

**NEW HOPE BOROUGH COUNCIL  
182 WEST BRIDGE STREET  
NEW HOPE, PA  
MINUTES  
June 15, 2010**

**PRESENT:** Sharyn Keiser, Claire Shaw, Ed Duffy, Geri Delevich, Rey Velasco, Bill Scandone, Richard Hirschfield, Borough Manager John Burke, Borough Solicitor T. J. Walsh, and Chief of Police Mike Cummings.

**ABSENT:** Mayor Larry Keller

**MAYOR'S REPORT**

**Chief Cummings** on behalf of Mayor Keller asked for consideration to hire a new part-time ticket officer by the name of Jason Gray, who is familiar with data entry and lookups.

**Sharyn Keiser** asked for a motion.

**Claire Shaw** moved to approve the hiring of Jason Gray, and Rey Velasco seconded.

**Sharyn Keiser** asked for comment from Council and the public.

**The motion was approved unanimously.**

**PRESIDENT'S REPORT**

**Sharyn Keiser** announced that there was an Executive Session this evening before the meeting to discuss a pending litigation matter.

**Sharyn Keiser** announced that there was no change during the past month in the dollar value of the change orders for the New Street Project. The change orders to date total \$35,046.20.

**Sharyn Keiser** announced that the administrative staff has completely moved into the new building, and **Ms. Keiser** encouraged the public to stop by and see what their tax dollars are paying for.

**Sharyn Keiser** announced that the Police Department is scheduled to relocate to New Street at the end of July or the beginning of August.

**Sharyn Keiser** announced that there is a request for permission to use a picture of Borough Hall by the producers of Big Lake from Comedy Central in August. It is a sitcom and they would like to use the photo as the established shot for the Mayor's office location in the story.

**Geri Delevich** asked if the Town Hall would be for sale on the show as well?

**Bill Scandone** asked if the phone number of the real estate company on the sign in the front of Borough Hall should be taken off?

**Sharyn Keiser** asked John Burke to please check into that.

**Sharyn Keiser** asked for a motion.

**Ed Duffy moved to approve the use of the photo, and Rey Velasco seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Sharyn Keiser** announced that the Landmark Towns is sponsoring a weekend event called Passport to Main Street, using two free trolleys that will take anyone to any of the four participating boroughs from 10 am to 10 pm on Saturday, June 19<sup>th</sup>. Two additional dates will also be scheduled in 2010

**John Burke** stated that one of the areas where the trolley will be picking up people is Taco Loco.

**Elaine Mc Nealey** announced that she is moving out of New Hope in the near future and will miss the town and the people.

**Sharyn Keiser**, speaking for all of Council, stated that Elaine would be missed and that her participation in Council meetings will also be missed.

**CONSENT AGENDA**

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

- A. Consideration of approving payment of accounts payable for June 15, 2010, in the amount of \$218,192.50, of payroll for May 19, 2010, in the amount of \$60,464.08, and of payroll for June 2, 2010, in the amount of \$53,705.11.
- B. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
  - (1) 6 Stockton Avenue (Taco Loco), by John Adler, for exterior painting;
  - (2) 10 South Main Street, by Sal Savioni, for replacement of a door;
  - (3) 9 West Bridge Street, by Lamar Stutzman, for installation of a handrail and light fixture;
  - (4) 20 South Main Street, by Jane Vitart, for installation of a sign;
  - (5) 40 West Mechanic Street, by Paul Michael, for installation of a second floor balcony; and
  - (6) 76 West Bridge Street, by Donna & José Barrera, for exterior painting and installation of a fence.

**Claire Shaw** moved to approve the consent agenda, and **Richard Hirschfield** seconded.

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

## **VICE PRESIDENT'S REPORT**

**Claire Shaw** asked Steve Stahl to discuss the proposed Fringe Festival for 2011.

**Steve Stahl** announced that with him this evening is Richard Garvo, who will present the festival information.

**Richard Garvo** stated that this event would represent a broad array of the arts including live performances and music events that will be held indoors, and these activities will be run throughout the weekend.

Council members stated that the proposed event looks exciting and appears to be well thought out.

## **RECREATION BOARD AND REVITALIZATION COMMITTEE REPORTS**

**Claire Shaw** announced the Park and Recreation Board's first sunset cruise on the Delaware and asked Bill Scandone to provide details.

**Bill Scandone** stated the Riverboat and Trolley Company cruise will launch from its port on River Road in Upper Black Eddy on June 25<sup>th</sup> and will include a buffet, food, drinks, and music.

**Bill Scandone** announced that the Park and Recreation Board placed flags around town recently and is looking for donors for bike racks.

**Bill Scandone** announced that the Park and Recreation Board recently spent \$1,400.00 for flowers to brighten up the town in June.

Council members thanked the Recreation Board.

**Sharyn Keiser** stated that everyone should go over to East Randolph Street to enjoy the pocket park that is beautifully landscaped by Living Earth.

**Sharyn Keiser/Ed Duffy** announced that there is nothing to report from the Revitalization Committee.

## **MANAGER'S AND SOLICITOR'S REPORT**

**T. J. Walsh** asked Council to consider the adoption of **Ordinance No. 2010-03**, amending the Zoning Ordinance, as follows.

1. to add the phrases "Certified Arborist" and "Shade Tree" as defined terms and to include definitions for each phrase; to provide that a report from a certified arborist is required before the Zoning Officer shall issue a permit for the removal of a non-shade tree in excess of 15 caliper inches; and to include tree replacement provisions for each removed tree;
2. to clarify that outdoor seating in connection with use §275-17.D, Restaurant, is permitted as a use accessory to a principal restaurant or village restaurant use subject to certain requirements;
3. to increase the applicable fees for permits required under the zoning ordinance where the regulated activity is commenced prior to securing the necessary zoning ordinance permits;
4. to provide that operating uses approved and/or existing upon the grant of a special exception or conditional use expire after one year without further activity;

5. to add yard and setback provisions applicable to private swimming pools;
6. to revise the regulations pertaining to retail store, retail food shop and convenience store uses where food or drink is sold; to require all non-Borough approvals needed to operate such uses be secured prior to the issuance of a New Hope Borough use/occupancy permit;
7. to create a new use titled "Village Restaurant" and regulations related thereto:  
and
8. to correct other miscellaneous typographical and clerical errors.

**Bill Scandone** stated that he is concerned with the non-shade tree requirement for an arborist to determine if a tree is dead or not. This creates a financial hardship on the resident, and then there is another process with the Zoning Officer to take that information and make a judgment on it. If there is an emergency going on, this additional time can compromise safety waiting for that approval and may pose liability on the Borough. Application and enforcement are concerns.

**Mr. Walsh** stated that the Zoning Officer could act if there is an obvious emergency.

**Rey Velasco** asked to clarify the shade tree language in the ordinance.

**John Burke** stated to get permission to maintain or cut down a shade tree is through the Shade Tree Commission only with a \$10.00 permit fee. This proposed ordinance does not apply to shade trees.

**T. J. Walsh** stated that the problem was there is no definition of a shade tree in the Zoning Ordinance. A shade tree does not include trees on your property.

**Claire Shaw** commented that the arborist requirement is a good idea to keep larger trees from being cut down.

**Sharyn Keiser** agreed and added that this can also apply to land development and save numerous trees from being removed.

**Richard Hirschfield** stated that this might be overly restrictive and impractical to require an arborist to get involved. There is no provision for a nuisance and who is to determine what is a nuisance? What happens if a tree comes down on

Saturday when the Zoning Officer is not in? This may cause more problems, especially in an emergency situation.

**Geri Delevich** asked if the caliper could be raised to 20 inches?

**Richard Hirschfield** mentioned that there was a group that offered to come into the Borough to identify and inventory the trees and address the issue of saving or not saving the trees of a certain size.

**Geri Delevich** stated that the Shade Tree Commission rejected that offer because they have an arborist on the Shade Tree Commission who has agreed to identify the shade trees in New Hope.

**John Burke** added that this study was limited to shade trees at a net cost to the Borough of \$1,250.00.

**Sharyn Keiser** added that this might be revisited at the request of the Revitalization Committee.

**Geri Delevich** asked about retail store use requirements that were revised to ban the consumption of food or beverages in retail stores.

**Geri Delevich** mentioned a restaurant that she knows that has Sangria Saturdays and asked if they would be in violation of this new ordinance?

**Sharyn Keiser** stated that a restaurant has different regulations than a retail store.

**T. J. Walsh** stated you can sell it in retail, but you cannot consume it there. This is to avoid mini restaurants being set up, which was beginning to be a problem.

**John Burke** stated that there are no retail stores now that provide food on the premises.

**Geri Delevich** asked what about an art gallery opening where they have wine and cheese.

**Sharyn Keiser** stated that it is permitted because the wine and cheese is not for sale.

**John Burke** stated that the problem that was occurring is that the Borough was starting to get uses that didn't conform to the categories set up in the current zoning ordinance for food sales. So what this new amended ordinance does is make sense of what is happening in the community and establish more rational regulations. A good example is a grocery store that had to get a special exception for a retail food shop, but, ultimately, they were not preparing food on the premises; they did not have a public restroom on the premises; and they were not offering seating or serving on premises. What they were really doing was providing a grocery store business, but under the current ordinance that use was prohibited in the downtown area.

**Richard Hirschfield** suggested to have the ordinance pass as it is and to direct the Manager to have a resolution drafted that would address some of these issues having to do with implementation in emergencies and other things that may arise with respect to trees on private property.

**Richard Hirschfield** stated another point is that artisans and crafts people are missing from the ordinance. Plus, there is no use right now in the Zoning Ordinance for an Art Center.

**T. J. Walsh** stated that this is already being worked on with a new amendment.

**Sharyn Keiser** asked for a motion to approve **Ordinance Number 2010-03**.

**Richard Hirschfield** moved to approve **Ordinance 2010-03**, and **Claire Shaw** seconded.

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Sharyn Keiser** asked for a motion to direct the Manager to create an internal policy for implementation dealing with tree emergencies.

**Richard Hirschfield** added and also any other items that may seem pertinent.

**Rey Velasco** moved to approve the drafting of an internal policy, and **Bill Scandone** seconded.

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was adopted unanimously.**

## **LAND USE AND HISTORIC PRESERVATION REPORT**

**Ed Duffy** announced that the next item on the agenda was a review and discussion of Zoning Hearing Board appeal no. 343, by Jeff Waltrich, for T.M.P. Nos. 27-003-047 & 27-004-006, New Hope Shopping Center, to replace the Delray True Value sign at 314 W. Bridge Street in the Shopping Center zoning district.

The consensus of Council was that this matter could proceed to the Zoning Hearing Board without support or opposition by Council.

**Ed Duffy** announced the next item on the agenda was a review and discussion of Zoning Hearing Board appeal no. 344, by Christine Elliott, 111 Pinewood Circle, to allow construction of a swimming pool.

The consensus of Council was that this matter could proceed to the Zoning Hearing Board without support or opposition by Council.

**Ed Duffy** announced the next item on the agenda is a review and discussion of Zoning Hearing Board appeal no. 345, by Marsha Brown, for 15 S. Main Street, to allow outdoor dining.

**Caleb Lentchner** representing Marsha Brown was present.

**Sharyn Keiser** asked if there are seating areas on both sides and how will the waiters avoid using the sidewalk to serve.

**Caleb Lentchner** answered that they would implement a written procedure to restrict servers to side yard access.

**Bill Scandone** asked if the walkways on both sides already exist.

**Mr. Lentchner** answered yes including a handicap accessible ramp.

**Richard Hirschfield** stated that he is skeptical of the proposed plan. Valet parking has caused traffic problems at this location. A concern is using the sidewalk to serve food; prohibiting the use of the sidewalk would be impossible to enforce and would become a safety issue. Also, **Mr. Hirschfield** asked if the proposed structure would block the beautiful façade.

**Ed Duffy** agreed with Richard and does not want the facade to change.

**Claire Shaw** stated that it looks fine on paper but she is concerned about the façade.

**Bill Scandone** stated that most of the other restaurants have outdoor eating and if this is done right, it could look very nice and enhance the building.

**Caleb Lentchner** answered that Marsha Brown has high standards and would like to hear more about the valet parking issues. **Mr. Lentchner** thought the valet parking issue was resolved since Marsha purchased the additional parking spaces.

**Rey Velasco** recommended that it just go to the Zoning Hearing Board, with Council making no recommendation.

**Sharyn Keiser** stated that she agreed with Mr. Velasco as long as Bob Larson is present for that meeting.

**John Burke** stated that if there is a question about aesthetics, Council would have the final say as this would come back to Council as an application for a Certificate of Appropriateness.

**Claire Shaw moved to send the solicitor to oppose the application, and Ed Duffy seconded.**

The motion failed by a 3-4 vote.

<b>Hirschfield</b>	<b>Velasco</b>	<b>Keiser</b>	<b>Duffy</b>	<b>Geri</b>	<b>Shaw</b>	<b>Scandone</b>
<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>N</b>

**Ed Duffy** announced the next item on the agenda was a review and discussion of Zoning Hearing Board appeal no. 346, submitted by Tiryns Development LP, for The Logan Inn, to allow additional outdoor seating.

**Nick Gialias** came forward and mentioned that this request is for an additional seating area behind the Magnolia Terrace along with some landscaping. The concept is a simple landscaped space with tables, chairs and umbrellas.

**Ed Duffy** asked how many tables?

**Nick Gialias** answered 10 to 15 tables seating about 2 to 6 people totaling in the 55-person range.

**Geri Delevich** asked if the chairs are same quality that they currently have.

**Nick Gialias** answered yes.

The consensus of Council was not to oppose or support this application before the Zoning Hearing Board.

**Ed Duffy** announced the next item on the agenda was consideration of a request by Peace Out, 7 East Bridge Street, to place two benches on a public sidewalk within the right-of-way of East Bridge Street.

**Erin Knocks** from Peace Out was present to answer any questions and passed out a picture of what the benches would look like.

**John Burke** stated that this request would require a PaDOT permit because it is in the right-of-way of a state road, and secondly, it violates the sidewalk encroachment ordinance of the Borough, although Council is allowed to waive this provision.

**Claire Shaw** asked why they wanted this seating?

**Erin Knocks** answered that it would be more inviting and because other restaurants have benches and seating outside.

**Sharyn Keiser** stated that she is opposed to this because of the heavy foot traffic in the area, and having the benches out in front of the store would push the foot traffic into the street.

**Bill Scandone** stated that he agrees with Ms. Keiser that there is no room for benches at this location. The benches would make it difficult for wheelchairs and baby carriages to pass safely. It would become a public safety issue.

**Rey Velasco** stated that it would be a tight fit at the proposed location.

**Geri Delevich** asked if they could try one bench as an experiment.

**Ed Duffy** stated that it is a safety issue and people have already been hit on that street.

**Sharyn Keiser** asked if there was a motion to approve this request.

**Ed Duffy moved to deny this request, and Bill Scandone seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

## **PUBLIC WORKS REPORT**

**Bill Scandone** announced that Steve Boroughs rescued baby ducks last weekend.

## **COMMUNITY AFFAIRS REPORT**

**Geri Delevich** asked Council to approve a proposal by Mr. Preston Harrison for a tile mural project at the New Street Town & Community Center. Mr. Preston would like to go ahead to gather the sponsors to help pay for the supplies. This would come in a series, and the first installation would be early October.

**Ed Duffy** stated that he would like to see what the mural would look like before an approval is given, and would also like to see New Hope artists somehow involved.

**Geri Delevich** answered that Mr. Preston will draw it out for people to look at. It will be a history of New Hope.

**Sharyn Keiser** stated that she would like the artist to sketch something before Council approves.

**Richard Hirschfield** stated that he would be very uncomfortable approving anything without seeing what Mr. Preston is going to do first. **Mr. Hirschfield** added that Mr. Preston should come back in July and present what he is going to do and at that time Council can make a judgment.

**Claire Shaw** stated that everyone seems to support this in principal, and added that one group was not included in Mr. Preston's history, the early African-American community along West Mechanic Street.

**Bill Keifer** stated that he would like to see drawings.

Council decided to invite Mr. Preston back in July to present drawings of what is proposed

## **COMMUNITY ACTIVITIES REPORT**

**Rey Velasco asked for consideration of approving a request by the Greater New Hope Chamber of Commerce for the 2010 for Arts & Crafts Festival.**

**Richard Hirschfield moved to approve the request, and Ed Duffy seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Rey Velasco moved to approve a request for the placement of Friday Fireworks banners by the Chamber of Commerce, and Bill Scandone seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Rey Velasco moved to approve a reduction in the required permit fee for the display of fireworks requested by the Chamber of Commerce, bringing the**

**fee from \$600.00 per event down to \$150.00 per event, and Ed Duffy seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Rey Velasco moved to approve a request by New Hope Arts Inc. to close Stockton Avenue, from West Bridge to West Ferry, on Sunday, August 29<sup>th</sup> for Savor New Hope, and Richard Hirschfield seconded.**

**Sharyn Keiser** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Rey Velasco** announced that in May 2010 meter revenue went from \$26,000 to \$43,000. The last three months' revenues have been up \$5,000 to 9,000.

**Geri Delevich** announced that the Garden Club is planting on Saturday, June 19, 2010.

**Geri Delevich** announced that the New Hope Film Festival is coming soon.

**Geri Delevich** announced the final two readings for "Embraceable You."

## **OTHER BUSINESS**

**ED DUFFY** commented on how high the May revenue was for meters.

**ED Duffy** also thanked John for getting the pedestrian phase to work as part of the regular signal cycle on West Bridge and Main.

**Rey Velasco** stated that he recently spoke to a bartender in town who had mentioned experiencing great difficulty finding parking. Rey thought that the school parking lot could offer some relief.

**Sharyn Keiser** added that the Legion lot is also open.

**Sharyn Keiser** thanked the Chamber for the tremendous job they are doing adding so many wonderful events in town for tourists as well as residents.

**Geri Delevich** asked for an update on Lenape Park.

**John Burke** answered that he e-mailed and telephoned Mark Shablin, who was the contractor who constructed the park. According to Mark, this is the busiest year he has ever had, and it has delayed his search of his records to determine the manufacturer and type of fence installed at the park. **Mr. Burke** assured Council that he would continue to pursue Mark for the information.

## **PUBLIC COMMENT**

**Glen Stephan** came forward and mentioned that it is pitch dark on the corner of Stockton Avenue and Bridge Street. The crosswalk needs more lighting.

**Glen Stephan** stated that the brick sidewalk at the The Logan needs to be replaced; it is now a tripping hazard.

**Bill Keifer** asked if the Marsha Brown variances are approved, does that stay with the building.

**Sharyn Keiser** answered yes.

**Mark Clark**, a resident, discussed a movie that will be released nationally, entitled *Standing Ovation*, in which his daughter, a New Hope Solebury Senior, costars.

**FOR IMMEDIATE RELEASE**  
Wednesday, July 7, 2010

The most rockin' family movie of the summer is set to hit Bucks County in a big way. Filmed in Bucks County and along the Jersey Shore, *Standing Ovation* is a story of perseverance and triumph. The film is delightful and with 20 new original songs and 12 original dance numbers, it's sure to be a hit among audiences young and old.

Producer Diane Kirman, of Kenilworth Films, is a native Philadelphian and graduate of Penn State. Writer and director Stewart Raffill and executive producers James Brolin and Dr. William Lewis round out a production team with experience and enthusiasm to bring audiences this timeless tale of finding a dream and working hard to achieve it. The talented Tini Sisters, Jennifer (Assistant Producer) and Krystal (Choreographer) complete the Philadelphia connection, having been born and raised in the City of Brotherly Love.

Continuing the Bucks County connection, New Hope-Solebury High School graduate, London Clark and Jeana Zettler, a Council Rock High School North graduate, co-star in *Standing Ovation* in the featured roles of “Zoey and Ziggy Wiggs,” two of the talented group of singing, dancing sisters known as “The Wiggies.”

*Standing Ovation* opens in theaters across the country on Friday, July 16, 2010. After walking the Red Carpet in Los Angeles on Saturday, July 10th, and Philadelphia on Tuesday, July 13<sup>th</sup>, London and Jeana will return home to Bucks county to share opening night with their family, friends, neighbors and community.

The Bucks County Red Carpet Premiere Screening of *Standing Ovation* will take place on Friday, July 16<sup>th</sup>, at the Regal Warrington Crossing Theaters in Warrington, PA. Guests are encouraged to dress up and walk the Red Carpet to the Photo-Op area where professional photographer, Brenda Paulicelli, will be available to take Red Carpet pictures. Then guests will enjoy the premiere Bucks County screening of *Standing Ovation*.

After the movie premiere, there will be Post-Premiere DJ Party at Havana Restaurant and Bar in New Hope, PA. Entertainment will be provided by New York Entertainment, featuring MC Purnell Thurman. Dance with the stars of *Standing Ovation* and enjoy the food, fun and music at our hometown celebration for London and Jeana!

A portion of the proceeds from this event will be donated to the Jonathan D. Krist Foundation. For more information on this New Hope charitable organization, please visit their website at [www.jonathankrist.org](http://www.jonathankrist.org).

For more information about the movie, *Standing Ovation*, please visit our official website at [www.standingovationmovie.com](http://www.standingovationmovie.com).

For more information about the Bucks County Premier of *Standing Ovation*, Please visit our local website at [www.standingovationpremierbuckscounty.com](http://www.standingovationpremierbuckscounty.com) or contact Beth Chukusky at [standingobeth@gmail.com](mailto:standingobeth@gmail.com).

**Sharyn Keiser** congratulated Mr. Clark.

**ADJOURNMENT**