

**NEW HOPE BOROUGH COUNCIL  
182 WEST BRIDGE STREET  
REGULAR MEETING  
MINUTES  
June 10, 2009**

**PRESENT:** Ed Duffy, Geri Delevich, Claire Shaw, Richard Hirschfield, Randall Flager, Rey Velasco, Mayor Laurence Keller, Borough Manager John Burke, Borough Engineer Craig Kennard, and Borough Solicitor T. J. Walsh.

**ABSENT:** Sharyn Keiser

**MAYOR'S REPORT**

**Mayor Keller** read a letter commending emergency services in New Hope, in particular, the ambulance and rescue squad and Officers DeLuca and Gruber.

**PRESIDENT'S REPORT**

**Claire Shaw** invited all to attend an event planned by the Chamber of Commerce for 5 pm, June 12<sup>th</sup>, celebrating the opening of the new Bridge Street bridge.

**Claire Shaw** introduced Joe McKeever, representing the New Hope Auto Show.

**Joe McKeever**, representing the New Hope Solebury Community Association, stated that the show would be basically the same as last year. There will be over 400 cars and parking will be on the school grounds including the church. Mr. McKeever asked about a banner that disappeared last year.

**John Burke** stated that the usual hold harmless and indemnification agreement would be required, as well as proof of insurance and Fire Marshal approval.

**Randall Flager** moved to approve the request as long as all necessary paper work is submitted prior to the event, and **Geri Delevich** seconded.

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Claire Shaw** asked Council to consider a motion to approve certain requests by the New Hope Chamber of Commerce for the 2009 Arts & Crafts Festival.

**Sharyn Flanagan**, representing the Chamber, announced that it is going to follow the same agenda for this event as in previous years. **Ms. Flanagan** also asked Council to approve the closing of West Mechanic Street on July 4<sup>th</sup>.

**John Burke** stated that if the Chamber plans to use Ferry Landing Park, it has to be coordinated with the Chief of Police. Mr. Burke recommended the following conditions for approval of the Chamber's request:

1. Contact the owner of the PNC parking lot to advise him that there will be no access.
2. Notify Marsha Brown, who leases parking spaces from the Borough at the Verizon lot, of the event dates so that the restaurant can make alternate arrangements for parking of patron vehicles.
3. Contact La Bonne Auberge and inform them that West Mechanic Street will be closed during this event.
4. Obtain the approval of Ralph Miller and Martine Landry, as well as the Chief of Police, for any plan to close East Ferry Street.
5. The Park and Recreation Board must approve the use of the Ferry Landing Park.
6. Submit a hold harmless agreement and insurance certificate to Borough Hall before the event takes place.
7. Inform residents of North Main Street, Parry Street, West Randolph Street, Fisher's Alley and West Mechanic Street and other affected streets of the planned road closings.
8. Reimburse any overtime by police officers.

**Randall Flager moved to approve the requests, subject to Mr. Burke's proposed conditions of approval, and Rey Velasco seconded.**

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Claire Shaw** asked if Council has any questions or concerns in reference to the Consent Agenda.

**Geri Delevich** asked to have items 4D and 4E pulled from the Consent Agenda for discussion.

**Claire Shaw asked for a motion to approve the Consent Agenda, excluding items 4D and 4E, as follows.**

- A. Consideration of approving payment of accounts payable for June 10, 2009, in the amount of \$147,596.05; of payroll for May 20, 2009, in the amount of \$64,858.51; and of payroll for June 3, 2009, in the amount of \$54,457.31.
- B. Consideration of approving the minutes of Borough Council's public meeting of May 13, 2009.
- C. Consideration of approving a GIS Data License Agreement with the County of Bucks.
- D. Consideration of approving the submission of an application to the Delaware Valley Planning Commission for membership in the Commission's Classic Towns of Greater Philadelphia Program.
- E. Consideration of adopting **Resolution No. 2009-07R**, establishing a schedule of zoning and construction permit fees for renovations and improvements by New Hope Arts Inc. at 2 Stockton.
- F. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
  - (1) 115 S. Main St. (Unit D), by Old Time Photo/Natalya Levin, for installation of a sign;
  - (2) 30 W. Bridge St., by New Hope Fine Art Gallery/Michael Fratrach, for installation of a sign;
  - (3) 115 S. Main St. (Unit C-1), by Warrior Fashions Inc./Carl Werbock, for installation of a sign; and
  - (4) 26 N. Main St., by Mystyk One/Anita Bunnens, for installation of a sign.

**Ed Duffy moved to approve the Consent Agenda, excluding items 4D and 4E, and Rey Velasco seconded.**

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Claire Shaw** asked John Burke to explain items 4D and 4E to the public.

**John Burke** explained item 4D by stating that the Bucks County Planning Commission recently nominated New Hope to participate in the Classic Towns program of the Delaware Valley Regional Planning Commission. The cornerstone of the Classic Towns program is a regional marketing strategy to benefit the Greater Philadelphia region's older communities and neighborhoods. The program provides individual municipalities with the tools they need to launch their own campaigns. By identifying needs, developing effective messages, and creating strategies for targeted distribution, the Classic Towns initiative will help communities to brand themselves as attractive places to live, work, shop and play. It will pinpoint sources of public and private support that may be leveraged to sustain regional and municipal marketing efforts into the future. The cost is \$5,000 over a two-year period.

**John Burke** stated that Item 4E is a resolution to establish a method to calculate building and zoning permit fees for renovations at the New Hope Arts building. The resolution recognizes three distinct categories of work:

1. Improvements to areas occupied by New Hope Arts.
2. Improvements to areas leased by New Hope Arts to commercial tenants.
3. Improvements to common areas.

**Categories 1 & 3** -- There will not be a charge for any zoning or construction permits because these areas should correspond to the areas designated by the County as tax-exempt from real estate taxes. A plan submission and specifications will be required. These applications will have to comply with all building code requirements, inspections and certificates of occupancy including the Historic District requirement for a Certificate of Appropriateness.

**Category 2** -- The full cost of all permits will be charged for any construction work, including zoning permits and certificates of Use and Occupancy, undertaken at the sole expense of an entity other than New Hope Arts Inc. The Borough will charge the current hourly rates of the building inspector and zoning officer for plan reviews and inspections for projects funded by New Hope Arts. A plan submission will be required from either tenant or lessee and the specifications will have to comply with all building code requirements, inspections and Certificates of Occupancy including the Historic District requirement for a Certificate of Appropriateness.

**Geri Delevich moved to approve items 4D and 4E as presented, and Richard Hirschfield seconded.**

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

## **RECREATION BOARD & REVITALIZATION COMMITTEE REPORTS**

**Earl Bierman** reminded the audience that the Annual Golf Outing would be held on September 21, 2009.

## **MANAGER'S & SOLICITOR'S REPORTS**

**John Burke** introduced Scott Shearer of PFM, the Borough's financial consultant, to discuss Ordinance No. 2009-04, authorizing the incurrence of non-electoral debt pursuant to the issuance of the General Obligation Notes, 2009 Series, in the aggregate principal amount of \$1,750,000, and the award of the related Qualified Interest Rate Management Agreement.

**Scott Shearer** stated that he last appeared before Council in May 2009 where there was discussion to borrow at a fixed rate and full 25-year duration, a loan totaling 1.7 million from the Delaware Valley Regional Finance Authority. Since that time, there has been a sudden and substantial increase in long-term interest rates, which in the past two weeks increased by almost one percent, from 4.1% to 4.9%.

**Mr. Shearer** stated that the Borough might now wish to consider a variable rate loan from the Authority. The amount of the loan would be \$1,750,000 including the estimated \$7,000 cost of origination. This loan will be over a twenty-five years at a maximum interest rate of 15%. The ordinance, as prepared, identifies a variable rate loan, with rates that change on a weekly basis. The rate is set nationally, using the most widely accepted tax-exempt index for bonds. The payments will be due monthly and once the building is sold on North Main Street, we would want to reconvene and reevaluate this loan as well as their earlier loan in 2007. Mr. Shearer stated that the variable rate loan has averaged an interest rate of about 3% since 1999. The current

rate is less than 2%, offering substantial savings to the Borough compared to a fixed term loan rate approaching 5%.

**Mr. Shearer** recommended that the Borough establish a Rate Stabilization Fund into which the Borough would deposit the dollar difference between the interest rate charged for the variable rate loan and a hypothetical fixed interest rate loan, say at 4.1%. The monies accumulated in this fund could be used to pay a portion of annual debt service expenses in the event that the variable rate increases unexpectedly at some point in the future, to fund capital projects, or to pay down indebtedness related to the bond issue.

**Randall Flager moved to adopt Ordinance No. 2009-04, and also instructed the Borough staff to prepare an ordinance formalizing the Rate Stabilization Fund. Richard Hirschfield seconded.**

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Randall Flager** announced the next item on the agenda is the collective bargaining agreement with the Police Benevolent Association.

**Randall Flager** stated that it was a privilege and a pleasure to reach an agreement with the PBA to achieve labor peace for the next 5-years and mentioned a few highlights:

- Recognizing same gender domestic partnerships.
- Recognizing bereavement, sick and maternity leave.
- 1% employee contribution to health benefits.
- 2% employee contribution to the pension.

**Randall Flager** thanked the PBA and John Burke, and **moved to approve the collective bargaining agreement.**

**Richard Hirschfield seconded.**

**The motion was approved 6-0-1. Rey Velasco abstained.**

**John Burke** stated that it was a pleasure to have such a good working relationship with our police officers, compared to what is happening in other municipalities.

## **LAND USE AND HISTORIC PRESERVATION**

**Ed Duffy** asked for a motion to approve an amended preliminary/final plan of land development for Rabbit Run, submitted by Scannapieco Development Corporation, for T.M.P. No. 27-4-2 A & B, located on the north side of Rt. 202 at its intersection with Old Rt. 202, in the R-1 zoning district.

**Tom Scannapieco** asked Council to reconsider the Victorian-type traffic signal pole requirement since these are \$20,000 more than regular signal poles, and stated that he agrees with every other proposed condition of approval.

**Richard Hirschfield** stated that he does not believe that the Victorian-type poles are necessary, given the location on Rt. 202.

Geri Delevich disagreed stating that Mr. Scannapieco promised to build a community similar to downtown New Hope.

**Richard Hirschfield** moved to strike the Victorian-type poles.

**Claire Shaw** asked if the motion is to give approval to the amended preliminary/final plan, excluding the Victorian Pole.

**Richard Hirschfield** answered yes, and moved to approve the preliminary/final plan, subject to the conditions of approval outlined in the Solicitor's draft approval letter, but to eliminate the Victorian-type traffic signal poles.

**Randall Flager** seconded.

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved 4-2-0, as follows.**

<b>SHAW</b>	<b>DUFFY</b>	<b>DELEVICH</b>	<b>VELASCO</b>	<b>FLAGER</b>	<b>HIRSCHFIELD</b>
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**Ed Duffy** stated that the next item on the agenda is an application by Glen Stephan for 28 West Bridge Street.

**Glen Stephan** stated that the proposed use for the property is an inn, which has been approved by the Zoning Hearing Board. **Mr. Stephan** asked Council if HARB has jurisdiction over his building?

**T. J. Walsh**, the Borough Solicitor, answered yes.

**Mr. Stephan** stated that he has appeared before HARB 4 times and has not received a recommendation for a Certificate of Appropriateness.

**Glen Stephan** stated that he would go before HARB once again keeping the side façade exposed as before and choosing to keep the green space in the rear yard. **Mr. Stephan** stated that he wishes to enter the building from the street; the entrance is now located on the west side facing the canal. HARB has asked that the addition be moved about 25 ft. to the rear of the property, behind the entrance door.

**Ralph Fey, Architect**, stated that they have reached an impasse with HARB and that HARB wants Glen to slide the addition to the rear of the property. **Mr. Fey** feels that the design presented tonight respects all the historic components of the building and the surrounding properties. It is consistent with the urban context of the New Hope streetscape and is set back 25 feet from the street.

**T. J. Walsh** cautioned Council to avoid commenting on this plan, which is currently pending before HARB and which will eventually come before Council for a decision with respect to a Certificate of Appropriateness.

**Claire Shaw** thanked Glen Stephan and Architect Ralph Fey for their presentation and directed them to return to HARB.

**COMMUNITY AFFAIRS**

**Rey Velasco** announced the Visitors’ Center report for the month of May as follows:

Visitors	3,263
Calls	328
Brochures	19
Sales	\$566.75
Donations	\$437.56

**Rey Velasco** announced The Raven is open and wished them well.

**Rey Velasco** announced the artwork of John Lennon is being presented at Union Square June 12<sup>th</sup> through June 14<sup>th</sup>.

**Rey Velasco** thanked Fred's Breakfast Restaurant for providing bathrooms not only for their patrons but for tourists as well.

**Geri Delevich** announced the closing of the New Hope Arts Sculpture Exhibit this coming Saturday, 6 pm - 8 pm.

**Geri Delevich** announced the Historical Society would have its Garden Party June 15<sup>th</sup> at 4:30 pm: \$30.00 for members and \$35.00 for non-members.

**Geri Delevich** announced a short film, "The Pin Down Girl," about the first lady wrestler, Ethel Brown, would be shown on June 16<sup>th</sup> at 6 pm at the NHSHS.

**Geri Delevich** urged people to contact their state representatives and support PA House Bill 300 to end discrimination.

**Elaine McNealy** stated that gays began the fight for freedom 40 years ago.

**Geri Delevich moved to authorize a letter to be sent to local legislators supporting HB 300. Rey Velasco seconded.**

**Claire Shaw** asked for comment by Council and the public.

**The motion was approved unanimously.**

**Geri Delevich announced that the Shade Tree Commission needs an additional member and moved to appoint Paul Beckwith.**

**Geri Delevich asked that Mike Shier be included in the motion as an alternate member of the Commission. Rey Velasco seconded.**

**The motion was approved unanimously.**

#### **PUBLIC COMMENT**

**Bob Gerenser** requested that Council consider fireworks next year for the 4<sup>th</sup> of July.

**Mr. Gerenser** also asked permission to have a band play on his roof at 22 S. Main Street on Friday, July 3<sup>rd</sup>, from 5 pm to 8 pm.

**John Burke** stated that Mr. Gerenser should contact the building inspector about this proposal.

#### **ADJOURNMENT**