

**NEW HOPE BOROUGH COUNCIL
182 WEST BRIDGE STREET
REGULAR MEETING
DECEMBER 9, 2009
MINUTES**

PRESENT: Claire Shaw, Ed Duffy, Geri Delevich, Rey Velasco, Randall Flager, Richard Hirschfield, Mayor Larry Keller, Borough Manager John Burke, Borough Solicitor, T. J. Walsh, and Chief of Police Mike Cummings.

ABSENT: Sharyn Keiser

Council Vice President Claire Shaw announced that two items would be taken off tonight's agenda:

Item 7A - Presentation by Barry Ziff concerning the Delaware Valley Regional Planning Commission's Alternative Energies Ordinance Group; and

Item 8A - Presentation by the Eagle Fire Company concerning the 2010 Dash for the Axe.

MAYOR'S REPORT

Mayor Keller stated that Parking Enforcement Officer Donna Lyons is recovering nicely following the accident last month in which her vehicle was struck from behind on S. Main Street.

Mayor Keller stated that the Police Department recently lost a parking enforcement vehicle due to an accident on South Main Street. **Mayor Keller asked Council to authorize the purchase of a 2009 Ford Crown Victoria at a cost of \$21,199 from COSTARS Contract No. 013-026.** There is \$20,000 earmarked in the 2009 police budget for purchase of a vehicle, plus \$5,149.00 will be paid from insurance proceeds.

Geri Delevich asked that Council and the Police Department look at vehicles that are more energy efficient. There is a grant application for Landmark Towns on tonight's agenda for enhancing bike trails and connections. The police should become more community orientated and do more walking.

Mayor Keller stated the 2002 Ford Focus is seven years old with 67,000 miles. That is roughly 7,500 miles a year just for parking enforcement, working 11-12 hours a day, two to three shifts a day. By contract there are five officers that are allowed to take home vehicles. There are three cars for the remaining officers including the part-time officers. The energy saver car that the Police Department looked at was the Ford Escape, and it is just too small.

Ed Duffy moved to approve the purchase of the 2009 Crown Victoria and Randy Flager seconded.

Claire Shaw asked for comment by Council and the public.

Randall Flager asked what types of police vehicles can be purchased under the state contract.

Bill Scandone asked the Mayor about the Chief's original proposal, which proposed a Ford Explorer, because it handles better in bad weather and holds more equipment.

Mayor Keller stated the Crown Victoria has better gas mileage and the cost is more in line with the budget allocation.

Chief Cummings stated that Sergeant Goss has a Ford Explorer that he takes home. The Department will assign him one of the older cars and place the Ford Explorer in the pool.

Ed Duffy stated that the Borough should purchase environmentally friendly, possibly electric vehicles.

Claire Shaw called the question.

The motion passed by a 5 to 1 vote, with Geri Delevich voting against the motion.

Mayor Keller announced that the Department conducted a traffic study for two weeks on West Bridge Street near the Wedgewood Inn. Going eastbound, there were 85,276 cars during the study and 390 of them were speeding, meaning 46 mph or more. That is less than 1% but certainly not acceptable. It was almost the same data heading west toward the high school

with 78,906 vehicles. 363 cars were speeding in this direction. Vehicles tended to speed during the morning and evening rush hours. The Police Department will target these time periods to enforce the speed limit.

Mayor Keller announced and thanked Steve Ebersol and Steve Casper who own the PNC Bank property for recently donating \$3,000 to the Police Department.

Mayor Keller stated that a monthly UCR Report would be issued to Council in 2010.

Mayor Keller thanked Randall Flagger for serving 8 years on Council and playing a large role in securing the current PBA Agreement.

VICE PRESIDENT'S REPORT

Claire Shaw announced that there was no Executive Session this evening.

Claire Shaw thanked and complimented the Garden Club and Chuck Tarr for their work this year.

Claire Shaw announced the Council Organization meeting for January 4, 2010, beginning at 7:00 pm.

Dee Dee Bowman, Chairperson of the Recycling Committee, announced the details of the 2010 Christmas Tree Recycling Program.

Claire Shaw thanked Ms. Bowman and the Committee for its fine work.

Claire Shaw asked Andrew Stern from JMT to present the working draft of the Parking Management Study.

Andrew Stern of Johnson Mirmiran & Thompson stated that the major areas that the study covered are as follows:

- Parking Inventory and Facilities
- Parking Counts
- Parking Strategies
- Marketing & Public Education
- Sidewalk Conditions Analysis
- General Regulations by ordinance

Mr. Stern stated that the supply of parking spaces in New Hope is adequate. However, there is inefficient management and user information, which is causing the parking problem.

Mr. Stern stated that the study included focus groups and business and resident surveys.

Mr. Stern stated that his initial assessment features the following ideas.

- Better education and promotion
- Standardize parking meters
- Establish a Parking Advisory Board made up of citizens and business owners.
- Investigate a Shuttle Bus Service
- Consider pedestrian safety
- Increase parking fees where demand is greatest
- Establish a limited number of 15-minute spaces for quick pick-ups
- Investigate the use of personal parking meters.

Claire Shaw stated that we all learned a lot more about parking in the Borough through this study.

Bob Gerenser stated that the study identifies only “what is.” The Borough should bag the meters for a period and compare the results.

Frank De Luca recommended that the meters at the outer parts of town be 8 hour meters and less expensive.

Claire Shaw thanked Andrew Stern for his presentation.

John Burke stated that the next step is to finalize the plan, and Andrew will return to the Planning Commission in January or February for this purpose.

Claire Shaw asked for a motion to approve the consent agenda, as follows.

- A. Consideration of approving payment of accounts payable for December 9, 2009, in the amount of \$262,142.80, of payroll for November 4, 2009, in the amount of \$58,480.69, of payroll for November 18, 2009 in the amount of \$57,402.89, and of payroll for December 2, 2009 in the amount of \$57,926.41.

- B. Consideration of approving the minutes of the November 4, 2009 budget work session meeting and of the November 4, 2009 public meeting of Council.
- C. Consideration of adopting **Resolution No. 2009-15R**, authorizing the Council President and Borough Manager to execute an agreement with PennDOT for supplemental funding of the Canal Walk Project.
- D. Consideration of authorizing submission of a TCDI grant application to the Delaware Valley Regional Planning Commission on behalf of Landmark Towns of Bucks County.
- E. Consideration of adopting **Resolution No. 2009-16R**, awarding a Tax Anticipation Note to PNC Bank for 2010.
- F. Consideration of adopting **Resolution No. 2009-17R**, establishing a compensation plan for non-union employees in 2010.
- G. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for 102 New Street, by Justin Lucas, for a dormer and clarification of design plans for front & rear doors.

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

Claire Shaw asked for comment by Council and the public.

The motion was approved unanimously.

RECREATION BOARD AND REVITALIZATION COMMITTEE REPORTS

Claire Shaw asked Council to authorize the solicitation of bids for the 2010 Landscape Maintenance Program.

Richard Hirschfield moved to grant authorization, and Rey Velasco seconded.

Claire Shaw asked for comment by Council and the public.

The motion was approved unanimously.

Claire Shaw announced that the Winter Festival is coming up January 27 through January 31st and encouraged the audience to visit the Winter Festival website for ticket purchases.

Claire Shaw asked the audience to support local merchants and to please purchase a brick, tree or bench from the Park & recreation Board. The town really looks great thanks to the efforts of the New Hope community.

Claire Shaw wished everyone a Happy Holiday and a Happy New Year.

MANAGER’S AND SOLICITOR’S REPORTS

John Burke asked for consideration of approving **Resolution 2009-18R**, which adopts the 2010 budget for the Borough. There is no tax increase and the budget has been available for public inspection for the time period prescribed by law. The budget work session was held on November 4, 2009.

Richard Hirschfield moved to adopt the 2010 budget, and **Rey Velasco** seconded.

Richard Hirschfield stated that he has served on Council for the last 10 years, and that 10 years ago there was no balanced budget and the Borough could not pay its bills. Other towns & boroughs have raised their taxes for 2010, and New Hope again has a balanced budget without a tax increase. **Richard Hirschfield** thanked John and Janell, as well as the staff for a terrific job.

Claire Shaw asked for comment by Council and the public.

The motion was approved unanimously.

John Burke asked for consideration of approving **Ordinance No. 2009-07**, establishing the real estate tax levy for 2010. It is the same millage as it was in 2009, with no tax increase.

John Burke stated that there we have a proof of publication that the ordinance was advertised in the November 24, 2009 issue of The Intelligencer.

Randall Flager moved to adopt the ordinance and **Rey Velasco** seconded.

Claire Shaw asked for comment by Council and the public.

The ordinance was adopted by a unanimous vote.

John Burke asked Council to consider a lease agreement with the Bucks County Conference and Visitors Bureau, Inc. (BCCVB) for 1 West Mechanic Street. **Mr. Burke** asked T. J. Walsh to present the details of the agreement.

T. J. Walsh stated that the Borough is empowered to lease its property. It is a five-year term and can be extended by mutual agreement. The building is still maintained by the Borough along with the lot and the gardens. The hours are the current Visitors' Center hours. The BCCVB is responsible for the staff, cleaning, utility costs and must ensure that the Borough is included as additional insured. The first two years the Borough has agreed to assist the Visitors Bureau in initial costs to get started and will assist through a subsidy of \$20,000 a year.

John Burke stated that he received a call from Jerry Lepping, the Executive Director of the BCCVB confirming that its Board of Directors approved the agreement at their meeting earlier today.

Richard Hirschfield moved to approve the lease, and Randall Flager seconded.

Claire Shaw asked for comment by Council and the public.

Richard Hirschfield stated that this was a long time coming, and it will save the Borough over \$40,000 a year for the first two years, and more than \$62,000 per year over the final three years, which is roughly 1/4 million dollars in local taxes during its five year term.

Mr. Hirschfield congratulated Council on this decision and feels that the Bucks County Conference and Visitors Bureau, Inc., will do a great job integrating this with its overall operations and mission, as well as bringing in more visitors to town and many benefits to the businesses. **Mr. Hirschfield** stated that it is not the Borough's job to fund a Visitors' Center and that this type of activity is almost always undertaken at the expense of the local business community.

Geri Delevich asked if the Borough could be assured that the uniqueness of the look of the Center will be maintained.

T. J. Walsh answered that on page 2a of the lease, it specifically mentions that any changes to the interior of the building requested by the Bucks County Conference Center and will be at their expense and will have to be approved by the Borough.

Geri Delevich mentioned that someone in the audience had asked her if they have to join the BCCVB to have their business literature distributed, and the answer is no. Ms. Delevich also asked if the BCCVB would provide a monthly report of activities at the center.

Bob Gerenser stated that this is a bad idea and asked Council not to do this. **Mr. Gerenser** stated that the promotion of commerce is a duty of government and that this action will result in the loss of local autonomy.

Mr. Gerenser asked how much rent the Borough will receive from the Visitors Bureau.

Mr. Burke answered that the BCCVB will not pay rent during the initial 5-year term, but that the net savings to the Borough from the lease will be in excess of \$270,000 over the term.

The motion to approve the lease was approved unanimously.

LAND USE AND HISTORIC PRESERVATION REPORT

Ed Duffy announced a review and discussion of Zoning Hearing Board appeal no. 338, by Kehilat Hanahar, 85 West Bridge Street.

Larry Wuhl stated that he is the attorney representing the Shul. The Shul wants to remove 7 trees from a ten-acre parcel and not have to build a retaining wall. Kehilat Hanahar, the Little Shul by the River, has been incorporated since 1994 and moved into the schoolhouse in 1996. The elimination of the trees is necessary for safety and will allow easier access for the elderly and children.

Mr. Wuhl asked for Council support.

Mr. Whul stated that Mr. Duffy is located near the Shul and is one of the people notified about the project, and that this may have an unfair impact on the application.

T. J. Walsh asked Mr. Duffy if he is taking a personal position on the application.

Mr. Duffy answered no, that he just has some questions.

Mr. Whul stated that he has no problem with Mr. Duffy's participation in that case.

Ed Duffy asked how many parking spaces would the Shul have at the end of the project, and what will the surface be?

Mr. Whul answered that the parking spaces are not going to be increased and that the spaces will just be marked correctly, and the surface will be asphalt.

Randall Flager stated that the parking lot is a disaster and wished the applicants good luck.

Council decided not to take a position with respect to this application.

Ed Duffy asked for consideration of a request by Kehilat Hanahar to waive the Zoning Hearing Board filing fee for appeal no. 338. **Mr. Duffy** asked if that would include the inspection costs and other fees.

John Burke suggested that Council waive the filing fee, with the following exceptions to be reimbursed by the applicant: the appearance fee for the court reporter, the advertising costs, as well as the postage used for the public notification.

Randall Flager moved to approve the request conditioned upon the applicant reimbursing the costs of the court reporter appearance fee, the advertising costs, and the postage used for public notification, and Richard Hirschfield seconded.

Claire Shaw asked for comment by Council and the public.

The motion was approved unanimously.

COMMUNITY AFFAIRS

Randall Flager read the monthly report for November 2009 from the Visitors Center:

Brochures	8
Calls	268
Visitors	2,448
Donations	\$406.17
Sales	\$476.40

Rey Velasco stated that Dancing with the Stars is January 18, 2009 at the Eagle Fire Company and encouraged the audience to attend. **Mr. Velasco** also mentioned Winter Festival at the end of January 2010, and asked residents to consider end of year donations to the Eagle Fire Company and the Lambertville New Hope Ambulance Squad.

John Dwyer stated that this would be the second Dancing with the Stars.

Geri Delevich mentioned three great contributions by Randy Flager during his 8 years on Council: the current PBA collective bargaining agreement, recruiting John Burke for manager, and drafting the Human Rights Ordinance. **Ms. Delevich** wished everyone a happy holiday.

Claire Shaw/Ed Duffy/Rey Velasco thanked Randy and mentioned that it was a pleasure to serve with him.

Richard Hirschfield thanked Randy for his eight years of service to the Borough of New Hope and also welcomed Bill Scandone as a new member of Council for 2010.

Randy Flager stated that it was a pleasure to serve the community and serve with the members of Council. Mr. Flager stated that this Council brought stability and good government to New Hope, which was bankrupt and entangled in over 9 costly lawsuits 10 years ago. This Council provided public water to the community, adopted an Equal Protection Ordinance, and vastly improved public finance.

Claire Shaw stated that there is a dangerous condition where Windy Bush Rd. intersects Rt. 32, and asked John Burke to request that PaDOT conduct a traffic safety study at this intersection.

Louis Licitra stated that the New Hope Chamber supports the BCCVB and asked if the Borough could arrange a meeting between the business community and the BCCVB. Mr. Licitra also asked if the BCCVB could feature New Hope literature prominently at the front of the Center and if it would extend the Center's hours of operation on Fridays and Saturdays.

Carl Glassman stated that he would like to see the Center's hours expanded and advised Council to maintain the Borough's position in the lease.

ADJOURNMENT at 9:20 pm