

**NEW HOPE BOROUGH COUNCIL  
182 WEST BRIDGE STREET  
REGULAR MEETING  
August 12, 2009  
MINUTES**

**PRESENT:** Sharon Keiser, Claire Shaw, Ed Duffy, Richard Hirschfield, Randall Flager, Mayor Larry Keller, Borough Manager John Burke, Solicitor T. J. Walsh, and Borough Engineer Kurt Schroeder.

**ABSENT:** Geri Delevich and Rey Velasco.

**MAYOR'S REPORT**

**Mayor Keller** introduced **Dava Gering**, who announced that there have been many complications at the New Hope Arts Center, including electrical and water problems and actor/actress problems, so the play scheduled to go on this weekend has been postponed until next week.

**Mayor Keller** announced the following North Main Street traffic statistics generated by equipment borrowed from Doylestown Borough. From 2 pm Wednesday, July 8<sup>th</sup> until 8 am Wednesday, July 15<sup>th</sup>, there were 30,512 vehicles traveling north and south on North Main Street. Of those, 29,677 or 97.26% were traveling at 35 mph or less, and 99.67% were traveling at 40 mph or less. Not one vehicle was clocked exceeding 50 mph. There were only 15 vehicles out of 30,512 that were traveling at 46 to 50 mph. There were 83 vehicles out of 30,512 that were clocked at 41 to 45 mph. This data shows that the presence of the Police Department is helping to deter speeding in the Borough. A number of vehicles in the 36 to 50 mph range were ticketed. Lastly, this information defines the prime driving times in the Borough, which will allow the police to target the problem areas and times.

**COUNCIL PRESIDENT'S REPORT**

**Sharyn Keiser** announced that there was no Executive Session before tonight's meeting.

**Sharyn Keiser** stated that the New Street project is moving along very nicely and that the parking area is really being used during the weekend.

**Sharyn Keiser** announced that work on the Parking Management Study is proceeding and that the on-site survey data was collected on June 27, 2009. The next part of the study will be the stakeholder interviews scheduled for Monday, August 17, 2009. Four separate groups will be interviewed that day: 9:00 am for residents, 10:15 am for local government officials, 11:15 am for non-profit organizations, and 1:15 pm for businesses.

**John Burke** stated that there is a parking survey for businesses that can be accessed from the Borough's web site.

**Sharyn Keiser** announced that item 6 E on the agenda, which is the discussion on the Noise Ordinance, would be tabled to Council's September meeting agenda.

### **CONSENT AGENDA**

**Sharyn Keiser** introduced Darla Welsh, who was in the audience and is interested in becoming a member of the Revitalization Committee and whose appointment is included as part of the consent agenda.

**Sharyn Keiser** announced that she would like to pull item 4 E (5) off the consent agenda for discussion.

**Sharyn Keiser** asked for a motion to approve the consent agenda, except item 4 E (5), as follows.

- A. Consideration of approving payment of accounts payable for August 12, 2009, in the amount of \$332,538.69; of payroll for July 15, 2009, in the amount of \$55,443.00; and of payroll for July 29, 2009, in the amount of \$56,140.50.
- B. Consideration of approving the minutes of Borough Council's public meeting of July 8, 2009.
- C. Consideration of appointing Ms. Darla Welsh as an alternate member of the Revitalization Committee for a term to expire on December 31, 2009.
- D. Consideration of adopting **Resolution No. 2009-08R**, authorizing participation in the Classic Towns Program of the Delaware Valley Regional Planning Commission.
- E. Consideration of approving issuance of a Certificate of Appropriateness, as recommended by HARB, for:
  - (1) 85 W. Mechanic St., by Kehilat Hanahar, for replacement of roof;
  - (2) 38 W. Ferry St., by Matt Hayden, for exterior painting;
  - (3) 32 W. Mechanic St. (Unit 1 at Canal Street), by 28 Mechanic Street Investors, L.P., for installation of a deck;
  - (4) 58 W. Ferry St., by Caryl Benjamin, for demolition of porch and exterior painting;

(5) 68 N. Main St., by Melanie Romanczak, for removal of siding only; and  
(6) 28 W. Bridge St., by Glen Stephan, for two-story addition.

**Claire Shaw moved to approve the consent agenda, minus item 4 E (5). Randall Flager seconded.**

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

**The motion was approved by a unanimous vote.**

**Sharyn Keiser** asked for discussion on item 4 E (5), a Certificate of Appropriateness for 68 North Main Street. **Ms. Keiser** asked what would happen when the siding is removed?

**Carl Lindsay, Esq.**, represented the applicant, Mr. Benner, for 68 North Main Street. Mr. Lindsay stated that Mr. Benner has an agreement of sale for the property, and if he receives zoning approval, he wants to take off the siding and see what is underneath.

**Sharyn Keiser** asked Richard Gacek, a member of HARB, to explain the HARB recommendation.

**Richard Gacek** stated that the recommendation is to allow the applicant to remove the siding to determine if the original wood is underneath. The applicant would restore the original wood siding, if possible, or would return to HARB to replace the siding.

**Sharyn Keiser** asked Mr. Benner to explain his application.

**Mr. Benner** stated that he is hoping to find cedar siding under the aluminum siding and to restore it.

**Sharyn Keiser** asked for a motion.

**Ed Duffy moved to approve the Certificate of Appropriateness for 68 North Main Street. Claire Shaw amended the motion to include the applicant's intent to restore the siding to its original condition, and seconded the motion.**

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

**The motion was approved by a unanimous vote.**

## **RECREATION BOARD & REVITALIZATION COMMITTEE REPORT**

**Claire Shaw** reminded the public to support the Farmers' Market.

**Sharyn Keiser** announced that construction of the Canal Walk Project, with additional federal grant money in the amount of \$250,000, should begin early next year.

**Sharyn Keiser** announced that park benches are still available for purchase.

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

**John Burke** asked for consideration of approving Resolution No. 2009-11R, establishing a procedure to approve change orders for the New Street Town and Community Center project. Mr. Burke explained that this resolution establishes a procedure to expedite change orders to avoid costly construction delays that might result in a schedule change. There would be a budget established in the amount of \$75,000, and any change orders that are created would be reported to Council on a monthly basis.

**Sharyn Keiser** asked for a motion.

**Claire Shaw moved to approve the Resolution, and Ed Duffy seconded.**

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

**The motion was approved by a unanimous vote.**

**John Burke** asked Council to select Gilmore & Associates to conduct construction inspections in connection with the Canal Walk Project. PennDOT regulations require municipalities to go through a procedure to select a consultant to perform construction inspections for projects involving state and federal grant funds. The Borough published an RFQ (Request for Qualifications), and there were three responses, as follows.

- 1. Gilmore and Associates**
- 2. Pennoni Associates**

### 3. Traffic Planning and Design

**Mr. Burke** recommended that Council select Gilmore and Associates after reviewing all the responses.

**Randall Flager moved to approve Gilmore & Associates, and Richard Hirschfield seconded.**

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

**Mr. Burke** stated that the next step would be to ask Gilmore to prepare a Technical and Price proposal.

**The motion was approved by a unanimous vote.**

**John Burke** asked for consideration of approving Resolution No. 2009-09R, authorizing execution by the President of Borough Council and the Borough Manager of a Transportation Enhancement Reimbursement Agreement with PennDOT for the Canal Walk Project. The Borough will bid the project and PADOT will approve the award of the contract. The Borough will expend its funds and be reimbursed by PaDOT using the state and federal funds for construction.

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

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

**The motion was approved by a unanimous vote.**

**John Burke** asked for consideration of Resolution 2009-10R, which is required by the Pennsylvania Department of Environmental Protection for submission of a PA Conservation Works grant application. This is a new grant program, which is funded by federal stimulus dollars for up to \$250,000, to encourage energy efficiency. The grant, if successful, would be used to refurbish streetlights in the Borough to LED lights. **Mr. Burke** added that the traffic signals replaced at Bridge and Main and Bridge and Sungan Road resulted in lowering the monthly electric bill from \$700.00 a month to \$48.00 a month through the use of LED lights. This is a pro-active measure by the Borough to help defray a portion of the increased energy bills expected in 2011, when state caps are lifted.

**Sharyn Keiser** asked how much it would cost to submit this grant application.

**John Burke** answered that Gilmore & Associates would charge \$2,000.

**Randall Flager moved to approve Resolution 2009-10R, and Claire Shaw seconded.**

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

**The motion was approved by a unanimous vote.**

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

**Sharyn Keiser** stated that Bob Larason, the Borough Zoning Officer, is currently authorized by resolution to attend public hearings of the New Hope Zoning Hearing Board and enter an appearance as a party representing the interests of the Borough, with the right to respond and present evidence and argument and cross-examine all witnesses on all relevant issues.

**T. J. Walsh** recommended that the resolution be amended to allow the Zoning Officer to raise questions or other substantive issues in writing, which, in his opinion, require the attention of the Zoning Hearing Board.

**Randall Flager moved to approve the recommended motion by T. J. Walsh, and Richard Hirschfield seconded.**

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

**The motion was approved unanimously.**

**Mr. Burke** stated that the current resolution would be amended and brought back to Council for approval at its September 2009 public meeting.

**Claire Shaw** stated that there are no comments in the Benner application and asked if there should there be an opinion from the Zoning Officer.

**John Burke** stated that he talked to Bob Larason about this particular application, and Bob felt comfortable with this application proceeding to the Zoning Hearing Board without comment.

**Ed Duffy** asked if reviewing the applications in the future would require a vote.

**T. J. Walsh** stated that a vote would be necessary only in the event that Council wished to instruct the Solicitor to attend and oppose a particular application.

**Ed Duffy** asked if Council has any comments on the Zoning Hearing Board application submitted by Richard Benner for 68 North Main Street.

**Mr. Duffy** announced that the application would go forward without any action or recommendation by Council.

**Ed Duffy** announced that the next Zoning Hearing Board application review is for New Hope Arts of 2 Stockton Avenue for sign variances.

**Sharyn Keiser** stated that this application should move forward without any position by Council, and that Bob Larason should be authorized to address his comments at the hearing.

**Richard Hirschfield moved to Ms. Keiser's motion, and Randall Flager seconded.**

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

**The motion was approved by a unanimous vote.**

**John Burke** stated that New Hope Arts, a non-profit, has asked Council to waive the Zoning Hearing Board fee. The prior waivers for New Hope Arts cover building and zoning permits only.

**John Burke** recommended that the only charges should be the cost of the legal advertisement for the Zoning Hearing Board and the appearance fee for the court stenographer.

**Richard Hirschfield** asked if this could be done on a pro-rata basis, provided there are other hearings scheduled for the same evening?

**Sharyn Keiser** answered yes.

**Sharyn Keiser** asked for a motion to approve the suggested fee waiver.

**Randall Flager moved to approve waiving the Zoning Hearing Board fee for this application, except for the costs of the legal advertisement and the court stenographer, and Claire Shaw seconded.**

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

**The motion passed 5-0-1, with Richard Hirschfield abstaining since he is on the Board of New Hope Arts.**

**Ed Duffy** announced the next item on the agenda would be a review of the Gacek Tract, T. M. P. No. 27-6-71, for a preliminary/final plan of minor subdivision.

**Ed Duffy moved to approve the application, subject to the 28 conditions set forth in the Manager's suggested letter of plan approval.**

**Richard Gacek** stated that he agrees with all 28 conditions suggested in the Manager's letter.

**Richard Hirschfield seconded.**

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

**The motion was approved by a unanimous vote.**

**Ed Duffy** announced a presentation on the Comprehensive Plan by Barry Ziff of the Planning Commission.

**Barry Ziff** proposed establishing New Hope as a carbon free community. Mr. Ziff's comments are attached.

## **COMMUNITY AFFAIRS REPORT**

**Randall Flager** announced the Visitors' Center report for July as follows.

<b>Visitors:</b>	3,735
<b>Calls:</b>	418
<b>Sales:</b>	\$80.65
<b>Donations:</b>	\$570.56

**Claire Shaw** announced the Arts and Crafts Festival, September 24, through the 26th.

**Claire Shaw** announced the Golf Outing would be on Monday, September 21, 2009.

**Claire Shaw** announced that Steve Stahl's comedy show, Souvenir, is opening next week in New Hope. Tickets are \$10.00, and the show will run for three weeks.

**Claire Shaw** asked for approval for the New Hope Eagle Fire Company to hang a banner on the Starbucks building to promote the Dash for the Ax on October 3<sup>rd</sup>.

**Bruce Robinson** of the Eagle Fire Company asked if they could have permission for the building from September 25 until the event.

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

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

**The motion was approved by a unanimous vote.**

**Claire Shaw** asked for approval of a request by the New Hope Historical Society to close West Mechanic Street from 9 to 11 am on October 17, 2009 for a walking tour of the Springdale area.

**Roy Ziegler** announced that the tour is being put together by the New Hope Historical Society and the Solebury Historical Society and begins at the Ferry Street Park. **Roy Ziegler** requested that the Borough close West Mechanic Street from the Little Shul all the way to Sugan Road. This will give safe passage and the assistance of the Fire Police will help guide the tour. The tour is free to all members, and there is a five-dollar fee to non-members.

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

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

**The motion was approved by a unanimous vote.**

**Dan Brooks**, a representative of New Hope Celebrates, announced the New Hope Fun Map. For the first time New Hope will have it's own LGBT map and guide to give to the many visitors who request specific information pertaining to gay New Hope. The guide will not only include a map, advertising and listings of participants, but will also include community information, phone and email addresses of resources specific to LGBT visitors.

**Council** was very pleased and wished Dan Brooks much success.

**Glen Stephan** stated that the Chamber would like to have a Halloween Parade. The parade would start at Christmas Past, proceed up South Main, turn onto Ferry, turn onto Stockton, and end at Union Square. The Parade would cross over West Bridge Street. It would be around 6:30 to 7:30 pm on Halloween night. There will be numerous sections of the parade to get everyone involved.

**Sharyn Keiser** stated that permissions would be required from George Michael, the Christmas Past owner and others, and that the event sounds good. Mr. Stepfan would need to come back next month with the details and the comments of the affected residents and property owners.

## **OTHER BUSINESS**

**Ed Duffy** complimented the Mayor and the Chief for the informative traffic statistics on North Main Street.

**Dee Dee Bowman** complimented Barry Ziff's presentation on carbon free New Hope. Also, **Dee Dee Bowman** asked that the Shade Tree Commission be expanded and become more proactive in the planting of trees.

**Sharyn Keiser** stated that the Shade Tree Commission is proactive at this point with the recent appointment of two new members, including an alternate.

**John Burke** stated that the Borough has solicited and received a proposal from Penn State through TreeVitalize to conduct a complete street tree inventory throughout the Borough. The inventory will provide a GIS map and evaluate each street tree in the Borough. The fee would be \$1,250.

**Paul Stubbs** of Waterworks asked if New Hope could obtain energy from the river.

**Sharyn Keiser** asked Barry Ziff to address this.

**Barry Ziff** answered that he does not know the answer to this question, that perhaps we should look at increasing the flow of the river and use water turbulence to generate electricity.

**ADJOURNMENT AT 9:16 PM**