

Red Lion Borough Council
Meeting Minutes
Monday, June 8, 2009

Members

Christina Frutiger
Cynthia Barley
John Clemons
Michael Gebhart
Dennis Klinedinst
Jeffrey Herrman
David McCabe

Others

Mayor Robert Frutiger
D. Michael Craley, Solicitor
Jeff Shue, Engineer
Dan Shaw
Cpl. Good, YARPD
Stacy Myers

Guests

Garby Snell
Tara Wiley
Frank Klein
Ann Reichard
David Reichard
Ann Heisler
Charles Heisler
Brad Smith
Julie Yahnke
Jay Long

Kelly Henshaw
Steven Kopp
Thomas Shellenberger
Ron Harlacker
William Bogdanowich
Sandra Graham
Scott Thompson
Eric Immel
Steven Stine
Tina Long

Tom Wilbur
Scott Kopp
George Eveler
Ernie Heffner
David Poff
Carolyn Poff
Lori Badders
Trudy Mullendove
Sandra Stine
Ryan Sanders

1. The meeting was called to order @ 7:00 p.m. by Council President McCabe. Mrs. Barley offered a prayer and everyone present participated in the Pledge of Allegiance.
2. Mrs. Frutiger made a motion to accept the minutes from the May 11, 2009 meeting. Mrs. Barley seconded the motion. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—The following visitors/issues were recognized:
 - A. **Crossing Guards** William Bogdanowich and Tom Wilbur were present to discuss three issues:
 - Police recently told the crossing guards that they are not to direct traffic; their job is only to cross school children. Mr. Bogdanowich and Mr. Wilbur have checked into other municipalities, and found that without training, crossing guards are not authorized to direct traffic. The school district would like the crossing guards to direct traffic to help eliminate traffic congestion caused by school buses, parents dropping off/picking up children, etc. Mr. Wilbur said he had given Gail Sullivan (RLASD) paperwork stating that crossing guards are not to direct traffic. These gentlemen said that they, as well as other guards are willing to go for training. John Clemons and the Public Safety Committee will look into training/classes for crossing guards.
 - Crossing guards would like to have some kind of commitment from Red Lion Borough and Red Lion Area School District stating they will not be liable for any vehicular accident and/or injured pedestrians caused or not caused by them. They want to be covered by legal counsel in case any judgments are brought against them. Mr. Craley said that as long as the guards are working within the scope of their employment, they are covered by insurance, and entitled to indemnification. He did say however, that it is not legal for untrained persons to direct traffic. If someone wants to argue that directing traffic is outside their scope of employment, they can. It would then be up to a court/jury to decide if a guard would be covered by Borough/School insurance. Mr.

Craley also stated that with the school year coming to an end, the Borough and school district should get these issues worked out by the next school year. The guards should not be asked to do anything illegal and outside the scope of their job, if they haven't received training to do so. John Clemons will contact Gail Sullivan to work out these issues.

- The need of winter gear for crossing guards will be discussed with school district also
- B. **Charles & Ann Heisler** and some other residents of **Edgewood development** were present to protest the Borough's plan to tar and chip their development, which includes Dixie Drive, Cottage Place, Ivy Drive, Holly Drive, and Summit Drive. Residents believe it is an outdated method, as well as being dusty and dirty. Council President Dave McCabe said tarring & chipping is not a paving method; it is a seal coating method, which is a way to get extra life (approx. 5-7 yrs) out of roads at a much cheaper cost. Mr. McCabe said it is a way to maintain borough roads, while not spending a lot of money. Borough road crews believe the Edgewood development to be a good candidate for tarring & chipping because they are low volume, low speed, and low traffic roads. The Heisler's had contacted contractors who did this kind of work, and they were told that with the price of oil, tarring and chipping isn't that much cheaper than paving with asphalt.

Councilman Jeff Herrman had a price comparison for Summit Drive. To tar & chip Summit Drive would cost approximately \$5,188, while paving with asphalt would cost \$40,500 (for materials only). Frank Klein, who has been in the asphalt business for 40 years, was present to confirm the Heisler's argument about tarring and chipping. Mr. Kline explained the process involved with laying asphalt, and he believes that 2" of asphalt (as per Mr. Herrman's quote above) is not necessary; he said a leveling course of ½" to fill in depressions would be sufficient. Mr. Klein also said tar & chip would not last as long, costing more money in the long run. He said it's an antiquated method, which sometimes is overcharged by contractors; the labor & mobilization for both of these methods should be the same. He said the roads in that development, at this time, are in fairly good shape. Mr. & Mrs. Heisler had a petition with 74 signatures protesting the tar and chip of their development. The petition was read and given to Council President McCabe.

No definite vote was ever taken for or against the paving project of the Edgewood development. Grant money was applied for, but was denied, and the borough does not have the money to pursue the paving at this time. Mr. McCabe explained that the reason many of the streets were not being blacktopped is that, as the Borough Ordinance states, when streets are updated with blacktop, the residents must improve their sidewalks and curbing. The borough was trying to avoid that cost for residents right now. Mr. Klinedinst made a motion to table any decisions about this until more information is gathered. Mr. Clemons seconded the motion. All were in favor; motion carried. The public would be notified of future discussions on this.

- C. **Tara Wiley** from the 100 block of **North Main Street** was present to protest the removal of parking spaces on the right-hand side heading north. Ms. Wiley stated there is no off-street parking at some of the houses, or garages big enough to accommodate their vehicles, and some of the residents are in a panic. Council members stated the Borough does not have control over what PennDot does with their roads.

Council members suggested Ms. Wiley and other borough residents barrage Representative Stan Saylor's office with letters, phone calls, and emails concerning PennDot's plan to remove parking spaces, and other traffic plans for that area. Borough Council said PennDot's concern is just to get traffic through the town quicker; their concern is not the residents of Red Lion, and that Representative Saylor should be made aware of resident's concerns. This issue has been going on for some time. Approximately one year ago, members of Red Lion Borough Council had received emails from Representative

Saylor's office stating that if Council did not pass Ordinances which prohibit parking along North Main, the state would withdraw \$1.5 million dollars' worth of projects from the Borough. Council will ask Representative Saylor and possibly a representative from PennDot to attend next month's Council meeting for further discussion on this issue. Ryan Sanders suggested providing off-street parking/parking garages for borough homes and businesses. He, along with the Red Lion Area Business Association was interested in possibly forming a committee to try and find parking options in town. Councilperson Barley suggested he and other interested persons attend the next Redevelopment Commission meeting on August 3, 2009.

D. **Historical Society** asked for a timeline for fixing the sewer drain at the old railroad station. There is a discrepancy with where the property line lies. A survey will need to be done, which will need to be paid for by the property owner or the Historical Society. A survey was previously done, but there were some questions of its accuracy. Ryan Sanders will report Council's reply to the Society.

4. **FIRE REPORT**—Julie Yahnke reported:

- March, April & May reports were caught up
- 55 calls in May; 70+ for March & April
- Chief Stump is back on light duty
- Submitted 990 to Borough office
- Open House @ Fire Hall—Saturday, June 13, 2009
- Emitters are to be part of the design in new traffic signals @ High & Main and Prospect & Main intersections per PennDot's design plan

5. **POLICE REPORT**—Cpl. Gross reported:

- Hours of service for May was -121
- 46 reports; 200 miscellaneous calls; there has been an increase in counterfeit reports
- \$6,000 grant was received for seat belt enforcement (spent in May)
- \$7,000 grant was received for aggressive driving prohibition (to be done in June)
- New officer has been hired since graduating from Police Academy—Officer Wilt
- Officer that was on probation has resigned
- One burglary in borough; appears to be drug-related

6. **PUBLIC SAFETY**—John Clemons reported that he and Mrs. Barley had met with the Ambulance Association several times to discuss the agreement between the Association and the Borough. Mr. Clemons stated the Ambulance Association doesn't cost the Borough any money. Their pension is funded through taxpayer money. Their workers compensation and other insurances fall under the Borough insurance, for which the Association reimburses the Borough, along with any administrative fees. Mr. Clemons made a motion to rescind the previously sent letter from the Borough which terminated the agreement with the ambulance club and to reinstate the agreement. Mr. Klinedinst seconded the motion. All were in favor; motion carried. The agreement would then remain as previously stated. Authority Chairman Eric Immel was present. He stated he did not see a problem with reinstating the agreement with the Ambulance Association. Mr. Harlacker and Mr. Eveler from the RLAAA thanked Borough Council for their time and help in this matter.

EMA report—Scott Kopp was present. He said he thought 20 pagers were ordered from York County Control, but after receiving the list of items requested, he saw the pagers were not ordered. He ordered and personally paid for his own pager, which is now programmed and operational. He sorted through the antiquated equipment that was being stored in the upstairs offices at the Borough building, and has deemed it to be basically unusable; most being damaged, crushed, rusty, and broken.

A 1972 computer cannot accommodate Scott's programs, so he donated his personal laptop for EMA use. Scott offered to get rid of the items at no cost to the Borough. Some salvageable items

were a few desks/chairs that he can use if Council/Water Authority agrees. There were some other items donated by the Authority that aren't needed by EMA. According to Borough Code, Mr. Craley said if equipment/items are deemed "junk", it can be thrown out. If aggregate value of entire lot is less than \$1,500, Council can establish a policy to attempt to sell it; more than \$1,500 in value, a Resolution would need to be adopted to establish how to sell/get rid of it. In Scott's opinion, anything of value was gotten rid of years before. Mrs. Barley made a motion to remove the valueless junk from the 2nd floor of Borough building to be thrown away in Borough dumpster. Mr. Gebhart seconded the motion. All were in favor; motion carried.

7. **PETITIONS**—none

8. **ORDINANCES**—none

9. **RESOLUTIONS**—the following Resolutions were passed:

- To appoint delegate and one alternate to represent Red Lion Borough on the York County Tax Collection Committee. Delegate is currently Stewart Graybill; alternate is Jeff Herrman. Mr. Gebhart made a motion to adopt this Resolution, and to approve the delegate and alternate. Mr. Clemons seconded the motion. All were in favor; motion carried.
- To authorize submission of CDBG application to York County Planning Commission for community development block grant program funds of \$225,000 for 2009 streetscape improvements. This is a shovel-ready project involving East Broadway and South Main Street improvements. Mr. Gebhart made a motion to adopt the Resolution authorizing Borough Manager Stew Graybill to submit the application. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
- To authorize 1) Borough Engineer Jeff Shue to prepare CDBG applications for streetscape improvements of East Broadway and South Main, 2) Jeff Shue to prepare engineered drawings of the streetscape project based on the 2004 streetscape drawings, 3) Jeff Shue is to prepare bid specifications for project at direction of Borough staff and approval of YCPC, and to advertise and received sealed bids for the project. Mrs. Barley made a motion to table the adoption of this Resolution until funding has been received. Mr. Clemons seconded the motion. All were in favor; motion carried.
- Not done by Resolution---a motion was needed to approve the contract (grant) for Comprehensive Plan. Mrs. Frutiger made a motion to approve receipt of grant money. Mr. Klinedinst seconded the motion. All were in favor; motion carried.

10. **AGREEMENTS**—none

11. **BIDS**—the following bids were received:

- Historical Society air-conditioning system is not working—received bids to replace only the coil (\$2,095), or to replace whole system (\$3,895) from Daniel L. Neff, Inc. Mr. Craley said the project does not need to be bid if under \$4,000. Help would be required from Borough employees to remove old unit and replace with the new unit if the whole system gets replaced. Mr. Clemons made a motion to accept Daniel Neff's quote and replace the whole system. Mr. Gebhart seconded the motion. All were in favor; motion carried.
- C.S. Davidson submitted plans for the permit for the HVAC system in the Community Bldg. The plans will be given to Code Administrators to get the required permit.

12. **MAYOR FRUTIGER'S REMARKS AND RECOMMENDATIONS**—Mayor Frutiger asked Jeff Shue to comment on a meeting that took place at East High Street entrance of Windsor hollow (junkyard area). The culvert in that area is severely undersized, and does not allow water to drain away from entrance to the junkyard. Debris clogs the pipes, and the water and debris comes onto the state highway, causing flooding issues. PennDot has agreed to maintain the storm sewer inlets, drains, culverts, etc and to protect the highway from further erosion. It was determined that none of this is related to, or at the fault of Red Lion Borough.

13. **ENGINEER'S REPORT**—Jeff Shue reported on the following:
- Elmwood Estates—Jeff met with the design engineer and expressed his concerns about directing traffic out into existing roadways. He has not yet seen any re-submittal of designs.
 - Arts/Crafts building in park changed to restrooms—design plans should be completed in the next couple weeks. Mr. Herrman stated that he spoke to Ray Moose from Hellam Township, and Mr. Moose had some concerns with Hellam's "vandal-proof" facilities. He said facilities are being destroyed, and the township is spending all their time trying to maintain them. Jeff Shue said while nothing is totally vandal-proof, the elements that are going to be put in the restrooms are as vandal-proof as they can get.
 - Jeff drafted a letter after his meeting with Windsor Borough and Representative Saylor's office to address York County Conservation District's concern about erosion at Vulcan Road area. It was agreed that Brett Patterson will take care of re-seeding the area to prevent further erosion.
 - E & S (Erosion & Sedimentation Control) Plan for area just off Mill Street to be used as recreation. Survey was done, but Zoning Hearing Board recently denied the area for recreation. Jeff was going to receive fill dirt from Yoe, but it can't be received if E & S Plan is not in place. Yoe will need to get rid of the fill within 3-4 months. Council advised this to be put on hold for now; will discuss next month.
 - Determined that Red Lion Borough does not need a flood plain ordinance
 - MS4 permit—which is a mandatory annual report to keep in compliance with the state, was filed last week
 - YCPC transportation plan—should the projects stay on list? Mill Street, North Charles Street bridge, and East Lancaster Street were discussed. Jeff doesn't see the need to take East Lancaster off the list. YCPC suggested having Jeff or Borough Manager write a letter to them requesting to be a part of Windsor Township roadway improvement study. If Red Lion is a part of the study, it allows them to be a part of the implementation that comes from the study, which would be fundable. Mrs. Barley made a motion to authorize Stew and Jeff to draft the letter to YCPC asking them to remove Mill Street and the Charles Street bridge from the project list, and also to request Red Lion be a part of the roadway study, in which we are requesting they extend the PA74 study to include the Boxwood intersection. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
14. **SOLICITOR'S REPORT**—nothing to report, but Council requests Executive session following meeting to discuss personnel issues
15. **PARKS AND RECREATION**—Mr. Klinedinst reported the following:
- Chicken BBQ planned for July 3rd @ church on Cape Horn Road up from Apple Chevrolet
 - Movie night coming up
 - Fireworks in the park will be held Friday, July 3rd
 - Summer day camps coming up
16. **MUNICIPAL SERVICES**—no report
17. **PUBLIC WORKS**—Mr. Herrman reported there was a request for a handicapped parking space for 137 North Main Street. Dan said it meets the requirements, but is contingent on parking being available with PennDot's upcoming work in the area. Mrs. Frutiger made a motion to approve Brett Patterson putting up temporary handicapped parking signs at this property. Mrs. Barley seconded the motion. All were in favor; motion carried.
18. **PLANNING, ZONING AND REDEVELOPMENT**—Mrs. Barley reported the following:
- Redevelopment Commission is requesting Council's approval to move forward with two projects. They would like to put together a Residential Resource book, and an Adopt-A-Street program. Mr. Klinedinst made a motion to approve the projects, with Mrs. Frutiger seconding. All were in favor; motion carried.

- Grant applications open on 6/15/09 for energy conserving projects through PA Conservation works. Grants are on a first-come, first-serve basis
- A concert will be held on July 25th at the old sewer treatment plant from 2pm-11pm. The concert will hopefully promote the Red Lion Mile to the community. Issues were addressed on parking, portable toilets, safety, and lighting. Vendors will be present and four bands are scheduled to perform. Andrew Fake and Walt Hughes went door-to-door asking if neighbors in that area objected; no one did. Mrs. Barley made a motion to support the idea. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
- Red Lion Mile Committee is currently at a stand-still with trail plans due to lack of funds. The trail will hopefully be complete by the Red Lion Street Fair in August. Money for bricks and piping was already allocated and set aside. Mr. Clemons asked if Water Authority could give an advance of \$25,000 of the money they give to the Borough. The money that was donated from Authority was ear-marked for HVAC system in the Community building, park restrooms, and the remainder was to go to the RLM, but it's not certain how much, if any, money will be left after the HVAC and restroom projects are complete. Mrs. Barley made a motion to table John's request until further definite information is received. Mr. Klinedinst seconded the motion. All were in favor; motion carried. Jeff Shue recommended that RLM Committee contact Monarch Products for second-hand products (inlets, etc) that can be used for the Mile, but at a lower cost.

19. **ADMINISTRATION**—no report

20. **COMMUNICATION**—the following was received:

- Thank you note from Felton Community Days for providing advertising on sign in square.
- Thank you note from Kaltreider-Benfer Library for donation from Borough.
- Thank you note from Red Lion Show-Off Committee for the recent car show.

21. **Manager's Comments**—none

22. **Other correspondence**—Water Authority Superintendent Phil Ropp underwent 8 hours of surgery recently. Preliminary hospital reports look good at this time, and he is doing well.

23. Mrs. Barley made a motion to approve the bills and statements, with Mr. Gebhart seconding. All were in favor; motion carried.

24. Council recessed to Executive Session @ 9:35p.m. to discuss personnel matters. Reconvened @ 10:00 p.m. No official action is needed. Mr. Gebhart made a motion to adjourn the meeting @ 10:02 p.m. Mrs. Barley seconded the motion. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers
Recording Secretary