

**Red Lion Borough Council
Meeting Minutes
Monday, March 8th, 2021**

Members present

Cindy Barley
Tina Frutiger
Muriel Slenker
Stephanie Weaver
Chris Minnich
Dennis Klinedinst
Tony Musso

Others present

Dianne Price, Borough Manager
Dan Shaw, Codes/Zoning
Mike Craley, Solicitor
Jeff Shue, Engineer
Stacy Myers, Recording Sec'y

Visitors present & Zoom

Randy Gray
Samantha Craley
Scott Gingrich
Ed Pearson

Pastor Tim Funk
Keith Kahwajy
Bob Frutiger
Clyde Willis

Meredith Yakelis (Zoom)
John Brownlee (Zoom)
Nick Rhoads (Zoom)

1. The meeting was called to order @ 7:00p.m. Pastor Tim Funk from St. Paul's offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mrs. Frutiger made a motion to approve the February 1st, 2021 Work Session Minutes; Mr. Minnich seconded. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the February 8th, 2021 Meeting Minutes, including the February 15th, 2021 Reconvened Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—with tonight's meeting also being held virtually, Mrs. Price stated she received no written questions, comments, or concerns to be addressed by Council tonight. The following were present to address Council:
 - Clyde Willis, a resident of West Broadway was present to request 1) that Council rescind a parking ticket he received recently, and 2) the Borough revise their parking citations to allow more than 3 days to pay. Mr. Willis cares for an elderly friend in Maryland and is out of town a lot. He owns 2 vehicles, a car & a truck; the truck he drives mostly in winter weather, leaving his car parked on the street in the vicinity of his apartment building. He stated there is no off-street parking available at the apartment building and he often parks away from the building to allow elderly tenants and/or those with children the opportunity to park closer. He used to work as a truck driver & was out of town a lot while working. A few years ago, he received a parking citation then also. When he's out of town helping his friend, he isn't available to check on his car, so he hadn't seen the citation till after the 3-day payment window had passed. Mr. Willis said it makes it difficult for a single person, with no one available to check on or move his car to avoid getting a parking ticket.
If an unpaid parking citation goes to the District Justice office, other fines are tacked onto the \$35 ticket, but the amount will not increase until it's at the DJ's office. Mr. Willis said the issuance of \$35 parking tickets (plus any DJ's fines) seems like only a way to pad the Borough budget.
Mrs. Price stated the Ordinance states (requires) the 3-day payment window; however, it often takes several days to find a vehicle's owner. So, nothing goes to the DJ's office for, at least 10 days (sometimes up to 2 weeks). Office staff told Mr. Willis if a courtesy call

is made to the Borough Office, notifying them that a resident will be out of town & aren't able to move their vehicle, a parking ticket won't be issued.

With parking shortages already a problem in the Borough, Council said the parking citations aren't a way to punish residents or raise money for the budget, but to get cars moved in an effort to "free up" parking for others. Mr. Willis understands the Borough's reasoning but wanted to explain his situation.

Of note, street sweeping is coming up in a few weeks, and parking citations during that time are increased to \$100. If residents are out of town, they're urged to contact the Borough Office because heavier fines will be issued during that time.

Because there is no off-street parking provided by his landlord, Mrs. Barley made a motion to waive Mr. Willis' parking ticket; Mrs. Slenker seconded. Motion carried with Mr. Klinedinst & Ms. Weaver opposing.

Mr. Musso also mentioned that Mr. Willis served 3 tours in Iraq & thanked him for his service. Mr. Willis thanked Council for their decision & their time.

- Ed Pearson asked & discussed:

- Why the tickets for street sweeping are \$100 & everyday parking citations are \$35? Council said the street sweeping fines were increased years ago because no one had moved their cars, making it impossible to conduct street sweeping successfully. The Borough used to rent the street sweeping equipment, so time was of the essence to get it done. The Borough now owns a street sweeper, but signs are posted well in advance to let residents know of the street sweeping schedule & the warning of parking citations.

- Recently, he made a PA One Call because he was cutting down trees & grinding stumps. The Borough's stormwater was not marked & he questioned why it wasn't. If he had hit it, would he have been liable? Mr. Craley said if Mr. Pearson made the PA One Call (which is documented) and hits the utility that is not marked or is mismarked, he would not be liable for a repair as long as the utility is in his dig area.

Recently, he had experienced vandalism on his personal vehicles & he would like to install a fence to restrict people from going up over the bank (on his property near Charles Street). Is he responsible for a 2nd PA One Call before digging for a fence? Mr. Pearson understood the 1st PA One Call is free for residents, but there is a charge for a 2nd call. In the area he wants to dig for the fence, the Borough has an underground stormwater system. If the Borough neglected to mark stormwater for Mr. Pearson's 1st PA One Call, shouldn't they be responsible to mark it this time for his fence (even though it's essentially his 2nd PA One Call)? He understands he must apply for a new permit for the fence, but he's asking if the Borough can come mark the stormwater since they didn't when he made the 1st call. His next step would be to install video cameras because of the amount of trespassers & vandalism taking place on his property.

Mr. Pearson said he needs something to keep overflow from going over the hill, but if he needs to go through a zoning process, he will take it to the bottom of the hill where it was agreed the property line exists. Otherwise, he would keep the fencing at the top of that hill, but Dan Shaw would make the determination of what type of permit (building or zoning) is required in this situation.

Mr. Craley said ownership goes to the center line of the road & a fence is subject to the right-of-way. As long as the fence isn't encroaching in the ROW, it can be installed on, but not over the property line.

Mr. Craley suggested Mr. Pearson apply for a zoning permit, then ask the Borough to mark the stormwater utility when he knows what timeframe he needs to dig for the fence.

4. **Mayor Hughes' Remarks & Recommendations**—Mayor Hughes was not at tonight's meeting as he isn't feeling well. He didn't submit a report, but Mr. Klinedinst thanked the Mayor for the recommendations he gave to Council regarding contract negotiations, employee performance evaluations & random drug testing.
5. **Public Safety**—Ms. Weaver presented:
 - **Fire Company Report**—Report was distributed; in addition, Chief Gingrich reported for February:
 - 54 calls for service (7 ran for both Red Lion & Felton, 39 for RL; 8 for Felton)
 - Red Lion Borough itself ran 14 calls.
 - Training is something new listed on the report. There are typically 7-8 each month & those take place at either HACC or York County Fire School.
 - Alliance Fire & Rescue is seeking a Business Secretary.
 - Social members & volunteers are always needed.
 - There are 3 separate halls (Red Lion Fire Hall, Felton Fire Hall & Fiddler's) available to rent for events.
 - Council thanked Chief Gingrich & all Fire volunteers for everything they do.
 - **EMA Report**—distributed February's report to Council.
6. **Solicitor's Report**—Mr. Craley reported:
 - Projects moving forward & discussed this past month--252 N. Franklin Street (old David Edwards building) & Rutter's at Winterstown Road/South Main Street. Staff will continue to monitor both of these to ensure rules are being followed.
 - If special meetings are necessary for Ilyes Holdings (252 N. Franklin), they can be arranged, but York County Conservation District has given their approval for Jordan Ilyes to move forward with his plan.
 - Mr. Craley suggested reviewing & possibly amending the Zoning Ordinance to lessen parking requirements. This may benefit Mr. Ilyes (or future developments) while not burdening the community. Council is amenable to Mr. Craley researching other municipalities for this type of issue & making recommendations to Council.
 - He & Mrs. Price discussed how LERTA (Local Economic Revitalization Tax Assistance) can be beneficial to Ilyes Holdings & the project at 252 N. Franklin.
7. **Engineer's Report**—Jeff Shue reported:
 - YCCD is not requiring an NPDES permit for 252 N. Franklin Street. They also approved the stormwater & sedimentation controls that were submitted. Stormwater management data is in review per the Borough's Ordinance to ensure there will be no runoff problems.
 - Rutter's (Winterstown Rd.) plan had a lot of issues to clean up prior to returning to Red Lion's Planning Commission. Dan Shaw contacted their engineers asking that all issues are resolved to bring a clean plan before the Committee.
 - Glen Rexroth needs to resolve some issues with Windsor before bringing his plan before the Borough.
 - Road project bid has been extended to Monday, March 15th. Mr. Klinedinst made a motion to extend the bid opening & award until March 15th @ 10am and to authorize Jeff Shue & Mrs. Price to accept the bids subject to an agreement by the Public Works Committee during that March 15th meeting. Mrs. Frutiger seconded. All were in favor; motion carried.
 - Finalizing the work involved in the Rt. 74/Rt. 24 Project—the permit is with PennDOT right now & Jeff suggested waiting for the approved permit before putting bid documents together for that work which includes road widening & overlay. He is projecting a possible May bid award with work beginning in August.
8. **Parks & Recreation Report**—Mrs. Barley & Meredith Yakelis reported:

- Softball program is starting, although the number of registrations are down, but that is the case across York County.
 - Cheer program ended last week.
 - 3 fitness classes, Kids' art & Kids' baking classes are all taking place currently.
 - March 27th—Easter Egg Hunt @ 11am; Allergy & Special Needs Hunt @ 11:30am—the 5 yr. & under group is now full.
 - Suds 'n' Song plans are moving forward for Saturday, June 5th.
 - Camp registration started last week—will begin mid-June thru mid-August.
 - July 4th Car Show is being planned.
 - July 4th Fireworks—River Rock is not permitting their property to be used for setting off fireworks this year. Meredith is looking at other locations in the area for this event & Mrs. Price will call the Jr. High also. More on this later.
 - Babysitting course may be offered by RL Rec; Meredith is still in training to give the course.
 - Food Truck Fridays are scheduled for the 3rd Friday of June, July, August & September from 4:30-7:00pm at the Municipal Parking Lot.
9. **Municipal Services**—Mr. Minnich reported:
- March 17th are shut offs for delinquent water bills.
 - March 22nd—street sweeping will take place. RLMA has asked the Borough to monitor the water usage during sweeping so it can be reported on their Chapter 110 Report.
 - April 5th—flushing of water system. The Borough requested a Borough employee observe during flushing so any hydrants in disrepair, etc. can be noted.
 - 688 Atlantic Avenue hydrant that is leaking—Mr. Klinedinst suggested replacing the seal, which we could get from RLMA. Keith Kahwajy was present tonight & said he believes the shaft can be pulled from the hydrant, the seal can be replaced & the shaft put back in. Mr. Klinedinst suggested we do this to save money right now & make the hydrant operable.
10. **Public Works**—Mr. Klinedinst reported:
- Snow removal—12 citations were given after recent snowstorms.
 - N. Main Street sidewalk payment plans—payments are being received for all except 1 property where a lien was filed
 - Bobcat mini excavator—more research needs done before a purchase may be made
 - Conagra building is for sale for \$195,000
 - 2022 Project—he's proposing Boxwood Road because it's in disrepair. No sidewalks would be involved, only rolled curb. At the April Work Session, Council can discuss ideas for 2022 road projects.
 - Church Lane—areas of that street should be repaired prior to street sweeping.
11. **Planning, Zoning & Economic Development**—Mrs. Slenker reported:
- No Planning Commission Meeting for March
 - No Zoning Hearing for March or April
 - Dan/Borough staff are still working with Glen Rexroth on his projects; more on that as it arises.
 - Dan received a letter from Labor & Industry regarding two items resulting from the recent audit/assessment:
 - Mazie Gable's gazebo (outdoor classroom) plans weren't stamped by a licensed professional engineer. Per regulation law, if the work is done pro gratis, the plans don't need to be stamped, and Dan was told by someone at the school that Kinsley Construction did the work for free.

- Certificate of Occupancy for Groff North America didn't include information on the type of construction defined in Chapter 6. This paperwork came from the 3rd-party inspector & Dan simply signs off on it.
 - Terms for Economic Development Committee
 - Walt Hughes—1 year
 - Candi Duda—2 years
 - Ian Montgomery—3 years
 - Resolution 2021-3—amending the Banner Resolution to allow Roars to hang a banner for fundraising, identification & events. Mrs. Slenker made a motion to adopt Resolution 2021-3; Mrs. Frutiger seconded. All were in favor; motion carried.
12. **Administration**—Mrs. Frutiger & Mrs. Price reported:
- York County Borough Association meeting for 2021 will be held via Zoom
 - 2020 Audit is complete
13. **Communication**—nothing additional
14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mrs. Barley seconded. All were in favor; motion carried.
15. **Executive Session**—Council recessed to Executive Session @8:15p.m. to discuss labor negotiations. Council reconvened @ 8:29p.m. No action was taken after Executive Session.
16. **Adjournment**—With no further business before Council, the meeting adjourned @ 8:30p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary