

MAY - COUNCIL WORKSHOP  
NEW HOPE BOROUGH COUNCIL  
BUCKS COUNTY, PENNSYLVANIA

MAY COUNCIL MEETING

NEW HOPE BOROUGH COMMUNITY ROOM  
123 NEW STREET  
NEW HOPE, PENNSYLVANIA 18938

WEDNESDAY, MAY 17, 2023

COMMENCING AT 6:30 P.M.

BOARD MEMBERS PRESENT:

CONNIE GERING - PRESIDENT  
LAURIE MCHUGH  
TINA RETTIG  
LOUISE FEDER  
PETER MEYER  
KENNETH MAISEL  
DANIEL DOUGHERTY

ALSO PRESENT:

LAURENCE KELLER - MAYOR  
PETER GRAY - BOROUGH MANAGER  
JOHN FENNINGHAM, ESQ. - BOROUGH COUNCIL  
LISA LITTLEFIELD - ZONING OFFICER  
MATTHEW DECKER - AUDIO/VIDEO TECHNICIAN

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PRESIDENT GERING: I would like to call the meeting to order. If you can stand up for the Pledge of Allegiance.

Thank you. Pete, if you can take roll.

MR. GRAY: Certainly.

Ms. McHugh?

MS. MCHUGH: I am here.

MR. GRAY: Ms. Rettig:

MS. RETTIG: Here.

MR. GRAY: Ms. Feder?

MS. FEDER: Here.

MR. GRAY: Mr. Maisel?

MR. MAISEL: Here.

MR. GRAY: Mr. Meyer?

MR. MEYER: Here.

MR. GRAY: Mr. Dougherty?

MR. DOUGHERTY: Here.

MR. GRAY: Mayor Keller?

MAYOR KELLER: Here.

MR. GRAY: Ms. Gering?

PRESIDENT GERING: Here. Thank you so much.

Do we have any public comment on what is on the agenda tonight?

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Mayor Keller, you're next.

MAYOR KELLER: Great. Couple things we will start off with, we have been constantly looking to replace some of our part-time officers that have moved on to full-time positions.

And Chief feels that he has met a very wonderful candidate, a little different than most of our part-timers we have got and this one is a Sooner. For those of you that aren't familiar, a Sooner is the Oklahoma Sooners.

So Caleb came from Oklahoma and he lives in Warminster --

OFFICER JOHNSON: Yes, sir.

MAYOR KELLER: And graduated Temple, got his 120 from Temple Academy and knows a lot about horses, which we might need him for that if one of our guys comes in with a sulky at least once or twice a week. So Corporal Giovinazzo will put him right on that and teach him some lessons. And also bull riding so very versatile.

And I would ask this Council to consider hiring Caleb Johnson on as a part-time officer of the New Hope Police Department.

PRESIDENT GERING: Can I have a motion for

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**2** approval?

**3** MS. RETTIG: I will make that motion.

**4** MS. McHUGH: Second.

**5** PRESIDENT GERING: Any questions?

**6** All in favor?

**7** MS. FEDER: Aye.

**8** MR. MEYER: Aye.

**9** MS. McHUGH: Aye.

**10** MS. RETTIG: Aye.

**11** MR. DOUGHERTY: Aye.

**12** MR. MAISEL: Aye.

**13** PRESIDENT GERING: Aye.

**14** Congratulations.

**15** MAYOR KELLER: I have to swear him in.

**16** PRESIDENT GERING: That is okay.

**17** MAYOR KELLER: State your name.

**18** OFFICER JOHNSON: I, Steven Caleb Johnson.

**19** MAYOR KELLER: Do solemnly swear.

**20** OFFICER JOHNSON: Do solemnly swear.

**21** MAYOR KELLER: That I will support, obey

**22** and defend.

**23** OFFICER JOHNSON: That I will support, obey

**24** and defend.

**25** MAYOR KELLER: The Constitution of the

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**2** United States.

**3** OFFICER JOHNSON: The Constitution of the

**4** United States.

**5** MAYOR KELLER: And the Constitution of this

**6** Commonwealth.

**7** OFFICER JOHNSON: And the Constitution of

**8** this Commonwealth.

**9** MAYOR KELLER: And that I will discharge

**10** the duties of my office with fidelity.

**11** OFFICER JOHNSON: And that I will discharge

**12** --

**13** MAYOR KELLER: The duties of this office

**14** with fidelity.

**15** OFFICER JOHNSON: The duties of this office

**16** with fidelity.

**17** MAYOR KELLER: I acknowledge that I will

**18** uphold.

**19** OFFICER JOHNSON: I acknowledge that I will

**20** uphold.

**21** MAYOR KELLER: Obey and enforce.

**22** OFFICER JOHNSON: Obey and enforce.

**23** MAYOR KELLER: The law without

**24** consideration.

**25** OFFICER JOHNSON: The law without

7

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**2** consideration.

**3** MAYOR KELLER: For a person's race, color,

**4** sex.

**5** OFFICER JOHNSON: For a person's race,

**6** color, sex.

**7** MAYOR KELLER: Religious creed, sexual

**8** orientation.

**9** OFFICER JOHNSON: Religious creed, sexual

**10** orientation.

**11** MAYOR KELLER: Age, national origin.

**12** OFFICER JOHNSON: Age, national origin.

**13** MAYOR KELLER: Ancestry, handicap or

**14** disability.

**15** OFFICER JOHNSON: Ancestry, handicap or

**16** disability.

**17** MAYOR KELLER: As a moral obligation to the

**18** public.

**19** OFFICER JOHNSON: As a moral obligation to

**20** the public.

**21** MAYOR KELLER: I serve and for which I will

**22** be held accountable.

**23** OFFICER JOHNSON: I serve and for which I

**24** will be held accountable.

**25** MAYOR KELLER: Official now. Thank you.

8

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**2** Okay. Another item on the agenda, the Fire

**3** Police of the Eagle Fire Company had asked that Council

**4** agree to let them cover a race reciprocity in Chalfont

**5** Borough.

**6** It is the 5K race and Chalfont needs about

**7** 20 fire police officers for that event and New Hope will

**8** probably, with your permission, will probably provide two,

**9** three or four and given part of that package so we will do

**10** that.

**11** PRESIDENT GERING: Can I have a motion for

**12** approval?

**13** MS. McHUGH: I will make that motion.

**14** MS. FEDER: I will second.

**15** PRESIDENT GERING: Any questions?

**16** All in favor?

**17** MS. FEDER: Aye.

**18** MR. MEYER: Aye.

**19** MS. McHUGH: Aye.

**20** MS. RETTIG: Aye.

**21** MR. DOUGHERTY: Aye.

**22** MR. MAISEL: Aye.

**23** PRESIDENT GERING: Aye.

**24** MAYOR KELLER: And when we get to one vote

**25** on the weapons, if you need me to talk about that I will

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1  
2 be happy to, if it is necessary.  
3 PRESIDENT GERING: Thank you.  
4 Next on the agenda is a Certificate of  
5 Appropriateness for 2 Stockton Avenue for a sign  
6 installation. This is for New Hope Arts.  
7 Can I have a motion for approval?  
8 MS. McHUGH: I will make that motion.  
9 MR. MEYER: Second.  
10 PRESIDENT GERING: Any questions?  
11 All in favor?  
12 MS. FEDER: Aye.  
13 MR. MEYER: Aye.  
14 MS. McHUGH: Aye.  
15 MS. RETTIG: Aye.  
16 MR. DOUGHERTY: Aye.  
17 MR. MAISEL: Aye.  
18 PRESIDENT GERING: Aye.  
19 Next is a Certificate of Appropriateness  
20 for 44 South Main Street for Farley's Book Store.  
21 MS. FEDER: I will make that motion.  
22 MS. RETTIG: I will second it.  
23 PRESIDENT GERING: No, we removed 44 South  
24 Main Street.  
25 MR. GRAY: Suite 1 and 3.

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1  
2 PRESIDENT GERING: Suite 1 and 3 is  
3 removed. Farley's is Suite 2.  
4 MS. McHUGH: So we are voting on Suite 2.  
5 PRESIDENT GERING: All in favor?  
6 MS. FEDER: Aye.  
7 MR. MEYER: Aye.  
8 MS. McHUGH: Aye.  
9 MS. RETTIG: Aye.  
10 MR. DOUGHERTY: Aye.  
11 MR. MAISEL: Aye.  
12 PRESIDENT GERING: Aye. Thank you.  
13 Next is a Certificate of Appropriateness  
14 for 50 West Bridge Street for exterior painting.  
15 Can I have a motion for approval?  
16 MS. McHUGH: I will make that motion.  
17 MR. MEYER: Second.  
18 PRESIDENT GERING: Any questions?  
19 All in favor?  
20 MS. FEDER: Aye.  
21 MR. MEYER: Aye.  
22 MS. McHUGH: Aye.  
23 MS. RETTIG: Aye.  
24 MR. DOUGHERTY: Aye.  
25 MR. MAISEL: Aye.

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1  
2 PRESIDENT GERING: Aye. Thank you.  
3 Next is a Certificate of Appropriateness  
4 for 125 South Main Street for window replacement and a  
5 door.  
6 Can I have a motion for approval?  
7 MR. MEYER: So moved.  
8 MS. McHUGH: Second.  
9 PRESIDENT GERING: Any questions?  
10 All in favor?  
11 MS. FEDER: Aye.  
12 MR. MEYER: Aye.  
13 MS. McHUGH: Aye.  
14 MS. RETTIG: Aye.  
15 MR. DOUGHERTY: Aye.  
16 MR. MAISEL: Aye.  
17 PRESIDENT GERING: Aye. Thank you.  
18 Next is a Certificate of Appropriateness  
19 for 320 West Mechanic Street for a siding installation.  
20 MS. McHUGH: I will make that motion.  
21 MS. FEDER: I will second.  
22 PRESIDENT GERING: Thank you. Any  
23 questions?  
24 All in favor?  
25 MS. FEDER: Aye.

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1  
2 MR. MEYER: Aye.  
3 MS. McHUGH: Aye.  
4 MS. RETTIG: Aye.  
5 MR. DOUGHERTY: Aye.  
6 MR. MAISEL: Aye.  
7 PRESIDENT GERING: Aye. Thank you.  
8 Next is a motion to authorize a one year  
9 extension for fire inspection with the New Hope Eagle Fire  
10 Company at a rate of \$25,000 a year.  
11 Can I have a motion for approval?  
12 MS. RETTIG: I will make that motion.  
13 MS. McHUGH: Second.  
14 PRESIDENT GERING: All in favor?  
15 MS. FEDER: Aye.  
16 MR. MEYER: Aye.  
17 MS. McHUGH: Aye.  
18 MS. RETTIG: Aye.  
19 MR. DOUGHERTY: Aye.  
20 MR. MAISEL: Aye.  
21 PRESIDENT GERING: Aye. Thank you.  
22 Next can I have a motion for approval for  
23 the Fire Marshal Services with the New Hope Fire Company  
24 at a rate of 16,000 a year?  
25 MR. MEYER: So moved.

13

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2	MS. McHUGH: Second.
3	PRESIDENT GERING: Any questions?
4	All in favor?
5	MS. FEDER: Aye.
6	MR. MEYER: Aye.
7	MS. McHUGH: Aye.
8	MS. RETTIG: Aye.
9	MR. DOUGHERTY: Aye.
10	MR. MAISEL: Aye.
11	PRESIDENT GERING: Aye. Thank you.
12	Can I have a motion to approve the purchase
13	of service weapons for the Police Department?
14	MS. RETTIG: I will make that motion.
15	MS. McHUGH: I will second.
16	PRESIDENT GERING: Any questions?
17	All in favor?
18	MS. FEDER: Aye.
19	MR. MEYER: Aye.
20	MS. McHUGH: Aye.
21	MS. RETTIG: Aye.
22	MR. DOUGHERTY: Aye.
23	MR. MAISEL: Aye.
24	PRESIDENT GERING: Aye. Thank you.
25	Can I have a motion to release escrow in

14

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2	the amount of \$63,920 for Rabbit Run?
3	MS. FEDER: I will make that motion.
4	MR. MEYER: Second.
5	PRESIDENT GERING: Any questions?
6	All in favor?
7	MS. FEDER: Aye.
8	MR. MEYER: Aye.
9	MS. McHUGH: Aye.
10	MS. RETTIG: Aye.
11	MR. DOUGHERTY: Aye.
12	MR. MAISEL: Aye.
13	PRESIDENT GERING: Aye. Thank you.
14	Can I have a motion to consider resolution
15	for disposal of Borough records?
16	MS. FEDER: I will make that motion.
17	MS. McHUGH: I will second it.
18	PRESIDENT GERING: Any questions?
19	All in favor?
20	MS. FEDER: Aye.
21	MR. MEYER: Aye.
22	MS. McHUGH: Aye.
23	MS. RETTIG: Aye.
24	MR. DOUGHERTY: Aye.
25	MR. MAISEL: Aye.

15

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2	PRESIDENT GERING: Aye. Thank you.
3	Can I have a motion for the extension of
4	the current parking lot lease agreement with the Old Stone
5	Church for 90 days?
6	MS. RETTIG: I will make that motion.
7	MR. MEYER: Second.
8	PRESIDENT GERING: Any questions?
9	MS. McHUGH: Can I recuse myself?
10	PRESIDENT GERING: All in favor?
11	MS. FEDER: Aye.
12	MR. MEYER: Aye.
13	MS. RETTIG: Aye.
14	MR. DOUGHERTY: Aye.
15	MR. MAISEL: Aye.
16	PRESIDENT GERING: Aye. Thank you.
17	Can I have a motion to authorize
18	advertisement for the Visitor's Center project. That is
19	improvements for the Visitor Center to go out to bid.
20	MS. RETTIG: I will make the motion.
21	MR. MEYER: Second.
22	PRESIDENT GERING: All in favor?
23	MS. FEDER: Aye.
24	MR. MEYER: Aye.
25	MS. McHUGH: Aye.

16

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2	MS. RETTIG: Aye.
3	MR. DOUGHERTY: Aye.
4	MR. MAISEL: Aye.
5	PRESIDENT GERING: Aye.
6	Can I have a motion to appoint Kelly
7	Whitman to the Planning Commission?
8	MS. FEDER: I will make that motion.
9	MS. McHUGH: Second.
10	PRESIDENT GERING: Any questions?
11	All in favor?
12	MS. FEDER: Aye.
13	MR. MEYER: Aye.
14	MS. McHUGH: Aye.
15	MS. RETTIG: Aye.
16	MR. DOUGHERTY: Aye.
17	MR. MAISEL: Aye.
18	PRESIDENT GERING: Aye. Congratulations.
19	MAYOR KELLER: Kelly, good job.
20	PRESIDENT GERING: Can I have a motion to
21	approve a special permit application for Run Now, Wine
22	Later?
23	MS. RETTIG: I will make that motion.
24	PRESIDENT GERING: Second?
25	MS. FEDER: I will second.

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1  
2 PRESIDENT GERING: Any questions?  
3 All in favor?  
4 MS. McHUGH: I recuse myself.  
5 MS. FEDER: Aye.  
6 MR. MEYER: Aye.  
7 MS. RETTIG: Aye.  
8 MR. DOUGHERTY: Aye.  
9 MR. MAISEL: Aye.  
10 PRESIDENT GERING: Aye. All right.  
11 Can I have a motion to approve the minutes  
12 of April 18th?  
13 MS. FEDER: I will make that motion.  
14 MS. McHUGH: Second.  
15 PRESIDENT GERING: All in favor?  
16 MS. FEDER: Aye.  
17 MR. MEYER: Aye.  
18 MS. McHUGH: Aye.  
19 MS. RETTIG: Aye.  
20 MR. DOUGHERTY: Aye.  
21 MR. MAISEL: Aye.  
22 PRESIDENT GERING: Aye.  
23 Approval of accounts payable for May in the  
24 amount of \$304,008.85. Payrolls for April 21, 2023 and  
25 May 5th in the amounts of \$75,440.37 and \$88,000.88.

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1  
2 Can I have a motion for those?  
3 MS. McHUGH: \$88,000?  
4 PRESIDENT GERING: \$88,010.88.  
5 MS. McHUGH: I will make that motion.  
6 PRESIDENT GERING: Second?  
7 MR. MEYER: Second.  
8 PRESIDENT GERING: All in favor?  
9 MS. FEDER: Aye.  
10 MR. MEYER: Aye.  
11 MS. McHUGH: Aye.  
12 MS. RETTIG: Aye.  
13 MR. DOUGHERTY: Aye.  
14 MR. MAISEL: Aye.  
15 PRESIDENT GERING: Aye.  
16 Parks and Rec. Do you have a committee --  
17 MS. FEDER: We do have a committee.  
18 PRESIDENT GERING: -- report?  
19 MS. FEDER: Just a brief one. Further  
20 discussion about plantings for the Spring and the Summer.  
21 Robust discussion around the watering plan and how to best  
22 manage that and working in concert with the facilities  
23 department on that. There has been improvements begun in  
24 Lenape Park.  
25 Pete, I don't know if you want to chime in

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1  
2 on that?  
3 MR. GRAY: Yeah. Holly Days was out last  
4 week. They were cleaning up, doing their spring tune-up  
5 and they are also in the process of doing plantings at all  
6 locations.  
7 MS. FEDER: The electrical work as well.  
8 MR. GRAY: Electrical work is being  
9 completed out there as well. So that is in my --  
10 MS. FEDER: It is looking great. They are  
11 very excited. And our meeting is next week.  
12 PRESIDENT GERING: Thank you. Shade Tree?  
13 MS. McHUGH: Yeah. So we had a fabulous  
14 Arbor Day celebration. Some of our fellow Council members  
15 were there. I appreciate that. That was in April.  
16 Weather wasn't so great but it was still a fabulous event.  
17 We partnered with Parry Mansion. If you  
18 guys have a chance, you have to check it out. It looks  
19 amazing. All new trees. It is fabulous.  
20 Also when you are walking around town take  
21 a look for our poreous pave products. We are replacing a  
22 majority of the tree beds with the poreous pave and it is  
23 an amazing product. You don't have to worry about trip  
24 and falls. Water gets through. It is really great.  
25 And we also ask if you see anybody about to

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1  
2 tie their bike up to a tree, we ask them not to. We have  
3 a lot of trees out there and it damages the bark so we  
4 need everybody's eyes.  
5 And there are parking spots for parking  
6 bikes around town. Some people just don't see them and  
7 park next to a tree and tie it up. If you can help us do  
8 that, it will be greatly appreciated. That is my report.  
9 PRESIDENT GERING: Thank you.  
10 Finance Committee.  
11 MR. MAISEL: We will have a more major  
12 report in June/July period. All of the revenue items are  
13 exceeding last year to date so we are -- everything is  
14 going according to the way it might have been planned.  
15 There are timing issues attached to this budget but we  
16 will have a better feel for things in the July period.  
17 Give us a better look at things. So far, so good.  
18 PRESIDENT GERING: Thank you. You also  
19 want to do HARB?  
20 MR. MAISEL: No report from HARB.  
21 PRESIDENT GERING: Peter, do you have  
22 Planning Commission?  
23 MR. MEYER: Planning Commission is meeting  
24 tomorrow morning night so I don't have a current meeting  
25 report from the Planning Commission.

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1  
2 PRESIDENT GERING: I am the liaison to  
3 Zoning. We don't have a meeting until April 24th.  
4 MS. McHUGH: May.  
5 PRESIDENT GERING: May 24th. Thank you.  
6 The Parking Committee will not have a  
7 report. That committee is being reorganized at this time.  
8 Do we have a Manager's report?  
9 MR. GRAY: Not at this time.  
10 PRESIDENT GERING: Solicitor.  
11 MR. FENNINGHAM: Yes. Thank you. I have  
12 two items requesting action by Council.  
13 The first is in furtherance of the  
14 settlement of the litigation with Union Square. The  
15 settlement agreement required the parties to enter into a  
16 first amendment to the 2014 license agreement. And in  
17 particular that amendment deleted paragraph 17B of that  
18 license agreement and substituted a provision that was  
19 consistent with the first settlement agreement, which in  
20 particular allows Union Square to lease ten exterior  
21 parking spaces if the garage facility is constructed. And  
22 to lease 40 interior parking spaces, again with the same  
23 condition.  
24 So pursuant to provisions of the settlement  
25 stipulation approved by the Court, I have presented to you

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1  
2 MR. FENNINGHAM: The second item is to be  
3 based upon the settlement of the litigation with Union  
4 Square and that being a needed step before moving forward  
5 with the design -- further design of the proposed garage  
6 facility.  
7 The design consultants and site engineer  
8 that you engaged have asked for a notice to proceed, which  
9 is just a direction and contractually it is for them to go  
10 forward with the design phase of the garage facility.  
11 That will facilitate scheduling of public meetings which  
12 we have all awaited but that will occur as soon as the --  
13 if you approve the notice to proceed tonight, that will  
14 await the work property of THA and Bohler Engineering.  
15 So the request for tonight is for a motion  
16 to authorize the President and the Manager to sign a  
17 notice to proceed to allow THA and Bohler Engineering to  
18 go forward with what you have already approved to be part  
19 of the design phase of the garage project.  
20 PRESIDENT GERING: Can I have a motion for  
21 approval?  
22 MR. MEYER: So moved.  
23 MS. McHUGH: I will second.  
24 PRESIDENT GERING: We are -- we will go  
25 down -- who is in favor? We will start with you, Ken.

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1  
2 a draft first amendment which has been signed already on  
3 behalf of Union Square and I ask for your authorization to  
4 have Council President and me, as Solicitor, to sign the  
5 first amendment to allow it to be recorded by the -- with  
6 the Bucks County Recorder of Deeds by Friday, which is the  
7 deadline under this.  
8 So I would ask for a motion to approve and  
9 authorize the signing of the first amendment.  
10 MR. MEYER: Can I offer a correction?  
11 John made a reference that they had ten spaces outside and  
12 40 spaces inside. I believe it is the other way.  
13 MR. FENNINGHAM: Thank you, Mr. Meyer.  
14 PRESIDENT GERING: Can I have a motion for  
15 approval?  
16 MS. McHUGH: I will make that motion.  
17 MR. MEYER: Second.  
18 PRESIDENT GERING: All in favor?  
19 MS. FEDER: Aye.  
20 MR. MEYER: Aye.  
21 MS. McHUGH: Aye.  
22 MS. RETTIG: Aye.  
23 MR. DOUGHERTY: Aye.  
24 MR. MAISEL: Aye.  
25 PRESIDENT GERING: Aye. Thank you.

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1  
2 MR. DOUGHERTY: Do we discuss it?  
3 PRESIDENT GERING: Well I don't think this  
4 is something that we discuss. Is this something that we  
5 discuss, John?  
6 MR. FENNINGHAM: You can have discussion.  
7 PRESIDENT GERING: Go ahead.  
8 MR. DOUGHERTY: I think -- I don't know if  
9 you were going to announce later but it should be put on  
10 the record there was an executive session prior to  
11 tonight's meeting. And the subject matter at that  
12 executive session was to discuss the litigation and  
13 closing that off as well as the informational purposes of  
14 surrounding this next phase and THA's request for approval  
15 to proceed. I am paraphrasing.  
16 But the executive session was quite  
17 lengthy. We had a great deal of information was provided  
18 to -- by the garage committee as well as our attorney.  
19 Given -- my perspective is that given the facts that we  
20 were limited in our ability to -- we could not deliberate  
21 because it was an executive session so we did not  
22 deliberate but there were a number of questions that  
23 people had, that you could sense, that people aren't of  
24 one mind about this proceeding at this time. That is one  
25 fact.

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1  
 2 The other fact is that the garage committee  
 3 itself is being reorganized and it appears from what we  
 4 understand -- my interpretation is that the majority, if  
 5 not all of those individuals on the garage committee, will  
 6 not be on the garage committee going forward.  
 7 In that light it is my -- what I think will  
 8 be a better idea to table this for now and have a more --  
 9 and have a -- and have it voted upon at our next public  
 10 meeting by which time the new garage committee, whoever  
 11 those are, will have the ability to get their arms around  
 12 exactly what it is is being approved.  
 13 Since basically it is the garage committee  
 14 who is primarily giving the direction. In fact, the  
 15 garage committee only that has been given direction and  
 16 feedback and guidance to THA Consultants and now that they  
 17 -- either two or all three of the garage committee members  
 18 have resigned from the garage committee, I would have -- I  
 19 think it behooves us to table this now and then have a  
 20 presented perhaps by THA themselves perhaps at a Council  
 21 meeting. Who knows --  
 22 PRESIDENT GERING: I will stop you right  
 23 there.  
 24 MR. DOUGHERTY: That is my interpretation.  
 25 PRESIDENT GERING: If you delay this, it

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1  
 2 next Council meeting is on June 20th.  
 3 PRESIDENT GERING: There is a problem  
 4 there. They have to write up the extension so you're  
 5 essentially tying the Borough's hands on this.  
 6 MR. DOUGHERTY: My hands -- they will have  
 7 to file for the extension regardless of what we do tonight  
 8 or in June.  
 9 PRESIDENT GERING: Let's go down and see.  
 10 MS. FEDER: May I ask a quick question?  
 11 Before we do that, just a quick question as we are  
 12 considering the feasibility of tabling it.  
 13 I know that we have a workshop meeting on  
 14 the 5th, I know that is a public meeting. Is it possible  
 15 for us to discuss this then? That would give us two and a  
 16 half weeks.  
 17 MR. DOUGHERTY: Yeah.  
 18 MS. FEDER: John, is that possible?  
 19 MR. FENNINGHAM: You can schedule it but at  
 20 risk is the time elements involved for your consultants to  
 21 provide their work product. So forecast -- let me just  
 22 say that I don't know that the garage committee has  
 23 resigned in that sense. I think that is a pending  
 24 decision and discussion but -- and we did have the  
 25 executive session which was exempt due to the litigation

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 2 will delay everything that needs to be done and effects  
 3 the grant so I think we need only -- even though you don't  
 4 have a committee right now that is active, I think this  
 5 needs to be proceeded with and this way you can have them  
 6 come in and do a presentation because right now you're  
 7 just putting a stop to everything.  
 8 So that is my take to it. If you give the  
 9 motion to proceed, then you can have them come in and you  
 10 can decide whichever format you want them to do their  
 11 presentations, but delaying it isn't going to solve  
 12 anything.  
 13 MR. DOUGHERTY: I understand that and I --  
 14 with the knowledge -- amount of knowledge that are  
 15 involved here, it is approximately an additional \$220,000  
 16 for the committee to start this next phase.  
 17 I think it behooves us as elected  
 18 officials, to know exactly -- for this Council to have a  
 19 better grasp on what it is that those deliverables are,  
 20 the timing of those deliverables, given the fact that  
 21 there has been almost two years passage since this was  
 22 initially approved.  
 23 I just don't think that the -- I think that  
 24 from what I understand if we have to ask for an extension  
 25 in the grant, we have until June 23rd to do that. Our

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 2 and just an informational meeting leading up to this very  
 3 topic on the agenda.  
 4 But at risk is also dealing with commercial  
 5 constituents of the Borough who have expressed an interest  
 6 in the garage repeatedly but needing more information, as  
 7 every one has awaiting the end of the litigation to get  
 8 more specific information.  
 9 So tonight is a crossroad to go to the next  
 10 step to get that information that you want and everyone  
 11 has asked for repeatedly.  
 12 So to delay that, which you can do, is just  
 13 to extend the domino effect of a public meeting would then  
 14 be by my best estimate, I can't speak for THA or Bohler,  
 15 will push that public meeting to August or September.  
 16 And the message that I think I understand  
 17 must be provided to the Commonwealth for the grant is that  
 18 you are moving forward with specific steps contemplated in  
 19 the original contract approved with THA.  
 20 So whether it is tonight or a couple weeks  
 21 from now just is a question of taking that next step with  
 22 them is already contemplated and the dollars that  
 23 Mr. Dougherty mentioned are already within the design  
 24 budget that you approved. They haven't been spent yet.  
 25 But that is the process to go forward and

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 2 THA has within it's contract asked for a formal notice to  
 3 procedure.  
 4 PRESIDENT GERING: Any others questions?  
 5 We have a motion on the table?  
 6 Ken, yes or no?  
 7 MR. MAISEL: I am saying no to moving  
 8 forward with THA at this time.  
 9 MR. DOUGHERTY: I am saying no to moving  
 10 forward with THA and deferring this decision until the  
 11 work session.  
 12 MS. RETTIG: I am going to say yes.  
 13 MS. McHUGH: I say yes.  
 14 PRESIDENT GERING: Yes.  
 15 MR. MEYER: I will say yes. Without this  
 16 we probably will lose the 1.75 million as we will not be  
 17 able to show progress whatsoever.  
 18 MS. FEDER: I will say yes.  
 19 PRESIDENT GERING: Okay. Thank you. Any  
 20 other --  
 21 MR. FENNINGHAM: So the motion is approved.  
 22 PRESIDENT GERING: Five to two.  
 23 MR. FENNINGHAM: And you're authorized to  
 24 sign this?  
 25 PRESIDENT GERING: Yes. Thank you.

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C E R T I F I C A T E

I hereby certify that the proceedings  
 and evidence are contained fully and accurately in the  
 notes taken by me in the above cause and that this is a  
 correct transcript of the same.

Karen W. Browndorf, RPR  
 Official Court Reporter

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1  
 2 Any more Solicitor's report?  
 3 MR. FENNINGHAM: No, that is it. Thank  
 4 you.  
 5 PRESIDENT GERING: Any announcements?  
 6 How many are online tonight?  
 7 MR. DECKER: Five.  
 8 PRESIDENT GERING: Thank you.  
 9 Can I have a motion to adjourn.  
 10 MS. McHUGH: I will make that motion.  
 11 MR. MEYER: Second.  
 12 PRESIDENT GERING: Thank you. Everybody  
 13 enjoy the beautiful weather.  
 14 I have to apologize, I forgot to introduce  
 15 our new Zoning Officer Lisa Littlefield. I'm sorry.  
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 17 (The proceedings were concluded.)  
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