

Red Lion Borough Council
Meeting Minutes
February 9, 2009

Members

Cynthia Barley
Christina Frutiger
Dennis Klinedinst
Jeffrey Herrman
Michael Gebhart
Dave McCabe

Others

D. Michael Craley, Solicitor
Dan Shaw
Stew Graybill
Cpl. Goode, YARPD
Stacy Myers

Guests

Walter Hughes
Lori Badders
Eric Immel
Phil Ropp
Skip Missimer

Brett Patterson
Julie Yahnke
Sgt. Stabley, YARPD
Chris Ward
Aaron Oxenrider

1. The meeting was called to order @ 7:00 p.m. Councilman Jeff Herrman offered a prayer.
Everyone present participated in the Pledge of Allegiance.
2. A motion to accept the minutes from the January 12, 2009 meeting was made by Mrs. Barley.
Mrs. Frutiger seconded the motion. All were in favor; motion carried.
3. **FIRE REPORT**—Julie Yahnke reported the following for January:
 - 22 emergency calls
 - 0 non-emergency calls
 - 243 total personnel; average personnel per call—11.05
 - \$550,000 loss
 - Julie asked accountant to file their 990 on time this year instead of filing an extension
4. **VISITORS AND PUBLIC COMMENTS**—Two items to come before Council:
 - Walter Hughes from Redevelopment Commission and Red Lion Mile Committee was present to discuss the actual route of the Red Lion Mile. He said it will follow the MA/PA railroad bed, until it gets to Mill Street, where it proceeds down Mill Street, along Mill Creek to Springwood Road. In following the MOU, “Phase I” of the Mile will go from Main Street to Mill Street. “Phase II” of the Mile will continue from Mill to Springwood. Mr. Hughes also reported the survey of the Lutz property was authorized so that the property line is definite. Dan Shaw had given Mr. Hughes a quote on drainage piping; the Committee will be putting that out for bid. A motion to approve the Red Lion Mile layout as presented was made by Mrs. Barley and seconded by Mrs. Frutiger. All were in favor; motion carried.
 - Phil Ropp and a few Authority members were present to discuss the recent boil water advisory. Phil explained that on Sunday, February 1, 2009 the turbidity level of the finished water exceeded DEP’s regulation amount, which is 1 NTU (a unit of measure to measure water clarity; stands for Nephelometric Turbidity Unit). The operator immediately began to make corrections to the system; Phil said he did quite a good job. Within 1¼ hours, the system was back down to acceptable levels, and by 4:00a.m., February 2, all levels were back to normal. The incident occurred approximately 2:00p.m. Sunday; Phil was notified by the Plant Superintendent Monday, February 2, approximately 7:00a.m. DEP states they must be notified

within one hour of any spikes in levels. DEP requested Red Lion issue a “boil water advisory”. Phil and employees immediately notified the media, and bulk water users, Dallastown/Yoe and Windsor Borough. Larger water customers, such as schools, nursing homes, local businesses, etc. were also called directly. The disinfection process was started, and DEP advised all 3 systems to be flushed. Five consecutive days of samples were taken; no bacteria or organisms were ever found in water. After the 5th day that clear samples were gathered; DEP said the boil water advisory could be lifted, which was Saturday, February 7, 2009. Standard operating procedures are being reviewed. Phil reported that while he’s not certain as to the cause of the increased turbidity, he said it’s possible that, in the recycling process where the clean water is pumped from the top, some of the sediment at the bottom of the tank was pumped into the system. Phil said he’s never experienced any such incident in his 33 years with Red Lion Water.

5. **POLICE REPORT**—January report not complete yet, but the preliminary report follows.

- Hours of service -283
- Part I offenses was 10
- Part II offenses was 18
- 150 miscellaneous calls; one call being a red light violation on January 18, 2009, where the driver had fled and shortly after had wrecked. It was found that the vehicle was stolen, and hadn’t been reported stolen yet at the time of this accident. Later, two other men were connected with two other stolen vehicles, all from around South Charles Street area. 15-20 cases were cleared with those three arrests.
- Smooth operator program is still going on; \$5,500 in grant money was received for the program for speed/traffic enforcement
- ESP (excessive speed preventors) for speeding is being enforced

6. **PETITIONS**—none

7. **ORDINANCES**—none

8. **RESOLUTIONS**—Three Resolutions before Council for approval.

- Resolution to fill vacant Borough Council seat (to replace Kandy Sowards); 2 requests for consideration—one from John Clemens and one from Justin Immel. A motion to approve the Resolution nominating John Clemens was made by Mr. Gebhart and seconded by Mrs. Frutiger. Mrs. Barley said she would like to see this go before the Vacancy Board (6 members of Council + Chairman of Vacancy Board), but at this time, there is no Chairman of the Vacancy Board (previously Kelly Henshaw; he was not yet contacted to see if he’s interested in serving another term). Mr. Craley said if Council does not fill the vacant seat within 30 days of Ms. Sowards resignation, it goes to the Vacancy Board, who then has an additional 15 days to fill it. The vacant position and meeting of Vacancy Board must be advertised, and at that time, if it is not filled, Council President petitions the court to fill it.
A vote of the previous motion was taken to approve the Resolution nominating John Clemens to the unexpired term till the end of 2009. Three voted “for”, three voted “against” (Jeff Herrman, Dennis Klinedinst, Cindy Barley). A tie vote needs to be settled by the Mayor, either by voting **now**, or by **calling a special meeting** to decide. Mayor Frutiger casts his vote now “in favor” of adopting the Resolution nominating John Clemens, breaking the tie; motion carried.

- Resolution reappointing Tim Smith to the Zoning Hearing Board. A motion to approve the Resolution was made by Mrs. Frutiger and seconded by Mr. Gebhart. All were in favor; motion carried.
- Resolution thanking Kandy Paules-Sowards for her seven years of service to Borough Council. A motion approving the Ceremonial Resolution was made by Mrs. Barley and seconded by Jeff Herrman. All were in favor; motion carried.

9. **AGREEMENTS**—none

10. **BIDS**—none

11. **MAYOR FRUTIGER’S REMARKS AND RECOMMENDATIONS**—none

12. **ENGINEER’S REPORT**—not present

13. **SOLICITOR’S REPORT**—Mr. Craley reported the following:

- Distributed draft language on the key lock box system requested by Chief Stump last month. This will be included in the codification of Ordinances. This system is consistent in brand to what York Township and Windsor now use. A motion to add this system to codification was made by Jeff Herrman and seconded by Mrs. Barley. All were in favor; motion carried.
- Three minor changes to codification. 1) Provisions dealing with UCC, what are called “uncertified buildings”, 2) Borough may charge fee for yard sales, 3) North Main Street project and all other previous traffic updates were included. Tentatively scheduled to adopt the new code at the April 13, 2009 Council meeting. It will be introduced in March, and then advertised for adoption in April.
- Executive session to be held at the end of meeting to update on two litigation matters

14. **PARKS AND RECREATION**—Mr. Klinedinst reported the following:

- Country line dancing to be added to list of programs at Recreation Center
- Baseball registration going on now
- Recreation Board has 3 openings—
Troy Fisher sent his letter of resignation, his term is unexpired—A motion to accept his resignation was made by Mr. Klinedinst, and seconded by Mrs. Barley. All were in favor; motion carried.
Jan Seitz wishes to be reappointed for a 5-year term (until 2013) and take over as Chairman. A motion to reappoint him was made by Mr. Herrman and seconded by Mrs. Frutiger. All were in favor; motion carried.
Shelley Orwig will serve another term. A motion to reappoint her was made by Mrs. Barley and seconded by Mrs. Frutiger. All were in favor; motion carried.
Wade Smith requested to be nominated to fill vacancy. A motion to appoint him to Rec Board was made by Mr. Klinedinst and seconded by Mrs. Frutiger. All were in favor; motion carried.
- Mike Zelger sent a letter stating Yvonne Haugh was hired as Special Events Coordinator. A contract will be drafted for Yvonne to sign.
- HVAC in Rec building—Stew Graybill said system design has already been done, equipment costs will be under \$10,000, and labor can either be provided by Borough employees, or we can put it out for bid using the existing system design, and have a contractor complete the work. Stew said it’s more feasible to have Borough employees do the work. Engineering costs will be involved to have Jeff Shue get the design on paper. The day care in the building will need to be notified ahead of time while construction is underway. A motion for Stew to prepare paperwork to put the job out for bid under pre-existing specifications was made by Mrs. Barley, and seconded by Mr. Herrman. A vote was taken; all were in favor; one voted “no” (Mr. Gebhart). Motion carried.

- Restrooms in park—a motion to put it out for bid using plan specifications was made by Mrs. Barley, and seconded by Mr. Herrman. All were in favor; motion carried.
 - Rental rates for Recreation building have increased—a motion to accept the new fee schedule was made by Mrs. Barley, and seconded by Mr. Gebhart. All were in favor; motion carried.
15. **PUBLIC SAFETY**—A fire report was given previously. The ambulance report and the 2008 year-end financial report were distributed. John Clemons will take over as Chairman of this committee since Ms. Sowards' resignation.
16. **MUNICIPAL SERVICES**—A letter concerning trash collection was received by Trina Jayne. The borough already has a system in place for this matter, and they will send a response letter to her.
17. **PUBLIC WORKS**—Jeff Herrman reported the following:
- Crack sealer purchase--\$40,000 total cost; in the process of getting grant money back for purchase. A motion to ratify the purchase was made by Mr. Herrman, and seconded by Mrs. Frutiger. All were in favor; motion carried.
 - Our one-ton dump truck needs to be re-plumbed and re-valved so the bed can be used at the same time as the salt spreader. Cost for repairs is \$1,600. A motion to make the truck repairs was made by Mr. Herrman and seconded by Mike Gebhart. All were in favor; motion carried.
 - Street sweeping signs & posts; cost is \$5,340. Half would be purchased this year; half next year. Liquid fuels money will be used for this, and the ordinance requiring the signs for street sweeping is to be included in re-codification. Mr. Herrman made a motion on the condition of approval of the ordinance requiring street sweeping signs; Mrs. Frutiger seconded the motion. All were in favor; motion carried.
 - Reported speeding problems in the area of Hillside, Highland & Bellevue Drive. These areas are not posted with Speed Limit signs, so Police cannot enforce this area. Cost of posting 14 signs in these areas is approximately \$800. A motion to approve the purchase of these signs was made by Mr. Herrman and seconded by Mrs. Barley. All were in favor; motion carried.
 - A motion authorizing Stew Graybill to apply for liquid fuels money through York County for the purchase of a sign maker was made by Mr. McCabe, and seconded by Mrs. Frutiger. All were in favor; motion carried.
18. **PLANNING, ZONING AND REDEVELOPMENT**—Mrs. Barley reported:
- Heather Goebeler has resigned from the Redevelopment Commission and Red Lion Mile Committee. Commission will be looking to fill that vacancy.
 - A motion to re-appoint Randy Krouse to Planning Commission was made by Mrs. Barley and seconded by Mrs. Frutiger. All were in favor; motion carried.
19. **ADMINISTRATION**—Mrs. Frutiger reported the following:
- Union contracts were before Council for approval; one for Authority and one for Borough. Authority already voted to approve their 5-year contract; Borough contract is for a one-year term (1/1/09 through 12/31/09). Borough raise increase is 3% per the contract. Authority raise increase is 3½% for first 3 years, and 4% for the 4th & 5th year. A motion to approve both contracts was made by Mrs. Barley and seconded by Mrs. Frutiger. All were in favor; motion carried.
 - Jim Hackler, one of the road crew employees, is suffering with terminal cancer. A fundraiser dinner is being held in the Community building to raise money for the family. A motion to waive the fee associated with the use of the Community building was made by Mr. Herrman and seconded by Mike Gebhart. All were in favor; motion carried.

- A motion to send a letter terminating the agreement between the Ambulance Club and Borough was made by Mrs. Frutiger, and seconded by Mr. Herrman. All were in favor; motion carried.
 - A motion to spend approximately \$3,000 for the purchase of a fire suppression system and hand-washing system for the kitchen of the Community building was made by Mr. Klinedinst and seconded by Mr. Gebhart. All were in favor; motion carried.
20. **COMMUNICATION**—Two items were discussed:
- On January 16, 2009, a meeting was held with Elementary school officials, along with Dan, Stew, Brett and Sgt. Stabley concerning the crossing guards at Edgar Moore Elementary. Some of the crossing guards continue to direct traffic after children have crossed and buses have gone. School officials are aware of problems this may cause, but are happy with the traffic clearing out as soon as possible. Sgt. Stabley recommended keeping things as is; he will monitor the situation and train a few of the crossing guards with proper hand signals for directing traffic.
 - HOP is to be approved by Council for the meeting with Stan Saylor. A motion was made by Mrs. Barley to authorize Stew Graybill to sign the HOP, if no other changes are made by Representative Saylor. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
21. Manager's Comments—Stew Graybill offered his thanks for jobs well done.
22. Other correspondence—none
23. Approval of bills—A motion to approve bills and statements was made by Mr. Gebhart and seconded by Mr. McCabe. All were in favor; motion carried.
24. Approval of statements—included with above
25. Council recessed to Executive Session @ 8:40 p.m. to discuss pending and current litigation matters; no action is necessary. Council re-convened @ 9:00 p.m.
26. A motion to adjourn the meeting @ 9:02 p.m. was made by Mrs. Barley, and seconded by Mr. Gebhart. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers
Recording Secretary