

**Red Lion Borough Council
Meeting Minutes
Monday, July 13, 2009**

Members

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

Others

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

Guests

Brad Smith
Julie Yahnke
Dave Stump
Kelly Henshaw
Kathy Henshaw
Evans Fishel
Ned Grove
George Sanders

Thomas Shellenberger
Scott Thompson
Sandra Graham
Ryan Sanders
Lori Badders
Andrew Tome
Reda Calaman

1. The meeting was called to order @ 7:00 p.m. by Councilperson Barley. Councilman Gebhart offered a prayer. Everyone present participated in the Pledge of Allegiance.
2. A letter of resignation as Council President was received from Mr. Dave McCabe. Mr. Klinedinst made a motion to approve Mr. McCabe's resignation. Mr. Gebhart seconded the motion. All were in favor; motion carried.
3. A letter of interest to fill the vacant Council position was received from Mr. Kelly Henshaw. Mr. Craley stated that to appoint someone to fill a vacancy, it had to be done by Resolution. He had a Resolution prepared with Mr. Henshaw's name, and one that was blank. Mr. Clemons made a motion to accept the Resolution appointing Mr. Henshaw to Borough Council. Mr. Klinedinst seconded the motion. All were in favor; motion carried.
4. Mayor Frutiger swore Mr. Kelly Henshaw in as the newest Borough Council member. Mr. Craley requested that Mr. Henshaw submit a "statement of financial interest" form, noting that he is now a public official as a member of Council.
5. Mrs. Barley requested a re-organization of Council. She did not feel she had enough time to fulfill the duties of Council President. Mrs. Barley made a motion to nominate Mr. Jeff Herrman as Council President, with Mr. Klinedinst seconding the motion. Mr. Herrman declined the position, stating he doesn't feel he has the time to fulfill the duties, nor the ability to be reached by anyone during the day, should they need him. Mrs. Barley withdrew her motion. Mr. Gebhart made a motion to nominate Mrs. Frutiger as Council President, with Mr. Herrman seconding the motion. A vote was taken; all were in favor, except Mr. Klinedinst, who voted "no". Motion carried.
6. Mrs. Barley made a motion to accept the June 8, 2009 meeting minutes, with Mr. Clemons seconding the motion. All were in favor; motion carried.
7. **VISITORS AND PUBLIC COMMENTS**
 - Ned Grove, Chairman of New Year's Eve Committee was present to discuss the Committee's attempt to obtain a Gaming License so they could sell raffle tickets for 1st prize)52" TV, or 2nd prize)a Wii Game System. A license could not be obtained

because Red Lion Borough had never sanctioned the New Year's Eve Committee as an organization of the borough. Mr. Craley stated he created a Resolution (to be adopted later) that recognizes the New Year's Eve Committee as the civic and service association under Section 313 of the Act. It was last done in 1998. The Borough Secretary will then complete the form Mr. Grove needs to obtain the license.

- Reda Calaman from 514 South Pine Street was present to discuss animal control issues. She learned from the Animal Control Officer, (Kohler), that a resident has to pay \$30 to set a trap for feral (wild, stray) cats. While dogs are controlled under the Borough's contract with Kohler's, cats are not included in the agreement. Ms. Calaman collected 85 signatures from Borough residents who are also concerned about the increasing feral cat population. The Borough pays Kohler Animal Control \$285/month, but Kohler's will not trap cats, and some months go by that no animals are caught. While the S.P.C.A. will not come to pick up stray cats, if a person owns an "outside" cat, they can get it spayed/neutered and get a rabies vaccine for \$15. According to Mr. Kohler, Stew Graybill wanted the contract cost lowered from \$315 to \$285 during budget time, so picking up cats was no longer included in the contract. Council members will research when the contract was actually changed, and report back on this issue.
- Evans Fishel from H.N. Fishel & Associates Insurance was present to express his disappointment that after his company has provided coverage for Borough and Authority vehicles for 51 years he was not allowed to quote on the new policy in July 2009. Mr. Fishel stated that every year, approximately one month before the policies expired, he brought a schedule of the vehicles to the office for review. This year he had done the same, but did not hear back from anyone in the Borough office regarding the policy. After repeated calls to the office, he was told someone would return his call. The policy expired on 7/11/09. On Wednesday, July 15, 2009, Mr. Fishel received a call from someone at the Borough office stating that Mrs. Frutiger asked this employee to call Mr. Fishel and report that he didn't need to bother with the insurance policy, that the vehicle insurance business was placed elsewhere. After all the years of doing business with the Borough, Mr. Fishel, although he understands the need to save money, was very upset that he was not even allowed to quote on the policy. Mrs. Frutiger stated Brett Patterson told her he hand-delivered the policy paperwork to Mr. Fishel, and there was no response. Brett was not present at tonight's meeting. Mrs. Barley stated that last year, Red Lion Borough paid over \$9,100 for vehicle insurance. This year, Kocman Insurance quoted \$1,466 for the Borough vehicle policy, and \$2,000 for Authority vehicles. Mrs. Barley also reported the renewal questionnaire was received at Borough office around June 15th, (after June Council meeting), due July 11th (prior to July Council meeting), and Council wouldn't have had a chance to review it. Mr. Klinedinst stated that in the future, the Borough should make it a point to reach out to local businesses.
- George Sanders of the Red Lion Historical Society was present to discuss the drain issue at the train station and North Main Street. The society would like to place the train car (that was recently donated) on the tracks there, but were told the drain needs to be replaced first. The Society was looking for status on when that would be done. Jeff Herrman stated the delay was due to getting the survey completed to verify where the property line actually lies. Mr. Herrman will contact Jeff Shue to try and resolve this matter. Mr. Sanders also said approximately 180' of old rail track has to be removed, and asked if it can possibly be temporarily stored at the mini storage while the repairs are being done. Mrs. Barley will look into this.

8. **PETITIONS**—none

9. **ORDINANCES**—none

10. **RESOLUTIONS**—The following Resolutions were adopted:

- Audio tapes of meetings are considered public record under the new Right to Know Act. The tapes have to be maintained unless a disposition schedule is passed. The Resolution states the tapes can be disposed of by Recording Secretary after approval of the written minutes of the meeting of which the audio tape was made. Mrs. Barley made a motion to approve the Resolution, with Mr. Gebhart seconding. All were in favor; motion carried.
- Mr. Herrman made a motion to approve the Resolution for small games of chance discussed earlier by Mr. Ned Grove, with Mrs. Barley seconding. All were in favor; motion carried.
- Mrs. Barley made a motion approving C.S. Davidson to prepare the CDBG grant application for streetscape (“shovel-ready”) projects. Mr. Clemons seconded the motion. All were in favor; motion carried.

11. **AGREEMENTS**—Yorktowne Lease Agreement was received for the Borough’s use of a vacant field on the Yorktowne property. The Borough approached Yorktowne to use the property as a multi-use recreation field. The agreement, for a 10-year term, stated the Borough would line the fields, and maintain the lot (salt, plow, cinder). The agreement also requires the Borough to carry insurance by a carrier with an A-minus rating. Mr. Gebhart stated that while there may be a few trees that need removed, the lot is flat, and pretty much ready to use for recreational purposes. Mike Craley will review the final version of the agreement before Council’s approval. Mr. Gebhart will continue carrying-out negotiations with Yorktowne, and also check into our insurance company’s rating.

12. **BIDS**—none

13. **POLICE REPORT**—Cpl. Good reported the following for June:

- Hours of service, -109
- Feet on the Street program still in effect through summer, going well
- Received \$8,000 grant for Smooth Operator, to target aggressive driving
- Part I offenses—29
- Part II offenses—22, several of burglaries reported in area
- John Fishel left YARPD to serve as local District Magistrate
- 171 miscellaneous calls
- 12 accidents—7 w/injuries
- 6 misdemeanor felonies
- 9 summary (non-traffic) citations

Mrs. Barley made a motion to approve the Police Report, with Mr. Gebhart seconding. All were in favor; motion carried.

14. **MAYOR FRUTIGER’S REMARKS AND RECOMMENDATIONS**—Mayor Frutiger would like to see Fairmount Park become more user-friendly, with more pavilions, etc so more families can enjoy it. This would hopefully deter some of the youth from hanging around the park as often, which in turn, leads to vandalism and deteriorating structures. The Mayor suggested forming a committee or commission to oversee the revitalization of the park, and act as a “park ranger” group. Their presence would hopefully decrease the amount of vandalism that is occurring in the park, and would consist of citizens, (particularly residents of Boundary Avenue), library employee(s), recreation board employee(s), a Borough council member, and the Mayor. Mike Craley said Council can decide how much authority to give this committee and then it can be decided either by Ordinance or policy. It

would start as an advisory committee governed by Borough Council, but if it becomes successful, more authority and an agreement can be established. Council thought it was a great idea, and urged Mayor Frutiger to pursue it. Mr. Gebhart made a motion to approve the Mayor's report, seconded by Mrs. Barley. All were in favor; motion carried.

15. **ENGINEER'S REPORT**—Jordan Good reported the following:

- Fairmount Park restrooms—to save costs, the existing roof had been used in the plans. In order to do that, the contractor would have to jack the existing roof up, build a new foundation and build the wall up to support that roof. If Council wishes, the old roof can be torn off and replaced with a new one; approximately 450 sq. ft. Council discussed & determined it would not save a lot of money to build up the walls to meet the existing roof. It is an old roof, with torn shingles due to vandalism. Council agreed the engineer should get pricing for a new roof.
- Community building HVAC—Barton Associates has the design completed; the building permit has been acquired. Building specs have to be put together for the concrete pad, and for penetration through the wall. C.S. Davidson can put bid specs together and work with Barton Associates; approximate costs to get project out to bid would be \$6,500 (\$4,000-C.S. Davidson, \$2,500-Barton). Mr. Klinedinst made a motion authorizing C.S. Davidson to move forward with putting the HVAC work in the Rec building out for bid. Mr. Clemons seconded. All were in favor; motion carried.

16. **SOLICITOR'S REPORT**—Mike Craley stated that, since being appointed to Borough Council, Kelly Henshaw should resign as Vacancy Board Chairman. They are incompatible offices. Council can appoint someone to fill the position on the Vacancy Board at their next meeting.

17. **PARKS AND RECREATION**—Dennis Klinedinst reported the following:

- Bus trip to Washington Zoo is scheduled for 8/22/09
- Revolutions tickets are available for 8/14/09 (Red Lion day) \$8/pre-pay; \$10/at gate
- Grant money received from PA stimulus money for "shovel-ready" projects; Dennis researched some projects with Beth Nidam. Community building repairs: \$8,000 for new windows, \$12,800 for sliding glass doors, \$8,400 for replacing lights, appliance replacement (upstairs & downstairs, all stoves, refrigerators, freezers)—all projects totaled \$46,200. Adding in miscellaneous fees, the total is \$48,512. Since this is a matching grant; the Borough would have to pay 25% of the total cost (\$12,128). Mrs. Barley made a motion to authorize spending approximately \$12,000 from the General Fund to match the grant money, should it be received. Mr. Henshaw seconded. All were in favor; motion carried.
- Broken sliding board at Fairmount Park; cost to replace is \$1,064.11. Mrs. Barley made a motion to replace the slide. Mr. Clemons seconded. All were in favor; motion carried.
- Chicken BBQ raised enough money to pay Cheap Sneakers \$1700 for playing on July 4th; every Friday, chicken BBQ sales are held to benefit Rec board
- Bowers Pavilion @ Nitchkey Field is interested in adding more space, and possibly adding time locks to the restroom doors to be more accessible

18. **PUBLIC SAFETY**—John Clemons distributed the fire and ambulance report. Mr. Clemons is trying to contact Gayle Sullivan from RLASD about the school possibly paying ½ of a 10-hr training course for crossing guards. He will also ask the school to pay ½ of crossing guards' clothing and safety equipment.

19. **MUNICIPAL SERVICES**—Mike Gebhart reported on a letter received from Jaime Frey requesting pro-rating trash collection rates for residents not needing 6 bags/wk. Council said this will be discussed with Penn Waste at contract time.

20. **PUBLIC WORKS**—Jeff Herrman reported the following:
- Storm drain on First Avenue is collapsing; estimate for materials is \$705; Borough employees to do repairs. Mrs. Barley made a motion to approve the repairs. Mr. Clemons seconded. All were in favor; motion carried.
 - Request for handicapped parking space was received for 39 E. High Street. Dan Shaw said the resident meets all requirements. Mrs. Barley made a motion to approve the request. Mr. Gebhart seconded. All were in favor; motion carried.
21. **PLANNING, ZONING AND REDEVELOPMENT**—Mrs. Barley reported:
- No Redevelopment Commission meeting in July
 - Red Lion Mile meeting minutes for May were distributed—pipe was purchased and stored; July 25th concert is planned (security, portable toilets, bands, lighting, etc have been coordinated); will be held @ Vulcan Drive from 2-11p.m. Some food/drinks will be served. Chairs can be borrowed from Authority garage for guests.
22. **ADMINISTRATION**—Mrs. Frutiger reported the following:
- Vincent Caltagirone is trying to obtain a beer license to serve beer at Golden Crust Pizza. (license transferred from York City) A special public meeting will be held on Thursday, July 30th, 2009 @ 7:00 p.m. to vote on this. Mrs. Barley made a motion to authorize Mike Craley to advertise the hearing for that date. Mr. Clemons seconded. All were in favor; motion carried.
 - Nominations for Catherine Meyer Award are open until August 31st, 2009
 - Employee handbook—some changes were made in 2006, but could not be located. **It was determined that Borough Manager is not eligible for overtime compensation, or compensatory time off, unless approved by Council.** The status of other salaried employees' compensation, including Water Authority employees, will be researched and discussed at a later time. Mrs. Barley made a motion to approve the above bold statement for the employee handbook. Mr. Klinedinst seconded. All were in favor; motion carried.
 - Vehicle insurance—Mrs. Barley made a motion to accept Selective Insurance from Kocman. Mr. Gebhart seconded. All were in favor; motion carried.
 - Mrs. Barley requested an Executive Session be held at the end of the meeting to discuss employee and personnel issues.
23. **COMMUNICATION**—none
24. Manager's Comments—none
25. Other correspondence—none
26. Approval of bills/statements—Mrs. Barley made a motion to approve bills and statements. Mr. Gebhart seconded. All were in favor; motion carried.
27. Council recessed to Executive Session @ 9:15p.m. to discuss employee and personnel issues. Council reconvened @ 9:40p.m. No action is necessary.
28. Mrs. Barley made a motion to adjourn the meeting @ 9:44p.m. Mr. Gebhart seconded. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers
Recording Secretary