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COUNCIL WORKSHOP - MARCH
 NEW HOPE BOROUGH COUNCIL
 BUCKS COUNTY, PENNSYLVANIA
 - - -
 COUNCIL WORKSHOP - MAY 2022
 - - -
 NEW HOPE BOROUGH COMMUNITY ROOM
 123 NEW STREET
 NEW HOPE, PENNSYLVANIA 18938
 - - -
 MONDAY, MAY 2, 2022
 COMMENCING AT 4:00 P.M.
 - - -

BOARD MEMBERS PRESENT:

CONNIE GERING - PRESIDENT
 LAURIE McHUGH - VICE-PRESIDENT
 DAN DOUGHERTY
 LOUISE FEDER
 KEN MAISEL
 TINA RETTIG
 - - -

ALSO PRESENT:

PETER GRAY - BOROUGH MANAGER
 MATTHEW DECKER - AUDIO TECHNICIAN

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3 PRESIDENT GERING: I would like to call the

4 meeting to order.

5 Pete, if you can take roll.

6 MR. GRAY: Certainly.

7 Ms. McHugh?

8 MS. McHUGH: Here.

9 MR. GRAY: Ms. Rettig?

10 MS. RETTIG: Here.

11 MR. GRAY: Ms. Feder?

12 MS. FEDER: Here.

13 MR. GRAY: MR. DOUGHERTY?

14 MR. DOUGHERTY: Here.

15 MR. GRAY: Mr. Maisel?

16 MR. MAISEL: Here.

17 MR. GRAY: Mr. Meyer? Mayor Keller?

18 Ms. Gering?

19 PRESIDENT GERING: Here. Thank you.

20 First on our agenda is a discussion on the

21 New Hope Solebury Library. Tina is our liaison to the

22 library so she will start the discussion.

23 MS. RETTIG: I have been having quarterly

24 meetings with Doug Brindley who is the president of the

25 library board and Deirdre Alderfer is one of the council

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2 members there -- the library board members. And basically

3 they are just informational; what is happening, what is

4 the status of the library, what is the status of Council,

5 et cetera.

6 But I just wanted to bring some information

7 to the workshop that we have been -- they have refined

8 their strategic goals a little bit so making -- the

9 library did a survey and focus group. And so I will just

10 read some of the strategic areas that the library is going

11 to focus on in the coming years.

12 They are looking for the library to be a

13 community connection and information hub. Basically what

14 happened during the pandemic was when the library was shut

15 down a lot of people started accessing it through their

16 e-readers and their e-magazines, et cetera.

17 And they really had a spike in the

18 electronic offerings that they were giving and it

19 surprised everybody because they didn't think that it was

20 going to happen like that and they had a big spike. And

21 so it just shows the need that the community still has for

22 accessing the information that the library has whether its

23 again museum passes or whether it is e-reader or

24 e-magazine or newspaper. They showed a big spike in the

25 information that they were being requested of.

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2 So they -- I will just read this quick
3 paragraph. The Free Library of New Hope and Solebury will
4 provide free and open access information to all of our
5 community members while providing a place for the
6 community to connect and come together both in person and
7 virtually. Through its dedicated, professional staff the
8 library will create a warm welcoming environment for all
9 users.
10 So they want to have an engaged community.
11 They want it to be a welcoming place and powered community
12 and a sustainable community service.
13 The library is finalizing an implementation
14 plan that will serve as the blueprint for the specific
15 tasks, action items and objectives that will be carried
16 out in support of these strategic goals.
17 Basically that is the formal part of this.
18 We have an agreement with them that we need to circulate
19 among Council and take a look at for a succession plan for
20 board appointments. They have one in place currently with
21 Solebury and it will allow -- the library gets two
22 appointees from the Borough and two appointees from
23 Solebury and then the rest is you know, anybody that is
24 interested.
25 But there must be two representatives of

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2 the Borough on the library board and two representatives
3 from Solebury on the library board. Right currently we
4 have three Borough representatives, three Borough
5 residents on the library board.
6 One of the things that I would like to
7 bring up to Council to discuss for a later time, it is not
8 something we need to think about now. The library has
9 recently implemented an employee health plan for their
10 staff and Solebury is committed to making a \$5,000
11 contribution and --
12 MR. DOUGHERTY: For --
13 MS. RETTIG: Flat for the year. I would
14 like us to think about some number up to \$5,000 that we
15 would be willing to do. The library does recognize our
16 in-kind donation of parking spots and they understand that
17 we do not have the tax base that Solebury has. But it is
18 something that we should think about as the budget process
19 goes forward and what we are willing to commit to the
20 library on the yearly basis to help maybe with this
21 employee health plan and then potentially other things
22 going forward. But that is all, you know and they would
23 like to come --
24 MS. McHUGH: Next year?
25 MS. RETTIG: Yes, for next year. Exactly.

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2 October 7th is their spelling bee that they
3 are going to run again this year. And they are going to
4 ask for a team from -- the library will be running a
5 spelling bee again on October 7th and they are going to be
6 asking Council to field a team of -- a three member team.
7 We did it a couple of -- whatever it was, I don't remember
8 how many years ago that was.
9 So that concludes this little presentation
10 on the library. Does anybody have any questions that I
11 can answer? And if not, then I will forward them to the
12 library representatives who could not be here tonight.
13 MS. McHUGH: I like to hear they did so
14 well during the pandemic.
15 MS. RETTIG: Yes.
16 MS. McHUGH: I am sure a lot of people
17 weren't using them.
18 PRESIDENT GERING: Mr. Duffy.
19 MR. MAISEL: Before he comes up, what is
20 -- what will trigger our recollection of this
21 consideration of \$5,000 or something like that? Somebody
22 will --
23 MS. RETTIG: Yes, I will be reminding all
24 of us.
25 PRESIDENT GERING: Mr. Duffy.

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2 MR. DUFFY: Ed Duffy, New Hope resident.
3 Was there -- was there any mention of them
4 building something on the Cintra property? Are they still
5 looking at that?
6 MS. RETTIG: That is not something we have
7 been discussing. That is not something that has come up
8 in our conversations at this point.
9 MR. DUFFY: Maybe we should ask them.
10 MS. RETTIG: I can ask them.
11 MR. DUFFY: Because it is in our purview.
12 It would be a nice compliment to the footprint of New Hope
13 although I love that building as is. Okay.
14 MS. RETTIG: I can ask.
15 MR. DUFFY: Thank you.
16 PRESIDENT GERING: Any other questions?
17 Pamm?
18 MS. KERR: Pamm Kerr, North Main Street.
19 This is a question for you, just a thought.
20 Since there are essentially four useable spaces right in
21 front of the library, parking spaces that are free when
22 the library is open and then the other four across the
23 street.
24 Since we are talking mostly weekdays, could
25 possibly there be -- can you possibly if Dan said it is

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2 not a problem, have two more spaces across the street
3 during the week when I usually don't see other people
4 parked right there. And if I am not wrong, it would be
5 nice to have the Council consider giving two more free
6 spaces during the day on weekdays.
7 It gets crowded. Not during the pandemic
8 but pre-pandemic.
9 MS. McHUGH: Has the library requested
10 anything?
11 MS. RETTIG: They haven't.
12 MS. KERR: I brought it up ten years ago.
13 MS. RETTIG: Well the only issue with that
14 I will tell you as the person who has been the liaison
15 with them is we already give them the free spots and that
16 is to -- for lack of a better word, a detriment of the
17 Borough's balance sheets.
18 MS. KERR: So I would like not to think of
19 that but consider two more free spaces.
20 MS. RETTIG: Then when they come to us
21 asking for real money as opposed to parking spots, there
22 is a limit -- they already have millage from tax dollars.
23 I am not saying no, Pamm, I am just explaining why there
24 is sometimes an issue with that.
25 MS. KERR: I understand it. I am simply

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2 saying I don't see anybody using those spots so I don't
3 see it in reality as a detriment. In reality you wouldn't
4 be taking spots away from anybody at least during the
5 weekdays because there is always two extra spots. Just a
6 thought. Not in terms of the monetary thing but it is not
7 hurting anybody if it is already free. Okay. Thank you.
8 PRESIDENT GERING: Any other questions from
9 the public or comments?
10 MR. DUFFY: Can I just ask a followup to
11 what I already asked?
12 PRESIDENT GERING: Yes, Mr. Duffy.
13 MR. DUFFY: Sorry about that. Ed Duffy
14 again.
15 If the library is not considering that
16 property that Cintra is putting away, then maybe an
17 opportunity for us to do something there like a civic hall
18 or some kind of hall. If we can find out if the library
19 is going to pursue that spot.
20 MS. RETTIG: I will ask.
21 MR. DUFFY: We could take it more than the
22 library or make use of it.
23 PRESIDENT GERING: Any other comment or
24 questions from Council? All right. Thank you, Tina.
25 Next is discussion of forming a new Borough

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2 Committee. Tina?
3 MS. RETTIG: That is me again. I have been
4 thinking a few weeks ago, we are very blessed. We have
5 seven members of Council that all get along with each
6 other. We have our moments and we have disagreements. We
7 are human, we are people. We have our own opinions. But
8 we for the most part really all get along with each other.
9 At this current time we also all happen to
10 love our Borough Manager and our Treasurer but it dawned
11 on me that that may not always be the case. And to
12 protect Council and to protect the Borough Administration
13 going forward, I started thinking about a process where we
14 would have a procedure in place if for instance the
15 Borough Manager and the President of Council who work
16 together hand in hand all of the time, did not get along.
17 So I spoke to my other leadership team
18 members, Connie and Laurie, and I spoke to some other
19 members of Council and I spoke to Pete. And we all agreed
20 that we needed to form something that we sort of are
21 working around the title right now of a potential conflict
22 resolution subcommittee, potentially, maybe. The title is
23 not set in stone.
24 But the idea of this subcommittee would be
25 to provide an informal process for conflict resolution

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2 between Borough personnel including -- if ever a conflict
3 between the Borough Manager and the Borough Council
4 President. And the subcommittee also recognizes the
5 potential for a problem between the Borough Treasurer and
6 the Borough Council President so this is addressed as
7 well.
8 And basically it would be three members of
9 Council who would serve and it would not meet on a regular
10 basis, it would strictly be on an as-needed basis but at
11 least once per year to check in with the Borough Manager
12 and just make sure that everything is fine from that
13 person's end.
14 The Council people that would make up the
15 subcommittee would have regular activity with the Council
16 President because we serve on Council together. It is
17 just we don't usually as a one-off speak to the Borough
18 Manager or the Borough Treasurer.
19 The way we work it is we typically work
20 everything through the Borough Council President. Not to
21 say we can't, but we -- not what we usually do.
22 And the current subcommittee would be
23 formed of three members of Council; myself, Ken Maisel and
24 Louise Feder have all agreed. And we can have a process
25 by where the Borough Manager or the Council President can

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2 request a grievance airing with the subcommittee members,
3 again if ever needed.

4 And we also outlined ways that the
5 employees in New Hope Borough if they had a problem with
6 the Borough Manager, how they could raise things with
7 Council in an orderly fashion without doing end runs and
8 sidestepping positions. So that is it.

9 PRESIDENT GERING: Thank you, Tina. Nice
10 job.

11 Any comments?

12 MR. MAISEL: I just wanted to add one
13 thing. Just so every body is clear, this has nothing --
14 this excludes the police department. This is strictly
15 administration and not the police department. So just
16 make that very clear.

17 MS. McHUGH: We are doing this before there
18 is a problem. This doesn't indicate that there is a
19 problem now. Everything is running smoothly and this is
20 when you should put the procedures in place and hopefully
21 we never have to use it.

22 It was very good thinking, forward thinking
23 on your part. If there is a problem we don't need to make
24 it up then.

25 PRESIDENT GERING: Right. Nice job, Tina.

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2 by definition they have no power. They can't make
3 decisions. So this would be more of a conflict resolution
4 and to bring a resolution to Council to --

5 MS. RETTIG: To make a recommendation. To
6 say you know we just don't feel like you're being
7 reasonable to the Borough Manager or we don't feel like
8 you're being reasonable to the -- just a check and balance
9 thing. That is all it is.

10 But as Council stands right now there is
11 nothing like that should there be a conflict between the
12 two parties or the Borough professionals.

13 MR. CLAPPER: I certainly understand the
14 concept and I have seen that same thing in business
15 situations where the president of the company wants to do
16 something, who may be even controlling interest and the
17 next level down in the organization wants to go another
18 way. It is always a source of conflict.

19 I just don't see -- although I understand
20 the intent -- just let me restate that. I just don't see
21 how giving the power to three or four other people will
22 resolve the issue.

23 MS. RETTIG: It is not power, it is clearly
24 just making a recommendation. The same way that HARB
25 makes a recommendation. HARB is not a legal governing

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2 Any other comments from Council? Any from
3 the public?

4 Yes, Mr. Clapper.

5 MR. CLAPPER: Thank you. Bill Clapper,
6 North Main Street. Just processing this information as it
7 is the first we heard it. How do you envision the
8 ultimate power of this resolution committee? If they do
9 make a ruling that let's say is not in favor of what the
10 President wanted or not in favor of what the Borough
11 Manager decides, where does the ultimate power come down
12 saying we will do it this way?

13 MS. RETTIG: Well that would be the point
14 of the subcommittee. The subcommittee would hopefully
15 look at all aspects of everything and ultimately Council,
16 seven members of Council have the power.

17 It was more to make sure that the Council
18 President wasn't overreaching, overstepping or being
19 overarching and to make sure that the Borough Manager was
20 also not being any of those three things.

21 And hopefully it will never have to be
22 implemented. We would never have to make that decision
23 but ultimately the power in the Borough is the seven of us
24 or whoever the Council members would be.

25 MS. McHUGH: It is an ad hoc committee and

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2 body in the Borough, they make a recommendation. The same
3 way that the parking committee can make a recommendation.

4 PRESIDENT GERING: Bill, I think there will
5 be more of a kind of a mediator thing. They will be a
6 mediation, a mediation so people will have a voice, like
7 the Borough Manager, the Treasurer will have a voice or
8 whoever is President at the time if they are having an
9 issue. And then once the committee you know hears what it
10 is, there will be some recommendation.

11 It is like going to mediation because there
12 is a dispute. That is what the intent is, Tina, if I am
13 correct?

14 MS. RETTIG: Correct. Just so there is a
15 place for parties to be heard.

16 MR. CLAPPER: I understand the concept and
17 the intent. I think you ought to -- my suggestion is to
18 explore that resolution because always in those situations
19 it ultimately is a power situation, one versus the other
20 and that is a difficult situation especially in an elected
21 body.

22 Don't want to ignore that the President of
23 Council was elected to be ultimately the President of the
24 Council and a view with that is a certain amount of power
25 that you don't want to take away. That is a principle of

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1 the council form of government.
 2 So it is just a couple comments off of the
 3 top of my head. I encourage you to think about it. It is
 4 not an easy solution to come up with.
 5 PRESIDENT GERING: Thank you, Bill.
 6 Any other public comment? Yes. Joe.
 7 MR. BALDERSTON: Good afternoon, everybody.
 8 I am just curious whether --
 9 PRESIDENT GERING: Identify yourself for
 10 the court stenographer, please.
 11 MR. BALDERSTON: I am sorry. Joe
 12 Balderston. I actually live in Buckingham but I own
 13 properties in New Hope and I pay taxes here.
 14 Question, has the Borough Code been
 15 reviewed to see if there is any provisions in the Borough
 16 Code that would deal with situations of this nature that
 17 you have presented to us this afternoon?
 18 PRESIDENT GERING: Pete?
 19 MR. GRAY: I am not aware of any in the
 20 Borough Code.
 21 MR. BALDERSTON: Did you review it for this
 22 particular --
 23 MR. GRAY: Not in detail but glanced over
 24 it.
 25

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1 MS. RETTIG: Just so you know, we did have
 2 our Solicitor look at this so the write-up that we have
 3 here has been gone over by the Borough Solicitor.
 4 MR. BALDERSTON: I understand. I kind of
 5 agree with Mr. Clapper about the President having the
 6 power to take care of situations if they would occur.
 7 Thank you.
 8 PRESIDENT GERING: Thank you.
 9 Any other comments? Mr. Duffy.
 10 MR. DUFFY: Ed Duffy, New Hope. Just -- is
 11 this the fourth or the fifth committee that is made up of
 12 only Council members? Subcommittees?
 13 MS. RETTIG: Most of our subcommittees are
 14 made up of -- many of our subcommittees are made up of
 15 Council members and this specifically would be a personnel
 16 issue which would negate the public being involved because
 17 it would be a sensitive nature.
 18 MR. DUFFY: So you couldn't entertain the
 19 concept of residents being on that committee?
 20 MS. McHUGH: For personnel matters,
 21 absolutely not.
 22 MS. RETTIG: I don't believe so. I don't
 23 think legally --
 24 PRESIDENT GERING: I can even tell you that
 25

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1 one.
 2 MR. DUFFY: But that is four committees
 3 that you talk to each other about. Besides the committee,
 4 then you talk to the same people that were in the
 5 committee. Shouldn't it be residents in some of those
 6 committees also? I know.
 7 PRESIDENT GERING: Thank you.
 8 Yes, Pamm.
 9 MS. KERR: Pamm Kerr.
 10 If there can't be people -- residents
 11 because of the personnel issues, wouldn't it be better to
 12 have a mediator on call who is not on Council so there is
 13 a -- that it evens the playing field much more?
 14 MS. RETTIG: Again that is meant to be like
 15 a framework. We are not talking about -- at least not in
 16 my mind we are not talking about major power struggles
 17 here. We are talking about disagreements about something.
 18 And it is just a way for the Borough
 19 Manager and the Borough Treasurer and the Council
 20 President to come to three people who sit on Council, who
 21 know what is going on just to be able to say well we see
 22 this point but we think you're being overreaching.
 23 MS. KERR: I hear you.
 24 MS. RETTIG: If there were a really big
 25

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1 issue we would have to take this to some --
 2 MR. GRAY: We do have language in here that
 3 the Borough Solicitor could get involved if necessary.
 4 MS. KERR: I am just looking at the
 5 inherent power differential and that it is the people who
 6 are essentially on this power frame making the decisions
 7 without necessarily expertise in mediation. So it just
 8 seems like okay we can make a committee but what makes you
 9 committee members more able than anybody else?
 10 And you have a limitation because of the
 11 personnel thing but I would think having somebody with
 12 some skills, even at a low level because things get to a
 13 high level because the low level wasn't taken care of. I
 14 get that.
 15 The point is to take care of it well, you
 16 know you want somebody that knows what they are doing. As
 17 opposed to my good wishes but I will not go into a science
 18 lab. I just think that it makes sense to have somebody
 19 with some skills, a skill set in place.
 20 MR. DOUGHERTY: I think from an HR
 21 perspective this is not something needed, right now things
 22 are very, very, good. But having a separate set of eyes,
 23 this is like going to be three sets of eyes.
 24 Currently they have Council President has a
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 2 one to one reporting relationship with the Borough
 3 Manager. And it is very important from an employer's
 4 perspective, a good employer to have an avenue for an
 5 employee who may think that they are not -- they are not
 6 being treated fairly. You don't want an employee just
 7 quitting outright because they -- some people they can't
 8 bring themselves to discuss an issue with their boss.
 9 They may not be the type of person who feels comfortable
 10 saying I don't like that way that last thing went down.
 11 And you could lose an employee just because of a lack of
 12 understanding or a lack of just communication.
 13 This gives an employee a structured
 14 approach, whether it be the Manager or the Treasurer, an
 15 ability to say hey I don't know how to handle this
 16 situation. I need a set of eyes. It is a -- it is not a
 17 -- being an end all if there is performance issues or
 18 things like that, it is also a way to say okay well, maybe
 19 the employee -- the performance expectations were too high
 20 and maybe there is a -- so that the President would have
 21 extra eyeballs and guidance and help evaluating
 22 situations.
 23 That is I think the goal of it, not to act
 24 as a governmental entity body to block and tackle and stop
 25 the President's direct report.

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 2 Any other comments from Council? Thank
 3 you, Tina. You have done a nice job.
 4 Next on the agenda is discussion on the
 5 restaurant occupancy load in the Borough. And I want to
 6 thank Dan for taking this on because its been a major,
 7 major project. Dan?
 8 MR. DOUGHERTY: Well first off I will tee
 9 it up and then I will turn it over to Rick Lupinetti who
 10 is our building -- who is our building code official and
 11 also to Kevin Doherty who is our Borough Fire Marshal.
 12 One of the things in the Borough, if you
 13 have attended meetings over the years, Council spent a
 14 fair amount of time going over with restauranteurs
 15 particularly and who want to open a place or build a place
 16 and spend a fair amount of time discussing how many seats
 17 and how the seats relate to how many parking spaces. And
 18 a tremendous amount of time.
 19 Somebody has 37 seats and they -- but then
 20 there are restauranteurs who say this other restaurant has
 21 20 seats outside, how is that -- how did that happen? How
 22 do they have chairs all over the sidewalk and all this
 23 type of stuff.
 24 And we basically -- Council has been
 25 operating since I have gotten here, mostly when new

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 2 That is the goal here. It is basically
 3 having someone -- giving our employees an avenue where
 4 they can say hey this is what has been going on here.
 5 MS. KERR: And --
 6 MR. DOUGHERTY: And feel comfortable.
 7 MS. KERR: If I am an employee that does
 8 not want to go to the President, I may not want to go to
 9 the rest of Borough Council either. They are still my
 10 employers.
 11 So I am saying having somebody who is a
 12 real neutral person but has some privacy issue so the
 13 personnel issue doesn't --
 14 MS. RETTIG: That is where the Borough
 15 Solicitor would come in.
 16 MS. KERR: So I would check with them to
 17 make -- whether it is possible. HR is different people
 18 from your boss, that is why you can go to HR because it is
 19 not your boss.
 20 So when I hear you say that particular, it
 21 does seem like there should be a separate person who just
 22 makes it easier for everybody to make this easier to get
 23 some help and not blow it up into something big. Just a
 24 thought.
 25 PRESIDENT GERING: Thank you.

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 2 restaurants open up with regard to this question; how many
 3 seats, how many seats? Well I learned a lot about this,
 4 not -- still I know about 25 percent of what I need to
 5 know. I have learned a lot about this from these two
 6 gentlemen that a lot of what Council is doing relative to
 7 these seat discussions really isn't based on safety of the
 8 inside of the building, fire code safety and stuff like
 9 that. There is a whole line of business out there, a
 10 whole professional -- line of professionals who really
 11 know this stuff and this is what they do.
 12 Council sits here and says not one more
 13 than 37 seats because you only have 18 parking spots and
 14 all of this. Then we get into trouble because that is --
 15 the 37 is quickly -- you know Monday afternoon there is
 16 suddenly 45 seats in there and there is a fire drill. No
 17 pun intended, us trying to figure out what was approved.
 18 This all came about -- the genesis of this
 19 is I attended an event somewhere here in town and it was
 20 -- it was the scariest thing I had ever been at. I didn't
 21 stay long because it was pretty clear to me that there was
 22 far too many people in that place. It seemed to me two to
 23 three times as many people in the place that should have
 24 been that day.
 25 And I left there and I said I wonder what

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 2 the maximum occupancy was and I started scratching my
 3 head. I think it is like 180 and there was 750, 800
 4 people there. I was going off the number of seats.
 5 Turns out that I don't really know what I
 6 am talking about that well with this stuff. There is
 7 seats, there is maximum fire safety occupancy and all
 8 sorts of different numbers here.
 9 So I met with the folks that are really
 10 experts and they have done a fantastic job. We have some
 11 goals here and it is going to probably take a year of time
 12 to really get this to where it is you know, maintenance as
 13 opposed to all of the digging at the background but our
 14 goals are when -- for us, for Council and our Borough
 15 Manager to be better prepared so that we don't have a fire
 16 drill when somebody says they are supposed to have 40
 17 seats but they have 60. We will know.
 18 Right now if it happens somebody has to dig
 19 through five years of files to try and find out what was
 20 approved. Okay.
 21 So they have done a lot of work to
 22 basically summarize what is actually approved as far as
 23 seats. That is -- seats is just part of the problem.
 24 Seats wasn't the problem at the event I went to, everybody
 25 was standing up.

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 2 So then the next thing though is we are
 3 going to educate our restauranteurs and educate Council
 4 and educate the public as to what maximum occupancy can be
 5 in these restaurants. Mostly restaurants. We don't have
 6 this situation pretty much in -- not too many people in
 7 the gift stores, it is the restaurants.
 8 So with that I would like to turn it over
 9 to Rick and Kevin to describe and to correct all of the
 10 mistakes I have just made in the last five minutes too.
 11 It is for them to describe how the seats from the use and
 12 occupancy standpoint and what Council approves differs
 13 from zoning and from indoor -- I'm sorry, and from fire
 14 and safety protocols and turn it over to Rick and Kevin.
 15 MR. LUPINETTI: Rick Lupinetti, the
 16 building code official.
 17 The easiest way to describe occupancy load
 18 and then for parking spaces after a little bit of research
 19 within the zoning ordinance as it relates to parking
 20 spaces. In our ordinance it is for a village restaurant
 21 it is saying one space for every one hundred square feet
 22 of gross use area used for seating or service or one space
 23 for every five seats.
 24 So if I break down five seats and that
 25 hundred square feet area it comes down to 20 square feet

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1
 2 per person. In the building code it is actually 15 square
 3 feet per person. So ultimately your seating load doesn't
 4 really match up to the parking -- seats per se because you
 5 can have a larger occupancy load in that area by the
 6 building and fire code rather than by the zoning ordinance
 7 as it relates to parking. It also goes on about one
 8 additional spot for every employee as well.
 9 There are different occupancy loads for
 10 kitchen areas, storage areas, things of that within the
 11 building code. But Kevin was amazing to find this little
 12 fact sheet from NFPA that is on the screen right now.
 13 And we all use the NFPA, it is a good fact
 14 sheet to kind of simplify how occupancy load is classified
 15 by the building code which often is the same exact thing
 16 in the fire code.
 17 So as we scroll through it is all the
 18 square footage numbers which is kind of like parking. Now
 19 you may take out these cabinets here, you take the square
 20 footage and then you ultimately divide that by 15 for
 21 restaurants
 22 That does not count for dance floors or
 23 anything like that nature. It is just indoor dining.
 24 Dance floors would be seven square feet per person.
 25 So this here gives a rough idea. Now this

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1
 2 -- I don't know if -- now we don't go by these NFPA
 3 numbers here, this is just a good overview of how
 4 occupancy loads are classified. These are all done by
 5 architects and these are all on the construction plans as
 6 well.
 7 When we did do our research we were going
 8 through all of the construction plans that were available
 9 to us. We tried to research every Zoning Hearing Board
 10 decision, again whatever was available to us whether it be
 11 paper or digital, whatever we can get our hands on.
 12 And we were able to find some information
 13 from the Zoning Hearing Board. Some limiting outdoor
 14 seating. Yeah, some there was no decision on or we just
 15 could not find it just by age. We do have a lot of older
 16 restaurants in town.
 17 So occupancy load is also based on egress,
 18 which kind -- again was leading to when you have so many
 19 occupants you have to have clear aisle ways, you have to
 20 have corridors, doors large enough to account for that
 21 occupant load which is all about fire safety.
 22 Which I start the process with the building
 23 permit and then it is up to the Fire Marshal to make sure
 24 that everything is kept up. It is almost like a
 25 maintenance code is the best way to describe the fire

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1
 2 code.
 3 His code and my code are almost identical.
 4 His goes into a little bit more which I can reference as
 5 well in the building code.
 6 So maximum occupancy load is really for
 7 fire safety and egress requirements. Would you like to
 8 add something?
 9 MR. DOHERTY: Everybody good? Anybody
 10 confused?
 11 MS. McHUGH: I think it makes a lot of
 12 sense.
 13 MR. LUPINETTI: So this is where it is good
 14 when a building has a multi-purpose. When you have a
 15 kitchen area, ultimately it will be reducing the occupancy
 16 load, you can't fit that many people in a working kitchen.
 17 MS. McHUGH: So is any of this enforceable
 18 when you say there are different occupancy loads for
 19 different areas? I mean is it enforceable when you go in?
 20 MR. LUPINETTI: So if there is an instance
 21 where they are well over capacity then it is enforceable
 22 by the fire code. After the building has been released it
 23 is enforceable by the fire code if they are over occupancy
 24 that they can ask the people to go down to their approved
 25 occupancy load or a non-traffic citation can be issued.

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1
 2 MS. McHUGH: If you go in and do a fire
 3 check and instead of 12 people in the kitchen they have 20
 4 people in the kitchen, you actually check the kitchen and
 5 all -- you go in and count the people? Sorry, just trying
 6 to get how that is enforced.
 7 MR. DOHERTY: Kevin Doherty, New Hope
 8 Borough Fire Marshal.
 9 So in regard to enforcing, the problem that
 10 we come across is the hour that the enforcement needs to
 11 be done. I am not on duty at one o'clock in the morning
 12 when Havanas is pouring over or again if there was a grand
 13 opening in a restaurant where they had numerous people.
 14 I have met with the police department and I
 15 have said to them if at any point you come across an
 16 instance where you believe there is an overcrowding, the
 17 correct way is to contact Bucks County 911 Communications.
 18 They would dispatch me, give me an official run number
 19 which would start the process. I would respond to the
 20 location, freeze the front door, start bringing people out
 21 and have a counter.
 22 If they do reach and have exceeded the
 23 occupant load, at that point I can go ahead and issue a
 24 summons, a non-traffic citation that would go up to Judge
 25 Snow and would have a fee attached.

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1
 2 During the daytime most of the stuff that I
 3 see you're not finding --
 4 MR. DOUGHERTY: May I say that is really
 5 the hard work that Rick was mentioning and what they have
 6 done is tabularized (sic) what we think are some of the
 7 maximum numbers. And you know, somebody it really looks
 8 too crowded without having a concrete number is -- it is
 9 not that crowded, somebody else thinks it is too crowded.
 10 The number here is 80 and there is 120 people here. That
 11 means that is a problem. And it is at 9:30 at night so
 12 Kevin is not -- that is not when he is checking.
 13 So the first step -- and they have pretty
 14 much accomplished this whole part, is to create a database
 15 of what is acceptable in these various places. And which
 16 --
 17 MS. McHUGH: Somebody will look and see.
 18 MR. DOUGHERTY: Because in the past, gee
 19 this looks way too crowded. It could take five days to
 20 find out the right number and then -- so the goal here is
 21 -- the first step I think is pretty much accomplished.
 22 They have created a database.
 23 And the next step is going to be -- we are
 24 not looking to be a hammer. We are interested in -- they
 25 are interested in -- these guys are incredible, is in

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1
 2 safety. So the safety will be education and it is
 3 education of these restauranteurs and say listen here is
 4 your number. And one of the ways that we are thinking
 5 about educating them as well as the public is with the --
 6 PRESIDENT GERING: Would you be posting --
 7 a lot of towns when you walk into restaurants have it
 8 posted on the walls like New York and Philadelphia. You
 9 know, occupancy this.
 10 MR. LUPINETTI: Yes. So that is one of the
 11 goals is there has not been a lot of documentation showing
 12 every occupancy load which is why we worked so hard trying
 13 to get it. The goal is to have all of the occupancy loads
 14 posted as required by the building code and also the fire
 15 code. And that is one of the goals so our restauranteurs
 16 know what the occupancy loads are.
 17 Now a lot of the larger ones, the newer
 18 construction already have them posted because it is
 19 required for them to even get to a final CO. Some of our
 20 older restaurants and bars that we don't know the full
 21 occupancy loads, that is where the research really came
 22 in.
 23 And the ones that are not posted, it is
 24 required to be posted by the building code and fire code.
 25 So it is something to educate you know our restauranteurs

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1
2 for all of the patrons and all of the guests coming to New
3 Hope.

4 MR. DOUGHERTY: That is different than
5 seating. That is different than seating.

6 MR. LUPINETTI: That is correct.

7 MR. DOUGHERTY: It is fire safety is what
8 we are trying to accomplish.

9 MR. LUPINETTI: These are the minimum life
10 standards that are in the building code and in the fire
11 code.

12 MS. McHUGH: Most of these restaurants
13 don't even know what that number is.

14 MR. LUPINETTI: That is correct.

15 MS. McHUGH: They don't comply because they
16 don't know what they are complying with.

17 That is fabulous. I love the database and
18 I love seeing this. I can tell you guys put a lot of work
19 into this. Just compiling the list of businesses I have
20 done so I can't even imagine diving down and figuring out
21 how many people they can have.

22 This is definitely something we should
23 start putting out in front of our restauranteurs and
24 letting them know that they can start looking for this and
25 how they can start getting ready for this. Maybe doing

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1
2 maybe some of the larger establishments to be able to get
3 a pretty decent occupant load for their area. But that is
4 straight out of the building code and again same thing
5 about the -- with the fire code.

6 This is where we have the fixed seating,
7 tells us more information. Outdoor areas are part of
8 occupancy load, it follows the same thing as 15 square
9 feet. If somebody tries to increase occupancy load, there
10 are different things in the building code that could get
11 triggered especially when it starts exceeding 99.
12 Sometimes it kicks in fire suppression if they don't
13 already have fire suppression --

14 MR. MAISEL: The 99 is 99 people?

15 MR. LUPINETTI: Ninety-nine people for an
16 occupant load now depends on the building, we have to look
17 at the plans but if they try to increase occupancy load
18 you have to increase bathroom requirements as well. That
19 is something we have to look at as well because our
20 sections in the building code with bathroom requirements
21 as you hit certain numbers, as many as one restroom per 40
22 people or one per 75 depending on what it gets classified
23 as.

24 If it is more of a bar or -- if it is more
25 of a bar I believe off the top of my head it is 40 square

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1
2 Facebook posts and something on our website so they can
3 start gearing up and brace for this.

4 Again I can tell you will knock them over
5 the head with it but you have been operating years and
6 years and didn't know and to finally be told, we have to
7 handle that very gently.

8 MR. LUPINETTI: Yes. And some we don't --
9 do not have occupancy loads for but we do have
10 calculations within the building and fire code, which I
11 will get to. I included that. That is one way that you
12 can do it. The Fire Marshal, he has the same thing that I
13 do. So that is all fire code.

14 All right. So that is straight out of the
15 building code. The fire code is the exact replication of
16 this. So it does tell us how we calculate and that is the
17 checks and balances for me whenever I review the plans, I
18 can make sure the architects are calculating occupancy
19 loads properly and this is the table that we have to go
20 off right here.

21 And that is for our restaurants for the
22 assembly without fixed seating is at 15. We take that
23 area now when we have rough numbers, architects need a lot
24 more accurate than we can in the field measuring trying to
25 get as close as we can we but have to have some time in

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1
2 feet per person -- one restroom or one facility per person
3 and also per sex; one male, one female. But as you start
4 increasing the occupancy load, they have to add another
5 bathroom. So that is just the things we look at as well
6 when you start increasing occupancy load.

7 MS. RETTIG: Can I ask a question about
8 that?

9 MR. LUPINETTI: Yes.

10 MS. RETTIG: Some of the restaurants in
11 town, some of the bars in town, they are older buildings.
12 Are there any provisions for these buildings and do they
13 get grandfathered in because they didn't have to comply,
14 like with the ADA if you didn't have anything before and
15 don't make any changes whatsoever you don't have to
16 comply?

17 Which that is a whole other thing but are
18 there things like that?

19 MR. LUPINETTI: Yes.

20 MS. RETTIG: Will they come screaming and
21 saying our building we don't have to add another bathroom.

22 MR. LUPINETTI: Yeah. So when you -- the
23 UCC took effect it says any building in existence -- I am
24 paraphrasing. Anything that was in existence prior to
25 April I think of 2004 can stay in legal use and existing

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1
 2 now. If they were to add on, do an addition, do anything
 3 along those lines, then they have to start complying.
 4 But if they stay and if they are just
 5 painting, carpet, that doesn't really kick that in. When
 6 they actually do -- putting on additions, that new
 7 construction part has to meet -- and there is a certain
 8 portion, that 20 percent that has to go into accessible
 9 features of that building.
 10 So there are some things that do kick in
 11 based upon the level of alteration or the addition.
 12 MS. RETTIG: Thank you.
 13 MR. MAISEL: I have a couple questions.
 14 The -- first of all I know this has been an effort we have
 15 been trying to undertake whose been the pressure points
 16 and I know Dan was and I think Laurie at various times and
 17 Connie. To get this template established is really an
 18 incredible thing and I think it is just a starting point
 19 in terms of crafting and cultivating it a little bit more
 20 and deriving more than what is on here.
 21 But there is a couple things that I wanted
 22 to ask you about. Short of eyeballing how many people are
 23 in a restaurant, and they see that the occupancy is 85 and
 24 they walk in -- people notice that stuff. I notice it. I
 25 don't know why I do it prior to being on Council, and I

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1
 2 then Kevin can -- what I have learned is that Rick's role
 3 is on new construction and new buildings and getting it --
 4 there is an outline of seating and everything and all of
 5 the exits are 42 inches wide and hundreds of details.
 6 But once the building is built the
 7 Certificate of Occupancy is granted, is that right? It
 8 turns over to a maintenance situation which is what you
 9 are going at -- you're aiming at. It is a Fire Marshal
 10 type role who is not -- we don't have 24/7 fire marshals.
 11 So what I think -- what my suggestion is
 12 that this phase here is followed by education and postings
 13 and in all of the locations where people such as yourself
 14 can go in and see a poster that says 87 people. And you
 15 look and you see there is 150 people and maybe there is a
 16 911 call number you can call on the posting. And the
 17 owner looks and goes 87. All right. This is too much. I
 18 don't know.
 19 Right now we are at like ground zero level
 20 to get to where -- and I don't think there is any city in
 21 the country that will do it perfectly, that there will be
 22 an electronic counter to count the people and when it pops
 23 over a light goes on.
 24 But the first phase I think has to be
 25 education and I think we are probably six months or so

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1
 2 say it is awfully crowded in here.
 3 Where does somebody -- where does a patron
 4 -- what is the responsibility of that restaurant? They
 5 know what their occupancy level is. They know what they
 6 should and shouldn't be at. I have a property and I know
 7 that I am not supposed to have more than 30 people in
 8 there. Sometimes I do and you know, I mean it is civil
 9 disobedience at its worst right here.
 10 But the thing is whose responsibility is it
 11 if something does go haywire? You know there has to be an
 12 end game attached to this, not just wow this place is
 13 crowded. He went to a restaurant where they just let in
 14 hundreds of people and I know what it was without even the
 15 name of it being said. I don't think it was shared who it
 16 was but I didn't want to go into that that evening but it
 17 still went on, the whole night went on and everything was
 18 wow. I mean that could have been a hideous event and
 19 whose responsibility is that?
 20 Are we talking about being a hundred people
 21 over in a 200 or 300 people place or six people over in a
 22 50? You know, I mean --
 23 MR. DOUGHERTY: Can I just say I think that
 24 I agree with everything you said. I think that these guys
 25 up -- need Council's sort of support for the process and

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1
 2 away from -- what do you guys feel as far as getting all
 3 of the -- getting an agreement if you will and Pete Gray
 4 has been fantastic and Council will have to support Pete
 5 Gray when there is pushback.
 6 Ten percent of these restaurants are going
 7 to say prove it to me that that number is 112. I disagree
 8 with 112, I think it should be 145. Ten percent of the
 9 restaurants are going to call him and say this so Council
 10 has to support our Manager.
 11 MR. MAISEL: We don't know what
 12 permutations this thing is going to take.
 13 MR. DOUGHERTY: That is --
 14 MR. MAISEL: That is the baseline. This
 15 is fantastic.
 16 MR. DOUGHERTY: We are trying to get
 17 Council up to speed and understand what Council is willing
 18 to do to support improving the safety, how much are they
 19 -- what are we in for? In other words, how much are we
 20 answering to that for? Does that make sense?
 21 MR. MAISEL: I think it does.
 22 MR. DOHERTY: I think the biggest issue is
 23 the education. Anybody running a business, it is all
 24 about the dollar that they can bring in. And if they can
 25 put ten more people in at \$20 a head for concerts, they

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1 will do that.

2 There has been a history I believe that --
3 and we can all agree, never really been enforced so people
4 just keep doing what they are doing because it is all
5 about the dollar.

6 When we had our meeting, Dan, I explained
7 to you there is a horrible video of the Station Nightclub
8 fire that happened in 2003 up in Rhode Island was it? I
9 would tell anybody -- any one who has questions about
10 overcrowding to watch the video and it is the worse thing
11 you can ever watch.

12 And I think when we get people in here and
13 we met with Dan we talked about doing maybe workshops and
14 taking some of our assembly into the bars and restaurants
15 and saying look here's the deal. This is what we are
16 trying to do. We are trying to prevent this and you put
17 it up for three minutes, let them cry, let them walk out
18 and just realize the ramifications. It absolutely exists
19 in our local -- in our neighborhood.

20 And taking this ginormous step is going to
21 protect a lot of people, not just us but it has to be
22 them, they have to have the guys with the clickers at the
23 door. They are hiring security. They have to take
24 account of hey five people in when five people leave.
25

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1 What do you think about that?

2 MS. McHUGH: I think we always have a
3 liability.

4 MS. RETTIG: Everybody has liability all of
5 the time over everything. That is why --

6 MR. MAISEL: His point is what we are
7 talking about now and I think you know so far you could
8 argue we have dodged a bullet and -- but we are earnestly
9 approaching it by virtue of this.

10 And if it is necessary to perhaps spend
11 money you know to enforce it and then we might make it
12 slightly less attractive to these big -- you know, places
13 that -- I think what we are doing without isolating we are
14 talking about -- you know if you're not worried about the
15 40 going to 44 in terms of occupancy and more concerned
16 about the two hundred going to four hundred. Then I think
17 we have like eight or ten people that need to be educated
18 or 15, something like along those lines.

19 MR. DOUGHERTY: We have been trying to
20 ensure that we don't say only those over some number but
21 you're right. If there is a place that holds 18 people
22 and its got 22, the 19 through the 22nd is a problem. But
23 it is not like going to cause the death of all 22 people.
24

25 When something is supposed to have 200

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1 It is a work in progress. We have to work
2 hand in hand and when we educate them I think we will
3 start seeing -- maybe not the problem disappearing right
4 away but you will see more responsibility going towards
5 the people running these businesses.

6 PRESIDENT GERING: Nice job, guys. Hats
7 off to you. This is so long overdue. I know we have had
8 this conversation. Is there any comments from the public
9 here?
10

11 Yes, Mr. Clapper.

12 MR. CLAPPER: To what extent do you think
13 the Borough has an existing liability because we have not
14 implemented a program like this? If there was a tragedy
15 in town, let's say -- think about some of these things
16 like you have seen on the news where there is a fire and
17 say a deck is over stacked with people.

18 And I think the one in Philadelphia if you
19 remember maybe five or ten years ago. They had no control
20 over the number of people there by statutory control I
21 mean and I think that puts some liability back on the City
22 of Philadelphia. I don't remember the details but I just
23 remember that was an issue.

24 So do we have a liability as a Borough when
25 we don't have a methodology to control this right now?

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1 people and it has 350, all 350 could die and that is the
2 hard part of it. Horrible things happen when people just
3 start trying to get out.

4 MS. RETTIG: In my mind it is also -- at
5 least in my mind looking at some -- we do have some
6 smaller venues but they are entertainment venues and some
7 of them are in very old buildings.

8 MR. DOUGHERTY: Rough shape too.

9 MS. RETTIG: Rough shape. And it would not
10 take much for something bad to happen so I think it is not
11 just that we are looking at the big, we are looking at the
12 small. We are looking at every day and trying to put in
13 place now something that for whatever reason has not been
14 there prior.

15 MR. CLAPPER: My only point is maybe we
16 should be thinking we are compelled to do this rather than
17 just a good thing to do.

18 MR. MAISEL: Absolutely.

19 PRESIDENT GERING: We agree with you.

20 Any other public comments? Mr. Duffy.

21 MR. DUFFY: Just a comment. I remember
22 being a resident for a long time and visiting most of
23 these buildings that -- doesn't the fire code post the
24 number of people that can be in that structure like a bar,
25

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1
 2 like a theater? I have seen it posted on the wall.
 3 MR. DOHERTY: Correct.
 4 MR. DUFFY: So we have something in place
 5 now.
 6 MR. DOHERTY: A lot of buildings do have
 7 their occupancy --
 8 MR. DUFFY: The theaters because it is a
 9 big --
 10 MR. DOHERTY: Other places have been
 11 renovated and taken the sign down. I have dealt with
 12 three or four, oh I know what our occupancy load is. We
 13 took the sign down when we painted the wall and we forgot
 14 to put it back up.
 15 MR. DUFFY: So it is not consistent really.
 16 MR. DOHERTY: Again I think the biggest
 17 point is starting the sheet, we are identifying the number
 18 per assembly. Our next step is to get it posted and
 19 educate the people to prevent a future problem.
 20 MR. DUFFY: Where did you get the number
 21 from back then? You gave them a number back then, did
 22 that come from you guys?
 23 MR. LUPINETTI: So like I explained
 24 earlier, I did tremendous research.
 25 MR. DUFFY: I am talking about what is in

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1
 2 building code is what sets it, the fire code is what
 3 maintains it. So you have to look at the fire code as a
 4 maintenance code and ultimately the building code is what
 5 sets it.
 6 In lieu of having a number we can resort to
 7 the fire code with the same exact number here and that
 8 goes for any establishment.
 9 MR. DUFFY: And that is a mandatory posting
 10 for those businesses?
 11 MR. LUPINETTI: For assembly uses only.
 12 MR. DUFFY: For assembly?
 13 MR. LUPINETTI: Only --
 14 MR. DUFFY: At a bar you can have as many
 15 -- never mind. Okay.
 16 MR. LUPINETTI: I can explain it further
 17 for you. There are different use of occupancy
 18 classifications to assembly, education, institutional and
 19 things of that nature.
 20 MR. DUFFY: I can see that.
 21 MR. LUPINETTI: That is why I am talking
 22 assembly use. If you look at the chart there are
 23 different uses here such as business, business areas,
 24 dormitories, daycare and it gives you all different
 25 occupancy loads and it is the net area, the square footage

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1
 2 place right now.
 3 MR. LUPINETTI: I understand. If you can
 4 let me finish I will explain it to you.
 5 I went through everything, every plan even
 6 if it predated the UCC. I tried to find whatever I could.
 7 That would trump what we have right now under code.
 8 So the occupancy load posted on those
 9 plans, that is what we follow as what they suggested.
 10 Anything beforehand if they are grandfathered, that is
 11 correct it is and I will follow those plans into an
 12 alteration or an addition would come up and then it would
 13 be increased at that point.
 14 So based upon that research we do go by
 15 that. When we do not have that information as I stated
 16 here for occupancy load, then we can assign an occupancy
 17 load. If it was not on the plans or if there was a Zoning
 18 Hearing Board decision reducing occupancy load or outdoor
 19 dining, then we would follow the reduced occupancy load.
 20 But in lieu of not having any documented
 21 information of an existing building, we will resort to the
 22 fire code which ultimately is the building codes.
 23 MR. DUFFY: That is what is supposed to be
 24 posted, the fire code?
 25 MR. LUPINETTI: Yes. But ultimately the

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 2 and you divide that number and that gives you the
 3 occupancy load.
 4 The only thing that is required to be
 5 posted is right here where it says in assembly occupancy.
 6 It would not go into McCaffrey's or into a mercantile
 7 because that is a mercantile and that is not required to
 8 be posted. Only assembly.
 9 MR. DUFFY: Okay. Thank you.
 10 PRESIDENT GERING: Thank you. Any other
 11 comments on this project?
 12 MR. BALDERSTON: Joe Balderston. Real
 13 quick question.
 14 Understanding if the Zoning Hearing Board
 15 has passed a number of occupancy load, is that acceptable?
 16 MR. LUPINETTI: Okay. I guess it depends
 17 on the situation. So if the Zoning Hearing Board made a
 18 decision --
 19 MR. DOUGHERTY: May I interrupt one second?
 20 Joe, if this is about a particular
 21 constituent item that pertains to your self individually,
 22 I think that type of question should go to the Borough
 23 Manager for a more formal reviewed answer. I think I --
 24 MR. BALDERSTON: I am not sure why you are
 25 saying that.

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 2 MR. DOUGHERTY: I understand you own a
 3 restaurant on South Main Street that will be opened up
 4 soon I would imagine.
 5 MR. BALDERSTON: You're incorrect. That is
 6 incorrect.
 7 MR. DOUGHERTY: So if the -- just
 8 understand that any answer he gives you will not pertain
 9 to any particular situation. Okay. Thank you.
 10 MR. LUPINETTI: If I can answer in a
 11 general term. When you submit a permit application it
 12 does get reviewed through zoning and they will go through
 13 everything for the Zoning Hearing Board.
 14 If there is any stipulations associated
 15 with that building, they still stick. So if you're only
 16 allowed so much outdoor dining and so much dining indoor,
 17 there are decisions that you have zero outdoor dining,
 18 that follows through the building.
 19 So just if there is a new use it follows
 20 the building for the Zoning Hearing Board. If anything
 21 deviates you have to go back to the Zoning Hearing Board
 22 to have reconsideration but that is all part of the review
 23 process of permits and the use and occupancies.
 24 MR. BALDERSTON: Thank you.
 25 PRESIDENT GERING: Any other questions?

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C E R T I F I C A T E

I hereby certify that the proceedings
 and evidence are contained fully and accurately in the
 notes taken by me in the above cause and that this is a
 correct transcript of the same.

Karen W. Browndorf, RPR
 Official Court Reporter

- - -

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1
 2 MS. RETTIG: I just want to say thank you
 3 to Mr. Doherty and Mr. Lupinetti. You made this very
 4 digestible. And Dan.
 5 MR. DOUGHERTY: And Mr. Gray.
 6 MS. RETTIG: Dan, Mr. Gray. Thank you.
 7 This has been a pet peeve of mine for a while. Thank you.
 8 MR. MAISEL: And we will get to the finish
 9 line on this one.
 10 PRESIDENT GERING: Great job, guys. Thank
 11 you.
 12 Under public comment I have two comments.
 13 One I need to announce we had executive session prior to
 14 our meeting due to legal matters.
 15 And secondly I would like to thank
 16 Mr. Clapper for supplying us with two Owls and we can use
 17 our microphones and I hope it is successful and we will
 18 move on.
 19 Any other public comments? Meeting
 20 adjourned.
 21 - - -
 22 (The proceedings were concluded.)
 23 - - -
 24
 25

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