconded the motion. A vote was taken. All were in favor; motion carried.
12. Ms. Sowards made a motion to retain Connie Boyer as Treasurer for Borough accounts and Stewart Graybill as Assistant Treasurer for a two-year term. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.
13. Mrs. Frutiger made a motion to re-appoint C.S. Davidson (and Representative Jeffrey Shue) as Engineer for the Borough for the 2008 calendar year. Mr. Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
14. Mrs. Frutiger made a motion to authorize the Secretary, or Assistant Secretary in the absence of the Secretary, to purchase or sell securities for the benefit

- of the Borough. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.
15. A Resolution (#1) was presented to Council for Brent Nalbandian to be re-appointed to the Zoning Hearing Board for a term of three years. Mr. Nalbandian's term expired on 12/31/07, and he agreed to serve if reappointed. A vote was taken. All were in favor; resolution passed.
 16. An alternate should be appointed for the Zoning Hearing Board. This position will be advertised.
 17. Mrs. Barley made a motion to re-appoint Wade Elfner on the Planning Commission. Mr. Klinedinst seconded the motion. Mr. Elfner's term expired on 12/31/07, and he agreed to serve if reappointed. A vote was taken. All were in favor; motion carried.
 18. There are two vacancies on the Redevelopment Commission to replace George Migash who resigned, and also to replace Ryan Sanders whose term expired on 12/31/07. Council President McCabe asked for a motion to appoint someone to these positions. The Borough had received notices from John Clemens and Tammy Lehman stating they would like to serve on the Redevelopment Committee or to help in the community in some capacity. Mrs. Barley suggested tabling this appointment to verify that Ryan Sanders did not seek re-appointment. Mrs. Frutiger made a motion to table this appointment until next month. Mrs. Barley seconded the motion. A vote was taken. All were in favor; motion carried.
 19. Jud Stauffer's term on the Shade Tree Commission expired on 12/31/07. No one had talked to Mr. Stauffer about his interest in reappointment. Mrs. Barley made a motion to table this appointment until verification is received. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.
 20. Mr. Klinedinst made a motion to re-appoint Carroll Missimer to the Water Authority. Mr. Missimer's term expired on 12/31/07. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.
 21. Kelly Henshaw to be reappointed to the Vacancy Board, but no one had spoken to Mr. Henshaw to verify. Mrs. Barley made a motion to table the reappointment until next month. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.
 22. A representative should be appointed to the York Area COG. Present rep is Christina Frutiger. Jeff Herrman made a motion to reappoint Mrs. Frutiger as the representative with Mrs. Barley as an alternate. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.
 23. A representative and alternate should be appointed to the Local Government Advisory Committee. Earl Myers and Kandy Paules-Sowards are

the present representatives. Ms. Sowards made a motion to be the representative herself. Mrs. Barley seconded the motion.

Ms. Sowards made a motion to appoint Mrs. Frutiger as the alternate. Mr. Gebhart seconded the motion. A vote was taken. All were in favor; motion carried.

24. A motion was made by Mrs. Frutiger to pay the bills. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.

25. Stew Graybill reported on the following items:

- a. Codes Administrators is currently the contracted inspector and building codes official. Mrs. Frutiger made a motion to renew the contract for a 1-year term. Mr. Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
- b. A notice was received from the tax collector to exonerate 427 residents from paying the per Capita tax. This amount totals \$4,270.00. Mrs. Barley made the motion to accept the exoneration list. Mr. Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
- c. Fee resolution for Borough fees needed to be accepted. The only change was the rental fee for the skid loader, which is now \$50 per hour. Mrs. Barley made a motion to accept the fee schedule. Mrs. Frutiger seconded the motion. A vote was taken. All were in favor; motion carried.
- d. Borough Council members received notice from PennDot (District Engineer) in reference to the ordinance to restrict turning at North Main Street. Stew reported that Stan Saylor's office said no money will be given to put towards this. Mr. Saylor told Stan that work on North Main Street is to begin in April 2008.
- e. Stew suggested submitting an application to the County for \$20,000 of liquid fuel funds, because the Borough can't use its own liquid fuel funds. This money will be used to cut in an access road at Mill Street. Mrs. Frutiger made a motion to apply for liquid fuel money for Mill Street access road. Ms. Sowards seconded the motion.
- f. Stew met with Stan Saylor and PennDot regarding the traffic signal timing in Red Lion Square. The state would like to study signal timing, but Stew said the state would need to pay for the study.
- g. A "No turn on Red" sign is to be installed on the mast in the square. Stew told Mr. Saylor that Red Lion Borough has complied with the letter from PennDot regarding all of their traffic concerns.
- h. Mrs. Frutiger made a motion for Michael Craley to start working on the three ordinances discussed to be in compliance with PennDot's letter. Ms.

Sowards seconded the motion. A vote was taken; the vote 6-1 in favor, with Jeff Herrman opposed. Motion carried.

- i. Stew received a notice from the Police referring to truck parking and size differences. Stew will study the notice more closely and report back to Council next month.
- j. It is in the 2008 budget to buy a new administrative vehicle. Stew asked for Council's approval to move forward with that purchase. \$27,000 was allocated in the budget; Stew found a Ford Explorer for \$23,300, and it should arrive in May or June. Mrs. Barley made a motion for Stew to start paperwork for the new vehicle. Mrs. Frutiger seconded the motion. All were in favor; motion carried.

26. VISITORS AND PUBLIC COMMENTS

Elwood McCleary, who lives at 164 North Main Street, Red Lion, addressed Council over his concern of speeding at the intersection of North Main and Gay Streets, where the crossing guard crosses school children. He reports that particularly Bentzel Construction trucks do not slow down, and he has reported this to the company. He has also reported it to York Area Regional Police and the Pennsylvania State Police, but he does not think the problem is getting better. The State Police told him, that if Red Lion Borough requests it, they would set up radar in the area.

Mr. McCleary also reported the excessive use of jake brakes in that area, and the noise level because of them. Council told Mr. McCleary that PennDot turned down the request to do a traffic study because of the grade (slope) of the street in that area. Because the roads in the Borough are state highways, and are not owned by the Borough, Council is limited as to what they can do. Council members recommended Mr. McCleary contact Michael Waugh's office, PennDot or Stanley Saylor's office.

Stew Graybill said with Council's approval, he will write a letter to Pennsylvania State Police to come and set up radar and he will send a copy of the letter to York Area Regional Police as well.

27. Other Business

- A. Mrs. Frutiger reported on the Comprehensive Plan Agreement. Municipal Planning Code needs approved for the Tri-Borough Comp Plan. Payment for the Tri-Borough Comp Plan would be divided as such: 54%--Red Lion, 36%--Dallastown, 10%--Yoe.
- B. Dennis Klinedinst raised questions about the budget. Explanations were given as follows: Street light repair included lights in the Borough and the park. Payroll raises were at an increase of approximately 3%. Money given to the ambulance club was increased from \$10,000 to \$15,000 this year.

- C. Council received a request for a handicap parking space to be put on Howard Street for a resident living at 234 North Main Street, at the corner of Howard and North Main Streets. The requestor meets the requirements for handicap parking. Council needs to check with the homeowner at this corner before approving this parking space. Mrs. Barley made a motion to table this request. Ms. Sowards seconded the motion. All were in favor; motion carried.
- D. Stewart Graybill resigned from the Trail sub-committee. He feels that the Borough needs to approve all of the Rail Trail plans, and the sub-committee was not following proper guidelines. Plans were not being reported back to the Borough Council. Mr. Craley said Borough Council has the final say for all Trail plans. Stew's suggestion was for a Council member to call Tammy Lehman and/or John Clemens to see if they would like to serve on the Trail Committee and/or Redevelopment Committee.
28. Borough Council is holding an Executive Session, requested by the Solicitor, after adjournment to discuss litigation with no action necessary.
29. A motion was made by Mrs. Barley to adjourn the meeting at 8:35 p.m. Ms. Sowards seconded the motion. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers

Recording Secretary