

**NEW HOPE BOROUGH COUNCIL
182 WEST BRIDGE STREET
REGULAR MEETING
MINUTES
July 8, 2009**

PRESENT: Sharyn Keiser, Ed Duffy, Geri Delevich, Claire Shaw, Randall Flager, Mayor Laurence Keller, Borough Manager John Burke, and Borough Solicitor T. J. Walsh.

ABSENT: Rey Velasco and Richard Hirschfield

MAYOR'S REPORT

Mayor Keller asked for consideration of authorizing the Chief to hire Wayne George as a part-time police officer.

Randall Flager moved to approve the authorization, and Claire Shaw seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

PRESIDENT'S REPORT

Sharyn Keiser stated that an executive session was held just prior to tonight's meeting and that the following matters were discussed: personnel matters and a real estate matter.

Sharyn Keiser announced that JMT, the Borough's parking consultant, was in New Hope on Saturday to conduct parking counts. They are now compiling the data, and once this is done, JMT will schedule stakeholder interviews.

Geri Delevich asked when the interviews would take place and added that they should be scheduled at the convenience of the stakeholders so no one misses an interview due to a vacation.

John Burke stated that the interviews should take place within the next 30 days.

Sharyn Keiser suggested that JMT attempt to accommodate individual schedules.

Sharyn Keiser introduced Jim Lyons representing the Primrose Creek Watershed Association.

Mr. Lyons presented information on the destruction of the flow of the Primrose Creek over the last 5 decades.

Mr. Lyons stated that the mining activities of New Hope Crushed Stone have resulted in decreased ground water elevations and altered flow patterns throughout much of the Primrose Creek watershed and beyond its boundaries. Consequently, many residents have had to lower their well pumps, deepen their wells, or replace their wells. The continued operation of the quarry has also destroyed the natural flow of the Primrose Creek, as can be seen in aerial photos compiled over the last five decades. Removing the Primrose Creek stream channel on the quarry property in Solebury Township and pumping ground water down to greater than 100 feet below sea level in the quarry pit has caused many major problems for home and property owners in the area:

Potable supply wells. Due to quarry draw-down of ground water, numerous residents have had their wells go dry without advance warning, requiring the deepening of the wells of several homeowners more than once.

Land Erosion. The removal of the perennial stream channel from the quarry property has substantially steepened the grade of the stream upstream of the quarry. The result is down-cutting of the stream channel in the upstream direction resulting in bank erosion and property loss that will continue to progress upstream until a new equilibrium condition is achieved.

Impacted fish community and aquatic ecology. Trout, once numerous in the Primrose Creek, are no longer present. In addition, upstream the stream dries up periodically due to the lack of ground water recharge caused by quarry pumping. Downstream of the quarry, the stream has been observed to stop flowing on several occasions because the quarry stops pumping.

Damaged Wetlands. The upstream portion of the creek, deprived of its natural ground water supply, can no longer reliably sustain the wetlands areas that once existed there. Downstream of the quarry the fine sediment discharged from the quarry has – and continues – to alter the stream and associated wetlands.

Water Pollution. The lack of natural flow patterns, altering of the natural temperature pattern and pH balance of the stream, has destroyed the natural habitat of many species of fish and birds native to the Primrose Creek. Deprived of their natural habitat, fish (including eels) and other wildlife that depended on the native flora (including grasses, riparian trees, and wetland wild flowers) have been lost from this historic area in Bucks County.

Sharyn Keiser thanked Jim for this important information about a valuable local water resource.

Kevin Morrissey of the Primrose Creek Watershed Association asked if someone could be designated by the Borough to attend watershed association meetings.

Sharyn Keiser stated that the Borough Manager has been attending recent watershed meetings in Solebury Township.

Sharyn Keiser announced that she wanted to remove Items C 1, 2, 3, 4 and 5 from the Consent Agenda to address each separately.

Sharyn Keiser asked for a motion to approve items A and B on the Consent Agenda, as follows.

- A. Consideration of approving payment of accounts payable for July 8, 2009, in the amount of \$72,871.36; of payroll for June 17, 2009, in the amount of \$56,130.70; and of payroll for July 1, 2009, in the amount of \$54,809.60.
- B. Consideration of approving the minutes of Borough Council's public meeting of June 10, 2009.
- C. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
 - (1) 37 N. Main St., by DLM Real Estate-Lesley Marino, for replacement of storefront window;
 - (2) 58 W. Ferry St., by Caryl Benjamin, for demolition of a front porch and exterior painting;
 - (3) 230 Towpath, by Claire Shaw, for exterior renovations;

(4) 28 W. Mechanic St. (Unit 1), by 28 Mechanic Street Investors, L.P., for installation of a deck; and
(5) 54 N. Main St., by Demaris Foote, for additions to garage and rear of building.

Randall Flager moved to approve items A and B, and Geri Delevich seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Ed Duffy announced that item C-1 was a discussion matter only and that no action is required by Council.

Ed Duffy moved to table items C-2 and C-4. Randall Flager seconded the motion.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Ed Duffy moved to approve item C-3, for 230 Towpath, and item C-5, for 54 North Main Street.

Randall Flager moved to approve the items, and Geri Delevich seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved by a vote of 4-0-1, with Claire Shaw abstaining.

Claire Shaw stated that she abstained from the vote because she submitted the application for 230 Towpath, which is her residence.

RECREATION BOARD & REVITALIZATION COMMITTEE REPORTS:

Claire Shaw announced that the New Hope Borough Park and Recreation Board will meet on Monday, July 27, 2009 at 7 pm to discuss updating the Borough's open space plan with the Bucks County Planning Commission and invited the public to attend.

Claire Shaw introduced a discussion of a proposed license agreement with the Logan Inn for improvements to and maintenance of the island located at the intersection of West Ferry Street and South Main Street.

Claire Shaw asked Earl Bierman from the Park & Recreation Board to present the proposed agreement.

Earl Bierman stated that the purpose of the agreement is to grant permission to the Borough to construct certain improvements on the island. The improvements are shown on a plan prepared by the Borough about 10 years ago. The island is owned by The Logan Inn.

Claire Shaw stated that she is concerned about the safety of people on the island because the plan shows benches on the north and south faces of the island.

Earl Bierman stated there is a long way to go with this project and right now the Recreation Board is just looking for cooperation from Council.

Sharyn Keiser mentioned that there might be County grant money available for open space projects in the Borough totaling about \$240,000. There are some liability issues at that location when people climb and sit on the cannon and traffic flow around the island also presents a liability.

Earl Berman stated that the Park and Recreation Board currently pays for the flowers planted at the island.

Sharyn Keiser stated that T. J. Walsh will investigate what the Borough can actually do about the island and asked John Burke what the engineering fees would be.

John Burke stated that his best guess for engineering fees would be in the range of approximately \$10,000-\$15,000, and if design extends over many public meetings, the fees could increase to \$30,000-\$35,000.

Claire Shaw recommended that the tree on the island be trimmed.

Joe Knox of 55 Sugan Road stated that in the mid to early 90s, Council considered taking the island by eminent domain. The Logan at that time was going through bankruptcy so the idea was tabled to avoid complicating the proceedings. **Mr. Knox** would like to see that area turned into a Town Square. **Mr. Knox** also mentioned that the Chamber actually planted the tree in the 90s.

Loretta Johnson, 16 West Bridge Street, stated that Ferry Street is a dangerous street and one lane should be removed. **Ms. Johnson** also asked why should the Recreation Board be responsible for trimming the tree when The Logan Inn is the property owner.

Claire Shaw asked T. J. Walsh about the ownership of the tree

T. J. Walsh answered that he would have to research the ownership issue.

Geri Delevich stated that this should be part of the new Comprehensive Plan.

Sharyn Keiser stated that it would be considered as part of updating the Open Space Plan.

Elaine McNealy stated that if the cannon were ever moved, she would hope that it would stay in New Hope at another location.

MANAGER’S AND SOLICITOR’S REPORTS

LAND USE AND HISTORIC PRESERVATION REPORT

COMMUNITY AFFAIRS REPORT

Geri Delevich asked Randall Flager to read the Visitors’ Center report for the month of June.

Randall Flager announced the Visitor’s Center report for the month of June as follows:

Visitors 2704

Calls	392
Brochures	7
Sales	\$310.65
Donations	\$443.35

Geri Delevich recommended that everyone should go to the New Hope Chamber of Commerce website <www.newhopechamber.com> because it lists all current events, and you can sign up to get weekly notices on what is going on around town.

Sharyn Keiser announced that Savor the Arts by New Hope Arts has been postponed until September.

Geri Delevich announced that next on the agenda would be a presentation by Walter J. Czajkowski, owner of J & W Gallery located at 26 West Bridge Street.

Walter J. Czajkowski asked Council to approve a music and art event located at the far end of Union Square called Fuzzstock that would take place on Saturday, August 8, 2009.

Sharyn Keiser stated that the Fuzzstock organizers appear to have made all necessary arrangements with Brad Michael and the Fire Marshal and that Mr. Czajkowski has agreed to secure all proper permits from the Police Department and provide proof of insurance to the Borough.

Walter J. Czajkowski stated that the proceeds from the silent auction would go back into the community either through the Chamber, Christmas decorations, etc.

Geri Delevich moved to approve the event, subject to the usual conditions, and Randall Flager seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Ed Duffy announced that for the month of June, the revenue from parking meters was the highest reported in a long time. **Mr. Duffy** focused on the

merchants suggesting that this is an optimistic sign that more people are coming to town, even with the rainy weather in June.

Geri Delevich stated that a number of residents have complained about the number of signs displayed at Lenape Park. **Ms. Delevich** also stated that she was disappointed, as well as many residents, that there was a lot of money spent on a beautiful sign located at the entrance to the park which contains the rules for the park instead of a nice informational narrative on the history of the park.

Geri Delevich suggested that the large glass sign be moved.

Sharyn Keiser stated that the Revitalization Committee approved these signs at public meetings.

Sharyn Keiser announced that she and John Burke recently attended a conference in Philadelphia at the Delaware Valley Regional Planning Commission (DVRPC) offices because New Hope was nominated by the DVRPC to participate in the Classic Towns of Greater Philadelphia Program. Classic Towns of Greater Philadelphia is an initiative of the Delaware Valley Regional Planning Commission (DVRPC) designed to promote the region's first generation of suburbs that surround our urban centers. These communities offer residents, businesses, and visitors unique opportunities to live, work, and play. Each community will have a place on the Classic Towns web site and will benefit from the Classic Towns regional marketing program.

Loretta Johnson of 16 West Bridge Street asked if businesses are allowed to advertise on the Classic Towns website.

John Burke answered yes, he believes so.

Geri Delevich thanked Sharyn Keiser and John Burke for sending a letter on behalf of Council to Senator McIlhinney and Representative Bernie O'Neill supporting the bill HB300.

Geri Delevich complimented the Borough staff on obtaining a AA rating from Standard & Poor for the recent bond issue.

Randall Flager added that Standard & Poor rated the Borough as financially stable.

Sharyn Keiser announced that she would read the following letter into the minutes from Councilman Richard Hirschfield:

“Unfortunately, due to a family commitment I will not be at tonight's meeting.

I would like to ask Council to consider authorizing the payment of up to \$7500 to water the canal from the Logan Inn north from July through October.

The canal is quickly reverting to nature. Several large trees have fallen across it. Weeds are 3 feet tall in some places. It looks less and less like a canal and more and more like an abandoned ditch.

If it is not watered this year we will not have water until at least Spring 2011 since the Rabbit Run bridge will be closed next year with a coffer dam restricting any water to New Hope. Who knows what the condition will be by then.

The impact on New Hope may be severe, recreationally, aesthetically and commercially. Apart from the river, nothing physically defines us more than the beauty and serenity of the canal.”

Sharyn Keiser asked if any Council members would offer a motion and stated that the only problem with this concept is the water would cover 2.5 miles of Solebury and only .50 miles of New Hope. Eighty (80%) of the canal is dry at this point. If the canal were to be watered, it would only extend to The Logan Inn due to the leak in the canal south of The Logan.

Randall Flager stated that the canal is an eyesore at this time.

Claire Shaw stated that she feels that it would be fiscally irresponsible to spend the taxpayers' money in that manner especially since the expense serves Solebury more than New Hope.

Sharyn Keiser stated that there is nothing in the budget for this and asked the Manager to provide a cost estimate.

John Burke estimated that the cost would be in the range of \$7,000 to \$8,000 for the shortened season, from the middle of July through the end of October.

Randall Flager asked what was spent on watering the canal in 2008.

Sharyn Keiser stated that the cost was split 50-50 in 2008 with PADEP. The Borough's share was about \$6,000, which covered the period from April to the end of November.

Randall Flager asked if the Chamber has requested that the Borough pay to water the canal in 2009.

Sharyn Keiser stated that there have been no requests from the Chamber or any residents of New Hope and there is one resident who is opposed to it because she is concerned with the fish that will be left behind once it dries up. In the past this resident has physically relocated the fish in the canal to the river.

Randall Flager stated that if the canal can't be watered down to the Locktender's House, then he is not prepared to pursue this matter.

Glen Stephan stated that he would like to see water along the entire length of the canal in New Hope and that he would consider contributing to this.

Sharyn Keiser stated that the projected time to restore water to the canal is about one year from now.

Annette Rosenberg, 137 S. Main St., stated that the canal is an eyesore without the water. Something should be done to clean up the canal.

Loretta Johnson, 16 West Bridge, suggested taking water from the Primrose watershed.

Ed Duffy stated that someone should organize a fund raising effort to pump water into the canal this year.

Mayor Keller wished Doro Kerr a happy birthday.

Earl Bierman announced that six benches will be placed on the new Bridge Street bridge and that he believes at least 4 will be donated.

Earl Bierman urged residents to take advantage of the fresh corn and tomatoes at the New Hope Farmers' Market.

Earl Bierman stated that Bucks Beautiful has included New Hope's own Lenape Park in their next Bucks Beautiful Summer Garden Competition. The judges will arrive on Friday, July 17, 2009 between 9:00 am and 2:00 pm.

Sharyn Keiser thanked Earl Bierman and the Recreation Board for all their hard work and efforts.

Glen Stephen thanked Council members for their support of the successful bridge opening event on June 12th.

Glen Stephen asked Council to allow acoustic, non-amplified music on the Second Saturday of July at the Visitors' Center.

Geri Delevich moved to approve acoustic, non-amplified music on July 11, 2009, from 3 pm to 7 pm, at the Visitors' Center, and Randall Flager seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

ADJOURNMENT