

**BOROUGH OF RED HILL  
COUNCIL MINUTES**

Wednesday, March 12, 2008

7:30 pm

President, Thomas Paul, called to order a meeting of the Red Hill Borough Council on the above date at 7:30 pm.

**MEMBERS PRESENT:** Charles McCleary, Faith Diascro, John Smith, Paul Snyder, Doris Decker.

**OTHERS PRESENT:** Mayor, Dave Schiffgens; Solicitor, Mark Hosterman, Esq.; Fire Marshall, John Lehr; LTL Engineer, Norm Ulrich

**VISITORS:**

Jack Barbary, Real Estate Services, Inc. 502 ½ Germantown Pike, Lafayette Hill, PA  
Melissa Bomger, PE, Irick, Eberhardt & Mientos Inc.

**ACTION ON MINUTES:** A motion to approve the minutes of February 25, 2008 was made by John Smith and seconded by Charles McCleary. Motion passed unanimously.

**CITIZENS PARTICIPATION:** - None

**PROJECT:**

Kerschner Tract  
Hendricks Road  
Request for Village Overlay

Jack Barbary, Vice President of Sales & Marketing Services from Real Estate Services, Inc. made a presentation to Borough Council seeking a change in zoning from Light Industrial to Village Overlay for that part of the Kerschner Tract located on Hendricks Road in Red Hill Borough.

Three entities are involved with the project they are known as Real Estate Services Inc. Land Development Inc., and Mark Anthony Homes. They currently own the land across the street (adjacent to the Spring Mount development in Upper Hanover Township) called Glenwood Chase which is approved for 53 single homes. The entire project consists of 28 acres, 13.4 in Red Hill and 14.6 in Upper Hanover. They propose to build 109 townhouses on the land in Red Hill. Under current zoning for Village Overlay 8.2 homes per acre are allowed. This will be an HOA community. He anticipates that they will not start development until 2009. There are no plans for the Upper Hanover portion of the land as yet, as the owner may wish to retain the house and some acreage.

Mr. Barbary indicated that they are interested in purchasing additional parcels along Hendricks Road.

A number of questions were asked of Mr. Barbary

Would they consider a second access road? After learning that 4<sup>th</sup> St. below Adams St. was a paper Street, Mr. Barbary indicated that this was definitely a possibility especially if they were able to acquire any other of the acreage they were trying to buy.

Are there any steep slopes on the land? There are no steep slopes in the Red Hill portion of the land.

Are they flexible in the type of facades? Yes

Could part or the entire storm water management basin be located in the Upper Hanover portion of the land. Yes, that is a possibility.

Where are your nearest developments? There are two single family developments in Harleysville, Hidden Chase & Homestead. Court Yards on Level Road in Collegeville, an active adult community. Mr. Barbary will send us a complete list of their developments.

What is the price range? \$200,000 for the Townhouses and \$299,000 for the single family.

There were some fire/emergency issues which were addressed. The height of the homes will be no more than 35 feet. Fire hydrants will be looped and tapped off of the Hendricks Road hydrant. Turning radiuses will be designed to meet the needs of the fire trucks.

What the lot sizes in Upper Hanover would be? Jack, they have not gone to Upper Hanover as yet for a zoning changes therefore, he could not answer that.

Tom thanked Mr. Barbary for his presentation and stated council would not take action on his request at tonight's meeting.

Mr. Barbary asked Mark when fees would be due. At the time of application of permits.

At 8:05 Council took a minute break. Meeting resumed at 8:15

## **REPORTS:**

### **RHFC/FIRE MARSHAL – John Lehr**

16 Fire Calls – 6 Red Hill; 4 Upper Hanover; 6 Green Lane Borough

139 Fire Men; 209/14 hours; 34 Fire Police 56.25 hours

6 QRS calls – 1 Red Hill; 2 Pennsburg, 1 Upper Hanover; 2 Marlborough

Events – Breakfast, Sunday March 16<sup>th</sup>. A motion to approve the events was made by John Smith and seconded by Faith Diascro. Motion passed unanimously.

John spoke about the situation in Preston Court with regards to the stubs still in the ground from the old street signs. He along with 2 fire fighters has tripped on these stubs.

He wanted to know where we stood on the emergency access road/walking trail. He stated he could not take a truck down in the condition it was in now. We need to fix the situation now or he will enforce the fire code. There was an exchange between Norm and John and both agreed, along with the rest of borough council that enough was enough and we needed to do something as soon as possible to have THP fix the emergency access road/walking trail. Council will be discussing the THP issues later and will act to fix the situation ASAP. Mark will review the development agreement and then send a final letter to THP regarding the swale, punch list and replenishing of the Legal and Engineering Escrow Account. This letter will include the fact that the borough will begin using escrow funds (which are in the form of a bond) to have the work completed. John Lehr will write a letter to THP regarding the fire code and forward same to Mark for inclusion with Mark's correspondence.

**UMJA REPORT** – Ralph Schmell - Nothing to report

**RHPC:** Dave Schiffgens – No planning commission meeting this month.

**REGIONAL PLANNING** - Charles McCleary- Report was given at workshop nothing additional.

**CODE REVIEW** - Doris Decker - Report was given at workshop nothing additional.

**GENERAL SERVICES** – John Smith – stated that the backhoe is fixed and new rubber is needed for the playground. A quote was presented to council to change the lights in the 6<sup>th</sup> Street traffic light to led type lights. There will be a savings of about 15 to 20% per year. A motion to purchase these lights from Signal Control Products, Inc. at a cost of \$2,611.00 was made by John Smith, seconded by Charles McCleary. Motion passed unanimously.

**SANITATION/RECYCLING** – Faith Diascro – Report was given at workshop nothing additional.

**PARKS & RECREATION** – Dave Schiffgens – Dave asked John Smith to have Conrad purchase the rubber for the playground.

**OPEN SPACE** – Dave Schiffgens – Representatives from the Montgomery County Open Space board will attend our next Open Space Meeting on Wednesday April 9<sup>th</sup> at 6:30 pm.

**BUDGET & PERSONNEL** – Charles McCleary reported that for the period January 1 to March 12, 2008 the income was \$98,740.26 and expenses were \$325,824.43.

**MAYORS REPORT** – Dave Schiffgens - Nothing to report

**PRESIDENTS REPORT** – Tom Paul stated that the next Borough Association Dinner will be in Narberth on March 27<sup>th</sup>, please let Darlene know by March 20<sup>th</sup> if you plan to attend.

## **SECRETARY/TREASURERS REPORT**

Charles McCleary presented the Treasurers report. Faith Diascro made a motion to accept the treasurer's report and Paul Snyder seconded the motion. Motion passed unanimously.

A motion was made by Charles McCleary to approve the list of bills for payment and seconded by Faith Diascro. Motion passed unanimously.

**SOLICITORS REPORT** – Mark Hosterman reported that the disposition of Dan Levensgood in the matter of Franklin Skepton vs. Red Hill will take place at 9:30 am on April 16<sup>th</sup> at the Red Hill Borough Hall. He indicated that he has been working on the banner ordinance, the fence ordinance and the holding tank for Molly Weaver.

Council recessed to hold a hearing on the fence ordinance at 8:30 pm. Mark reviewed the fence ordinance and the fact that we would have a no fee permit. Conrad will do the inspection required by the ordinance. Darlene will develop the permit form. A motion was made by Charles McCleary, seconded by John Smith to approve the fence Ordinance #2008-456. Motion passed unanimously. The hearing ended at 8:33 pm.

Mark recommended a couple of changes to the banner ordinance. He felt we needed to make some changes to allow for emergency situations. One of those changes will require any installation contractor to provide a 24/7 contact name and number. In addition Red Hill Borough and Red Hill Fire Company will have to be listed as additional insured by the applicant. The banner ordinance should be ready for approval in May. A motion to advertise the banner ordinance was made by Paul Snyder and seconded by Faith Diascro. Motion passed unanimously.

Mark will check on the status of the 2008 Fee Resolution.

**ENGINEERS REPORT** – Norm Ulrich – Nothing to report at this time. Charles McCleary asked Norm about the 5<sup>th</sup> year requirements for the MS4. Norm stated they were submitted but due to a backlog years 6-10 have been pushed back one year. There was some discussion about the THP trail.

Tom Diascro asked when Mark would be writing the letter to THP. Mark indicated that he will do as soon as he reviews the development agreement.

Norm and John Lehr will discuss the structure of the emergency access/walking trail at Preston Court.

**NEW BUSINESS** – none

Council went into Executive Session at 8:39 pm and President Tom Paul stated council may take action when it reconvenes. Council reconvened at 9:21 pm.

Council discussed some of the issues associated with rezoning the Kerschner tract. There was some concern about the number of houses which would be built and the pros and

cons for the borough and the region were discussed. No decision was made as to whether council would rezone the Kerschner Tract.

A motion was made by Doris Decker to advertise in the newspaper to amend Resolution 2006-08 paragraph 3 (m) which would not require N. Paone Inc. to improve Washington Street. N. Paone Inc. would instead make a contribution of \$92,095.95 to the borough. A credit of \$4,100 was given from tree removal so the net contribution will be \$87,995.95. Motion was seconded by Charles McCleary. Motion passed unanimously.

A motion was made by Charles McCleary to instruct Solicitor Mark Hosterman to move forward with the easement condemnation for the swale which is necessary to complete the emergency excess road in Preston Court, once THP has replenished its Legal and Engineering Escrow Account. Motion was seconded by John Smith and passed unanimously.

ADJOURNMENT: Paul Snyder made a motion to adjourn the meeting and John Smith seconded the motion. Motion passed unanimously. The Meeting was adjourned at 10:13 pm.

Respectfully submitted,

Doris Decker