

BOROUGH OF RED HILL
COUNCIL MINUTES
Wednesday, November 12, 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, John Smith

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

VISITORS: Jack Barbary Real Estates Services, Inc.
Bernadette Kearney, Esquire, Hamburg, Rubin, Mullin, Maxwell & Lupin
Estelle T. Eberhardt, P.E, Irick, Eberhardt and Mientus, Inc.
Audrey Leister – Court Reporter

ACTION ON MINUTES: A motion to approve the Minutes of October 1, October 8, was made by John Smith and seconded by Faith Diascro. Motion carried unanimously.

CITIZENS PARTICIPATION: -

Hilliard Cohen, 199 East 6th Street - Ask council on the particulars of the RHB leaf collection. Council stated leaves may be dropped off at the maintenance building until November 30th.

Kershner/Weaver Tract:-

Mark Hosterman addressed council on the exhibits for November 12, 2008 Map Amendment Hearing.
List of the Exhibits:

1. Letter from Bernadette Kearny, Esquire dated October 1, 2008 on behalf of Investors Land Acquisition One, LLC submitting a letter application for a public hearing to apply the Village Housing Overlay district to the Weaver Parcels;
2. Copy of proposed Ordinance No 2008-464 for consideration by Borough Council to amend the Zoning Map of Red Hill to include Village Housing community another Kershner and Weaver Tracts;
3. Copy of Public Notice of Hearing to consider amending the Red Hill Borough Zoning Map to designate Village Housing as an overlay district on the lands for Molly and Hayward Weaver, Tax Parcel nos. 17-00-00135-62-2 and 17-00-00135-61-3, and for a public hearing on the Conditional Use application of Investors Land Acquisition One, LLC to construct a Village Housing community on the Kershner and Weaver Tracts;
4. Certification of Posting executed by Conrad Bender on November 5, 2008 signifying posting of the Kershner/Weaver Tracts;
5. Proof of Publication of Public Notice of Conditional Use Hearing from *The Mercury* indication publication on October 29, 2008 and November 5, 2008;
6. Waiver of Written Notice from Molly M. Weaver and Hayward E. Weaver dated October 29, 2008 waiving notice of the Conditional Use Hearing;
7. Copies of letters sent to property owners within 500 feet of the Kershner and Weaver properties enclosing a copy of the Public Notice and a list of the property owners who were sent notices;
8. October 21, 2008 review letter from Barry Isett & Associates, Inc. to the Borough of Red Hill Planning Commission;
9. October 28, 2008 letter from the Montgomery County Planning Commission.

Mark Hosterman asked council for advisement, or action, or caucus in an executive session.

Charles Mc Cleary made a motion to adopt **Ordinance 2008-464**, which amends the Zoning map of Red Hill Borough by adding the Village Housing Overlay Zoning District to certain parcels of ground located in the Borough of Red Hill and John Smith seconded the motion.

Roll Call

Ryan Enoch	Yes
Paul Snyder	Yes
Doris Decker	Yes
John Smith	Yes
Faith Diascro	Yes
Charles McCleary	Yes

Motion passed 6-0.

Mark Hosterman addressed council on exhibits for November 12, 2008 Conditional Use Hearing.

List of exhibits:

1. Letter application for Conditional Use request of Investors Land Acquisition One, LLC from Bernadette Kearny, Esquire, dated October 1, 2008 requesting conditional use approval for expansion of the Kershner Tract Village Housing onto the lands of Molly and Hayward Weaver;
2. Sketch Plan dated September 28, 2008 submitted as part of the Letter Application;
3. Copy of Public Notice of Hearing to consider amending the Red Hill Borough Zoning Map to designate Village Housing as an Overlay district on the lands of Molly and Hayward Weaver, Tax Parcel Nos. 17-00-00135-62-2 and 17-00-00135-61-3, and for a public hearing on the Conditional use application of Investors Land Acquisition One, LLC to construct a Village Housing community on the Kershner and Weaver Tracts;
4. Certification of Posting executed by Conrad Bender on November 5, 2008 signifying posting of the Kershner/Weaver Tracts;
5. Proof of Publication of Public Notice of Conditional Use Hearing from *The Mercury* indication publication of the Kershner/Weaver Tracts;
6. Copies of letters sent to property owners within 500 feet of the Kershner and Weaver properties enclosing a copy of the Public Notice and a list of the property owners who were sent notices;
7. October 21, 2008 review letter from Barry Isett & Associates, Inc. to the Borough of Red Hill Planning Commission;
8. October 28, 2008 letter from Montgomery County Planning Commission.
9. Ordinance No 2008- 459 amending the text of the Zoning Ordinance of the Borough of /Red Hill to include Village Overlay District in an LI-Limited Industrial District adopted by Borough Council on September 10, 2008;
10. Ordinance No. 2008 - 460 amending the Zoning Map of Red Hill Borough by adding the Village Housing Overlay District to the Kershner Tracts located in Red Hill Borough as adopted by Borough Council on September 10, 2008;
11. Stenographic report of hearing held on July 16, 2008 at the Red Hill Borough Hall on the Conditional Use Application of Investors Land Acquisition One, LLC for conditional use to construct a Village Housing Community on the Kershner Tracts;
12. Conditional Use Decision and Order dated September 10, 2008 granting conditional use to Kershner Parcels;

Mark Hosterman asked council for advisement, or action, or caucus in an executive session.

Charles McCleary made a motion to accept the conditional use application of Investors Land Acquisition One, LLC for conditional use to construct a Village Housing Community on the Kershner/Weaver Tracts and John Smith seconded the motion.

Roll Call

Ryan Enoch	Yes
Paul Snyder	No
Doris Decker	Yes
John Smith	Yes
Faith Daiscro	Yes
Charles McCleary	yes

Motion passed 5-1

RHFC/FIRE MARSHALL: - John Lehr, Fire Marshall

Events for RHFC.

- December 6, 2008 - Home town Christmas

Doris Decker made a motion to accept the event and any other 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.

RHPC/UPRPC: - Charles McCleary

BUDGET & PERSONNEL: - Charles McCleary

Charles McCleary addressed council on the completion of the preliminary budget with a tax increase of .2 mils.

Charles McCleary made a motion for the advertisement of the public review of the preliminary budget at the borough office and John Smith seconded the motion. Motion passed unanimously.

CODE REVIEW: - Doris Decker

GENERAL SERVICES: - John Smith

PARKS & RECREATION: Ryan Enoch

Ryan Enoch stated that he will try to secure trees for the park from developers.

SANITATION AND RECYCLING: Faith Diascro

OPEN SPACE: - Doris Decker

Doris Decker stated to council that an open space meeting will be scheduled for December for discussion of Red Hill's Open Space funds that could be given to the Upper Hanover Open Space Program. Doris will confer with Stan Seitzinger prior to the meeting on 12/10/08.

MAYOR: David Schiffgens

PRESIDENT: Tom Paul

ENGINEER: LTL – Norman Ulrich

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

- Paone Townhouse Development –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 Borough council 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 was informed by borough personnel, that this property was sold and is now being developed as a part of the neighboring "Kershner Tract".
- 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 –Construction activities for the month include; E&S installation, Home construction, site grading, etc. LTL will continue to keep the Borough informed of any developments as they occur.
- Preston Court – Major construction activities for the month include the completion of punch list items. LTL observed construction activities on site indicating that the swale work is nearing completion. THP personnel have contacted LLTL to arrange a site meeting to discuss the completion of the walking trail. LTL will continue to keep the Borough informed and monitor all construction activities, as the swale work and construction punch list are completed.
- G&M Enterprises, Inc. –The contractor has completed the fencing requirements outlined on the approved plans. The contractor has requested escrow release #3 for the project. LTL personnel have reviewed the request and issued a letter with recommendations, dated 11/10/08. 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.

G & M Enterprises, Inc. - Escrow Release No. 3 - Norm Ulrich

Norm Ulrich addressed council on the release of funds from the G & M Enterprises escrow account in the amount of \$26, 648.45.

Charles McCleary made a motion to release the amount of \$26, 648.45 from the G&M Enterprises escrow account and Doris Decker seconded the motion. Motion passed unanimously.

SOLICITOR: Mark Hosterman –

Mark Hosterman presented the following ordinances for adoption.

Ordinance No. 2008-462

An ordinance amending the codified ordinances of Red Hill Borough Chapter 21 (Streets and Sidewalks).

Charles McCleary made a motion to adopt Ordinance No. 2008-462 and John Smith seconded the motion. Motion passed unanimously.

Ordinance No. 2008-463

Permit Parking Only Ordinance

Doris Decker made a motion to adopt Ordinance No. 2008-463 and Paul Snyder seconded the motion. Motion passed unanimously.

Resolution No. 2008-09

Right to Know Law

Doris Decker made a motion to adopt Resolution No. 2008-09 and Faith Diascro seconded the motion. Motion passed unanimously.

SECRETARY/TREASURER: –

A motion was made by Faith Diascro to approve the List of Bills for payment, seconded by Ryan Enoch. Motion carried unanimously.

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

Adjournment: - Paul Snyder made a motion to adjourn the meeting and John Smith seconded the motion. Motion carried unanimously. The meeting was adjourned at 10:26pm.

Respectfully submitted,
Darlene Stoudt

