

**BOROUGH OF RED HILL**  
**COUNCIL MINUTES**  
Wednesday, September 10, 2008  
7:30 pm

President, Thomas Paul, called CALL TO ORDER a meeting of the Red Hill Borough Council to order on the above date at 7:30 p.m.

**MEMBERS PRESENT:** Doris Decker, Paul Snyder, Faith Diascro, Ryan Enoch, Charles McCleary

**OTHERS PRESENT:** Secretary, Darlene Stoudt; Engineer, Norm Ulrich; Mayor, David Schiffgens; Engineer, Ryan Kern

**VISITORS:** Jack Barbary Real Estates Services, Inc.  
Bernadette Kearney, Esquire, Hamburg, Rubin, Mullin, Maxwell & Lupin  
Bob Irick, Irick, Eberhardt and Mientus Inc.

**ACTION ON MINUTES:** A motion to approve the Minutes of September 3, 2008 was made by Paul Snyder and seconded by Doris Decker. Motion carried unanimously.

**CITIZENS PARTICIPATION:** -

**Kershner Tract:-**

Mark Hosterman addressed council on the Application of Investor's Land Acquisition One, LLC, for conditional use approval to construct a townhouse community on a 13.4 acre parcel generally known as The Kershner Tract.

Mark Hosterman stated that the conditional use approval was granted at the Red Hill Borough Council meeting of July 16<sup>th</sup> when the borough was granted an extension period of 60 days to render a decision. At the July 16<sup>th</sup> meeting the text and map amendment were also granted.

Charles McCleary made a motion to accept the Application of Investor's Land Acquisition One, LLC, for conditional use approval to construct a townhouse community on a 13.4 acre parcel generally known as The Kershner Tract and Ryan Enoch seconded the motion. Motion passed unanimously.

**RHFC/FIRE MARSHALL:** - John Lehr, Fire Marshall

Events for RHFC – Larry Morton

- 10/02 08 – Penny auction at RHFC
- 10/03/08 - Center Square, Fire Prevention Presentation
- 10/04/08 – Wal-Mart, East Greenville, Fire Prevention Presentation

Doris Decker made a motion to accept the events for the RHFC and Charles McCleary seconded the motion. Motion passed unanimously.

**UPPER MONTGOMERY JOINT AUTHORITY:** - Larry Morton

Mr. Morton reported on the following topic:

- Sewer Lateral Inspection regulations is ongoing.
- UMJA requested a copy of the Sewer System Inspection Sheet to be faxed to their office after the U&O inspection is completed.

**RHPC/UPRPC: - Charles McCleary**

Trash Recycling Program:

Tom Paul addressed the following issues:

- Pennsburg is questioning the enforcement of mandatory recycling for their borough. Only 25 % of the Pennsburg residents recycle.
- Grant money has not been received since 2005.
- Recycling Program is flagged for being over aggressive resulting in no pay out. BFI numbers are needed for verification.

Tom Paul instructed Darlene Stoudt to contact Hough Associates regarding the 904 grant for 2007.

**BUDGET & PERSONNEL: - Charles McCleary**

**CODE REVIEW: - Doris Decker**

Doris Decker stated that the credentials for the street/ sidewalk permits will be presented by Norm Ulrich.

**GENERAL SERVICES: - John Smith**

**PARKS & RECREATION: Ryan Enoch**

**SANITATION AND RECYCLING: Faith Diascro**

**OPEN SPACE: - Doris Decker**

Doris Decker addressed council on the priority list for the open space program.

David Schiffgens will notify Ryan Enoch to contact Todd's Tree service for a proposal to cut down dead trees and replace the trees in the Red Hill Park.

Doris Decker addressed the dog park option for Centennial Park with the criteria that need s to be addressed with the implementation of a dog park.

- Liability on the dog park
- Signage – enter at your own risk
- Discussions with insurance broker
- Ordinance for regulations and protection of the park

Doris Decker is waiting for an answer from the Upper Hanover Park Committee for approval of the dog park. Centennial Park is a dual ownership, and their approval is needed too.

Doris Decker stated that the Open Space meeting is cancelled for October, unless Pastor Peter Smith gets back with the committee with an answer to the Hope Valley Community Church property.

**MAYOR: David Schiffgens**

**PRESIDENT: Tom Paul**

Tom Paul reminded the council of the September 25<sup>th</sup> MCAB at the East Greenville Fire Company and to contact Darlene by 9/19//08 if you are attending the event.

Tom Paul requested a council member to attend the Transportation Funding forum on October 3, 2008 at the Presidential Caterers, East Norriton and to contact Matthew Edmond at 610.278.3742 for registration.

Tom Paul stated that the 2008 Green Futures Achievement Award was awarded to the Peevy Road Open Space Project, which Red Hill contributed \$50,000.00 to the project. Six people from our community who have contributed to the success of this project are invited to attend a reception at William Penn Inn on October 30<sup>th</sup>. Please contact Darlene Stoudt by October 23<sup>rd</sup> if you are interested in attending the event.

**ENGINEER: LTL – Norman Ulrich**

The following projects are currently under review or have received conditional or final approval:

- Paone Townhouse Development – Inlet and Pipe installation –The construction of the pipe and inlet has been completed. LTL has prepared the construction escrow information to be attached to the developers' agreement after it is prepared. Borough Council instructed the borough solicitor to prepare the developers' agreement for review and approval at an upcoming meeting. After the developers' agreement has been approved and signed by all interested parties, the plans can be recorded and construction may begin. LTL will keep the borough informed of the projects progress as it moves forward.
- B&W Constructors and Equipment, Inc. – LTL anticipates the applicant will revise the plans to address the outstanding issues raised in LTL's most recent letter and resubmit the plans for review.
- Lehigh Gas Corporation Land Development – LTL anticipates the applicant will continue discussions with the Borough to obtain project direction prior to proceeding with the planning process.
- Saini Minor Subdivision Plan –LTL is working with the applicant to address final plan issues prior to recommending the plans being signed by the Borough and recorded.
- Preston Court – Major construction activities for the month include the completion of punch list items. LTL received from THP personnel indicating that the swale work will be completed by the end of September 2008 with the walking trail repairs to be completed by mid October 2008. LTL will continue to keep the Borough informed and monitor all construction activities, as the construction punch list items are resolved.
- G&M Enterprises, Inc. – The borough informed LTL that the escrow accounts has been brought up to date. LTL will continue to keep the Borough informed of any developments as they occur.

Following Special Projects have been worked upon by LTL as authorized by Borough Council:

- MS4 NPDES –LTL will update the Borough on the progress of the program.

**Street and Sidewalk Permit- Norm Ulrich**

Norm Ulrich addressed council on Recommended Amendments to Red Hill Curb and Sidewalk Ordinance 2007-453.

Authority for property owners to do work on Own initiative Section 21-204 – Comply with the inspection requirements of Section 21-222.

**Add the following:**

§ 21-222- All work whether directed by the Borough or at the initiative of the property owner shall be inspected by the borough or appointed representative. Inspections shall be made to assure conformance with the appropriate sections of §22-405 and §33 -406. The Borough shall provide the property owner with a list of the number and type of inspections required for the proposed improvements. An estimate of the fees associated with proposed inspections shall be prepared and approved by the Borough prior to authorization to do the repair work. The property owner shall provide a cash escrow payment to cover the estimated fees. All inspection fees will be charged against the escrow account; any unused fees will be returned to the property owner upon completion of the project. If inspection fees exceed the estimated cost, the property owner shall be charged and a lien shall be placed on the property until such time as the fee is paid.

Doris Decker made a motion to accept the amendments to the Red Hill Curb and Sidewalk Ordinances 2007-453 and Charles McCleary seconded the motion. Motion passed unanimously.

**Recommended Amendments to Red Hill Borough Street Opening 2006-448 – Norm Ulrich  
§21-419 Security Deposit**

The security deposit shall include a cash deposit to cover the estimated cost of construction inspector performed by the Borough that may be in addition to the inspection fees required by Pennsylvania Title 67 Chapter 441 and 459. The additional inspection fees shall be based on the fee schedule adopted by the Borough. Fees shall be deducted from the cash deposit. Any unused fees shall be returned to the applicant at time of the security release.

Additional sections recommended for adoption:

§21-428 Permit Transfer  
 §21-429 Performance Standard  
 §21-430 Failure to Perform  
 §21-431 Work Stoppage  
 §21-432 Other Permissions  
 §21-433 Hazard Mitigation  
 §21-434 Protection of Existing roads  
 §21-435 Subsurface Boring  
 §21-436 Longitudinal Trenching  
 §21-437 Transverse Crossings  
 §21-438 Blasting

Doris Decker made a motion to accept to accept the amendments to the Red Hill Borough Street Opening Ordinance 2006-448 and Charles McCleary seconded the motion. Motion passed unanimously.

Faith Diascro made a motion to instruct Mark Hosterman to prepare an ordinance with the amendments, for the Red Hill Borough Street Opening ordinance and Sidewalk ordinance submitted to the borough by Norm Ulrich and Paul Snyder seconded the motion. Motion passed unanimously.

**SOLICITOR: Mark Hosterman –**

Mark Hosterman addressed the following issues:

Red Hill Borough, Pennsburg, and Upper Hanover Township Intersection Improvements Agreement-

- The future maintenance agreement was submitted

THP Swale –

- Construction of the swale was allowed on 8/18/08.

Michael Groff Tract –

Before an agreement of sale can be issued the following item must be addressed:

- Towing operations are not a permitted use for the LI District, and a text amendment must be submitted for towing in this district.

Mark Hosterman talked to Mr. Groff's lawyer and stated that the seller is responsible for the reimbursement of money for the solicitor's fees for the pursuing a text amendment.

**Resolution 2008 – 08  
 Amending the U&O Fee Schedule**

Doris Decker made a motion to accept the Resolution 2008-08 and Charles McCleary seconded the motion. Motion passed unanimously.

Siani Development-

Mark Hosterman stated that \$3500.00/per unit must be given to the borough for emergency services and a letter of credit must be submitted by the builder before construction can be started.

**Wood Burning Furnaces:**

Doris Decker authorized Mark Hosterman to prepare an ordinance for banning Wood Burning furnaces in the Borough of Red Hill for adoption at the October 8, 2008 council meeting and Charles McCleary seconded the motion.

Roll call was taken:

Ryan Enoch	No
Paul Snyder	Yes
Doris Decker	Yes
Faith Diascro	Yes
Charles McCleary	Yes

Motion passed 4-1 passed.

**SECRETARY/TREASURER:** –

A motion was made by Paul Snyder to approve the List of Bills for payment, seconded by Charles McCleary. Motion carried unanimously.

A motion was made by Charles Mc Cleary to accept the Treasurer's Report for August 2008 as presented. Faith Diascro seconded the motion. Motion carried unanimously.

**Adjournment:** - Paul Snyder made a motion to adjourn the meeting and Faith Diascro seconded the motion. Motion carried unanimously. The meeting was adjourned at 9:16pm.

Respectfully submitted,

Darlene Stoudt