

Red Lion Borough Council
Meeting Minutes
February 11, 2008

Members

David McCabe, President
Cynthia Barley
Kandy Paules-Sowards
Christina Frutiger
Michael Gebhart
Dennis Klinedinst

Others

Stewart Graybill, Borough Manager
D. Michael Craley, Solicitor
Robert Frutiger, Mayor
Jeffrey Shue, Engineer
Officer Good, YARPD
Stacy Myers

Visitors

Julie Yahnke
Joe Yahnke
Lori Badders
Beth Nidam

Dave Stump
Jim Walsh
Ryan Sanders

1. Council President Dave McCabe called the meeting to order at 7:00 p.m. All present participated in a moment of silence, followed by the Pledge of Allegiance.
2. A motion was made by Cynthia Barley to accept the minutes from the December 10, 2007 and January 7, 2008 meetings with the following corrections:
 - A. December minutes—under “Manager’s Comments, Part D”. “Stew Graybill wanted to call an executive session following the Council meeting.” **An executive session was not held.**
 - B. January minutes—Item #9 should read **“All Council members are given authority to sign checks in addition to the Borough Secretary and Treasurer.”**
3. **Fire Report** was presented next. Chief Dave Stump addressed Council. He distributed and reviewed the fire company report for January.
Julie Yahnke reported on the following:
 - A. Heating/Air-conditioning system almost complete; one more inspection is needed
 - B. Mayor Frutiger has sworn in everyone @ Fire Company
 - C. Budget will be turned in by the week ending February 15, 2008

Julie questioned whether the following issues were ever resolved after she reviewed past meeting minutes:

- A. Flashing light installed outside of fire station (to alert when fire vehicles are coming out)
Julie thought grant money would be applied for to install these, but Stew told her the Fire Company can apply for the grant money through DCED. The Borough has already applied for several grants for this year; the Fire Company did as well. No outcome was really met on this issue. Julie Yahnke reported the Fire Company was denied the FEMA grant this year.
- B. Pre-emption lights that are installed at traffic lights. Stew said State was going to install them @ Prospect and High Streets when they re-do those intersections in the spring. Dave Stump said where new lights are installed isn’t the problem; it is when existing traffic signals have to be changed that problems arise. Dave McCabe said he remembers that the cost was too high when they had talked about it before. The State

would not install them in the square, but Dave Stump said he believes it was decided the other three intersections would be done as time and money permitted.

- C. Gamewell and siren system—Chief Stump reported, along with guest Jim Walsh. Fire Company expected to go on new digital paging system in April or May. Gamewell system is no longer in service, leaving Fire Company and Borough building without fire protection. The siren system was turned off due to problems. Ms. Sowards said the siren in the park has to alert residents in the case of a disaster. The “Pull in case of Emergency” boxes in the square do not work; they’re no longer hooked up. The Fire Company does not want to be held responsible if someone would pull it for help and no one would respond. Milt, who had serviced the alarm system in the past, was not able to find the relay boxes due to the system being very old. Stew thought all new wiring would need to be installed. Dave Stump suggested not doing that, due to it being out-of-date in the near future anyway.
- D. Jim Walsh explained the new paging system, and had also explained the report on the system that Julie had provided for Council. It has three different tones available, i.e. for a mass casualty incident, fire calls, etc; it’s very adaptable. Some calls are low-priority, and the siren doesn’t necessarily need to sound. This new system can be programmed for that also. The siren can also be turned off between certain hours of the night. The Borough Council owns the siren, so something needs to be done since it’s not working at this time. Jim reported the Gamewell system was electro-mechanical, it was not electronic. It ran on gears, springs, wiring, etc. The new paging system is a digital pager. A new receiver could be replaced for approximately \$500.00, but then the rest of the system would be the old system. In order to provide the best solution, the old wiring would be removed, and replaced with an electronic weather-proof controller. The cost of the controller is approximately \$2000.00, and the proper receiver would be included to receive the new system. Installation needs to be done by a licensed electrician (whether in-house or otherwise). Jim had spoken to a licensed electrician, and he estimated installation being under \$1,000.00.

The fire company would need to purchase one system to be installed at the fire station, and they will pay for that. The Borough would need to purchase the controller/receiver in order to make the system functional.

To help fund the new system, Stew suggested stripping the 26+ miles of copper wiring used in the old Gamewell system. The highway department can remove the wire. If this doesn’t cover all the costs, steel from the removal of the incinerator can also be recycled for money. Any cost over and above those two things, Stew said can be covered by the General Fund. He doesn’t foresee having to take from the General Fund. The alarm (pole) boxes and the Gamewell system will be taken down and the Borough will give one box & the Gamewell system to the Historical Society; the Fire Company will keep their pole box in their museum. The Fire Company also volunteered to donate a placard to the Historical Society, explaining what the Gamewell system was and how it was used.

Ms. Sowards made a motion to take Stew’s suggestion for the Borough to remove the wiring from the old system to help fund the new siren controller/receiver + installation (not to exceed \$4,000). (Amounts of \$4,000-\$10,000 have to go to quote)

Mrs. Barley seconded the motion. A vote was taken. All were in favor; motion carried. Stew will also alert Phil Ropp (since the Municipal Authority owns the Borough building) that the Borough building has no fire protection at this time. Dave McCabe will also send a letter to the Fire Company, since they do not have protection either.

- E. Julie Yahnke extended an invitation to Council members to hear State Fire Commissioner Ed Mann conduct a grant seminar on Wednesday, February 13th, 2008.
4. **POLICE REPORT** was presented next. Corporal Good reported the following:
- A. Hours of service for January 2008 is 251.
 - B. Reportable offenses is approximately 60; approximately 150 miscellaneous calls.
 - C. New hires—Officer Dibble completed his field training and is now on the road. Another new hire is in field training at this time--Officer Dowkowitz; his training should be complete in a few weeks.
Two officers at Police Academy at this time—Officers Doebuck and Mitchell; their training should be complete in approximately 18 weeks.
5. **VISITORS AND PUBLIC COMMENTS**—Beth Nidam was present to address Council. Beth is currently Chairperson of the Redevelopment Commission. She received an email from Stew Graybill, which she wanted to discuss with Council. She was trying to get a meeting scheduled with the Borough Council since her appointment to Redevelopment in October 2007. She reported there is a lot of misunderstanding and miscommunication between the two parties. She wanted the meeting to hash out all the misunderstandings; however, before a meeting was scheduled, Borough Council had formed a sub-committee for the Rail Trail. Beth said she, and Scott Thompson are not interested in serving on that sub-committee, and that Dave McCabe, Stew Graybill, and Christina Frutiger could continue on their own. Stew had already submitted his resignation from that sub-committee to Council in January 2008.
- Beth said a few members of Redevelopment had met with Past Council President Jeff Herrman to try and resolve some communication issues. She knows Council is not happy with the level of communication with Redevelopment at this time, but she wanted to obtain a listing of monies collected, expenditures paid, other information pertaining to the Rail Trail, and it seemed like Stew did not want to submit that. At this time, the Rail Trail revenue is as follows: \$27,565.56 was collected through private donations, \$26,000 through Public Works and Municipal Authority. The balance attributed to the Red Lion Mile is \$26,599.65. Stew said when this money is donated and given to Red Lion Borough, regardless of what it's earmarked for, it becomes Borough property. The land is also Borough property. Beth was asking that if there was a problem for Council, they should have come to Redevelopment immediately to resolve it.
- Ms. Sowards said at the time the Rail Trail was started, Redevelopment had told Council that Council would not have to financially back the project at all, but that was eventually what had happened. Borough Council needs to account for all monies, man hours, etc, given and so a sub-committee was formed to keep track of that. It was to help with communication, and not to create ill feelings.
- Dave McCabe said he felt that the sub-committee was formed because of information given to Borough Council that Redevelopment had made decisions on their own that they shouldn't have; mainly, concerning drainage issues under Charles Street bridge. Dave said he heard it would take 600-feet of a certain size pipe and that the cost for that pipe would be approximately \$54,000. He said there is not \$54,000 available to pay for that pipe, so if that amount of money is needed or being spent, the Borough Council needs to be aware of it. Dave said to resolve this misunderstanding and move forward with this project, he requested a meeting be scheduled between Beth, one other member from Redevelopment and two people from Borough Council. The meeting was scheduled for Monday, February 25th, which is an advertised open meeting.

6. **PETITIONS**—none
7. **ORDINANCES**—none
8. **RESOLUTIONS**—none
9. **AGREEMENTS**—none
10. **BIDS**—none
11. **MAYOR FRUTIGER'S REMARKS AND RECOMMENDATIONS**—none
12. **ENGINEER'S REPORT**—Jeff Shue reported. The drawings for the pipe design for North Charles Street bridge are complete. Jeff said he has made what he felt to be the best decision where this was concerned, but he will be glad to talk to those involved with this project. While he is trying to remain impartial during these discussions, he has been contacted by someone other than Borough Council about designing a structure that would combine all the pipes under the bridge to capture all the water. He said it can be done fairly easily, and he will discuss this with Dave McCabe before the February 25th meeting. A motion was made by Michael Gebhart to accept the Engineer's report. Dennis Klinedinst seconded the motion. A vote was taken. All were in favor; motion carried.
13. **SOLICITOR'S REPORT**—Michael Craley reported on the following issues:
 - A. Ray Arnold's litigation—His attorney did file an appeal to dismiss his lawsuit to the Third Circuit Court of Appeals. His attorney indicated two things will happen; 1) motion that they filed for attorney's fees will be stayed until the Judge finds out whether they'll uphold his decision or not, and 2) He will let Mike know when the briefing schedule is to hear the case.
 - B. Mike has drafted the ordinance to prohibit trucks 55-foot and larger from making the turn at the traffic light at North Main Street and East and West High Streets, and also at North Main (northbound) at East Prospect Street. Mike received an email from Sgt. Blair from York Area Regional Police indicating they were looking into amending one of the Borough's traffic codes dealing with commercial vehicles. Instead of "vehicles larger than a pick-up truck", they would like it to state "vehicles with a GVW of 10,000lbs or greater". Mike said that can easily be incorporated into the same ordinance. He believes service trucks, delivery trucks, etc would probably be exempt, and he read Ordinance 205.25 and 205.26 to state his point. Borough Council feels there may be residents with personal vehicles with a gross weight of more than 10,000lbs, and because the Borough doesn't want to create any hard feelings, they are choosing to not take any action on Sgt. Blair's email at this time. Borough Council would like the passing of the "No Turning" ordinance to coincide with the completion of the project, so trucks don't tear up what was just re-done. Mike said the ordinance can be passed; it won't be enforced until PennDot installs the "No Turn" signs.
 - C. Stew sent Mike notice that we now have the preliminary editorial report on the Codification of the Ordinances. Mike suggested that he, Stew, Dan Shaw, and Mayor Frutiger review and discuss the editorial report and then decide if they want to bring it to Council and have the editor make changes. Stew feels that some of the Ordinances do need to be reviewed and changed.
 - D. Map amendment request for the property at Elm and Boxwood. This property is now zoned Residential Outlying, which does not permit multi-family dwellings. Fabie Homes wants to build townhouses on the property and they want it re-zoned "Industrial". Multi-family dwellings are allowed in Industrial zones. Mike does not think York County Planning Commission will want to change the zoning back to Industrial. Council does

not disagree with the townhouse idea, so Mike said he will check with the Planning Commission and report back to Borough Council at the March meeting.

14. **PARKS AND RECREATION**—Dennis Klinedinst reported on the following issues:
 - A. The Double Deuce Run on New Year’s Eve raised \$1235.00. In November 2008, Parks and Recreation would like to hold a raffle. They could sell chances to win a car, which would be displayed in the Square for two months, and then be raffled off at the Double Deuce Run 2008. Mike Zelger said he believes that would generate at least \$2,000.00. Dennis made a motion to split the money that was raised (\$1235.00) this year 50/50 with the New Year’s Eve committee. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.
 - B. Dennis discussed some ideas that were mentioned at Parks and Recreation Committee meeting; Saturday morning tea for Mommy & Me, etc. He said a lot of ideas were brought up; however, some people don’t want to put forth effort to make them happen.
 - C. Michael Gebhart explained the York Young Revolution baseball, headed by Mike Zelger, and how it gives every young child in York County a chance to come to Nitchkey Field and try out for the team. There are different age groups. After making the team, there are costs involved, and the teams play in tournaments.
 - D. Dennis and Mike Zelger are planning on visiting Vulcan Road area for the possibility of a ball field. Some Council members were not sure it was a big enough area, or a good area for baseball. The field is Borough property, and it would be at the Borough’s expense to build the ball field. It wouldn’t be fair for the Recreation Commission to collect all the revenue from renting the ball field; Borough should receive some of that as well. Jeff Shue said the dirt is so heavily organic; it would be good topsoil; it wouldn’t be good to use as structural fill. Jeff also said that Yoe Borough would be glad if someone would take their fill that they are looking to get rid of. A permit would be needed by whoever would take it; Dennis would need to contact York County Conservation District. Jeff also mentioned that there was a recreational plan that was started and then abandoned, because it stated the field was not satisfactory for multi-fields, possibly single. Other activities/recreation were discussed for this piece of property.
15. **PUBLIC SAFETY**—Fire Company report was already given. Ms. Sowards reported that Red Lion’s EMA is currently working together with Dallastown, Windsor Township, Felton Borough, Windsor Borough to conduct meetings together.
16. **MUNICIPAL SERVICES**—Penn Waste will be sending notices to residents along Broadway.
17. **HIGHWAY**—Dave McCabe reported on the following issues:
 - A. Request for handicapped parking at 234 North Main Street. Resident is requesting the end space at the corner of Howard and North Main. Mrs. Barley made a motion to approve the request. Mrs. Frutiger seconded the motion. A vote was taken. All were in favor; motion carried.
 - B. Incinerator is down. The material was tested and it tested negative for asbestos.
 - C. New signs in Square are done. Tracer lines and arrows will be laid when weather permits. PennDot approved the letter from the Borough to do other work at intersections.
18. **PLANNING, ZONING AND REDEVELOPMENT**—Mrs. Barley reported. Committee was formed to move forward with the Comprehensive Plan between Red Lion, Yoe, and Dallastown. Red Lion’s committee will consist of Gary LaTulippe from the Planning Commission, Christina Frutiger, Cynthia Barley, Debe Sowers, and as an alternate, Dennis Klinedinst. Stew reported that in March or April, the County will open their inter-municipal

grant program, so we wanted to have the committee formed. The applications for State grants, CDBG money, and County grant money will have to be submitted. Mike Craley said the first step in the process is drafting the inter-municipal agreement so it can be reviewed and passed by resolution, but an ordinance has to be done before the draft so Council can approve it as a formal document. Mike has drafted the ordinance and Pam at York County Planning has made some minor changes, but Mike is currently waiting to get the approved draft. A motion was made by Michael Gebhart authorizing the above-named persons to serve as Red Lion's Comp Plan committee. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.

19. **ADMINISTRATION**—Mrs. Frutiger reported a committee has been formed to handle contract negotiations. That committee consists of Christina Frutiger, Dennis Klinedinst, Stewart Graybill, Philip Ropp, and Eric Immel. This committee will be responsible for reviewing the Teamsters union contract, and will make any necessary changes. Mrs. Barley made a motion to replace Dennis Klinedinst with Michael Gebhart, due to Mr. Gebhart's position on the Administration committee. Ms. Sowards seconded the motion. A vote was taken. All were in favor; motion carried.

Mrs. Frutiger reported there are three terms open on the Redevelopment Commission:

- A. Ryan Sanders' term expired on 12/31/07. Ryan agreed to be reappointed. Ms. Sowards made a motion to reappoint him for another 4-year term. Mrs. Barley seconded the motion. A vote was taken; all were in favor; motion carried.
 - B. George Migash's term had expired on 12/31/07. Council had received a letter from John Clemens stating he would be interested in serving on a committee. Mrs. Frutiger made a motion to appoint John Clemens for a 4-year term. Ms. Sowards seconded the motion. A vote was taken; all were in favor; motion carried.
 - C. Michael Lutz' term will expire on 12/31/08, but Mr. Lutz recently resigned from Redevelopment. Mrs. Frutiger made a motion to appoint Walter Hughes to finish that 1-year term. Mr. Klinedinst seconded the motion. A vote was taken; all were in favor; motion carried.
 - D. Dave McCabe had spoken to Kelly Henshaw, and Kelly agreed to be reappointed to the Vacancy Committee. Mrs. Frutiger made a motion to reappoint Mr. Henshaw to this committee for a 1-year term. Ms. Sowards seconded the motion. A vote was taken; all were in favor; motion carried.
 - E. Jud Stauffer does not seek reappointment to the Shade Tree Commission. Council had received a letter of interest from Tammy Lehman stating she would like to serve on a committee. Council discussed appointing Ms. Lehman to Shade Tree. They also discussed the necessity of keeping the Shade Tree Commission in existence. Stew Graybill and Mike Craley will review whether or not to keep this committee before the recodification of ordinances is done. A motion was made by Mrs. Barley to table filling the vacancy of this committee at this time. Mrs. Frutiger seconded the motion. A vote was taken; all were in favor; motion carried.
 - F. An alternate is needed on the Zoning Hearing Board. Dave McCabe will talk to Tammy Lehman about her interest in serving on this Board.
 - G. Mrs. Barley made a motion to appoint Mrs. Frutiger as Chief Administrative Officer. Mr. Klinedinst seconded the motion. A vote was taken; all were in favor; motion carried.
20. **COMMUNICATION**—Stew reported that Daryl Ehrhart had talked to him about parking issues on Franklin Street. Stew had told Mr. Ehrhart that the Public Safety Committee will contact him and report back to Council.

Stew distributed letters from Stan Saylor's office resulting from Mr. McCleary's complaint about the use of jake brakes in the Borough. Mr. Saylor told Mr. McCleary that he could introduce legislation concerning jake brakes, but the chances of it passing are very slim. Stan Saylor had also thanked Red Lion Borough for making his move to Red Lion a smooth transition.

Borough Council received a letter from the Athletic Director at Red Lion High School asking the Borough to close down Fairview and Park Streets to thru traffic during Friday night football games. Ms. Sowards made a motion to accept this request. Mrs. Barley seconded the motion. A vote was taken. All were in favor; motion carried. The Borough will coordinate this with York Area Regional Police.

21. Manager's Comments—none
22. Other correspondence—Three items:
 - A. Debe Sowers asked that information for spring newsletter be to her by March 3, 2008.
 - B. The tax collector asked for two more exonerations for the per capita tax; \$10/each. Mrs. Barley made a motion to accept the exonerations. Mr. Gebhart seconded the motion. A vote was taken; all were in favor; motion carried.
 - C. Red Lion Area Community Services sent a letter to the Borough asking for donations to the food bank, and also to help update their heating and air-conditioning system.
23. Approval of bills—Mrs. Barley made a motion to pay the bills. Mr. Klinedinst seconded the motion. All were in favor; motion carried.
24. Approval of statements—Same motion in affect as #23
25. Council dismissed for an Executive session @ 9:55 p.m. Council re-convened @ 10:15 p.m. The purpose for the Executive session was along the lines for potential litigation; there was no need for official action at this time.
26. A motion was made by Mrs. Barley to adjourn the meeting @ 10:17 p.m. Mr. Gebhart seconded the motion. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers
Recording Secretary