

**Red Lion Borough Council
Meeting Minutes
January 10th, 2022**

Members present

Cindy Barley
Tina Frutiger
Muriel Slenker
Amy Lau (via telephone)
Chris Minnich
Dennis Klinedinst
Tony Musso

Others present

Dianne Price, Borough Manager
Dan Shaw, Codes/Zoning
Jeff Shue, Engineer
Mike Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Secretary

Visitors

Samantha Craley	Stephanie Grove	Bob Frutiger
Wendy & Jason Fink	John Brownlee	Scott Gingrich
John Krantz	Sonya & Mark Holloway	Troy Leiphart
Felix Milner		

1. The meeting was called to order @ 7:00pm. Pastor Jay McWilliams (Pleasant View Church) offered words of blessing on Council members, Borough staff & those serving the public. All followed with the pledge to the flag. Council President noted that Councilwoman Lau wasn't feeling well tonight but is present via telephone.
2. **Approval of Meeting Minutes**
 - Mr. Klinedinst made a motion to approve the December 6th, 2021 Work Session Minutes; Mr. Minnich seconded. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the December 13th, 2021 Regular Meeting Minutes; Mrs. Slenker seconded. All were in favor; motion carried.
3. **Visitors/Public Comment**
 - **Linda Orwig, a resident of 172 S. Franklin Street** was present to ask for clarification on why her handicapped parking request was denied. Mr. Klinedinst explained that it's been Council's rule to only allow one handicapped parking space per block & there is currently one in the block at 142? 124? S. Franklin Street.
Ms. Orwig explained that she had surgery on her leg that has left her with a disability, and she cannot walk to the other end of the block where the other handicapped space is located. She presented a letter from her doctor explaining her disability which he claims is permanent & that she won't ever walk without crutches. She stated she does have a garage in the rear of her property; however, it's too small to house her Expedition that she drives, and she needs the larger vehicle since it allows easier access with her injured leg & the crutches.
After Council discussion, they agreed these are extenuating circumstances.
Mrs. Barley made a motion to approve the handicapped parking space at 172 S. Franklin Street for one year until January 2023, at which time it will get reviewed when Ms. Orwig must apply for a permit renewal. Mrs. Slenker seconded. All were in favor; motion carried.
The annual review of the Borough's handicapped spaces is standard per Ordinance.
Ms. Orwig understands that the handicapped spaces do not belong to a particular address or resident. Because it's a public street, anyone with a handicapped license plate or placard is able to park there.
 - **Troy Leiphart, owner of 501 & 601 Neff Street** was present to discuss the possibility of obtaining a Special Exception for outside storage at the above property. Troy distributed site maps of the properties to Council and explained that Red Lion Borough owns one acre between his parcels that he wondered if they'd be interested in selling. The area is fairly swampy, but if possibly Troy would like to fence in his property while not disturbing the

creek. Dan Shaw had spoken to Troy's engineer, Byron Trout who said the property hadn't been surveyed & he understood the boundary lines were not exact. Troy is just showing the general area with the site map.

Mr. Craley said the first issue is whether this small piece belonging to the Borough must be subdivided from the larger tract of land. The second issue is that it probably must be sold via public bid or private auction if it's more than \$6,000 in value. This is the rule for any real estate the Borough wishes to sell, per Borough Code so the parcel should be appraised.

Unclear about why the Borough owns this parcel of land, Mrs. Price & Dan Shaw believe it's for drainage coming off the Rail Trail. So, the Borough can decide to either sell it or lease it to Troy as long as the drainage isn't compromised. Troy stated again that the creek nor the drainage will be disturbed.

Mr. Craley suggested Council research what purpose there is for the Borough to own it & whether or not it fulfills a public purpose to continue to do so. Dan Shaw will ask Byron to produce a more defined plan, so the area is clearer.

Jeff Shue asked 1) is the Borough interested in selling the land? And 2) what improvements is Troy proposing for the land, if he acquired it? Mr. Craley said the following should be determined, 1) what does Troy want to do with the property? 2) what is the Borough doing with it? 3) does what Troy want to do interfere with why the Borough owns it, i.e., the drainage issue, etc. Once these answers are known, then Council can decide how to proceed, i.e., subdivide & sell the land to Troy? Lease to Troy?

More should be known for discussion at February's Work Session.

4. **Mayor Lau's Remarks & Recommendations**—Mayor Lau was not present tonight.
5. **Public Safety**—Mr. Musso said the EMA, Ambulance & Fire Company Reports have been distributed.
 - **EMA**—John Brownlee said York County Control will host an elected officials seminar on Saturday, February 12th. If anyone is interested in attending, let him know. Mrs. Price will circulate the email again to Council.
 - **Fire Company**—Chief Gingrich reported:
 - For 2021, there was \$324,150 of fire loss reported in the Borough (\$217,500 in property; \$106,650 in contents). In all the other structure fires within the year, almost \$1million in property & contents were saved.
 - 59 personnel are attending training
 - Volunteerism has slightly increased, some as support staff. A part-time driver/Fire Specialist position is being created to be on staff.
 - Alliance logged 692 hours & 56 minutes of man hours.
 - 2022 Alliance Fire President is Scott Kopp.
6. **Solicitor's Report**—Mike Craley reported:
 - **Resolution 2022-06**—to appoint Stephanie Grove as Assistant Secretary. Mrs. Barley made a motion to adopt Resolution 2022-06; Mr. Minnich seconded. All were in favor; motion carried.
 - **Resolution 2022-07**—to appoint Samantha Craley as Assistant Solicitor. Per Borough Code, Borough Council does not need to adopt a Resolution to hire Mr. Craley. He said this Resolution is more protection for the Borough than for him & allows Samantha to serve as Solicitor should something happen to him or should he be unable to attend a meeting. If Council doesn't wish to have an Assistant Solicitor, they don't need to pass the Resolution. Mrs. Barley made a motion to adopt Resolution 2022-07; Mrs. Frutiger seconded. All were in favor; motion carried.

- **Resolution 2022-08**—to appoint Stephanie Grove as Assistant Treasurer. Mrs. Barley made a motion to adopt Resolution 2022-08; Mr. Minnich seconded. All were in favor; motion carried.
- **Franklin Street/Ilyes Developer Agreement**—Jordan Ilyes contacted Mrs. Price, requesting a meeting concerning his revised plan. Council agreed that the original Developer’s Agreement (that was approved by Council on 7/13/2021) needs to be signed prior to Council agreeing to any meeting with Mr. Ilyes regarding a new revised plan. His new proposed plan shows a different parking design than the original one reviewed by Council. Parking issues were to be addressed after completion of Phase 1 of the original design. Mrs. Price will notify Jordan of Council’s wishes.

7. **Engineer’s Report**—Jeff Shue reported:

- Requested direction from Council regarding bidding of the 2022 Paving/Road Projects. He would like to get the projects bid earlier in the year rather than later. Mr. Klinedinst said he needs to review the list of proposed road projects prior to approving Jeff to move forward. Brett Patterson had submitted his list a month or so ago, but Mr. Klinedinst would like to add more to it. There are a lot of Borough streets that need attention & they’re on the future repair list as time & money allows.

Mrs. Price received a call from Stan Saylor’s office guaranteeing to find funding in 2023 for the Lancaster Street extension since the Borough was not awarded the funding this year. A large tree (& roots) on Lemon Lane coming up through the street is another concern of Mr. Klinedinst.

Mrs. Price will schedule a meeting next week with the committee to discuss the issues at hand. Mr. Klinedinst suggested John Krantz be invited to the committee meetings, so the Municipal Authority is aware of the Borough’s upcoming road projects & vice versa.

- Improvements in the square—although the stormwater & paving work may be separate contracts, Jeff would like to keep them on the same timeline. They could possibly be the same contractor for the storm, curbing, sidewalk & paving work. Mr. Klinedinst confirmed there is only one double storm box/vault that needs to be installed in the square. Jeff Shue stated, depending on the contractor, receiving the box/vault shouldn’t be a problem. If necessary, it could be casted in place.

8. **Parks & Recreation**—Mrs. Price reported the following:

- New Year’s Eve—the bands did well. The fireworks were delayed; they didn’t go off until 12:17a.m., their staff was rude & there was a lot of debris falling in the area from the fireworks. These problems were addressed with the company. They offered their apologies & have offered a discount to the Borough for future needs such as July 3rd. The fireworks were beautiful but evidently there was an issue with the electronic switching that caused the delay. Mrs. Price will provide the breakdown of expenses/profits, once available. A donation was given to ROARS for the fireworks & Mrs. Price plans to meet with them for discussion on future financial support & the possibility of earmarking their “Day of Giving” for fireworks costs.
- EYC Basketball games were postponed last week due to weather.
- Cheerleading will begin at this coming weekend’s games.
- Softball practice at batting cages—every Wednesday evening is seeing a lot of kids.
- Easter Bunny Breakfast plans will soon begin.
- Santa Breakfast saw a wonderful turnout!
- Eagle Scout project—Mr. Klinedinst said there’s a possibility that repairing/painting the wooden soldiers (for the square) will be conducted as an Eagle Scout project.

9. **Municipal Services**—Mr. Minnich reported:

- January 12th, 2022—water shut offs for delinquent bills
- January 26th, 2022—next Red Lion Municipal Authority meeting @ 7:00p.m.

- Edgewood Tank replacement—RLMA is discussing replacement of the current tank with a concrete tank. Funding through PENNVEST, RUS Funding, or other avenues are being researched for this project.
- RLMA’s Manhole Replacement Project on Railroad Lane--compaction testing wasn’t done after this project, so in order for the Borough to closeout the Authority’s permit, the Authority offered to give the Borough a 5-year guarantee that if the patched area cracked within that time, the Authority would pay to repair it. Mr. Klinedinst had instead, offered a 7-year guarantee which the RLMA Board agreed to. If the area cracks during the 7 years, RLMA will pay to repair it unless the Borough repaves Railroad Lane before that time. Going forward, the Authority will include compaction testing in their bid specs of future projects.
- Mr. Klinedinst requested Council be notified if trash will not be picked up on a regular collection day. Mrs. Price said notifications come via email from Penn Waste then it’s put on the Borough website & Facebook page to make residents aware. Penn Waste was to collect this past Saturday (1/8) but had personnel shortages due to Covid. They are to collect double the volume of trash/recycling on the next regular collection day.

10. **Public Works**—Mr. Klinedinst reported:

- Plowing issues—Mr. Klinedinst said snow was pushed on top of the storm drains & has now frozen, so it doesn’t allow water to run into the drain. Mrs. Price said she had two employees out sick & two new drivers, so she’s asking for Council’s patience until things improve. New employees are learning.
- Leaves are still laying curbside at some residences; Mr. Klinedinst will get the list of addresses to Mrs. Price for collection.
- Trees that need to be trimmed; Dan Shaw compiled a list and is sending notices to residents.
- Springvale Road (end of Wise Avenue)—Columbia Gas did a street cut last week; did they get a permit from the Borough? Borough staff didn’t see it on the One Call list so the request/permit may have gone to Windsor Township. Staff will verify.
- Howard Street sidewalk/Sidewalk discussion —Mrs. Price read minutes from a 2019 Council meeting that read *“Borough staff contacted the property owner about disrepair of the sidewalk at this rental property because it was a tripping hazard. There’s no curbing, it’s poured concrete & water is getting underneath & pushing the street. The owner doesn’t want to install a full curb; he wants to install 12” rather than 18”. Mr. Klinedinst suggested the Borough install curb on both sides & complete the paving down the alley to Howard Street. Council agreed. More discussion can be conducted on how involved Borough repairs will be regarding this in addition to involved costs & when it will be budgeted to be completed. Mr. Klinedinst wanted to keep Restuccia Concrete in mind for future ADA ramps as they quoted \$2,500 to replace a ramp when the State cost is \$5,000.”* Mrs. Price said the delay on Howard Street sidewalks was due to Covid, but the property owners are being billed for the sidewalk portion while Borough Council agreed to pay for the curb. Mr. Klinedinst asked why the curb goes from 6” to 7½”? The difference will divert storm water to the other side of the street. Brett said when the street gets paved, the difference will be evened out.

Mr. Klinedinst asked Mr. Craley to read Ordinance 21-408 (enacted in 1985, amended in 2002) regarding inspection of sidewalks which states, *“the Borough Manager will inspect all sidewalks, curbs & gutters on an annual basis or sooner upon complaint, and if necessary, issue notice for correction or compliance according to Section 21-409.”* This was previously discussed. Mrs. Barley said the Borough doesn’t have the manpower to inspect sidewalks every year. Council agreed to sidewalk inspection only *“by complaint or as the roads are repaired/paved”*.

Mr. Klinedinst is lodging a complaint about sidewalks on Cottage Place (one piece of curbing needs replaced), Henrietta (where tree was removed & large chunks of concrete remain) & at Lion Bowl (4" lip & not ADA compliant).

Brett Patterson has an estimate for the Cottage Place curb repair; he will submit to Council for them to decide if they want to repair.

The property owner at Henrietta has been notified about the large chunks of concrete left behind from the tree removal. He will be notified again.

- Linden Avenue speed sign was promised to be installed last year. Brett has the sign & will install in the Spring.
- Of note, Mr. Craley reported the sidewalk lien on 5 W. High Street (ArthurLee) has been paid in full.

11. **Planning, Zoning & Redevelopment**—Mrs. Barley/Dan Shaw reported:

- No January Planning Commission meeting
- No January Zoning Hearing
- There will be a February Planning Commission meeting (Feb.28th) to review an LD Plan for an 11,000sq. ft. addition on the Yorktowne building in Rexroth Industrial Park.

12. **Administration**—Mrs. Frutiger reported:

- No Teamsters Union contract as of yet. Employees continue to work off the old contract.
- Mrs. Price is requesting that Council approve the payment of recurring bills for utilities & services such as Comcast, Columbia Gas, Met-Ed, RLMA, Verizon, Rutters & WEX (gas card). An approval at the beginning of the year will help streamline ACH payments of these utilities. Mrs. Frutiger made a motion to preapprove the payment of utility bills & services; Mrs. Barley seconded. All were in favor; motion carried.

13. **Communication**—nothing further

14. **Approval of bills**—Mr. Minnich made a motion to approve the bills; Mrs. Frutiger seconded. All were in favor; motion carried.

15. **Adjournment**—With no further business before Council, Mrs. Barley made a motion to adjourn the meeting @ 8:24p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary