

**NEW HOPE BOROUGH COUNCIL
182 WEST BRIDGE STREET
NEW HOPE, PA
MINUTES
May 18, 2010**

PRESENT: Sharyn Keiser, Claire Shaw, Ed Duffy, Geri Delevich, 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:

MAYOR'S REPORT

Mayor Keller reminded everyone that the speed limit on South Main Street, south of Windy Bush Road, is now 25 mph and anyone coming in or out of town would be ticketed.

Mayor Keller asked Council to authorize the Chief of Police to hire Kevin O'Keefe as a part-time officer at an hourly rate of \$18.00, having met all necessary certifications.

Claire Shaw moved to authorize the hiring of Kevin O'Keefe, and Bill Scandone seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

PRESIDENT'S REPORT

Sharyn Keiser announced that there was an Executive Session on a possible pending litigation matter and a real estate matter.

Sharyn Keiser asked Bill Scandone to announce an upcoming event for the Recreation Board.

Bill Scandone announced a sunset cruise on the Delaware. Tickets are \$65.00 and the event will take place on June 25th. Please call Earl Bierman for additional information, and tickets are also available at Borough Hall.

Sharyn Keiser announced that the administrative staff is ready to move into the new Borough Hall on New Street by the end of next week, and the Police Department should be moving in at the end of July or the beginning of August.

Sharyn Keiser announced that there has been no change in the total value of change orders from last month for the New Street project, with Tom Carroll keeping a close eye on project costs.

Sharyn Keiser announced that the New Street parking lot has generated a little over \$6,500 from January up to this point.

Sharyn Keiser announced a presentation by Susan Pierson, the New Hope Farmers' Market manager.

Susan Pierson reminded the audience to shop at the Farmer's Market for fresh food and vegetables along with chemical free dairy products, produce, coffee and more.

Sharyn Keiser announced consideration of **Resolution No. 2010-08R**, adopting the New Hope Borough Open Space Plan Update, and asked Cathy Gauthier from the Bucks County Planning Commission to present a summary of the plan.

Cathy Gauthier presented the draft Open Space Plan, particularly the recommendations and action plan sections as follows:

"New Hope Borough becomes eligible to receive \$245,058 in County grants to acquire land in fee simple or to permanently protect natural areas or park and recreation areas through conservation easements upon completion and adoption of an update to the local open space plan. Where available open space acquisition opportunities are limited, these funds may be used for recreation and open space improvements. Since only 4 percent of New Hope's land is considered vacant through the land use inventory, the Borough should be eligible for improvement projects. Improvement projects are required to enhance public access, utilization, and/or the identified conservation values of municipally owned land (i.e., trail construction, pedestrian linkage improvements, enhancements to public green areas, etc.). The Borough is required to contribute matching funds for land acquisition, easements, or approved improvements equal to 25 percent of a project's cost.

"The Borough is eligible to participate in the County's Delaware Riverfront Protection Program and Natural Areas Program. These are competitive grant programs for funding of land acquisition projects or to acquire conservation easements up to 50 percent of a property's appraised value with a 50 percent match required (up to \$500,000 for the Natural Areas Program and up to \$250,000 for the Delaware Riverfront Protection Program). These programs are structured to fund projects that provide maximum public benefit (i.e., parks, promenades, scenic overlooks, etc.) and other measures that help to improve flooding conditions and water quality as well as protect wildlife habitat and ecosystems.

"Six (6) goals are provided in the Open Space Plan including:

- Create a Riverfront Park System
- Enhance Open Space Areas in the Downtown
- Connect Community Resources and Enhance Non-motorized Accessibility
- Improve Existing Park, Recreation, and Open Space Facilities
- Enhance the Arts in Public Places
- Protect and Enhance Existing Natural and Historic Resources

“The document recommends areas within the Borough to secure as open space land and to improve as park and recreation features including trail connections. The goals and recommendations focus on expanding and enhancing open space in the downtown and along the Delaware River and canal to provide green areas and better public accessibility in the Borough. This document also recommends areas within the Borough for protecting and enhancing as natural and historic resources to meet the County’s Open Space Program Guidelines. Specific areas for protection to enhance natural and historic resources, parks, recreation, and open space features are identified in the Plan and on Map 5, Plan Recommendations. Physical improvements to existing open space such as trails and trailheads, foot bridges, and scenic overlooks are also recommended including:

- Cannon Square extension
- Aquetong Creek Scenic Overlook
- Coryell Street Landing Park
- Parry Street Trailhead
- Canal elevated foot bridge at W. Randolph Street
- Wetland Education Facility and nature path
- Foot bridges over culverts on Hardy Bush Way
- Toll Bridge Commission pocket park
- River access/promenade (Zadar’s property)

“Regulatory techniques for resource protection emphasized in the Plan include:

- Creation of a Conservation District to protect important natural resources located on developable/vacant land
- Evaluate regulatory provisions to ensure environmental resources are protected consistent with current scientific research and recommended guidelines
- Evaluate the need to enhance open space requirements in all zoning districts
- Determine whether a fee-in-lieu should be established where open space is not feasible on a site
- Consider scenic vista and/or scenic road provisions to protect features of visual significance

“Non-regulatory actions, with focus on voluntary conservation efforts, are also recommended including:

- Participate in the Bucks County MOSP Program
- Encourage Private Land Conservation Efforts
- Obtain easements to protect important open space resources through the land development process
- Continue Coordination with Neighboring Solebury Township on Resource Protection/Open Space Issues (trail linkages, watershed improvements)
- Monitor Funding Opportunities”

Stephan Stahl asked how is the art is chosen for state property.

Cathy Gauthier answered whoever owns the property chooses the art.

Richard Hirschfield stated that he was pleased that cultural resources were included as part of the open space plan, and stated that it has been six months since there was talk about a change in zoning for artists and urged Council to take the necessary steps to move forward with this.

Council thanked Cathy Gauthier for her good work.

Claire Shaw moved to adopt Resolution 2010-08, approving the Open Space Plan, and Richard Hirschfield seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

CONSENT AGENDA

Sharyn Keiser announced that before voting on the consent agenda, she would provide an explanation of the following two items.

1. Resolution No. 2010-09R involves approving a formal policy for the recruitment and selection of applicants for advisory boards and commissions. Rey Velasco, Sharyn Keiser and Bill Scandone formed a committee to re-structure the requirements of the recruitment policy drafted by Bill Scandone. Now there will be a standard procedure in place along with an application for people to fill out. The position will be advertised on the Borough website and the Chamber website. The application requires the applicant's name along with public service experience and any other information supporting the application.

2. The next item involves an agreement with the Delaware Valley Regional Planning Commission for a Bicycle Strategy and Marketing Initiative grant on behalf of the Landmark Towns of Bucks County. New Hope Borough is the lead agency for the grant. The cost of the project is \$50,000 and the grant covers \$40,000 of that and is for the four river towns. The project will market existing biking trails that are available in this area and put more people on the trails to utilize available recreation areas.

Sharyn Keiser asked for a motion to approve the Consent Agenda as follows.

- A. Consideration of approving payment of accounts payable for May 18, 2010, in the amount of \$313,733.14, of payroll for April 21, 2010, in the amount of \$57,868.18, and of payroll for May 5, 2010, in the amount of \$60,761.43.
- B. Consideration of approving the minutes of the April 14, 2010 public meeting of Council.
- C. Consideration of adopting **Resolution No. 2010-09R**, approving a formal policy for the recruitment and selection of applicants for advisory boards and commissions.
- D. Consideration of approving an agreement with the Delaware Valley Regional Planning Commission for a Bicycle Strategy and Marketing Initiative grant on behalf of the Landmark

Towns of Bucks County.

E. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:

- (1) 3 West Bridge Street, by Sarah Miller, for the installation of a sign;
- (2) 30 West Bridge Street, Suite 2, by John Cascarano, for the installation of a sign;
- (3) 38 West Mechanic Street, by Paul Michael, for the enlargement of an existing deck;
- (4) 137 South Main Street, by Joe & Kelly Cappello/Rita's, for the installation of an awning;
- (5) 14-16 South Main Street, by Jason Glazier, for the installation of an awning;
- (6) 9 West Bridge Street, by Lamar Stutzman, for the installation of a balcony, cedar lattice, shadow box and exterior painting;
- (7) 8-10 South Main Street, by Sal Savioni, for the installation of an awning, a wood canopy, and signage;
- (8) 1 West Bridge Street, by Joe Mangat, for the installation of a sign;
- (9) 110 South Main Street, by Bob & Elisa Kascik, for the installation of a sign and lighting;
- (10) 48 West Ferry Street, Joe Wynne, for the installation of three (3) signs;
- (11) 8-10 South Main Street, by Sal Savioni, for the installation of a roof.

Geri Delevich mentioned that there are major needs on the streets of New Hope. It would be nice to have trails that lead to the facilities at the school system for bike riding because across from the school there are no sidewalks. This is a wonderful program, a great idea for tourism. There are bike racks at the Lambertville Station in Lambertville.

Bill Scandone stated that it would be preferable to place bike racks close to the towpath, where possible.

Sharyn Keiser stated that places for bike racks would be looked at in the Landmark Towns study.

Rey Velasco moved to approve the consent agenda, and Geri Delevich seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

COUNCIL VICE PRESIDENT'S REPORT:

Claire Shaw asked for consideration of appointing an alternate member to the Shade Tree Commission. Her name is Kimberly Gosewisch and she indicated her interest in this position prior to the approval of the new application process for board members that passed this evening.

Claire Shaw moved to approve the appointment, and Bill Scandone seconded.

Sharyn Keiser asked for comment by Council and the public.

Geri Delevich identified Kim who was sitting in the audience.

The motion was passed unanimously.

Council welcomed Kim as a new member of the Shade Tree Commission.

RECREATION BOARD AND REVITALIZATION COMMITTEE REPORTS

Claire Shaw asked for consideration of approving agreements with the Hotel Bethlehem and Hagey Bus Tours for a coach tour of the Lehigh Valley on November 18, 2010. This trip is a tour of the Lehigh Valley Heritage Museum with lunch and a trip to the Sands Casino.

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

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

Claire Shaw announced a request to open the north gate at Lenape Park. There was a field visit and it was determined that there are a few safety issues.

Richard Hirschfield supports opening the gate and feels that the review is inadequate. **Mr. Hirschfield** supported adding a fence to guide people in safely to Stockton Avenue. The proposed bollards will not do the job.

Bill Scandone and Ed Duffy stated that they support opening the gate and agree with Mr. Hirschfield.

Geri Delevich stated that she is in favor of opening the north gate to individuals seeking to walk from Ferry Street to Bridge Street. The park should provide a safe and pleasurable thoroughfare. Some people are afraid to enter the park because there is nowhere to escape if threatened.

John Burke stated that someone from PaDOT would be looking at the site to see what will be needed in terms of permits.

Sharyn Keiser stated that the fence just needs to be extended. The next step is to see if we can afford this in our budget.

Sharyn Keiser stated that this would be addressed at the next meeting.

Roy Ziegler stated that he does not understand why this is only a Park and Recreation Board issue. This was discussed extensively 4 years ago by the Revitalization Committee, which was also concerned about safety issues. He asked that the process continue with the particular boards to satisfy all concerns.

Sharyn Keiser stated that since this will be revisited next month, the boards would have time to re-visit the concerns.

Rey Velasco asked if this is a high accident area?

Mayor Keller mentioned that his new retaining wall on West Bridge Street has been hit three times and his concern is safety. The proposed fence would have to run from the Mayor's wall to the train tracks. Also, there has been little to no vandalism in the park since it is only open at one end.

Caroline Ambler, 17 Old Mill Road, stated that her friend and herself walk down to the canal 5 days a week, and they would enjoy walking through the park.

Elaine McNealy, 45 North Main Street, feels that the cars travel too fast down that street and feels that this is a safety hazard.

Richard Hirschfield stated that vandalism would not occur during the day if the gate is open, and the park will still be closed at night. **Mr. Hirschfield** also noticed that many people who walk across the cross walk and who cross right across from the park have nothing to stop them. This fence is the solution to creating a safer environment.

Sharyn Keiser announced this would be continued at the next meeting.

MANAGER'S AND SOLICITOR'S REPORTS

T. J. Walsh asked for consideration of approving an extension of the listing contract and of authorizing negotiations for the private sale of 41 North Main Street. There have been two efforts to put the building out to bid and no bids were received. State law allows Council to authorize the sale of the building as a private sale without having to deal with another public bid. The following three motions are for Council to consider.

The first recommended motion is that two rounds of public bidding have been completed without the receipt of any bids, and Council may now authorize negotiations for a private sale of the property, taking into consideration its fair market value.

Bill Scandone moved to authorize a private sale, and Claire Shaw seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

T. J. Walsh stated that now that the private sale is authorized, the current broker of record who was hired previously has a listing contract expiring June 12. The next Council meeting is June 15, and now Council needs to consider closing the short-term gap by extending that contract period about 5 weeks to take it up to July 20th or slightly beyond. The second recommendation would be to extend the listing contract with the current broker from June 12 through July 23.

Bill Scandone moved to approve an extension to July 23rd, and Rey Velasco seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

Mr. Walsh stated that the third recommendation is to direct staff to prepare an RFP to go out to any interested broker of record interested in listing the property and developing a marketing plan. The proposals would be considered at Council's July 20th public meeting.

Ed Duffy moved to approve the solicitation of proposals, and Geri Delevich seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

T. J. Walsh asked Council for consideration of adopting **Ordinance No. 2010-02**, establishing special purpose parking areas. There are 5 categories created:

- 15 minute parking
- Spaces limited to the New Hope Free Library
- Spaces for Borough use
- Valet spaces
- Spaces for vehicles less than 5 feet in height or motorcycles

Mr. Walsh stated that we have received a proof of publication that this was advertised in the May 11, 2010 edition of The Intelligencer.

Geri Delevich moved to adopt Ordinance No. 2010-02, and Ed Duffy seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

(Richard Hirschfield departed the meeting due to illness.)

John Burke asked for consideration of adopting **Resolution No. 2010-10R**, establishing certain parking related fees. The resolution covers parking fees throughout the Borough. All rates in the prior resolution remain the same, except for the following categories:

1. Creates a new category for short-term, 15-minute parking, at the rate of .50 per 15 minutes. Anyone requesting a short-term parking space is responsible for paying for special signs, pavement markings, and for the meter to be reprogrammed.
2. Establishes a revised fee policy for meter bagging:
 - A. Residential property owner or tenant at \$10.00 per day
 - B. Non-residential property owner or tenant at \$10.00 per day.

C. Any contractor working in the Borough can pay for a meter at \$10.00 per day or \$25.00 per week Monday through Friday. It will be \$10.00 per day Saturdays, Sundays and holidays for contractors.

Bill Scandone stated that the concept of having a contractor pay less than a business owner or a residential property owner is not fair.

Sharyn Keiser stated that although Bill has a good point, the additional cost to the contractors would then be transferred to the resident or business owner. Either way, someone other than the contractor will pay.

Ed Duffy suggested that the contractor meters should be opened up at the end of the day for additional business.

Sharyn Keiser stated that these spots are usually located in front of a house or business for easy accessibility.

Bill Scandone stated that he agreed with Ed and suggested that it creates more fairness.

Sharyn Keiser asked the chief to comment.

Chief Cummings stated that if the bags were pulled off at 6:00 pm and someone parks there all night and the contractor comes in at 7:00 am, they can't get that spot until the person shows up causing delays for the contractor.

Bill Scandone asked what is the definition of contractor.

John Burke answered it is a straightforward definition such as plumber, electrician, builder, etc.

Rey Velasco stated that it is not worth the aggravation of taking the bag off for just three hours of additional revenue and causing the contractor to become angry when he can't get his preferred spot.

Claire Shaw asked how often are the requests.

Chief Cummings answered that the requests by contractors are sporadic.

Geri Delevich would like the meter rate for 15 minutes to be \$0.25.

Sharyn Keiser answered that the 15-minute meter would be specific to locations like Zoubies to allow people to run in and out.

Geri Delevich stated that it should be \$0.25.

Claire Shaw stated that a lower rate would discourage turnover.

Sharyn Keiser called the question.

Claire Shaw moved to adopt Resolution No. 2010-10R, and Rey Velasco seconded. The motion passed by the following vote, 4-2.

SHAW	VELASCO	ED	GERI	SCANDONE	KEISER	HIRSCHFIELD
Y	Y	N	N	Y	Y	Not present

LAND USE AND HISTORIC PRESERVATION REPORT

Ed Duffy announced the next item on the agenda for review and discussion is Zoning Hearing Board Appeal No. 342 by Jason Glazier, for T.M.P. No.27-10-132, located at 14 South Main Street in the Central Commercial Zoning District, who seeks a special exception for a retail food shop use and a related variance.

Dave Fleming from Rosebank Winery in Newtown was present to represent Mr. Glazier. **Mr. Fleming** stated that they just want people to buy wine and specialty food like olives and cheese and not open a bar. The Liquor Control Board limits them with hours from 9 am to 9 pm, and they would like 12:00 noon to 7 pm instead. They are also limited to what they can sell by the Liquor Control Board.

Sharyn Keiser stated that in a letter from Jason Glazier to the Zoning Officer, he stated that he would like to sell wine by the glass.

Dave Fleming answered that at the present time they are not allowed to do so.

Sharyn Keiser stated that Council needs to know exactly what they are looking at for the long-term.

T. J. Walsh stated that Council could ask the Zoning Hearing Board, if it were to approve the application, to consider a condition that would prohibit the sale of a glass of wine. All they could do is give out a sample.

Dave Fleming stated that they are allowed to give away or sell one ounce or less and they would like to sell it.

Sharyn Keiser stated that in the correspondence it says for \$10.00 you can sample 10 wines that can be 5 ounces.

Bill Scandone asked if there would be tables and if someone could buy a bottle of wine and drink the wine.

Dave Fleming answered that there is controversy on what you can and can't do on the property. There will be tables, but it will not be a hangout.

T. J. Walsh stated that the application could be opposed unless the following conditions are met:

1. No sales of wine by the glass.
2. No samples in excess of 5 ounces per customer per day.
3. No wine bottles may be opened and consumed on site.

Ed Duffy moved to send the Borough Solicitor to attend the Zoning Hearing Board meeting for this application and to oppose the application unless the three conditions mentioned above are made part of the decision, and Clare Shaw seconded it.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

T. J. Walsh asked Mr. Fleming if he understands the motion.

Dave Fleming answered yes.

Ed Duffy announced the next item on the agenda is a discussion of a request by The Logan Inn to waive the procedural requirements of the Subdivision and Land Development Ordinance to allow an expansion of an outdoor seating area.

Nick Gialias, an owner of The Logan, stated that he just wants to expand and landscape the space. They want to level out the soil and add landscaping, and he is asking that the land development be waived because there is no change other than landscaping.

Claire Shaw asked if the area would be maintained as stone.

Nick Gialias answered that they are going to install pavers.

Geri Delevich asked if they would be using the same chairs like the front?

Nick Gialias answered they are doing similar chairs but getting away from the plastic to the woven look.

Rey Velasco moved to approve the waiver, and Bill Scandone seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

PUBLIC WORKS

Nothing to report.

COMMUNITY AFFAIRS

Rey Velasco announced that New Hope Celebrates was successful.

Rey Velasco announced that NBC was in New Hope giving the town great exposure and publicity.

Rey Velasco announced the Odd Couple May 26 and May 27 at the Eagle Ballroom.

Rey Velasco announced the Garden Tour on June 5, 2010.

Rey Velasco announced the April Visitors' Center report as follows: 190 calls and 349 visitors.

Geri Delevich announced that "Embraceable You" was accepted in the Hoboken Film Festival.

Lawrence Booth from the library announced some of the activities being held at the library for "Embraceable You." Updates will be available at each reading, and the readings are free to the public.

Lawrence Booth thanked Boy Scout Troop 34 for landscaping work at the library.

Lawrence Booth announced a group called "Friends of the Library," which will raise funds for the library on a regular basis, and asked residents to look at the library website to become involved.

Glen Stephan asked for approval to place temporary fundraising signs, 2' x 4,' on frames at certain locations and added that there is approximately \$70,000 in confirmed pledge amounts for the summer fireworks series.

Glen Stephan stated that the test shoot for the fireworks would be this coming Friday night.

Bill Scandone moved to approve the fundraising signs, and **Rey Velasco** seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was passed unanimously.

OTHER BUSINESS

None

PUBLIC COMMENT

None