

**NEW HOPE BOROUGH COUNCIL
182 WEST BRIDGE STREET
REGULAR MEETING
NOVEMBER 4, 2009
7:45 PM**

PRESENT: Sharyn Keiser, Claire Shaw, Ed Duffy, Geri Delevich, Richard Hirschfield, Randall Flagger, Rey Velasco, Mayor Larry Keller, Borough Solicitor, T. J. Walsh, Borough Manager John Burke, and Chief Michael Cummings.

ABSENT:

MAYOR'S REPORT

Mayor Keller announced that last Friday morning one of the Parking Enforcement Officers, Donna Lyons, was struck while on the sidewalk by a part of her work car that was hit by another vehicle. She is getting better and all get-well cards can be sent to the Police Department, which will forward them to Donna. Donna may be able to return to work by the end of the month.

COUNCIL PRESIDENT'S REPORT

Sharyn Keiser announced that there was an Executive Session after the Budget Work Session to discuss a personnel matter, salaries for 2010.

Sharyn Keiser announced that there are some change orders pending for the New Street project, and we are waiting for quotes from the architect. These change orders involve doors, ductwork, interior lighting, etc.

Sharyn Keiser announced that there was a Parking Management Study presentation at the Regular Planning Commission Meeting on Monday, November 1, 2009. There will be a presentation of the working draft for Council at the December 9th meeting.

Sharyn Keiser announced that the 2010 budget will be available to the public on November 25, 2008, and the hearing for the adoption of the budget for 2010 will be held on December 9th. **Ms. Keiser** also added that there is no tax increase for 2010.

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

- A. Consideration of approving payment of accounts payable for November 4, 2009, in the amount of \$194,305.00, and of payroll for October 21, 2009, in the amount of \$86,221.55.
- B. Consideration of approving the minutes of the October 14, 2009 public meeting of Council.
- E. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
(1) 11 Chestnut Street, by Keith Galloway, for the addition of a window dormer; and (2) 40 S. Main St., by Jakes' Playhouse, for a single sign installation.

Richard Hirschfield moved to approve the consent agenda and Randall Flager seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

RECREATION & REVITALIZATION REPORT

Claire Shaw asked for consideration of approving an agreement with Mizu Contracting, LLC, for maintenance of Lenape Park in 2010.

Mayor Keller asked if they were going to do any annuals?

John Burke answered that the contract does not include annuals, but that the Park and Recreation Board would surely approve annuals as an extra under the contract.

Claire Shaw added that the Park and Recreation Board just planted 200 daffodil bulbs this year and there are other plans in the works.

Randall Flager moved to approve the agreement and Richard Hirschfield seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

Claire Shaw added that the Park and Recreation Board, in conjunction with the Chamber and the Shade Tree Commission, facilitated the trimming of the large tree at Canon Square, and will supply all

Christmas tree lights for the tree at Canon Square and other trees in the parks throughout the Borough.

Sharyn Keiser announced that she had nothing to report for the Revitalization Committee.

MANAGER'S AND SOLICITOR'S REPORTS

John Burke asked T. J. Walsh to open the public hearing for the HARB ordinance amendment.

T. J Walsh stated that this is a public hearing to consider the adoption of Ordinance Number 2009-06, amending the HARB ordinance. The amendment establishes a requirement for financial security prior to the disassembly/re-assembly and/or relocation of a contributing resource and provides deadlines for completing authorized and required work under an approved Certificate of Appropriateness. **Mr. Walsh** stated that we have a proof of publication that this ordinance was advertised in The Intelligencer on October 28, 2009, and if Council sees fit, it is ready for adoption.

Ed Duffy moved to adopt Ordinance 2009-06 and Randall Flager seconded.

Sharyn Keiser asked for comment by Council and the public.

ED DUFFY asked T. J. Walsh if the document that gets recorded in Doylestown is the C of A.

T. J. Walsh answered yes or a one-page memo reflecting compliance with the conditions of approval.

Ed Duffy commented that he and the HARB Board are pleased with the amendment and believe that the security requirement will ensure against the loss of historic structures in the future.

The motion to adopt the ordinance was approved unanimously.

LAND USE AND HISTORIC PRESERVATION REPORT

ED DUFFY announced a review and discussion of Zoning Hearing Board appeal no. 337, by Robert & Cherie Weller, for 118 North Main Street. Mike Carr Esq. was present to represent the Wellers.

Mike Carr stated that this application is considered a violation at the moment because the work was done without permits. There are a few facts in dispute as far as the allegation of placing fill in the river is concerned, but he is confident that the Zoning Hearing Board will understand the facts. **Mr. Carr** urged Council to view this as a special exception. There should be no reason to take an aggressive position against this effort.

T. J. Walsh stated that Mike Carr is mostly right on the items listed in the notice of violation. Three of them are procedural in nature because the applicant did not obtain permits, and the applicant has chosen to appeal the violation notice. There is a request for a special exception to approve the installation of a marina dock and a pier in the floodway. The use has some conditions that are attached, and the reason the Borough Solicitor should attend the hearing is to prove what is in the violation notice. It is Council's decision as to whether it wishes to oppose this application.

Richard Hirschfield asked what permits are required.

T. J. Walsh stated a special exception, zoning permit, building permit, and a DEP permit are required.

Richard Hirschfield asked when were the permits filed?

Mike Carr Esq. answered after the work was completed. **Mr. Carr** also stated that they are coming into this real fast, and they really can't get the special exception without first obtaining the DEP permit.

Richard Hirschfield stated that the Borough Solicitor should attend this meeting.

T. J. Walsh stated that there are cases that allow an approval to be conditioned on a permit, but the Zoning Hearing Board does not have to grant a conditional approval.

Geri Delevich asked are docks common on the river and do floating docks require a permit?

Sharyn Keiser stated yes, even if they are floating and tied to a tree. But, in this case there is a structure that is anchored to two poles that are concrete footers and then attached to the retaining wall of the house.

Sharyn Keiser asked for a motion

Claire Shaw moved to oppose this application and Ed Duffy seconded.

Sharyn Keiser asked for comment by Council and the public.

The motion was approved unanimously.

COMMUNITY AFFAIRS REPORT

Richard Hirschfield announced with great regret the passing of Robin Larson, Executive Director of New Hope Arts, after a long illness. **Mr. Hirschfield** stated that Robin's contribution to New Hope was significant, and that there will be a remembrance at 5:30 pm at the Eagle Fire Company followed by a celebration of her life and work at the New Hope Arts Center.

Sharyn Keiser asked for a moment of silence in memory of Robin Larson.

Rey Velasco read the Visitors' Center Report for the month of October as follows:

Visitors	2729
Calls	429
Brochures	10
Sales	\$342.42
Donations	\$397.86

Rey Velasco announced the "Embraceable You" documentary premier event is coming up on November 17, 2009 at the Bucks County Playhouse with a red carpet event starting it off at 6:30 pm.

Geri Delevich also added that everyone is welcome to the after party at Havana.

Rey Velasco encouraged the audience to attend the play, “Norma Doesmen,” at the Eagle Fire Hall Ballroom and tickets are \$20.00. Please call 284 5454 for additional information.

John Dwyer encouraged everyone to attend.

Rey Velasco announced the New Hope Celebrates 2009 Showcase at The Raven Bar and Restaurant.

Rey Velasco announced that New Hope’s “Dancing with the Stars” would be held on January 16, 2009, and there will be more information as the event date approaches.

Geri Delevich encouraged the audience to attend “One Enchanted Evening” at Cintra on Saturday, November 21, 2009 from 5 pm to 8 pm for the benefit of the Free Library of New Hope Solebury. Tickets are \$100.00 and include cocktails and hors d'oeuvres.

Geri Delevich announced the tree lighting ceremony by the Chamber on November 29th at the canon.

Geri Delevich thanked the Chamber for all the great events during Halloween.

Geri Delevich wished the audience a Happy Thanksgiving.

Sharyn Keiser encouraged the audience to support the local free library.

Geri Delevich stated that a federal hate crimes bill has been passed making it a crime to assault an individual because of his or her sexual orientation or gender identity.

Bob Gerenser congratulated the winners of the November 3rd election.

Mr. Gerenser also asked Council if vacant storefronts could be decorated during the holidays.

Sharyn Keiser thought it was a nice idea and encouraged Mr. Gerenser to work with the Chamber to contact property owners and to inventory vacant store addresses. Borough Hall could provide the names and addresses of the property owners of the vacant stores.

Bob Gerenser agreed to conduct the inventory.

ADJOURNMENT