

**NEW HOPE BOROUGH COUNCIL
182 WEST BRIDGE STREET
FEBRUARY 23, 2010
PUBLIC MEETING
MINUTES**

Present: Sharyn Keiser, Claire Shaw, Ed Duffy, Rey Velasco, Bill Scandone, Richard Hirschfield, Mayor Larry Keller, Borough Manager John Burke, Borough Solicitor T. J. Walsh, and Chief of Police Mike Cummings.

Absent: Richard Hirschfield and Geri Delevich.

Mayor's Report

Mayor Keller had nothing to report.

Council President's Report

Sharyn Keiser announced that there was an executive session before tonight's meeting to discuss a personnel matter and the Zoning Hearing Board application of Weller.

Sharyn Keiser presented the monthly report on the New Street Town and Community Center Project, stating that the total net of change orders has amounted to only \$19,860.00 to date.

Sharyn Keiser announced that the final report on the Parking Management Study would most likely be presented to the Planning Commission on Monday, March 1, 2010. If the Planning Commission recommends approval, it will go before Council at its March meeting for final approval.

Sharyn Keiser stated that Steven Stahl was in the audience and congratulated him for his New York play, along with recognizing producers Jim and Kathy Lyons.

Herb Millman presented a \$7,781.60 donation to the Eagle Fire Company from the proceeds of the 2010 Dancing with the Stars event on behalf of the Bridge Theater Company.

Consent Agenda

Sharyn Keiser explained items 4,D; 4,E; 4,H; and 4,I on the Consent Agenda, as follows.

Item 4D. Sharyn Keiser stated that this authorizes the purchase of a 1995 Dodge RAM 1-ton dump truck from the City of Lambertville, NJ. The cost of the truck is \$3,500, which will be paid from the Highway Aid Fund.

Item 4E. Sharyn Keiser stated that this item approves a change in the scope of work for the New Hope Parking Management Study and authorizes the Council President and Secretary to execute agreements with the DVRPC and the consultant, JMT. The change would approve a sign

study that will improve signage in the downtown area by directing people more efficiently around town. The Borough's share would be \$4475, with the remaining amount, \$22,579, funded by the DVRPC.

Item 4H. Sharyn Keiser stated that this item authorizes the Borough Manager to hire a temporary, part-time laborer, not to exceed 30 hours per week, for the Public Works Department through March 13, 2010. A full-time public works employee recently resigned. This is a temporary position to help with the work of the current winter season. Over 30 applications have been submitted for the two part-time positions that will be substituted for the full-time staff member who recently resigned his position in the Public Works Department. .

Item 4I. Sharyn Keiser stated that this item is for consideration of adopting **Resolution No. 2010-05R**, which establishes a procedure to approve change orders for the Canal Walk Project. This project is currently in construction using federal and state grant funds. The resolution establishes a simple, timely procedure for the approval of change orders to a maximum of \$25,000. This will prevent needless delays in construction while approval is pending for change orders.

Sharyn Keiser asked for a motion to approve the consent agenda, as follows.

- A. Consideration of approving payment of accounts payable for February 10, 2010, in the amount of \$236,314.79, of payroll for January 13, 2010, in the amount of \$52,963.02, and of payroll for January 27, 2010, in the amount of \$57,187.47.
- B. Consideration of approving the minutes of the January 13, 2010 public meeting of Council.
- C. Consideration of authorizing Borough participation in the Bucks County Household Hazardous Waste Program for 2010 through 2012.
- D. Consideration of authorizing purchase of a 1995 Dodge RAM 1-ton dump truck from the City of Lambertville, NJ.
- E. Consideration of approving a change in the scope of work for the New Hope Parking Management Study and of authorizing the Council President and Secretary to execute agreements with the DVRPC and the consultant, JMT.
- F. Consideration of approving change order no. 2 for Armour & Sons Electric, Inc. for the DRJTBC Traffic Signal Replacement Project.
- G. Consideration of approving a Gift Shop Consignment Agreement with the BCCVB.
- H. Consideration of authorizing the Borough Manager to hire a temporary, part-time laborer, not to exceed 30 hours per week, for the Public Works Department through March 13, 2010.
- I. Consideration of adopting **Resolution No. 2010-05R**, establishing a procedure to approve change orders for the Canal Walk Project.
- J. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
 - (1) 102 New Street, by Justin & Dana Lucas, for installation of a window on the north side of the structure and a change in the style of the rear door.

Rey Velasco moved to approve the consent agenda, and Clare Shaw seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Council Vice President's Report

Claire Shaw asked for consideration of authorizing submission of Compact Authorized Investment Program grant applications to the Delaware River Joint Toll Bridge Commission for the Main Street Bridge Lighting Project and downtown pedestrian crosswalks.

Sharyn Keiser asked for a motion.

Rey Velasco moved to approve submission of the grant applications, and **Ed Duffy** seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved by a 5-0 vote.

Mr. Barry Ziff presented information about his work on the DVRPC Alternative Energies Ordinance Working Group.

Barry Ziff stated that Council has received working copies of solar, wind and geothermal ordinances addressing environmental and recycling concerns. **Mr. Ziff** asked Council to consider these ordinances and review them for New Hope. **Mr. Ziff** stated that he would provide final draft ordinances upon completion of the DVRPC's work.

Recreation Board and Revitalization Committee Reports (Sharyn Keiser, Claire Shaw, Ed Duffy & William Scandone).

Claire Shaw announced that the Park and Recreation Board re-elected the same officers as last year. **Claire Shaw** also announced that the Winterfest was a success with its many events, and thanked Earl Bierman.

Bill Scandone commended the Park and Recreation Board for the Open Space Plan that they are working on. They also have a Solebury boys baseball team that they will be sponsoring this year. **Mr. Scandone** also reminded the audience about the Farmers Market.

Manager's & Solicitor's Reports.

John Burke asked for consideration of approving a revised scope of work for the Canal Walk Project and of authorizing the Council President, with the consent of the Borough Solicitor, to execute an amended license agreement with the New Hope and Ivyland Railroad. The change involves a shortening of the 1,075 ft. walkway by about 40 ft. to accommodate a new handicap access ramp that the railroad will install in the spring of 2010 at the northern end of the platform. This will enable pedestrians to walk safely from the Borough parking lot, to the Canal Walk, onto the train platform, and then out to Bridge Street. There is an existing handicap ramp at the southern end of the railroad platform.

Sharyn Keiser asked for a motion.

Rey Velasco moved to approve the revised scope of work, and Bill Scandone seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Sharyn Keiser announced that Council would vote this evening to change the schedule of its regular meetings from the second Wednesday of each month to the third Tuesday of each month starting in May because there have been conflicts with individual work schedules.

Sharyn Keiser asked for a motion.

Bill Scandone moved to approve the new meeting date, and Ed Duffy seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously

Land Use and Historic Preservation Report (Ed Duffy & Rey Velasco)

Ed Duffy announced a discussion of Zoning Hearing Board appeal no. 337, by Robert & Cherie Weller for 118 North Main Street.

Mike Carr, Esq. represented the applicants, Robert & Cherie Weller. Mr. Carr stated that he has held discussions with the Zoning Officer, who is amenable to a solution involving a hinged deck. His clients would fasten the deck to the floodwall when the dock is not in use.

T. J. Walsh stated that another option would be to cut the deck back to remove it completely from the floodway.

Claire Shaw asked if Mr. Carr's proposed solution would leave the concrete footers in the floodway. **Ms. Shaw** also asked Mr. Carr how the Borough would monitor the "hinged" deck.

Mr. Carr stated that the "hinged" deck would present enforcement issues for the Borough.

Ed Duffy stated that the "hinged" deck solution is discretionary, and stated his preference for the applicants to comply with the ordinance.

Sharyn Keiser stated that the Borough Solicitor has already been instructed to oppose the variance for the deck and the special exception for the dock. **Ms. Keiser** stated that if the applicant were to withdraw his request for the variance, then there would be no need for Council to oppose the special exception.

T. J. Walsh stated that the best solution is for the applicant to cut back the deck to remove it completely from the floodway.

Ed Duffy offered a motion to oppose any variance that would allow the deck and the concrete footers to remain in the floodway. Claire Shaw seconded.

Sharyn Keiser asked for comment by Council and the public.

Bill Scandone stated that the Zoning Hearing Board should make the determination, with Council taking no position.

The motion was approved unanimously.

Ed Duffy announced a presentation and discussion of Zoning Hearing Board appeal no. 340, by **Ciro & Karen Torina**, for a special exception and variances to allow construction of a 2-story building addition at 116 South Main Street in the CC zoning district.

Mike Carr, Esq. was present to represent the applicants, **Ciro and Karen Torino**, and **James Rivera** was also present as the project designer.

Mike Carr stated that this proposal is for a 1,200 square foot addition to connect two existing buildings, along with many cosmetic changes. This project will clean up Waterloo Street tremendously hiding the garbage with shielding or landscaping. There would be a slight decrease in available parking; however, **Mr. Torino** owns another parking lot in close proximity. **Mr. Carr** stated that impervious surfaces would be reduced, that the uses would remain the same, and that there would be no increase in existing non-conformities.

Sharyn Keiser asked about the size of the proposed addition.

Mike Carr stated that it would add 1,170 sq. ft. to the building footprint and that only part of the second story would be used.

James Rivera stated that the proposed addition would provide more useable area in the winter months and that the existing shed and fire escape would be removed. The rear of the property facing Waterloo Street would be cleaned up.

Rey Velasco asked if there would be two patio areas.

Mike Carr stated that the outdoor patio would not be enclosed and would remain.

James Rivera stated that the porch on the existing house would be restored, that the bottom floor would feature an expansion of the current pub use, and that the loft (approximately 800 sq. ft.) would be used for private parties and music events.

Ed Duffy asked about parking.

James Rivera stated that there would be room for about 20 cars, stacked, in approximately 11 parking spaces.

Mike Carr explained that about three parking spaces would be lost because the building has been shifted back by about 4 ft.

Ed Duffy asked about the outside bar.

James Rivera stated that the outside bar is south of the addition, that unsightly items would be removed and that more landscaping would be added at the front, resulting in a cleaner appearance.

Ed Duffy asked about the balcony at the rear of the property.

James Rivera stated that the balcony would be closed off, resulting in a private space.

Claire Shaw stated that she is not comfortable with the proposed improvements, that we are losing our small village charm, and that she is opposed to the project.

James Rivera stated that while the project would provide economic benefits for the owners, it would also provide benefits for the community, i.e., a cleaner appearance, removal of unsightly areas, etc.

William Scandone stated that the project would enhance a dilapidated structure and the beauty of the area.

Sharyn Keiser asked about the space between the buildings.

James Rivera stated that it would remain open, and be used for storage.

Sharyn Keiser asked about bands.

James Rivera stated that the additional space could be used for bands.

Mike Carr stated that the activities at the site would remain the same.

Sharyn Keiser asked if there were plans for a nightclub.

James Rivera stated that the proposal is to provide more space and comfort for customers, not a nightclub.

T. J. Walsh asked about the useable area on the second floor of the proposed addition.

James Rivera stated that the useable area is less on the second floor because of the dormers, probably less than 1,000 sq. ft.

T. J. Walsh stated that the applicant paying a fee in lieu could resolve the parking issue, that the extent of the non-conformities appears to remain unchanged, and that a special exception may be required to expand the restaurant use. **Mr. Walsh** stated that a variance appears necessary to take down a tree on the property.

Mike Carr stated that the tree is about 1 ft. from the foundation of the house.

Claire Shaw stated that it is her recommendation that Council allow the Zoning Hearing Board to decide this appeal and that Council take no official position.

Sharyn Keiser asked for public comment.

Sharyn Keiser asked if anyone wished to offer a motion.

Sharyn Keiser thanked the applicants for attending and stated that Council has not taken a position on this appeal.

Community Affairs Report

Pam Chapin stated that the organization that is responsible this year for the 5K run is the New Hope Solebury Spirit Run, which is a non-profit. All proceeds go to the New Hope Solebury schools, and the event is scheduled for April 11, 2010. The course would be the same as last year.

Rey Velasco asked Ms. Chapin to provide a Certificate of Insurance and to satisfy all other requirements.

Pam Chapin agreed.

Rey Velasco moved to approve the event, and Claire Shaw seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Glenn Stephan, President of the New Hope Chamber of Commerce, presented information on New Hope Restaurant Week that will take place on March 21-26, 2010.

Caleb Lentchner asked Council to allow free parking during for Restaurant Week.

Sharyn Keiser stated that it is unfair to ask Council for free parking. Council currently allows free parking for a two-week period during the holidays. Lambertville is currently considering charging for parking during the holidays because revenues are scarce. Philadelphia does not provide free parking for its restaurants. Council just spent about \$9,000 to remove snow from the downtown to open the town to visitors to benefit the business community. The Borough is not in a position at this time to spend any additional money or lose any additional revenues.

William Scandone stated that the Borough has so many other events, and this would set a precedent.

Glen Stephan asked what the cost would be to bag the meters and suggested that the Chamber could find a sponsor to pay for the bagged meters

Sharyn Keiser recommended that Glen Stephan contact the Police Department for that information, and stated that this was a good alternative.

Bill Scandone reminded Glen Stephan that the school parking is free.

Rey Velasco reminded the audience about New Hope Celebrates scheduled May 11 through 16th.

Public Works Department Report (Richard Hirschfield and William Scandone)

Bill Scandone announced that the Public Works Department recently had an employee who resigned. The cost of hiring two part-time people to replace the full-time employee will result in a \$25,000 savings.

Bill Scandone stated that Borough Council would like to treat the Public Works Department to breakfast at Fred's as a thank you for all the great work they did during the snowstorms.

Other Business.

Ed Duffy announced that 8 new businesses have applied for Use & Occupancy permits since January of this year, hoping that this may be a good sign about the economy.

Public Comment.

Dan Brooks stated that the Visitors' Center report is very important. Mr. Brooks finds the information valuable for his reporting as well.

Adjournment.