

COLLEGEVILLE BOROUGH
MEETING MINUTES
JULY 3, 2024

The meeting was called to order at 6:30PM by Council President Cathy Kernen.

ROLL CALL: Council President Cathy Kernen, VP Gary Hoffmann, Kathy Costello, Damien Brewster and Jr. Councilperson Alicia Hoffmann

ALSO IN ATTENDANCE: Solicitor Rebecca Geiser, Engineer David Leh, Police Chief John Barnshaw, Manager Tamara Twardowski and Assistant Suzanne Robertson

The Mayor asked for a moment of silence to acknowledge the passing of our former mayor and friend, Al Stagliano.

The Mayor read our **Land Acknowledgement Statement:**

“We acknowledge that indigenous peoples and nations, including the Delaware Tribe of Indians, Delaware Nation, Eelūnaapèewii Lahkèewiit (Delaware Nation at Moraviantown), Stockbridge-Munsee Community, and Munsee-Delaware Nation (Ontario) have stewarded through generations land and waterways on what is now known as Collegeville Borough. Our residences, businesses, organizations, and institutions rest on Lenapehoking, their ancestral and spiritual homeland. Collegeville Borough, in the State of Pennsylvania, honors and respects the enduring relationship that exists between these peoples and nations and this land.”

The Mayor swore in our new Police Chief, John Barnshaw and he joined Council at the table.

MOTION to approve the minutes from the June meeting by Costello with a second by Hoffmann
MOTION carries 7-0

Hearing for Conditional Use for Keyser Miller Ford took place. Court reporter was present.

Ms. Geiser opened the Public Hearing for the Conditional Use application submitted by the owners of Keyser Miller Ford. She explained that this hearing is for the property located at 150 E Main St. in Collegeville and that Keyser Miller Ford is requesting a conditional use to house vehicles. It is approximately 30,000SF and was previously used as a gas station and retail sales. This location is in the “GC” zoning district and allows for this use. This issue falls under Article 680-144H and 680-146. Ms. Geiser presented five exhibits into the record:

- B1 – A copy of the application
- B2 – The minutes from the 6/20/24 Planning Commission meeting
- B3 – The advertisement for the hearing
- B4 – Proof of posting of this hearing
- B5 – The proof of mailing informing neighboring residents of this hearing

Ms. Geiser asked if there is anyone in the audience that is here specifically for this hearing. She noted that the public will have a chance to ask questions and be heard after the hearing.

Mr. Michael Gill, attorney for Keyser Miller Ford, introduced four exhibits:

- 1) Deed to the property from the Recorder of Deeds
- 2) Selected pages of a lease agreement between Keyser & Miller Inc and Speedway LLC (as landlord)
- 3) Conditional Use application
- 4) Aerial view of the property

Mr. Ron Keyser was sworn in by the court reporter. Mr. Gill asked Mr. Keyser a series of questions that explained the lease they hold with Speedway and that the plan for the foreseeable future is to continue to house new and high value used vehicles on that corner for visibility. He assured Council that there will be an orderly stacking of the vehicles. He also clarified that this area is not for doing the actual business of selling cars. If a customer is interested, someone from the dealership will bring the car down to the showroom for a test drive or contract signing. No business will be conducted inside the building on the site at 150 E Main St.

Mr. Hoffmann asked if there are any plans to use the building on the property to store any liquids, oils or tires. His concern is that when/if more flooding occurs they could end up in the creek. Mr. Keyser noted that this property is well above flood level, but there are no plans to store anything in there anyway.

Ms. Twardowski expressed that the Borough's only concern is that there be ample room for a fire truck in case of an emergency. Mr. Keyser committed to ensuring that there will be a fire lane to accommodate any mandates by the Fire Marshall.

No public comment

Ms. Kernan closed the hearing.

MOTION to approve granting Conditional Use for auto sales and services under Section 680-144H with the conditions to be read by the Solicitor by Costello with a second by Brewster

MOTION carries 4-0

Ms. Geiser read the following conditions:

- 1) The proposed use includes conformity of the exhibits and testimony at this hearing
- 2) In all other aspects, the applicant will comply with the rules and Ordinances set forth by the United States, Montgomery County and Collegeville Borough
- 3) Compliance to the recommendations set forth in this hearing for car placement as to allow adequate room for fire truck access

Ms. Geiser introduced Bob Careless, attorney for Chase Bank, to present their Land Development application. Mr. Careless advised that they have been before the County Planning Commission and our Borough Planning Commission. They are proposing to demolish the existing Wells Fargo bank and construct a new Chase Bank branch. One significant change will be that there will not be a drive up teller, only a drive up ATM. There will be a net gain of five parking spaces. The variances received from the ZHB were in regards to building coverage, setbacks and for the pylon and wall signs. They have agreed to the conditions set by the Fire Marshall. The main discussion at the June Planning Commission meeting revolved around landscaping. There have been modifications to the waivers granted. There will be two street trees in the northeast corner and two in the southeast corner. In lieu of the other tree required they will plant twenty shrubs. All of the trees required by the borough will not work in the space, so they have agreed to attempt to work with the landlord to find areas to plant outside of their leasehold area. If that is not possible, they will provide fee in lieu to the borough to plant elsewhere. Ms. Geiser advised Mr. Careless that we have not calculated the fee and would they accept wording that

the fee will be calculated by the Borough Engineer at a future time. He said that they would. They have agreed to mark the parking spots on the west side of the building to Chase customers only during business hours. Outside of business hours, they will not be restricted.

Ms. Kernan asked for the timeline for the project. Mr. Careless said that their hope would be that the bank would be open in January.

Mr. Hoffmann asked about the maintenance of the trees. He would rather receive the fee in lieu than have trees planted and they die in a few years.

Ms. Costello asked if there will be the same daytime parking on the site. Mr. Careless noted they are actually adding five parking spaces.

Mayor Wright-Riggins asked if they plan to keep the drive up ATM in the Redner's shopping center after the branch is open. Mr. Careless said that he wasn't sure, but in other markets where Chase has opened a branch, they did not renew their lease for the ATM when it expired.

Ray Korenkiewicz 43 W 9th Ave – Mr. Korenkiewicz asked if there have been provisions in these agreements that require the maintenance of the trees that are installed. Mr. Leh noted that the shopping center has been around for at least 40 years and agreements were not as detailed back then.

Mr. Tweedie said it is not customary to require maintenance of landscaping for eternity. There are occasions in which plantings die or just don't thrive in a particular space. Mr. Careless advised that there will be care taken when making decisions on what to plant for the best outcome.

Mr. Tweedie (Planning Commission Vice-Chair) added that the reason they allowed the shrubs in lieu of one of the required street trees, is because of the ATM lane that will shine headlights directly onto Route 29. The tree wouldn't fit there anyway, so the shrubs will help buffer the headlights. They agreed that is a good compromise for site lines and safety.

MOTION to grant a waiver from Section 600-28A6 for tree replacement by Costello with a second by Hoffmann

MOTION carries 4-0

MOTION to grant waiver Section 600-16 C to allow preliminary and final approval concurrently by Costello, seconded by Hoffmann.

MOTION to grant a waiver from Section 600-32E1 that requires grading three feet from all property lines by Costello with a second by Brewster

MOTION carries 4-0

MOTION to grant a waiver from Section 600-50B7A which requires one tree for every five parking spaces by Costello with a second by Hoffmann

MOTION carries 4-0

MOTION to grant a waiver from Section 600-53C2A paragraph 9 for four street trees by Costello with a second by Hoffmann

MOTION carries 4-0

MOTION to grant a waiver from Section 600-53E3 paragraph 9 for two street trees by Costello with a second by Hoffmann

MOTION carries 4-0

MOTION to grant preliminary and final approval for the Chase Bank project by Hoffmann with a second by Costello

MOTION carries 4-0

PUBLIC COMMENT:

Jan Snovel – 432 Chestnut St – Ms. Snovel asked who is required to maintain curbs. Ms. Twardowski advised that the homeowner is required to maintain the curbs and sidewalks. Ms. Snovel said the curbs have been destroyed by the contractors working at the new commercial building to apartment conversion project across the street from the park. Mr. Leh said he was not aware of this, but will check into it.

ADMINISTRATIVE REPORTS

BUDGET & FINANCE:

MOTION to approve the Treasurer’s report and checks 6946-6879 by Hoffman with a second by Brewster

MOTION carries 4-0

MOTION to approve removing Chief Bart Bucher as check signer and adding Chief John Barnshaw by Brewster with a second by Costello

MOTION carries 4-0

Ms. Twardowski noted that she and Mr. Hoffmann will have a mid-year budget presentation for the August meeting.

BUSINESS DEVELOPMENT: Ms. Kernen advised that Mark Evans is working on a draft plan for Main Street and she expects to be able to present it to Council and the public soon.

CTMA/PUBLIC WORKS: No report

CPVRPC: No report

LPVRS: Ms. Twardowski reported for Ms. Stagliano that 57 EDU’s were granted. The generator installation project continues to move forward.

PARKS: Ms. Costello noted that the Bigg Romeo concert is scheduled for July 11 at 7PM at Collegeville Park. Ms. Kernen has approached Ursinus College to see if they could possibly move the concert to their Fieldhouse in the event of bad weather. She is waiting to hear back. She is working to reschedule the Elastic Karma concert. The Comprehensive Park Plan and design recommendations are expected to be ready for review this fall.

PERSONNEL: No report

STREETS & PUBLIC SAFETY: Mr. Hoffmann advised that they have the numbers from the traffic study on E 9th Avenue from Route 29, and will now start one at the other end to complete the study. They started a discussion about sober living houses and also the sidewalks on Carmen Drive.

MOTION to approve all reports by Hoffmann with a second by Brewster

MOTION carries 4-0

ADMINISTRATIVE REPORTS

ENGINEER: Mr. Leh reported that the 2024 Paving Project is now complete.

MOTION to approve the final payment to GoreCon Inc in the amount of \$176,740.77 upon receipt of the maintenance agreement by Costello with a second by Brewster

MOTION carries 4-0

Mr. Leh advised that all of the FEMA Acquisition properties have been demolished, however there is still some restoration to be done and wells to be capped.

MOTION to approve Payment request #3 to G&R Excavating & Demolition in the amount of \$69,793.11 by Costello with a second by Brewster

MOTION carries 4-0

The land development application for 7 Brews was reviewed and no action was taken at the Planning Commission meeting on June 20. The applicant will be returning to the Planning Commission after receiving zoning relief or revising the plan to conform to zoning.

SOLICITOR: Ms. Geiser noted that at 5:30PM this evening there was an executive session regarding litigation. She advised there is no update on the Perkiomen Bridge Hotel, but that she is working on methods to proceed against the owner. She recommends that the borough join a class action lawsuit against the corporations responsible for the PFAS in our water. The potential payout could be \$500K to the boroughs, but not until approximately the year 2030.

MOTION to approve joining the class action lawsuit along with Trappe Borough regarding PFAS by Costello with a second by Hoffmann

MOTION carries 4-0

MANAGER:

MOTION to approve moving forward with the Clahor Avenue storm water basin by Costello with a second by Brewster

MOTION carries 4-0

MOTION to approve the purchase of a vacant lot on E First Avenue for \$22K by Costello with a second by Hoffmann

MOTION carries 4-0

Ms. Twardowski noted that Borough Hall will be closed on July 4 & 5.

POLICE: Chief Barnshaw advised that our newest officer was sworn in this evening by the Mayor so he can begin working. He will be publically sworn in and be introduced at the public at the August meeting. He also advised that Hunter Evans has resigned. The next consortium test to find Officer Evans' replacement will be in September.

MOTION to approve a Fire Police request from Skippack Township for their 4th of July parade on July 4 by Brewster with a second by Costello

MOTION carries 4-0

MAYOR: The Mayor expressed his happiness and excitement for the future of the department with the promotion of Chief Barnshaw. They have already met to discuss their joined philosophy of community engagement and policing for the Borough.

FIRE: Mr. Penuel reported 30 calls for May, 7 of which were in the borough. There were 514 hours of service to the community.

AMBULANCE: Mr. Reynolds noted that the average response time from call to site is 5 minutes, 25 seconds. They responded to 90% of the calls in the borough. The department was issued 2024 HAZMAT protocols from the County.

PUBLIC COMMENT:

Jim Traupman 256 E 9th Ave – Mr. Traupman asked if the solicitor is familiar with the Supreme Court ruling on Chevron and how that could pertain the class action lawsuit we are joining. She replied that the decision to join needs to be made before the deadline of July 12 and time will tell how the many rulings of the Court will affect lawsuits.

Ms. Kernan noted the Movie on the Lawn at Ursinus College on July 26, *Migration*.

MEETING ADJOURNED 7:50PM