

NEW HOPE BOROUGH COUNCIL
 BUCKS COUNTY, PENNSYLVANIA
 - - -
 JULY COUNCIL MEETING
 - - -
 NEW HOPE BOROUGH COMMUNITY ROOM
 123 NEW STREET
 NEW HOPE, PENNSYLVANIA 18938
 - - -

TUESDAY, JULY 18, 2023
 COMMENCING AT 6:30 P.M.
 - - -

BOARD MEMBERS PRESENT:

CONNIE GERING - PRESIDENT
 LAURIE MCHUGH
 LOUISE FEDER
 PETER MEYER
 KENNETH MAISEL
 DANIEL DOUGHERTY
 - - -

ALSO PRESENT:

LAWRENCE KELLER - MAYOR
 PETER GRAY - BOROUGH MANAGER
 JOHN FENNINGHAM, ESQ. - BOROUGH SOLICITOR
 LISA LITTLEFIELD - ZONING OFFICER
 MATTHEW DECKER - AUDIO/VIDEO TECHNICIAN

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PRESIDENT GERING: Call the meeting to order. Please stand for the Pledge of Allegiance.
 Thank you. Pete, if you can do roll, please.
 MR. GRAY: Certainly. Ms. McHugh?
 MS. MCHUGH: I am here.
 MR. GRAY: Ms. Feder?
 MS. FEDER: Here.
 MR. GRAY: Mr. Maisel?
 MR. MAISEL: Here.
 MR. GRAY: Mr. Meyer?
 MR. MEYER: Here.
 MR. GRAY: Mr. Dougherty?
 MR. DOUGHERTY: Here.
 MR. GRAY: Mayor Keller?
 MAYOR KELLER: Here.
 MR. GRAY: Ms. Gering?
 PRESIDENT GERING: Here. Thank you so much. Before we start for public comment, Ms. McHugh has a statement she would like to read.
 MS. MCHUGH: This is just about public comment in general. I just like to remind everybody that -- to be nice to each other. Public comment is a time for us to discuss our differences. It is not a time to be

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disrespectful.
 The New Hope Council members deserve respect and appreciation for the dedicated service to our community. Their role extends well beyond just Council meetings. It involves substantial commitment and effort to improve our beloved Borough.
 Therefore disrespectful behavior will not be tolerated at any time. Please respect everybody. Talk nicely. Refrain from personal attacks. Do not speak over another person. Express your opinions respectfully and remain focused on the relative matter and just be nice. That is basically it. Thank you.
 PRESIDENT GERING: Thank you.
 MS. MCHUGH: There is a three minute time limit for public comment.
 PRESIDENT GERING: Mayor?
 MAYOR KELLER: I will start out with I guess certainly been on everybody's minds but I think we should take a few minutes to just reflect on the five people that passed in the flash flood and the two young children who are still missing. They are looking for them. So take a minute.
 - - -
 (Pause)

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 2 - - -
 3 MAYOR KELLER: Thank you.
 4 PRESIDENT GERING: Thank you.
 5 MAYOR KELLER: I was down there this
 6 morning and they have a lot of equipment and a lot of
 7 people and they are just -- they are still hopeful that --
 8 it will be difficult finding the two young ones but we are
 9 all praying for it. So that is all I really want to talk
 10 about tonight. Nothing else to report.
 11 PRESIDENT GERING: Thank you. Next on the
 12 agenda is Tina Rettig resigned at our June meeting so we
 13 are in the process of appointing a Council person to fill
 14 that position that will be until January 1st when we do a
 15 reorganization.
 16 So we have two applicants. So at this
 17 point we have Michele Becci and Eric Burnside. Thank
 18 you.
 19 So Council, do you have any questions or
 20 discussion?
 21 MS. McHUGH: Well I have a note here
 22 saying that Eric Burnside's residency isn't completed
 23 until August so he doesn't meet the requirements to be on
 24 Council.
 25 PRESIDENT GERING: Thank you. Correct. So

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 2 can I have a motion approve Michele Becci to the
 3 position?
 4 MS. McHUGH: I will make that motion.
 5 PRESIDENT GERING: Second?
 6 MR. MEYER: Second.
 7 PRESIDENT GERING: Any discussion?
 8 All in favor?
 9 MR. GRAY: One note. The resolution, it
 10 does reference the fourth paragraph until December 31st,
 11 2023. If we can switch that to the first Monday in
 12 January, January 1st.
 13 PRESIDENT GERING: I did say that.
 14 MR. GRAY: Thank you.
 15 PRESIDENT GERING: Michele, welcome.
 16 MR. MAISEL: Could you explain before we
 17 vote, the process by which she would be retained for the
 18 remaining two years or -- there is some kind of confusion
 19 as to how that would work.
 20 MR. GRAY: This term would be until
 21 January 1st of 2024, the open position. We would notify
 22 Bucks County Board of Elections and they would contact the
 23 various parties within the Borough to ask them for a
 24 nomination to put on the ballot for November and it will
 25 be the general election for the remaining two years of Ms.

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 2 Rettig's term.
 3 PRESIDENT GERING: Answer your question?
 4 MR. MAISEL: Yes.
 5 PRESIDENT GERING: Any other discussion?
 6 All in favor?
 7 MS. FEDER: Aye.
 8 MR. MEYER: Aye.
 9 MS. McHUGH: Aye.
 10 MR. DOUGHERTY: Aye.
 11 MR. MAISEL: Aye.
 12 PRESIDENT GERING: Aye.
 13 Congratulations, Michele. We will see you
 14 up here next month.
 15 So we also have the vacancy for Pro Tem.
 16 So I would like to have a motion to appoint a Council
 17 member as Pro Tem.
 18 MS. FEDER: I will make that motion.
 19 PRESIDENT GERING: Thank you. Second.
 20 MS. McHUGH: Who is it? I will second it.
 21 PRESIDENT GERING: Nomination?
 22 MS. FEDER: I nominate Ken Maisel.
 23 PRESIDENT GERING: Second?
 24 MR. MEYER: Second.
 25 PRESIDENT GERING: Any discussion?

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 2 All in favor?
 3 MS. FEDER: Aye.
 4 MR. MEYER: Aye.
 5 MS. McHUGH: Aye.
 6 MR. DOUGHERTY: Aye.
 7 PRESIDENT GERING: Aye. Congratulations.
 8 I know there is a lot of faces here so I am
 9 assuming you're here for the parking garage discussion.
 10 So yes, Mr. Clapper?
 11 MR. CLAPPER: I thought the first item --
 12 PRESIDENT GERING: Microphone, please.
 13 First of all, you have three minutes and I
 14 do want to say something before you start. I did read
 15 your last letter that you sent out and I think what
 16 concerns me is the misinformation that you are putting out
 17 there.
 18 You have a price of \$25 million for the
 19 parking garage. We still aren't accurate on that. So I
 20 would appreciate in the future when you are sending
 21 notices that you have more accurate information.
 22 MR. CLAPPER: Yes. Well I think my
 23 information is accurate because I have three years of
 24 research. We are close with WGI, which is the national
 25 survey of price of parking garages across the United

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1 States. I took the number of spaces that was in the plan
 2 that you had presented with a group three years ago, and
 3 multiplied the average cost of a space and now with
 4 additional inflation I think I probably underestimated it.
 5 So I am not a parking garage expert but I do use credible
 6 sources. Thank you.
 7 My question is are you not going to discuss
 8 public comment procedures? That was the first item on the
 9 agenda. I had a question.
 10 PRESIDENT GERING: Go ahead. What is your
 11 question?
 12 MR. CLAPPER: Okay. Thank you. I see that
 13 you have differentiated between submitting a question via
 14 public comment to be -- I assumed that will be read under
 15 the public comment section by the town manager. Is that
 16 correct?
 17 PRESIDENT GERING: That is correct.
 18 MR. CLAPPER: So if someone else can come
 19 in at the meeting and ask the question and that will also
 20 be covered under the public comment and it is not a part
 21 of the items to be discussed that night; is that correct?
 22 PRESIDENT GERING: I guess I am not clear
 23 on what you are asking. So you're asking if somebody
 24 comes in and asks the same question that --
 25

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1 MR. CLAPPER: No.
 2 PRESIDENT GERING: I am not clear.
 3 MR. CLAPPER: I apologize. Let me restate
 4 that. If I come in and ask a question that is not on the
 5 agenda, one of the agenda items, that is appropriate for
 6 public comment?
 7 PRESIDENT GERING: You can make a comment
 8 but it doesn't mean we will answer you. As I told you
 9 before, sometimes when you come in here and you ask
 10 questions, we are not versed on what the answer should be
 11 so we don't feel it is appropriate to respond to you.
 12 That is why you're better off sending the
 13 question to Mr. Gray and then you get the correct answer.
 14 For us to go and answer questions that we don't have the
 15 information is not fair to you or to the Council.
 16 MR. CLAPPER: Okay. What I am reacting to
 17 is the fact that some of us won't be able to think of all
 18 of the questions and may have come up with a question that
 19 day.
 20 You have given us the opportunity now to
 21 ask a question ad hoc. What is missing in the procedures,
 22 while I understand you may not be able to give an answer
 23 that night because it might require further contemplation,
 24 when will we get an answer because most times we will hear
 25

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1 we will get back to you and that has not really happened
 2 very often.
 3 PRESIDENT GERING: Public comment, Mr.
 4 Clapper, is just public comment. It doesn't mean we will
 5 answer you that night. It is your comment. If you want a
 6 question answered, then you send it to Mr. Gray.
 7 MS. McHUGH: Mr. Gray is always very good
 8 at getting back to people.
 9 MR. CLAPPER: That is for sure. That is
 10 not the point. You're not willing to take questions and
 11 answer them at a later time in the meeting, is that what I
 12 am hearing?
 13 PRESIDENT GERING: Mr. Gray can answer them
 14 for you and if you ask questions at the meeting, he will
 15 be more than happy to give you a response afterwards but
 16 we won't do it here at the public meeting because we don't
 17 have that information.
 18 MS. McHUGH: We try to keep our meeting
 19 effective.
 20 MR. CLAPPER: You will give us an answer in
 21 72 hours?
 22 PRESIDENT GERING: How about if you just
 23 send the question to Mr. Gray, he can decide when he can
 24 respond to you.
 25

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1 MS. McHUGH: Your three minutes are up.
 2 MR. CLAPPER: I will try my best to send
 3 the questions. I am saying in the event that -- or having
 4 thought of a question by noontime on Monday, which is the
 5 cutoff point for questions --
 6 PRESIDENT GERING: All right. I will
 7 answer for Mr. Gray. How about if we say you send in a
 8 question, Mr. Gray will respond to you within five
 9 business days to give him the opportunity to research it.
 10 Does that sound fair to you?
 11 MR. CLAPPER: You're not answering my --
 12 MS. McHUGH: Your time is up.
 13 PRESIDENT GERING: Your time is up.
 14 MR. CLAPPER: Okay. But it is good to
 15 answer the question that is being asked.
 16 PRESIDENT GERING: Next on the agenda the
 17 parking garage --
 18 MS. KERR: Connie, I have a comment.
 19 PRESIDENT GERING: Yes.
 20 MS. KERR: Pam Kerr, K-E-R-R, North Main
 21 Street. I just wanted to comment that there are fewer
 22 spaces in the parking lot now than never before that don't
 23 say no parking. I know the ones angled down the hill
 24 after seven it is okay but you start at 6:30.
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2 It just seems like for the public lot that
3 is right next to where the public meetings are and a lot
4 of people come, you're faced with no parking all of the
5 spaces and you used to have a lot more spaces. Thank you.
6 MAYOR KELLER: Pam, you can park on the
7 hill or the back for public meetings. When we have our
8 public meetings you can park, you won't get a ticket.
9 MS. KERR: Even where it says you will be
10 towed?
11 MAYOR KELLER: It starts at 6:30. Remember
12 when we used to start at 7:00/7:30, so now you can --
13 anybody can park on the hill.
14 MS. KERR: On the hill but what about the
15 ones that say towing?
16 MAYOR KELLER: You can park there for -- we
17 don't tow on the night of a Council meeting. That would
18 not bode well.
19 MS. KERR: I just figured if someone has a
20 space that is allotted to them, what do we do?
21 It is not appealing to people that come to
22 the meeting once in a while.
23 MS. McHUGH: You're right, it is very
24 confusing. I will make a note of that.
25 PRESIDENT GERING: Mr. Balderston, do you

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2 ad hoc garage project. Tonight we will be presenting the
3 last month's work by the committee. This, we believe,
4 will be helpful to shed additional light where things are
5 at as it relates to the garage project. We expect you
6 will have a better understanding of where things are
7 currently standing.
8 Louise will set the stage and provide
9 background material about our work over the last four
10 weeks.
11 MS. FEDER: Sure. So just briefly before
12 we dive in, members of the new committee for the past
13 28 days have been reviewing minutes from the prior
14 committee and from THA which is the consulting group that
15 the Borough has been engaged with for the garage project.
16 That includes reviewing Borough Council minutes since
17 January of 2021.
18 Meetings were conducted between committee
19 members and the very entities including the Council
20 President Connie Gering and the Vice President Laurie
21 McHugh, our Borough Manager, Mayor Larry Keller, the Chief
22 of Police and leaders of three potential tenants of the
23 garage.
24 There have been telephone and Zoom
25 discussions with THA, the Chair of the New Hope Zoning

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2 have a comment?
3 MR. BALDERSTON: Yes. Joe Balderston, 25
4 North Main Street, New Hope.
5 I would like to back up and expand on
6 Mr. Clapper's comment. I don't think that the Borough
7 Solicitor should answer all of the questions or comments
8 that are sent to Borough Council. He is not an elected
9 official.
10 PRESIDENT GERING: Excuse me, it is going
11 to be the Borough Manager that will answer your questions.
12 MR. BALDERSTON: But I don't think that is
13 the way it should be. As a taxpayer I expect Council to
14 respond to some of our comments. And you know that is
15 what has been asked before, and as Mr. Clapper said, I
16 hate to repeat, you have said time and time again we will
17 get back to you.
18 I have a lot of things that have been
19 presented to Borough Council and there has been no comment
20 back to me from Borough Council. Thank you.
21 PRESIDENT GERING: Any other public
22 comment? All right.
23 Mr. Dougherty, you're next.
24 MR. MAISEL: First of all, I want to thank
25 Connie for her confidence in asking us to work on the new

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2 Hearing Board, New Hope Speaks. And there was much that
3 was learned as it pertained to the grant, preliminary
4 design elements, location, cost and outstanding decisions
5 that related to the project.
6 So this new committee, which again
7 comprises Ken Maisel, Dan Dougherty and myself, this
8 summarizing in the written presentation is what it has
9 found out in the past month. We will share everything
10 that we know about what has transpired over the past
11 30 months with Council and obviously importantly with the
12 public.
13 Tonight's presentation, which is a first
14 step, so please don't consider this the one and only
15 garage meeting that we are having. Obviously there is
16 more to come after this. We will respond to the questions
17 that the Borough has received over the past 30 months
18 related to this matter.
19 So with that, I would turn it over to Dan.
20 MR. DOUGHERTY: Hi, everyone. First off
21 thank you for the level setting. What we are going to try
22 to do, as people have known it has been about 30 months
23 since the project started.
24 During the last 28 days we have attempted
25 to try to get our arms around what had occurred over those

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1 last 30 months. Very important to us at this point, we
2 are going to try to move forward, basically going to try
3 to greatly enhance the transfer of knowledge and
4 information and greatly enhance the amount of input we are
5 getting from the public. We are not going to try -- we
6 are going to try to avoid looking backwards in time and
7 saying how did we get here or why was this done, et
8 cetera.

9 So to the extent that we can, we are going
10 to look forward and basically hope to do things that you
11 know, that move this project towards some sort of
12 conclusion.

13 So Matt, if you can go to the first page.
14 You probably have -- you have a deck in front of you, many
15 of you have it, just want to say we will not go through
16 every page of it. There is 32 pages here. What we have
17 done is highlighted the ones that we think that are most
18 sort of substantive. There are some that frankly aren't
19 quite answered yet.

20 We have done everything we can to collect
21 those 30 months worth of questions and to give as reliable
22 as an answer as we can. Now this document went to press
23 last Wednesday or Thursday, so Thursday. Since that time
24 -- you have to cut it off some place, we are learning
25

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1 later the litigation of course ensued because of some
2 encumbrances that were noted with regards to the land on
3 which the garage was expected to be built at the time.
4 At the same time, shortly thereafter, this
5 was public at the time, the ad hoc committee put out an
6 RFP to have a design firm come in and did a very thorough
7 process by which to select a design consultant, very
8 thorough.

9 And basically Borough Council, all of
10 Borough Council approved the hiring of THA, which is a
11 firm that is specializing in design of garages. So then
12 for the next 21 months there was litigation. The 21
13 months went on. Prior to that, THA continued to work but
14 not -- you know, they couldn't go forward.

15 Okay. So there was a period there when
16 they really couldn't move that fast but frankly the
17 litigation extremely put limits on what can be discussed
18 on the garage for one thing.

19 In April of 2023 the litigation was settled
20 and now there is a new committee formed and our job, as
21 Louise mentioned, we are going to answer all of the
22 questions, constituent input and also evaluate the actual
23 requirements for the garage and the design and refine cost
24 estimates, all of the things that have been asked over the
25

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1 stuff -- we were learning this and that and some people
2 are seeing it printed out and the document rests for a
3 couple days you're going to see stuff.

4 We are committed to taking input. I think
5 Mr. Meyer mentioned to me before the meeting that he has
6 some questions or some changes on some things that we
7 didn't know and he will share that with me. So this is
8 going to be a living document.

9 We will go through this tonight. We will
10 go through the highlights of this, the highlighted yellow
11 parts and then we will keep it alive by any additional
12 questions that we receive this evening or in other formats
13 through Mr. Gray or things we can't answer, we will append
14 those items to this document so this will be a repository,
15 as best we can, that answers all of the questions from the
16 public as best we can.

17 So we will sort of dive in and just make
18 sure we all have a flavor -- I think if you go back to
19 page two might be helpful.

20 So just background, we applied for state
21 grants about in August of 2020. Around December of 2020
22 we got what is called a preliminary commitment for
23 \$1.75 million. We then formed -- I think that is when we
24 formed an ad hoc garage committee. About three months
25

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1 last 21 months.

2 The first step in this process we feel is
3 vital to this is to have the support of the public. The
4 public has been -- you know, its been two and a half years
5 been asking questions and for many reasons, they couldn't
6 get answers to these questions. We will answer the last
7 30 months of these questions in this document.

8 So just -- I am sure you're sitting on the
9 edge of your seat for this. But basically we want you to
10 know that we have done the best we can to get all of the
11 questions.

12 We went through three years of minutes and
13 what we did is we went through and anonymized names so it
14 wouldn't be Mary Smith, I am from North Main. I would
15 like to know the answer to this. It is really -- not
16 really part of the question. Really the question is the
17 question. So we stripped out names, we stripped out any
18 kind of -- like any back and forth, all of that.

19 But we did not reword the questions. We
20 did everything we can to take verbatim. We didn't make
21 the questions up is my point. They are your questions.
22 So they are directly from the minutes, verbatim from the
23 minutes and we tried to basically stay true to that.
24 There were times when the same question was asked twice
25

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 2 and we had to do some editing. So then what we did is we
 3 answered -- we think we answered all of these based on
 4 what we know currently and has been the design of the
 5 garage for about a year, year and a half that it is from
 6 looking at all of documentation, our best knowledge of
 7 what the design says and what those answers are.
 8 Is the design final? No, it is a
 9 preliminary design. There is a half a dozen major design
 10 elements that have not been discussed in public or by
 11 Council. Half a dozen pretty major ones that are kind of
 12 like well, we are not sure we will do it that way. Solar
 13 panels, yes/no; valet station, yes/no. So there is a half
 14 a dozen of those things.
 15 That doesn't prohibit us however from
 16 moving forward with at least figuring out how much roughly
 17 the thing will cost and that is what we have done.
 18 So there is -- some of these answers could
 19 change if we make a decision and say that it is going to
 20 be a valet station or there will be solar panels on the
 21 roof, there will be 30 electric charging stations on the
 22 inside. We won't know those things until probably another
 23 year but we certainly can't wait a year to find out how
 24 much roughly things are going to cost. So that is what we
 25 are basing it on, what we know today. Okay.

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 2 Now the next steps, we are going to take
 3 your questions tonight, if you have any, and to add it to
 4 this thing where we will try to do this document and hit
 5 the highlighted answers as best as possible.
 6 The first question on page five -- this was
 7 asked two or three times so it may appear again. "Who has
 8 the authority to approve the garage?" We haven't spoken
 9 to Mr. Fenningham, our legal counsel yet, we believe that
 10 a project of this size -- the we part is the current -- I
 11 am not speaking for the prior garage committee. I don't
 12 want to put words in their mouth or from Council.
 13 So this is just we have -- we kind of feel
 14 in the new ad hoc garage committee, the project of this
 15 size probably -- would probably require a great deal of
 16 public input due to the long-term nature of the liability
 17 acquired from it, but we have to talk to our attorney for
 18 those types of mechanics. So that is sort of our -- an
 19 open-ended, it is not a precise answer but that is what we
 20 feel.
 21 We are basically -- so what is the risk --
 22 number two, what is the risk analysis? You will hear two
 23 more things that will happen in the August presentation
 24 and the August workshop and then the August Council
 25 meeting. There are -- actually three things that will be

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 2 presented to you. One is going to be obstacles and risk
 3 -- basically a document that lays out the obstacles and
 4 risks to this project. And some of them are kind of
 5 related to questions -- so environmental obstacle might be
 6 water runoff or how will that be handled. So it is not a
 7 deal killer but it will have to be evaluated. So there is
 8 a bunch of those. So all sorts of things. You will see
 9 the copy of that in the August workshop. It is not quite
 10 ready for prime time. Okay.
 11 The next number six, doesn't have a
 12 business plan for this garage. And those -- that is true.
 13 We are developing a business plan that is probably
 14 80 percent, 90 percent completed as far as how this thing
 15 will pay for itself and all of those good things. That
 16 will be presented at the August 7th meeting.
 17 Again, it will be based on preliminary
 18 design. It will not be perfect or permanent but it will
 19 be everything that we know about it at that time will be
 20 released, will be shared for your input. I will go
 21 through this fast, so I'm sorry if I am running through
 22 this. There is a lot of information.
 23 On page six there was somebody who asked
 24 how are the various ways this thing could be organized? It
 25 appears that the way it is currently envisioned and there

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 2 is multiple variations that could be done, is that New
 3 Hope will build the garage, finance the garage and operate
 4 the garage. And then we would take all of the income from
 5 the garage and we would pay all of the costs. It would be
 6 a municipal asset entirely.
 7 It would be a -- there is lots of
 8 variations that you could do that in hiring a management
 9 firm. You can do a lot of things. For the most part that
 10 is what is mostly been -- it appears to be under
 11 consideration based on what we have been able to glean
 12 from the information we have.
 13 We will skip the next couple. On page
 14 seven someone's question was -- somebody said 345 spaces,
 15 10 or 15 could be 20 plus million. Just to give us some
 16 idea about what it is, what a garage means, there is
 17 actually two that have been under consideration. This
 18 particular new committee has sort of narrowed it just for
 19 purposes of our analysis. We have not made a decision.
 20 Just for purposes of analysis, we narrowed it down to a
 21 333 version of the garage or 333 space garage. There is
 22 another alternative reality that we have 385 spaces.
 23 Okay.
 24 Well it just got so complicated and most of
 25 these same answers apply to 383 or 385 versus 333. So

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 2 just hold 333 in your mind, that is how many spaces. And
 3 then using that and using estimates of -- received from
 4 our design consultants and using estimates that we got
 5 from basically other inputs, we expect the number to build
 6 the garage, that includes the cost to build it, it is sort
 7 of to the ribbon cutting phase.
 8 Okay. That is to build the garage, getting
 9 utilities to the garage, sign leases for the garage, get
 10 lights to the garage, get the access roads to the garage,
 11 get signage to the garage and so on, all of the ancillary
 12 things, is approximately somewhere in the range of 14 to
 13 \$17 million.
 14 This number -- so this sheet of paper says
 15 15 million, we feel confident that the number is
 16 \$15 million or more. That is about where we are at.
 17 One of the things that is not quite so
 18 obvious, I will just throw this out there right now, is
 19 the garage would tend to be built in the year -- we think,
 20 2026, which is a couple years from now. There is
 21 inflation involved, et cetera.
 22 So the numbers that you get on August 7th,
 23 which will lay out all of the financial costs for this
 24 will be detailed. It will have a number that will be to a
 25 dollar, it won't be rounded to millions or anything like

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 2 and all of those assumptions will be laid out in very gory
 3 detail in the August 7th meeting.
 4 The next page, page eight. The Chair of
 5 the ad hoc -- basically the question is how will this
 6 thing be paid for, et cetera.
 7 Its been noted many times that this garage
 8 is not going to be built if it has to be paid for by our
 9 taxpayers. So that is what has been said and that is what
 10 this ad hoc committee is believing in.
 11 So how that -- if you think about it, we
 12 have got to collect over the 20 years from the ribbon
 13 cutting to the end of the 20th year, we have to collect
 14 \$25 million out of that garage. And unless we find a
 15 platinum mine or oil, we have got to get that money out of
 16 people other than our taxpayers. So my name is not Jed
 17 Clampett so it is not likely that we will hit oil.
 18 How much will it cost? One, I already
 19 mentioned this. Some of this stuff is going to start to
 20 sound repetitive, once you get your hands around it. If
 21 you think roughly about \$250,000 per year in the beginning
 22 and then the future years it goes up with inflation
 23 because most of those things are tied to inflation and
 24 that is the thing, over 20 years comes to \$7 million.
 25 I promise I will keep moving fast. We will

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 2 that. You can round it yourself. It will be a number
 3 that looks probably remarkably like \$15 million. Okay.
 4 Now there is another level of that sheet
 5 that says 25, in excess of \$25 million. So how does it go
 6 from 15 to 25? Well there is two other problems. Number
 7 one, we would be borrowing money to get the \$15 million to
 8 get the thing built and that has interest costs.
 9 We think over a 20 year span that is
 10 probably about \$3 million in interest, and there is
 11 operational costs and maintenance costs and insurance
 12 costs and salaries and all of that sort of things. Those
 13 initial costs are about \$230,000 in the first year just
 14 for operations to run it; utilities, all of that kind of
 15 good stuff. And that with any kind of inflation factor
 16 over 20 years is -- will sum to a number of about
 17 \$7 million.
 18 So if you take the \$15 million to get you
 19 to the ribbon cutting ceremony, plus the operational costs
 20 of about \$7 million for the 20 years you run the thing,
 21 and on the interest costs on the bond debt, that would
 22 take you to about \$3 million, that comes to some number
 23 like \$25 million and we think that that actual number will
 24 be in excess of the \$25 million.
 25 Now everything there is based on assumption

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 2 get through this. I will keep going. The next thing,
 3 page nine. Do we have the \$1.75 million from RACP? The
 4 answer is no.
 5 On the next page, on page 10, to give
 6 people a flavor for what that is, that is the process --
 7 and the red star is where we are. Right now we are at the
 8 point where we have to prepare the application and
 9 business plan. The State of Pennsylvania is not going to
 10 give us any money until all of that is approved and the
 11 business plan and where we are going to get the
 12 \$15 million is part of that process.
 13 Once that then gets approved, we move into
 14 a phase where we pay for things and then ask for
 15 reimbursements of them. So that is when somebody asks do
 16 we have the \$1.75 million? We don't have the \$1.75
 17 million.
 18 Page eleven. Right now somebody said it is
 19 \$2,600 per year per spot. The actual average rate that
 20 people are paying is somewhere around -- between \$600 and
 21 \$1500 per year for a spot. And sort of the averaged rate
 22 people are paying for spots is about \$900 per year.
 23 What is the status of the -- what I have
 24 been calling the anchor tenants and what I can tell you --
 25 Louise mentioned it earlier, we have met with all three of

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 2 them and that information will be shared with the
 3 community, with everyone, in the August 7th or 15th
 4 meetings. The outcome of all of those meetings.
 5 This next one is about the environmental
 6 impact. I will just skip that because basically it is --
 7 will be something that will be covered later.
 8 There is -- go to page 13, has a very big
 9 image that is -- sort of an image of something and what it
 10 looks like. And it is basically 128 feet wide and
 11 283 feet long and 40 feet tall. That is what the garage
 12 basically looks like, the preliminary design of what it
 13 looks like.
 14 Then there is some detailed questions
 15 people -- who will do the snow removal? Who will paint
 16 it? All of that good stuff. Those things were discussed
 17 in this document, basically at least the status of those
 18 discussions. Nothing earth shattering.
 19 There was a question as to whether or not
 20 there was going to be a bridge, a walk bridge, over the
 21 canal from the garage over to Main Street. This came up
 22 a couple -- three years ago, said what is the status. As
 23 far as this committee can determine, based on what we can
 24 see, that is a non-starter at this time. We are not going
 25 to do that.

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 2 The next page. All of 15 I think we have
 3 already done but basically the thing is going to be about
 4 40 feet tall and -- 39 feet 8 inches but 40 feet tall and
 5 that is about really it. There is a length of 280 feet
 6 long and about 130 feet wide. So that is the length.
 7 Page 16. Throughout this entire thing we
 8 are using preliminary design. I already mentioned that.
 9 Now there -- one of the things that has
 10 been committed to many, many times is that there will be
 11 public meetings for public comments, for public input. We
 12 have all heard that. This committee is looking to have
 13 them come in September to have -- not a presentation, not
 14 a dog and pony show, basically a public input show.
 15 Basically what the public wants rather than them basing it
 16 -- because we can do this. We can give you a pony show.
 17 We need to hear from you more so -- than have us tell you
 18 that stuff. So we are looking for a September date,
 19 people will be off of vacation then and all of that good
 20 stuff. It will be held at that time.
 21 Now we get some opinions on page 17 where a
 22 bunch of people say they don't believe the garage -- they
 23 just don't think we need one, et cetera, et cetera. All I
 24 can tell you is the new committee is taking all of this
 25 input to heart and it is not being ignored. I don't have

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 2 an answer saying whether I -- saying we agree with you or
 3 anything like that. We are taking all of those types of
 4 input items to heart and factoring in towards our
 5 approach.
 6 There is another question on page 18 where
 7 it basically says the debt service has to be covered by
 8 lessees and leases and all that stuff. Again, this went
 9 to print on Wednesday. We have since met with all of
 10 those people and that will be shared with you on
 11 August 7th, the summary of the feedback. So you will have
 12 to stay tuned until next meeting.
 13 I think there is a bunch of these. I don't
 14 want to belabor this but basically saying that you will
 15 get the cost and the revenue requirements and the
 16 financials in the August meetings. So we are also going
 17 to have a meeting specifically to create -- to getting
 18 input.
 19 There is some -- I think we can skip page
 20 20. Okay. There is a question on page 21, have other
 21 locations been evaluated? We don't think so but we don't
 22 think that that is something that was missed or anything.
 23 As far as we can determine, that location is the only
 24 location that the Borough owns land, owns the land and
 25 that we wouldn't have to purchase the land in order to put

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 2 a garage on it. So that is why the -- only seems viable,
 3 the only viable location for the garage.
 4 Page 22. Talks about the fact that there
 5 has been a parking study, et cetera. We are discussing
 6 that. So if it says these comments will be addressed, it
 7 means that we don't have a final answer and we will share.
 8 On the bottom of page 22 there is a discussion of surface
 9 lot. I believe that that question belongs to the
 10 territory of the parking committee.
 11 Page 23 the question that was asked
 12 probably half a dozen times in different ways in those
 13 30 months, how much has been spent on the proposed parking
 14 garage? How much money have they been paid? Okay. To
 15 date, through July 18th, which is today, \$585,000 has been
 16 paid; \$450,000 in legal fees, \$10,000 in engineering fees
 17 and \$122,000 to the THA consultant.
 18 We are not completely convinced that the
 19 \$122,000 that has been paid to THA is all that they are
 20 owed right now but we think they are owed another \$13,700
 21 as we speak. So that is the \$585,000 is the number of
 22 dollars that have been written in checks that have gone
 23 out the door relative to this garage.
 24 There is a lot of comments on 24 that
 25 basically say that why would people park there because

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2 there is plenty of other parking. What we have to do as a
3 committee is understand the needs and that is going to get
4 basically raised in future presentations. People feel
5 that the parking is probably not needed in many spaces and
6 many days, et cetera. We are going to address that, our
7 opinion on the need for the garage.

8 At the time, last March or so they were
9 asked what is the size of the garage and we can't give it
10 until the numbers are done. It is not final.

11 Again, the garage would have 325 spots, ten
12 spots were previously committed by a previous agreement,
13 part of the litigation so there is 315 spots would have to
14 be rented and if each of those three main tenants or
15 tenants took a third of them, each anchor tenant would
16 have to take 105 spots.

17 Then we also wanted to reach out to other
18 businesses in case there is another large business perhaps
19 that might want spots. I mean we have not done that yet,
20 so there could be -- I don't know, other businesses that
21 might want a handful of spots or something. We are not
22 saying that is not possible.

23 Then, when will you see the business case?
24 You can -- you will see the business case August 7th.

25 Page 28. Again, there is a lot of

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2 financing, operational cost and revenue costs. And we
3 will also -- going to give you a perspective of lessee's
4 functional and logistical needs and leasing requirements.

5 And lastly, the following which is August
6 14th I think, summary of the risks and obstacles and that
7 -- which concludes our presentation.

8 PRESIDENT GERING: Thank you Dan, Ken and
9 Louise. You guys did an outstanding job.

10 With that, is there anyone that has any
11 comments they would like to make before we move on?

12 MS. FEDER: Before we move on, just a quick
13 comment from myself.

14 Ken and I and the rest of Council, we are
15 so grateful to you, Dan, for going through an immense
16 amount of information to put together this document, all
17 of those questions and collating all of them. This was an
18 extreme undertaking. We are the better for it.

19 PRESIDENT GERING: Yes. The gentleman in
20 the back. You have to come up here, identify yourself,
21 your address.

22 MR. RHOADES: Don Rhoades, Ferry Street.
23 R-H-O-A-D-E-S.

24 Just for clarification, this garage is
25 basically the size of a four story football field?

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2 questions that all will be answered by the August 7th
3 meeting.

4 MS. McHUGH: August --

5 MR. DOUGHERTY: August 7th is the workshop.
6 That is the e-mail I sent earlier for something. The one
7 that is published here doesn't have dates on it.

8 MS. McHUGH: Sorry to interrupt.

9 MR. DOUGHERTY: That is okay. I thought
10 it was the 4th but the ones that the folks have in their
11 hands I took the date off.

12 So one of the big questions is how does
13 this just keep going forward with Council approving this.

14 And again, it is this committee's perception that
15 something this massive financially, probably needs to go
16 to the public ballot and that will happen later.

17 And then again, financials will be
18 provided. There is a lot of concerns that were raised and
19 they have them listed here and we are telling you that we
20 have heard them, they are factors that -- factoring those
21 concerns into our analysis and in our recommendations and
22 everything else.

23 So the next step is page 31. The August --
24 I probably -- the 12th time I said this, the August
25 workshop we will give you estimated construction

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2 MR. DOUGHERTY: Mathematically correct.

3 MR. RHOADES: It sounds like excessive. I
4 mean it really does and all the way in back of --

5 MR. DOUGHERTY: If you're familiar with the
6 Children's Museum, after you get to Addison Wolfe, that is
7 the very last store, there is a small existing parking lot
8 there that -- like pie-shaped that is actually rented to
9 Union Square and that was the source of the litigation.

10 This parking lot, this garage, would sit on
11 top of that parking lot but of course much wider. If you
12 go over into the woods to the left, over to Hardy Bush and
13 then up about ten feet that way and then back 283 feet
14 this way. And then north of that would be a replacement
15 lot, parking lot for the parking lot on which it will be
16 sitting that it would takeover and that lot would belong
17 to Union Square under the litigation settlement.

18 MR. RHOADES: Right. And I walk back there
19 a lot and I don't see the number of days where all of the
20 -- of those existing spots now are filled. It is like
21 people don't want to walk all the way back from there. I
22 just don't see it. So that is my comment. It seems
23 excessive and I even question the 50 days when there is no
24 parking in town. Thank you.

25 PRESIDENT GERING: Yes.

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 2 MS. MILLER: Amy Miller, Riverstone Circle,
 3 New Hope.
 4 First I would like to give a sincere thank
 5 you to Mr. Dougherty, Mr. Maisel and Ms. Feder. You have
 6 been on this committee for what 30 days, not even, and
 7 this is a very thorough and detailed report which I can
 8 tell you and I think most of the constituents are
 9 appreciative. We have been asking questions for months
 10 and now -- a couple of years on what has been going on
 11 with this project.
 12 So I would sincerely like to thank you
 13 because I am sure in the middle of the summer, you guys
 14 want to go on vacation. That was very extensive and we do
 15 really truly appreciate this.
 16 So some of my concerns, and I know
 17 Mr. Dougherty said we don't want to look back, but I think
 18 we have to ask some questions, some sincere questions
 19 about this project. No studies were done. No traffic or
 20 parking study was done since 2010. With such a massive
 21 project, why don't we start with some professional input
 22 on what our true problems are with our parking and our
 23 traffic. So I am concerned that that was never even
 24 brought up.
 25 No business plan. How do we not approach a

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 2 massive project like this with even an outline of a
 3 business plan? Why didn't we go to the business leaders
 4 of this town from the beginning and say we were thinking
 5 this might be a solution. Would you be interested and can
 6 I get a commitment from you? Apparently that hasn't
 7 happened either.
 8 No community input. We have come up here
 9 month after month asking questions. The reports have many
 10 times been nothing to report. So that concerns me.
 11 Things were going on, there was some information that
 12 could have been shared with the community and it wasn't.
 13 And the one thing that I am questioning is
 14 I know someone asked about the \$1.75 million. I was a
 15 little confused because I thought you received those funds
 16 but you haven't but it was mentioned on January 4th of
 17 2021 by Mr. Meyer, as you know, we got \$1.75 million from
 18 the state.
 19 MS. McHUGH: Thirty seconds left.
 20 MS. MILLER: Another comment was made that
 21 you had in talking to people about licenses or leases but
 22 you didn't have any and you don't have any.
 23 So my concern is with such a massive
 24 project like this, trust has been lost in how this has
 25 been managed and I truly thank you again because I think

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 2 you guys really stepped up and provided us transparency.
 3 MS. McHUGH: Time is up. Thank you.
 4 MS. MILLER: Looking forward to future
 5 information.
 6 PRESIDENT GERING: Any other comments? Mr.
 7 Balderston.
 8 MR. BALDERSTON: Thank you.
 9 I would also like to comment. Dan and his
 10 team, what you have done is outstanding in this short
 11 period of time. Much of that should have been passed on
 12 to us as the time has gone on and I know you don't want to
 13 go backwards.
 14 I also asked -- I have an aerial view of
 15 the existing parking spot where the proposed parking
 16 garage is to go. I will clearly give it to Council, I
 17 will be happy to pass it around to the group.
 18 MR. DOUGHERTY: What I would do rather
 19 than -- we do have some Zoom -- you can pass it around but
 20 we do have some Zoom people that we would need to make
 21 some sort of copy of that -- this document. We are going
 22 to ask Mr. Gray to include this in part of the minutes
 23 this evening so the folks on Zoom can get a copy of it and
 24 they will be more than happy to include the aerial view of
 25 that spot. We had some from the architect but if you got

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 2 something we can get it -- you can put these -- make these
 3 part of the minutes I believe.
 4 MR. GRAY: Yes.
 5 MR. DOUGHERTY: We will include that, that
 6 way everybody will have it.
 7 MR. BALDERSTON: Is it okay to pass it
 8 around?
 9 MR. DOUGHERTY: Yes. I don't have a
 10 problem.
 11 MR. BALDERSTON: I have a couple questions.
 12 I think it would be very helpful if the firm that is doing
 13 all of this work, THA, contacted municipalities that they
 14 have done these parking garages for and find out what the
 15 initial base proposal was and how much the overrides were
 16 because I definitely believe something of that magnitude
 17 you will have a number of overrides.
 18 And I also question the comment about the
 19 taxpayers not going to cost us any money. Well I think
 20 you must keep in mind that the people that own these
 21 hotels and restaurants that I believe you're going to try
 22 to get them to take spots, they are also taxpayers so
 23 therefore they are paying.
 24 I also think it is very important that you
 25 talk to THA. They have not done any soil boring test on

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2 that location to find out whether that ground will support
3 this structure. I asked one of the engineers that was at
4 that first open meeting, what are they going to do when
5 they find out that ground will not support this parking
6 garage.
7 MS. McHUGH: Twenty seconds.
8 MR. BALDERSTON: Pardon.
9 MS. McHUGH: You have 20 seconds left.
10 MR. BALDERSTON: Thank you. So I think
11 that should be explored and I also think you should pay --
12 spend more time exploring building a garage -- parking lot
13 on grade like I have talked about to people before and you
14 totally ignored that.
15 I have asked for a copy of the wetlands
16 plan.
17 MS. McHUGH: Time is up.
18 MR. BALDERSTON: You have ignored that as
19 well.
20 MS. McHUGH: Mr. Balderston, please be
21 respectful.
22 PRESIDENT GERING: Thank you. Any other
23 comments before we move on? Mr. Duffy.
24 MR. DUFFY: I too --
25 PRESIDENT GERING: Excuse me. Identify

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2 don't even come close to what they were and that was years
3 ago. Okay. That is one thing.
4 The other thing that bothers I think the
5 residents, is the lack of residents on these committees.
6 We have a committee without residents on it fail and we
7 got a new committee. Can we look forward to a few
8 residents in the mix of the committee? I think it would
9 be appropriate. Thank you very much.
10 PRESIDENT GERING: Thank you. Any other
11 comments? Pam.
12 MS. KERR: I am just asking what I heard
13 was that all of the spots would be basically taken up by
14 three or four businesses. Is that what the --
15 MR. DOUGHERTY: To answer your question,
16 that was sort of the design that was in play most
17 recently, basically it would be a way -- the rationale was
18 it would be a way for those businesses to not have to use
19 spots elsewhere in the Borough which would then free up
20 those spots that they are currently running around and
21 renting. So that was a concept -- conceptually.
22 I am not saying it was decided. It wasn't
23 decided by any reason. And in fact this committee had
24 great concerns that for optics perspective to spend that
25 kind of money to basically support three specific large

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2 yourself.
3 MR. DUFFY: Ed Duffy, Arden Way, 23, New
4 Hope, PA. Ex-Council person too.
5 PRESIDENT GERING: Microphone, please.
6 MR. DUFFY: Are you done?
7 PRESIDENT GERING: I want you to speak into
8 the microphone so everybody can hear you.
9 MR. DUFFY: I would --
10 MS. McHUGH: Be nice.
11 MR. DUFFY: Here's the other one starting.
12 MS. McHUGH: I asked you to be respectful.
13 MR. DUFFY: Can we get a gag rule going up
14 here?
15 Anyway, listen. I really truly, like other
16 people have said, thank the three people that stepped up
17 and replaced the committee that was in place, who resigned
18 without saying why. But thank you for very much, Louise,
19 Dan and Ken.
20 A couple of things. In my tenure, we had a
21 Princeton consultant group come in and talk about a
22 perspective parking garage where the Playhouse is now. It
23 was going to be below level and they put numbers together
24 on how much it was going to cost per space back then. And
25 checkout that presentation please, because your numbers

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2 businesses and not help our smaller businesses and perhaps
3 residents, we struggled with that but that is what we were
4 -- if a garage doesn't do that, if it is not three anchor
5 tenants like that, the design then actually changes. It
6 changes very quickly because instead of a bunch of valets
7 running 300 cars or something, you then have to have a
8 staff, an office, you have got to have people there. You
9 probably have to have public bathrooms.
10 So right at this stage, the \$15 million
11 figure assumes for this purposes of this illustration,
12 that it was three anchor tenants and that they would
13 absorb 315 spots and then the ten spots under the
14 litigation. That was the thing we were not comfortable
15 with and that is sort of where we looked it was going. We
16 are not saying that is by any means, any stretch of the --
17 MS. KERR: I wanted to know if I was
18 reading that correctly and hearing and just say that it
19 sort of sounded -- even though I realize this is where you
20 are now and not where you are going, it sounded like we
21 don't have a lot of public parking spots in the public
22 parking lots in the moment. I am concerned that something
23 is strange where are all of those spots out there, most of
24 which I am not allowed to access.
25 And one other thing, if you would consider

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2 since there seems to be a lot of people interested in this
3 -- the working session is fine for me, but it is not a
4 convenient time for many people, and if this one time
5 maybe it could be moved to a later time so more people can
6 show up.
7 I understand long ago why it was set the
8 way it was. It might be a thought to have more people
9 come out after 5:15 or 5:30.
10 PRESIDENT GERING: Bill.
11 MR. KASIRSKY: You guys are doing a great
12 job. Thank you.
13 PRESIDENT GERING: You have to identify
14 yourself.
15 MR. KASIRSKY: Bill Kasirsky, 114 North
16 Main Street. Our beautiful town --
17 PRESIDENT GERING: Spell your last name.
18 MR. KASIRSKY: K-A-S-I-R-S-K-Y. And my
19 wife doesn't want me to talk because I am from the Bronx
20 and I tend to curse so I will not curse.
21 You have spent a half a million dollars
22 already and I don't see any specific details and when will
23 we have some details? That is one of my questions. Maybe
24 I missed it because I am a little deaf.
25 The next question I have is there are some

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1 meeting?
2
3 MR. DOUGHERTY: That is correct.
4 MR. KARIRSKY: Thank you all for putting up
5 with my bullshit.
6 PRESIDENT GERING: Any other questions or
7 comments? Yes.
8 MR. CLAPPER: Bill Clapper, North Main
9 Street.
10 Dan, I just wanted to confirm you're
11 setting out here a process to evaluate a go or no go on
12 the garage or has the decision been made?
13 MR. DOUGHERTY: There is no decisions have
14 been made. I think its been previously announced that
15 there has not been a decision made.
16 This committee is going to lay out all of
17 the costs and all of the environmental issues that are
18 relative to that, as far as the economics, who will pay
19 for it and how much it will cost and then I guess we will
20 -- we can make a recommendation. I don't know that answer
21 but we will look to have everything completely laid out to
22 the whole world by August 17th.
23 PRESIDENT GERING: Seventh.
24 MR. DOUGHERTY: Seventh. As far as a
25 go/no go decision, right now this Council has voted on two

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2 specific successful businessmen on our committee. Have
3 you picked their brains? I know Maisel is -- I don't know
4 the rest of you, but I know Maisel is -- he is a very
5 successful businessman and have you picked his brain about
6 whether -- what he would do if he was going to build it?
7 MR. DOUGHERTY: I can say that we are very
8 aware of your perspective of the three people. We are not
9 looking in a vacuum. We are not looking in the rear-view
10 mirror. We are on this like a cheap suit at this point.
11 We are really digging into the numbers and
12 half a million dollars is disturbing obviously. So we are
13 not trying to minimize this.
14 MR. KASIRSKY: You haven't figured out what
15 if an individual comes to town and uses that parking spot
16 what will his fee be, \$10?
17 MR. DOUGHERTY: You will see some analysis
18 -- no, we know what the parking -- we will know at the
19 next meeting how much the rent would need to be from the
20 anchor tenants. You you will have that information.
21 MR. KARIRSKY: You will interview various
22 businesses to see if they want to lease?
23 MR. DOUGHERTY: We have done much of that,
24 yes.
25 MR. KARIRSKY: That will be at the next

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1 things to my recollection. One was to hire THA and one in
2 May was to continue to let -- actually reinvigorate them.
3 In May we said yes, you can start working on this again
4 because the litigation has settled.
5 That is the very -- what they are in is a
6 preliminary design. From there something called a
7 construction design gets created, that will be completed
8 sometime next year, middle of next year. From there
9 detailed construction plans get recreated. From there RFP
10 goes out. From there contractors are interviewed. From
11 there construction -- somebody gets awarded and then from
12 there it starts getting built.
13 We suspect that the ribbon day would be at
14 best October of 2026 so there is a lot -- we are probably
15 at phase -- if there is a hundred steps to this thing, I
16 think we are probably at step 13 honestly. And there is
17 so many decisions along the way.
18 Council has voted at this point, to my
19 recollection, to hire THA Design Consultant. That is the
20 full and only extent this Council has made a decision on.
21 Is that a fair statement?
22 MS. McHUGH: Since day one.
23 MR. CLAPPER: What if the financial
24 analysis determines two months from now or 60 days from
25

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 2 now, whatever, that we couldn't justify this cost-wise,
 3 return and cost --
 4 MR. DOUGHERTY: Again, let's see how it
 5 plays out.
 6 MR. CLAPPER: Okay.
 7 PRESIDENT GERING: Thank you.
 8 MR. CLAPPER: One other comment, if I may.
 9 I hope that Dan's response doesn't count against my three
 10 minutes. That is the way they do it at the US Congress,
 11 you know it doesn't count.
 12 I had the opportunity to speak with a
 13 person who was on the Doylestown Borough parking garage
 14 committee where they built three parking garages. You all
 15 may -- can agree with that.
 16 I met with them just this week and he told
 17 me two of the garages are losing money and one is
 18 marginal. Thank you.
 19 PRESIDENT GERING: Thank you. All right.
 20 We will wrap it up. You already spoke. We have a long
 21 agenda.
 22 MS. MILLER: I just want to add a
 23 clarification.
 24 PRESIDENT GERING: Real quick.
 25 MS. MILLER: You mentioned that the only

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 2 PRESIDENT GERING: That is Laurie McHugh is
 3 the Chair. I sit on that committee and Tina used to be on
 4 that so we will have to put someone on there.
 5 And what the parking committee does is it
 6 started five, six years ago when we put kiosks in town.
 7 That is how that committee was formed. And the goal was
 8 to research and make recommendations and it is the
 9 committee that we use to review leases and so forth when
 10 entities come into the Borough.
 11 MR. FREEO: Thank you.
 12 Thirdly, this is not a novel idea, others
 13 have suggested it and I think Joe has been the primary
 14 force behind this. But recognizing what I heard was it is
 15 going to be at least three years to construct this garage,
 16 if it goes ahead, in that timeframe. I think 2026.
 17 In that timeframe I think we are uncertain
 18 as to will that remote lot receive the proper utilization
 19 it needs if the garage is there; people want to access it,
 20 utilize it, et cetera.
 21 Can we perhaps, using Hardy Bush Road which
 22 was a recommendation, put up a professional signage, spend
 23 some money on signage. And I think Peter has suggested,
 24 bring people in the back of Hardy Bush, et cetera, and see
 25 if we can get the utilization of that current lot and

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 2 vote was for the design company. Was there a vote to do
 3 the litigation because you had to approve those funds?
 4 MR. DOUGHERTY: I will deflect that
 5 because that was done in executive session and it is
 6 looking in the past. We did enter litigation, that much I
 7 am sure of. I don't know -- I don't think it is really --
 8 you know, I don't want to go there. I am the ad hoc
 9 garage committee.
 10 PRESIDENT GERING: Okay. Jay, you will be
 11 the last one. We will move on.
 12 MR. FREEO: Jay Freeo, 186 South Main
 13 Street.
 14 I just want to acknowledge that the prior
 15 committee was really restricted in terms of the amount of
 16 information they could provide to us during the
 17 litigation, and I know that is mentioned in here but I
 18 wanted to sort of reiterate that.
 19 And I will just second the fact -- or third
 20 or fourth the fact, that this is a tremendous amount of
 21 work that went into this and it is a phenomenal job in a
 22 very, very short timeframe.
 23 The second item, there is a comment here
 24 about a parking committee. I never heard of a parking
 25 committee. Who is the parking committee?

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 2 certainly take the pressure off downtown.
 3 But if it is a huge success, that would be
 4 a great indicator that the garage may be a great success.
 5 But yet if it is a total failure, on the other hand, we
 6 may say you know what, put the garage -- we won't get the
 7 utilization. People don't want to go there. They don't
 8 want to walk, whatever.
 9 Just throwing that out there as perhaps a
 10 litmus test on could that location work. Thank you.
 11 PRESIDENT GERING: Thank you, everyone.
 12 So with that we will move forward. Is any
 13 one here from the New Hope Chamber? Come on up.
 14 Can I have a motion to amend to a special
 15 application for the fireworks contingent on finalizing the
 16 application and final review by the police.
 17 This is where the Chamber is asking the
 18 first Friday before each of the fireworks to close down
 19 Stockton Avenue and use the park and Stockton Avenue for
 20 entertainment and for a beer garden, correct?
 21 MS. MCHUGH: And also to bring some of the
 22 -- I am the liaison for the Chamber. They also want to
 23 bring New Hope Arts, they will expand onto the street and
 24 have a couple of tents up selling stuff as a preview for
 25 the Arts and Crafts Fair.

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2 PRESIDENT GERING: Can I have a motion?
3 MR. MEYER: So moved.
4 MR. MAISEL: Second.
5 PRESIDENT GERING: All right. Come on up.
6 You guys have some things that have to be approved.
7 MR. ZOLLO: Greg Zollo, Z-O-L-L-O, Bridge
8 Street.
9 As you have mentioned, this is to amend the
10 permits that we already had that would be for August 4th
11 and September 1st. As you laid out, it will include an
12 arts festival between Bridge and Ferry and a beer garden
13 again inside of the park.
14 We would have non-acoustic (sic) music. I
15 guess there is a circle area inside that park, beer would
16 be in the gazebo. Closing down Bridge and Ferry Street
17 from 2:00 to 11:00.
18 We are looking at about ten tables or so or
19 tents in terms of the artists and that is about it. That
20 is what I was told to tell you.
21 PRESIDENT GERING: Thank you.
22 Pete, they still have materials they have
23 to supply to the Chief, is that my understanding?
24 MR. GRAY: There is still some additional
25 information that is outstanding and the Chief can work

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2 garden in a very, very tight space, I share her concerns
3 that the park would not be allowed to fully lean into
4 those great new renovations that have been put into that
5 space.
6 Beth, do you want to add anything to that
7 while you're here? Sorry to put you on the spot.
8 MS. HASHER: Beth Hasher, H-A-S-H-E-R, 431
9 Riverview Circle.
10 So first of all as Louise said, we want to
11 -- we want to support you guys. You know, we love your
12 ideas and how you're bringing all of these fun activities
13 into our town but I do have some concerns with the beer
14 garden and food in Lenape Park. As Louise said, we just
15 put over \$30,000 in the park.
16 Space is a concern that -- as she said, it
17 is a rectangular narrow park, narrow walkways. So I do
18 believe Matt said that he can cordon off the beds,
19 correct? That could be done.
20 MR. DECKER: Yes. We will get some
21 cooperation with that.
22 MS. HASHER: Okay. I would really be
23 concerned if people started walking on the beds and
24 destroying some of the plant material. Trash is another
25 concern but I think as long as you guys have enough

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2 with this group to get that before the events occur.
3 PRESIDENT GERING: So the approval will be
4 contingent that you get everything.
5 Any discussion from Council or comments?
6 MS. FEDER: Yes, I have some and I may
7 invite Beth Hasher, who is the Chair of our Parks and Rec
8 Committee. To come up. Beth did communicate to me that
9 she as Chair of Parks and Rec Committee was contacted
10 about this.
11 Her concerns are noted in our Council
12 packet but for the purposes of this meeting I wanted to
13 communicate them. The Borough just spent \$30,000 to
14 renovate Lenape Park.
15 And while Beth was told that the Public
16 Works Department would cordon off the park to eliminate
17 the possibility of folks walking into the beer garden and
18 in Lenape Park, there is a real concern that just because
19 of the nature of the park's layout and how people are
20 going to be really hoping to get to the beer garden,
21 mixing alcohol into the use of that space just draws
22 another concern for those new plantings, new renovations
23 of the park.
24 Obviously the Parks and Rec Committee want
25 people to use the renovated park but by placing a beer

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2 receptacles and clean up, that shouldn't be a problem.
3 My last concern is security or crowd
4 control. I was with the New Hope-Lambertville Winter
5 Festival for 18 years and I can tell you from experience,
6 any time you mix alcohol into an event, you always have a
7 few people that -- maybe not, they won't behave as they
8 normally would. To put it mildly.
9 So I am hoping that something can be
10 arranged for the crowd control, security of some sort to
11 keep things -- and they are my main concerns but again, I
12 want to support you. I want people to use the park but my
13 responsibility is to protect the investment that we just
14 made in the park.
15 MAYOR KELLER: Beth, I will certainly have
16 that discussion with the Chief about having an officer up
17 there during the time that the beer garden is open,
18 assuming that Council approves the beer garden being up
19 there and one of the food vendors.
20 MS. FEDER: There was music, a beer garden
21 and I don't think there was a food vendor in the park.
22 MR. ZOLLO: I wasn't told that. I think it
23 is just beer and acoustic music in the park.
24 MS. HASHER: That is fine. I was told that
25 the Chamber will sponsor a small food table in the park.

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 2 Maybe that has changed.
 3 MAYOR KELLER: That is what I thought.
 4 MS. McHUGH: It just says small food table
 5 at the gazebo.
 6 MS. FEDER: There is food in the park and
 7 beer and music.
 8 MS. McHUGH: Small food table next to the
 9 beer with a musician in the gazebo. Everything you have
 10 wanted in the park.
 11 PRESIDENT GERING: Okay. Thank you, Beth.
 12 CORPORAL TREMBLAY: Corporal Tremblay with
 13 the New Hope Police Department. We just have had a couple
 14 questions.
 15 One, do you know the expected crowd number?
 16 MR. ZOLLO: I don't know.
 17 MS. McHUGH: A thousand.
 18 CORPORAL TREMBLAY: How many?
 19 MS. McHUGH: A thousand for the fireworks
 20 event.
 21 CORPORAL TREMBLAY: We are asking about
 22 specifically for the beer garden area.
 23 MS. McHUGH: We have never had one so no
 24 idea.
 25 CORPORAL TREMBLAY: That is fine. Then we

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 2 MS. McHUGH: Yes. Absolutely.
 3 CORPORAL TREMBLAY: We just wanted to make
 4 sure and I think that was the main thing.
 5 MS. McHUGH: Okay.
 6 MR. MEYER: While we have our police
 7 department there, let me just point out that the result of
 8 closing off Stockton is going to be a heck of a lot more
 9 traffic at the junction of Ferry and Main and maybe
 10 necessary to have traffic control up at that point.
 11 I don't know whether that is something that
 12 has been discussed with the Chief yet but that strikes me
 13 as being an issue. That was my thought when I was looking
 14 at this.
 15 CORPORAL TREMBLAY: That is fine. That was
 16 the other thing, why we are asking how many people you
 17 think will be in that area because our main focus is
 18 during the fireworks.
 19 MR. MEYER: I am concerned about the
 20 traffic flow.
 21 CORPORAL TREMBLAY: And the traffic flow,
 22 yes.
 23 So you're going to get with the Chief on
 24 the rest of this.
 25 PRESIDENT GERING: Thank you so much.

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 2 were also concerned about are they drinking in the park or
 3 are you allowing it out onto Stockton Avenue?
 4 PRESIDENT GERING: Good question.
 5 MS. McHUGH: Stockton Avenue will be
 6 closed down so my impression was you walk between the park
 7 and Stockton Avenue, not walk beyond.
 8 MS. FEDER: Of course I want to -- but all
 9 of the entrances in and out of Lenape are not on Stockton,
 10 they are on Bridge and Ferry.
 11 So are you going to have a separate traffic
 12 to keep from -- people from the park just on Stockton?
 13 MR. ZOLLO: I have not spoken to them about
 14 literally walking traffic.
 15 PRESIDENT GERING: You can close off
 16 sections to have control.
 17 MS. McHUGH: You can close off the one on
 18 Bridge so everybody stays on Ferry.
 19 CORPORAL TREMBLAY: Well and --
 20 MS. McHUGH: We can work with Matt.
 21 CORPORAL TREMBLAY: I did discuss it with
 22 Matt how we can cordon it off to go over to Stockton.
 23 Then our question is are you going to have
 24 monitors that will prevent people from taking the alcohol
 25 outside of that area?

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 2 Any questions?
 3 MR. MAISEL: I have a comment. This is
 4 somewhat unprecedented for New Hope. But its been done
 5 successfully in Lambertville, particularly last year,
 6 where they might have a similar size space and include
 7 Stockton to the cordoned off area, that is in
 8 Lambertville.
 9 Have you had any conversations with how
 10 they have handled crowd control? That is a wide area that
 11 -- all kinds of directions there. I am concerned that you
 12 know, trying to police this thing so the people are not
 13 walking everywhere in town with a beer. It is just not a
 14 good look.
 15 MR. ZOLLO: Sure. Michael Sklar, who is
 16 our president, who couldn't make it tonight, I will talk
 17 to him about that. We certainly want to comply.
 18 MR. MAISEL: Even if you cordoned off with
 19 some kind of --
 20 MS. McHUGH: This also -- it helps that you
 21 have to get a liquor license so it will be probably like
 22 Triumph Brewery or one of the local breweries in town,
 23 part of the liquor license, they will not jeopardize that
 24 by letting people just walk around.
 25 MR. MAISEL: I would like to see it done

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2 and be done successfully. I think it is a great idea. It
3 is our first crack at it and if we were talking to
4 Lambertville maybe they can --
5 MS. McHUGH: I can talk to Lambertville.
6 MR. DOUGHERTY: I apologize, what is the
7 date of this?
8 MR. ZOLLO: Sure. It is August 4th -- I'm
9 sorry, August 4th and September 1st.
10 MR. DOUGHERTY: Twice.
11 MR. ZOLLO: First Fridays.
12 MR. DOUGHERTY: My -- I think you know the
13 street fairs are fine fun. Who doesn't like a street fun
14 fair, musicians? This is a residential neighborhood that
15 is not a commercial strip. There is a restaurant there,
16 New Hope Arts is there but there is housing there. There
17 are people there from New Hope -- from Italian Cucina and
18 wrapping around there down Ferry and up Ferry.
19 It is in the middle of a residential -- and
20 I think we all think it is a great idea but we don't live
21 on Ferry Street. We don't live on Ferry Street. We don't
22 have musicians and people having a street fair, a party,
23 beer in front of our house or whatever.
24 So would there be lavatories --
25 porta-potties? I know what happens with beer, at least

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2 getting porta-potties.
3 MS. FEDER: Was there any consideration to
4 have the beer on Stockton Avenue closure versus in the
5 park itself?
6 MR. ZOLLO: This was decided by the
7 president and vice president. They sort of made those
8 decisions so I am not sure to be honest.
9 MS. FEDER: I would be curious to --
10 MR. ZOLLO: They can fit ten vendors on
11 Stockton and so they wanted to put the artists on Stockton
12 Avenue and have a beer -- a real beer garden inside of the
13 park.
14 MS. FEDER: I can't speak for Beth, I would
15 be curious -- not to make you get back up again. Again,
16 if you as President of the Parks and Rec Committee would
17 be more comfortable if the beer vendor was not in the park
18 itself, just so we wouldn't have the same crush of people
19 trying to get to -- likely be the most popular --
20 MS. McHUGH: Then we have to move one of
21 the vendors in the park.
22 MS. FEDER: What I am trying to find out
23 is if there is a -- this event does sound wonderful. We
24 all want to see Stockton Avenue used in exciting ways.
25 This is great for New Hope Arts. I love the idea but I

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2 with me.
3 MR. ZOLLO: It does -- I will make sure I
4 talk to them about that.
5 MR. DOUGHERTY: Will they have
6 porta-potties?
7 MR. ZOLLO: If you tell us in terms of the
8 contingencies to make this happen and that is part of the
9 contingencies, I want this --
10 MR. DOUGHERTY: I think it would have to be
11 a requirement.
12 MR. ZOLLO: Yes.
13 MR. DOUGHERTY: Are you in agreement?
14 MR. ZOLLO: Yes.
15 MS. FEDER: I would like to make sure the
16 porta-potties do not go in the park.
17 MR. ZOLLO: Right.
18 MS. FEDER: While we are talking about that
19 --
20 MR. ZOLLO: That would be the plan.
21 MS. FEDER: I would say while we are
22 talking about it --
23 MR. ZOLLO: We will have an insurance rider
24 that will put the town on the insurance rider.
25 MS. McHUGH: Michael says that we are

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2 want to make sure that we are being responsible for the
3 way -- for the park itself because we want people to use
4 it. I want to make sure we are not causing damage to
5 something we just invested a huge amount of time and
6 resource.
7 Beth, I'm sorry. You're here so --
8 MS. HASHER: It would be great if they can
9 put the beer on Stockton instead of in the park.
10 PRESIDENT GERING: I have a question. Are
11 they -- I assume they are charging for beer so really they
12 will be able to control -- they might be better off
13 controlling it inside the park because you can close the
14 gate rather than putting them on Stockton Street, that way
15 you have better control of what is happening.
16 MR. DOUGHERTY: I agree.
17 MS. FEDER: It goes --
18 PRESIDENT GERING: You know what, guys, if
19 they damage the goods, we are going to send the bill to
20 the Chamber so that is -- let's leave it at that.
21 MR. DOUGHERTY: Just one suggestion, Ken
22 whispered it so it is not mine, I am stealing it. There
23 is two events on August --
24 MS. McHUGH: First Friday.
25 MR. DOUGHERTY: And Council can say we are

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 2 okay with this first one and see how it goes and then we
 3 have two meetings in August, they can come back and say it
 4 was fine rather than approve two. I mean it is no cost to
 5 you to come back a second time and we can say it was
 6 lovely, nobody -- we didn't get complaints from Ferry
 7 Street, et cetera. That would make more --
 8 PRESIDENT GERING: The problem is if they
 9 are advertising it.
 10 MR. ZOLLO: We will be advertising.
 11 MS. McHUGH: And they have to secure the
 12 vendor for the beer.
 13 MR. DOUGHERTY: That is true.
 14 MAYOR KELLER: At least if the beer garden
 15 doesn't work right -- work well on the fourth, send them
 16 down -- they will have to relay it and put that --
 17 PRESIDENT GERING: That is a good point.
 18 MR. ZOLLO: We will -- this isn't going to
 19 be a rock house, this will be between -- we will be lucky
 20 if we have 25, 30 people. I don't know.
 21 MAYOR KELLER: How many?
 22 MR. ZOLLO: There won't be that many people
 23 between 2:00 and 4:00 -- people going to the beer garden.
 24 I know it is really testing it out. I just can't imagine
 25 this being --

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 2 MS. McHUGH: Second.
 3 PRESIDENT GERING: Any discussion?
 4 All in favor?
 5 MS. FEDER: Aye.
 6 MR. MEYER: Aye.
 7 MS. McHUGH: Aye.
 8 MR. DOUGHERTY: Aye.
 9 MR. MAISEL: Aye.
 10 PRESIDENT GERING: Aye.
 11 Next is a Zoning Hearing Board application
 12 for 121 Lakeview Street. Is anyone here for that
 13 application?
 14 This is an application that was in front of
 15 Council a couple months ago. They went to Zoning and
 16 Zoning turned down their request. It is a property in
 17 Riverwoods that the -- originally put exterior steps and
 18 made it into a two family home and that they are using it
 19 as an Airbnb.
 20 The problem with this property is
 21 Riverwoods' Association has guidelines where it is
 22 residential only for single families so they are not even
 23 -- I don't know if they have gotten approval from the
 24 association so I would say that we oppose their
 25 application.

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 2 MR. DOUGHERTY: Beer garden just from 2:00
 3 to 4:00?
 4 MR. ZOLLO: From 2:00 to 11:00. There
 5 won't be a ton of people.
 6 MR. DOUGHERTY: It is Friday night.
 7 MR. ZOLLO: Most people will be at bars.
 8 We will have people --
 9 MR. DOUGHERTY: Friday night, the
 10 fireworks.
 11 PRESIDENT GERING: All right. Guys, let's
 12 move this on. We can be here all night.
 13 Council, all in favor?
 14 MS. FEDER: Aye.
 15 MR. MEYER: Aye.
 16 MS. McHUGH: Aye.
 17 MR. DOUGHERTY: Aye.
 18 MR. MAISEL: Aye.
 19 PRESIDENT GERING: Aye. Opposed?
 20 All right. Good luck, guys.
 21 All right. Next on the agenda is 20 West
 22 Bridge Street for a Certificate of Appropriateness for a
 23 sign installation.
 24 Can I have a motion for approval?
 25 MR. MEYER: So moved.

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 2 Questions from Council?
 3 MR. MEYER: No, I certainly won't object.
 4 The statement is a group of unrelated individuals/persons
 5 living together as a single housekeeping unit without a
 6 profit motive maintaining a non-transient common household
 7 and sharing a permanent unity of social life. That is the
 8 definition in our ordinance of a family.
 9 And as it turns out, this particular
 10 property is being leased to the Bucks County Playhouse for
 11 the actors that come in, the actors -- that the actors --
 12 I don't believe that they have the same actors here the
 13 entire 12 months of the lease and therefore we are not
 14 dealing with a non-transient population, therefore I think
 15 we have to oppose it.
 16 PRESIDENT GERING: All right. We are
 17 going to oppose the application and send counsel to oppose
 18 it.
 19 John, did you hear me?
 20 MR. FENNINGHAM: I did.
 21 PRESIDENT GERING: Thank you.
 22 All right. Next is a Zoning Hearing Board
 23 application for 263 North Main Street for side yard
 24 setback variances. Anyone here? I recognize you. You
 25 haven't been here in ages.

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1 MS. McHUGH: Did you bring me 3D drawings?
 2 How many times do I have to ask, Mr. Fey?
 3 I know you can do them. You did them for New Hope Arts.
 4 MR. FEY: I don't think you will need them
 5 for this. Ralph Fey, F-E-Y. Ralph Fey Architects. A
 6 member of my firm --
 7 MR. WALBERT: George Walbert,
 8 W-A-L-B-E-R-T.
 9 MR. FEY: I have our homeowners, John
 10 Volpe, V-O-L-P-E, Mary Volpe, and their attorney and son,
 11 John Volpe as well.
 12 PRESIDENT GERING: Family business.
 13 MR. FEY: It seems just pretty
 14 straightforward but I will do my part to read this. And
 15 we are asking for a variance 275-14.A and 275-47
 16 dimensional variance to, in my words, relocate the
 17 existing garage closer to the street.
 18 Now having said that, we are not going to
 19 relocate the actual garage because it is undermined by a
 20 tree that is growing through it and the construction is
 21 not good so we are -- we will take that garage down and
 22 rebuild the garage closer to the street.
 23 Can I have you point? So you will see
 24 George is pointing on the right side, the existing garage
 25

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1 right-hand side the slipped forward garage, that is 42.2
 2 feet and 10.4 feet into the side yard.
 3 It will leave again the same side yard that
 4 already exists on the same neighbor of 1.6 feet. The
 5 neighbor has -- we have shared our drawings and our owners
 6 have spoken to the neighbors and they have no issue and
 7 chosen not to attend this meeting. I will bring an actual
 8 letter to the Zoning Hearing Board.
 9 Just the concluding part is this is part of
 10 improvement to the property. We are investing -- my
 11 clients are investing in a second floor of the house.
 12 This will be their personal residence.
 13 This is our best attempt to improve the
 14 property and keep the impervious surface compliant.
 15 PRESIDENT GERING: Any questions from
 16 Council or comments?
 17 MR. DOUGHERTY: What I can't tell from
 18 here, you may have been verbalizing it but I can't tell --
 19 not that this is a HARB application, but from the
 20 street -- in other words, part of the zoning purpose of
 21 the zoning is to control density.
 22 Now this 12-foot setback requirement is
 23 pretty -- is very, very standard and within our zone. I
 24 think the thrust of that for the purpose of the 12-foot
 25

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1 is where garage is drawn. It is slightly behind the
 2 house, it is on the left side of the property and it is
 3 exactly 1.6 feet off the property line.
 4 The unique nature of this house is we are
 5 not going to take down the house, we will put a second
 6 floor on top of the existing house so the house which is a
 7 stone house will remain. What we would like to do is --
 8 can you draw attention to the new garage, please. We
 9 would like to take the current garage and move it towards
 10 the street, albeit not the current garage, the
 11 reconstructed garage.
 12 This will do three things for us. It will
 13 shorten the distance that you have to pull in. George,
 14 can you show the turnaround? We are also adding a
 15 turnaround so a person can back out of the garage and
 16 enter Main Street front-on instead of what they currently
 17 do, which is back onto Main Street.
 18 Two, by moving it forward we will reduce
 19 the amount of impervious surface, which means we will have
 20 less driveway.
 21 Third, it will become an attached garage to
 22 the house as opposed to the detached garage.
 23 The nature of our request is that the --
 24 the entire area -- George, if you can point to it on the
 25

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1 setback of using a setback is to in effect control the
 2 density of the look of what things look like and how tight
 3 the houses are to one another.
 4 We often talk in this Council concerning
 5 this distance to the river and stuff like this. This
 6 seems to me, of course we don't have any photographs to
 7 see or renderings of how tall this is.
 8 MR. FEY: We have drawings.
 9 MR. DOUGHERTY: So how tall this is and I
 10 don't understand why we don't have those. That has been
 11 mentioned a dozen times that in order for -- we are not
 12 architects, we like visual aids. Like we don't have them
 13 here. I imagine your client has them. I imagine your
 14 client has designs of what this thing will look like, I
 15 imagine.
 16 MR. FEY: May I respond? There are
 17 elevations of the drawings. That is all we have done. We
 18 have to get a variance before we move forward. There are
 19 elevations in the package. It looks like exactly like a
 20 --
 21 MR. DOUGHERTY: Do we have them? Do we
 22 have them? Were they given to us? I'm sorry if you gave
 23 them to us and I don't have them.
 24 MR. FEY: I have the package here, I am
 25

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2 happy to share.
3 MR. DOUGHERTY: We try to not get stuff on
4 the fly like this. I have this.
5 MR. MEYER: That is on the fly.
6 MR. DOUGHERTY: That is on the fly.
7 MR. FEY: This entire package was
8 submitted. I can't tell you who distributed it to you but
9 this package was submitted.
10 MS. McHUGH: Let me see what you have
11 there.
12 MR. DOUGHERTY: I am talking about what it
13 looks like.
14 PRESIDENT GERING: One at a time.
15 MR. DOUGHERTY: I am saying this stack,
16 when I look at this there is not a picture of what a
17 person will look at with their feet on the ground and look
18 across. So that is what I was basically looking for. Why
19 don't we have that?
20 MR. FEY: I can't tell you why you don't
21 have that. We submitted it.
22 MR. DOUGHERTY: That is a failure of -- let
23 me show you what you submitted with your application. I
24 have a site plan. That is all you submitted with your
25 application.

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1
2 handed them in.
3 PRESIDENT GERING: Okay. All right. That
4 is okay.
5 MS. McHUGH: Stuff happens. There is a lot
6 of times you don't give us drawings too.
7 MR. DOUGHERTY: That is true. You gave
8 them, so please accept my apologies for -- you gave them,
9 I trust that you gave them. They are somewhere in the
10 building.
11 MR. FEY: So feel free to look at those. I
12 can let you know that the adjacent building to the left,
13 the adjacent building to the left is not close by, it is
14 over 40 feet away. It is not a close structure.
15 We don't face the water, we actually face
16 the canal that is behind us so it is not like we are
17 blocking a view of the river. The canal is raised and
18 elevated and behind us.
19 MR. DOUGHERTY: Not HARB?
20 MR. FEY: We are not HARB. I should say to
21 you by moving the garage forward it would have the same
22 aesthetic that it has. It is a garage door, it is just a
23 little closer to the street, more rear side of the
24 existing building.
25 MR. MAISEL: It is not in HARB?

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2 MR. WALBERT: We submitted 18 copies of
3 that.
4 MS. LITTLEFIELD: Can you show me what you
5 submitted so we can compare notes?
6 MR. FEY: We submitted 18 copies of this.
7 MS. LITTLEFIELD: I don't have any of this.
8 If you have this marked up --
9 MR. FEY: That was for me so I can speak
10 intelligently.
11 MS. LITTLEFIELD: You marked this as one
12 exhibit, your site plan and -- you marked Exhibit B as
13 your site. You have Exhibit C as the section of the
14 Zoning.
15 MR. FEY: I take great exception, I
16 provided 18 copies of the exact packet I am handing you
17 and they were submitted on time to the Borough. The fact
18 that you don't have them, I apologize. I am happy to add
19 mine to the record and you can look through them.
20 MR. DOUGHERTY: No, I think it is a
21 failure of our process here.
22 PRESIDENT GERING: Did you get those
23 copies?
24 MS. LITTLEFIELD: I did not, no.
25 MR. FEY: He personally drove them and

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2 MR. FEY: It is not in the HARB District.
3 PRESIDENT GERING: Guys, all right.
4 Whatever -- yes.
5 MS. McHUGH: Thank you for bringing them.
6 PRESIDENT GERING: Yes. Council stay
7 neutral?
8 MR. DOUGHERTY: Yes.
9 PRESIDENT GERING: Good. Okay. Good luck
10 at Zoning, guys.
11 MR. FEY: I try to please.
12 PRESIDENT GERING: You did.
13 MS. McHUGH: You did good. I would prefer
14 if they were up on the screen, but baby steps.
15 PRESIDENT GERING: Good luck to your
16 project. All right.
17 Next is a Zoning Hearing Board application
18 for 12 and 24 Waterloo Street. All right. Do we have a
19 representative here? Come on up.
20 MS. McHUGH: He is leaving.
21 PRESIDENT GERING: No one is here. All
22 right.
23 So this is -- they are looking for a
24 variance in order to move the lot line on the properties.
25 MR. MEYER: Can I make a brief comment?

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2 All right. This thing involves effectively
3 non-construction except for some minor changes in the
4 alignment of apparently a driveway to parking area.
5 It proposes to put parking for one piece of
6 property, 12 -- 12 Waterloo Street onto the property of 24
7 Waterloo or the other way around. I get confused reading
8 this thing. And as far as I can tell, the only reason for
9 all of this is that they are trying to move a -- they are
10 trying to add to the size of the lot of 12 Waterloo.
11 They previously, by the way, tried to merge
12 the two, if I remember correctly, and were rejected in
13 trying to merge them. It would appear as though now they
14 are trying to move the boundary between the two lots. In
15 other words, give some of the property that is now 24 over
16 to 12 in order to have a large enough lot at 12 in
17 addition to 24 to do something like put townhouses on both
18 of them.
19 And for that reason, as far as I can tell,
20 since that appears to be the only reason for that
21 particular application, I oppose it. Thank you.
22 PRESIDENT GERING: The gentleman back
23 there. Are you the owner of the --
24 MR. COHEN: Jeff Cohen, C-O-H-E-N.
25 PRESIDENT GERING: Are you the owner?

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2 about 156 feet of frontage on the river. And Chris
3 Asplundh, who has the property directly on the north side
4 of that lot, he purchased these properties and separated
5 it and whatever, 20 feet, so he could create parking for
6 his place next door and then took the other place where
7 the existing house is, no one has been living there for
8 probably three years approximately. So it is a wash as
9 far as obviously you're going to probably --
10 MR. COHEN: We will build a single family
11 house on that lot.
12 MAYOR KELLER: It is a spectacular lot.
13 MR. COHEN: It is a nice lot.
14 PRESIDENT GERING: Yes. Do you have a
15 question?
16 MR. FREEO: This gentleman -- Jay Freeo,
17 186 South Main Street.
18 You're at 24?
19 MR. COHEN: Yes.
20 MR. FREEO: My question is what is the plan
21 going to be for 12 Waterloo --
22 MR. COHEN: He has --
23 MR. FREEO: -- assuming this variance is
24 approved? Is it just to secure additional space for
25 parking?

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2 MR. COHEN: I am the owner of 24 Waterloo.
3 So what happened -- I wasn't supposed to be here, I
4 assumed what happened was we purchased the property on 24
5 Waterloo and we were told we had 135 feet of frontage.
6 And then what happened was there was a subdivision that
7 was supposedly done like five years ago that I think it
8 went through zoning and everything passed but wasn't
9 recorded. That is what I was told.
10 So we are going to build on 24 Waterloo.
11 Then all of a sudden we found out that subdivision wasn't
12 effective so we thought we had 135 feet and it turns out
13 we have 155 feet. So what the former owner, who lives at
14 12 Waterloo, what he was trying to do is he was trying to
15 get that 20 feet back because that in essence is his
16 parking so we didn't oppose that.
17 We are at 24 Waterloo. We are working with
18 Ralph Fey, we are going to put a single family house on
19 that lot. So we were just trying to kind of -- well the
20 former owner, his lawyer made a mistake, so he was just
21 trying to straighten everything out so that he has that
22 20 feet that is part of our lot. So that is kind of --
23 MAYOR KELLER: I know that property very
24 well, if I may.
25 So Robert Rosenwald owned it and he had

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2 MR. COHEN: Right now there is a gate there
3 and for his parking and that is really his. Technically
4 because of the subdivision, it didn't get recorded, I own
5 it but it is really not my parking so I am giving it back
6 to him. He will use that just for parking spots.
7 MR. MEYER: What is interesting about this
8 -- I haven't looked at the detail of the deeds. I am
9 trying to figure out why the heck that explanation wasn't
10 provided to us.
11 MR. COHEN: It is insane. We are getting
12 held up now because we were told the subdivision was done
13 and it wasn't until I was working with the surveyor and he
14 said you own an extra 20 feet. We don't want the 20 feet.
15 It is not ours.
16 MR. DOUGHERTY: I have to ask a question.
17 So there is Asplundh, you're Cohen and then there is an
18 attorney?
19 MR. COHEN: He is the attorney for
20 Asplundh.
21 MR. DOUGHERTY: They are not here.
22 MR. COHEN: Yes.
23 MR. DOUGHERTY: You are one of the two
24 owners involved in this in some way as an applicant.
25 MR. COHEN: I signed it. He was supposed

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2 to use his attorney and get everything through because we
3 weren't really a part of it.
4 MR. DOUGHERTY: I can tell you why this is
5 so confusing, what I don't know -- I say we stay neutral
6 on this.
7 What are we supposed to do? No one is here
8 to answer questions. They should come back. Frankly
9 there is no -- you're making statements, which I believe
10 you and everything for the other owner, for the past
11 history for the thing, for the other applicant and those
12 houses being built.
13 If they wanted to weigh in on this --
14 obviously they don't because they are not here tonight.
15 MR. COHEN: It is confusing. I don't know
16 why they are not here.
17 MR. DOUGHERTY: I think this has to be
18 tabled.
19 PRESIDENT GERING: Can we have your opinion
20 on this one?
21 MR. DOUGHERTY: Or we go and fight it.
22 We can't just be neutral.
23 MR. FENNINGHAM: There is two issues in my
24 mind. I am just looking over it now. There will be a
25 need for the applicants to grant a further time extension

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2 MR. FENNINGHAM: That is -- there is a lot
3 for the Zoning Board to digest and reach a new
4 determination which is why your ordinance requires
5 variance relief to be implemented within a year. Now we
6 have to reset the clock and hear further evidence.
7 But again, my point tonight is if you
8 choose to bring back both owners, the applicant -- the
9 Zoning Board must reach a determination within 75 days.
10 If not, it is deemed denied.
11 So in fairness, just to educate part of the
12 applicants, they should get an extension of time for the
13 Zoning Hearing Board, allow you to revisit this at the
14 August meeting. That would be my advice.
15 PRESIDENT GERING: So -- all right. So you
16 will have to get an extension and then come back in
17 August.
18 MR. COHEN: Okay.
19 MR. DOUGHERTY: Are you agreeing to that?
20 MR. COHEN: Yes. I wasn't even supposed to
21 be here. I don't have a lawyer.
22 MR. MEYER: You have done your neighbor a
23 favor by showing up.
24 MR. COHEN: That is kind of what happened.
25 MR. MEYER: Quite frankly to help us, we

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2 to the Zoning Hearing Board if you decide tonight to ask
3 the co-applicants to come back.
4 There is also prior a variance that was
5 granted that apparently pursuant to paragraph 14 of the
6 application has expired.
7 So what -- I understand what Mr. Cohen is
8 saying but I don't understand how his survey resulting
9 from the subdivision was in error. So the shifting of
10 space from -- if I understand it right, from 24 to 12,
11 this information is confusing to me because there is
12 averments of non-conformities being increased and
13 decreased on the same lot as I read this tonight.
14 So I really do think you need a better
15 explanation to determine whether -- what position Council
16 will take on this. But to do that again, I think
17 Mr. Cohen needs to speak to counsel for the neighbor and
18 get -- and go before and submit an -- not an application,
19 a letter to the Zoning Board to get an extension of time.
20 MR. COHEN: They got -- zoning passed it
21 five years ago. Like you said, it expired.
22 MR. FENNINGHAM: Well this says 2019.
23 MR. COHEN: Yeah, 2019. So they already
24 kind of went through it. My understanding is that it
25 never got recorded so therefore it didn't happen.

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2 thank you for showing up because otherwise it would have
3 been -- we would have been floundering.
4 MR. COHEN: It is not fair to you. I am
5 really upset with this. Thank you.
6 MR. FENNINGHAM: I can't speak for the
7 Zoning Hearing Board, but those applications for
8 extensions of time are routinely granted, particularly
9 when the Council is inviting the co-owners to come back.
10 MS. LITTLEFIELD: Mr. Cohen, you will reach
11 out to Colby --
12 MR. COHEN: Yes, I will tonight.
13 MS. LITTLEFIELD: Thank you.
14 MR. COHEN: Thank you.
15 PRESIDENT GERING: Thank you.
16 All right. Next on the agenda is a Zoning
17 Hearing Board application for 28 West Bridge Street.
18 Is anyone present here for this? No.
19 All right. That is for the -- it is the
20 B&B that has been doing events and they have to get a
21 variance.
22 MR. DOUGHERTY: They are not here.
23 Did they get a violation? Is that what
24 happened?
25 PRESIDENT GERING: What do we do with them?

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 2 Do they have to get an extension since nobody is here?
 3 MR. MEYER: They were appealing a cease and
 4 desist order.
 5 MS. LITTLEFIELD: They were given a notice
 6 of violation and given a cease and desist order. My
 7 understanding is that they have ceased those activities
 8 pending their application to the Zoning Hearing Board and
 9 the Zoning Hearing Board's determination.
 10 MR. FENNINGHAM: So that process can go
 11 forward with or without Council's comment or position
 12 unless you want the applicant to come back to you. I am
 13 presuming that the applicant didn't realize that they had
 14 to be here tonight.
 15 MR. DOUGHERTY: This is exhausting. They
 16 didn't know they had to be here?
 17 MR. FENNINGHAM: I am presuming that.
 18 PRESIDENT GERING: I am familiar with that
 19 property. I had neighbors who did their wedding there and
 20 I really don't think that anyone realized that they can't
 21 have a party on the rooftop and that is what it is.
 22 You guys want to stay neutral and let it go
 23 to Zoning?
 24 MS. McHUGH: I am fine with that.
 25 MS. FEDER: Sure.

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1
 2 MR. MEYER: Yeah.
 3 MR. DOUGHERTY: I am understanding what
 4 they are asking for in this one. Okay.
 5 PRESIDENT GERING: We will stay neutral on
 6 that applicant. Thank you.
 7 Next is can I have a motion to approve
 8 release of escrow for number 14 Rabbit Run?
 9 MR. MAISEL: I will make that motion.
 10 MS. McHUGH: I will second.
 11 PRESIDENT GERING: All in favor?
 12 MS. FEDER: Aye.
 13 MR. MEYER: Aye.
 14 MS. McHUGH: Aye.
 15 MR. DOUGHERTY: Aye.
 16 MR. MAISEL: Aye.
 17 PRESIDENT GERING: Aye. Thank you.
 18 Can I have a motion to approve the change
 19 order for THA Consultants?
 20 MR. DOUGHERTY: I will make that motion but
 21 --
 22 PRESIDENT GERING: Second?
 23 MR. MEYER: Second.
 24 MR. DOUGHERTY: Discussion?
 25 PRESIDENT GERING: Go ahead.

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 2 MR. DOUGHERTY: I can describe this a
 3 little bit. First off, we want to have it brought to the
 4 attention of the public, however it is not our
 5 recommendation to approve this money.
 6 This next step, which is an invoice, which
 7 is basically sort of like a change order is the best way I
 8 can describe it to Council. This came to the Borough on
 9 June 20th, last month, probably the previous committee may
 10 not have seen this. I don't know. It was an earlier
 11 version of it, et cetera, et cetera.
 12 But this is a -- basically a \$71,000 change
 13 order request that encompasses a bunch of things,
 14 different things and the problem with it is -- and we have
 15 researched it very closely, previous committee members, is
 16 that by authorizing this money THA would presume that many
 17 of the design decisions that are still influx with half a
 18 dozen or so yes/nos that have to be decided; basically the
 19 valet station. The office, yes/no. Bathrooms, yes or no.
 20 Solar readiness, yes/no, and a couple of others, that
 21 those decisions would be provided to them like in the next
 22 -- actually Friday. This Friday. This Friday, three days
 23 from today.
 24 So -- and we would tell them yes bathrooms,
 25 no solar array. The committee would just make decisions

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 2 to -- obviously Council had not been apprised of pros and
 3 cons and costs. So we are not at a point where Council is
 4 ready to make those decisions by any means. There is half
 5 a dozen of these things that the basis actually drives the
 6 use of the garage. So along those lines, that is one
 7 part.
 8 The other part is in this \$71,000 is a
 9 charge -- I will make this number up, of about \$40,000
 10 that THA feels has to be added to the existing \$422,000
 11 contract of which about \$300,000 is remaining of about
 12 \$40,000 to account for inflation that has occurred since
 13 everything stopped for a couple years, which is totally
 14 reasonable.
 15 And we haven't gotten into the say prove it
 16 to us but clearly two years ago when they quoted this
 17 thing we had to stop because of litigation, now things
 18 cost more. So part of that is in that 71,000.
 19 Lastly, they have decided somewhere along
 20 the lines, we are not sure, that they instead of doing
 21 five borings, they need to do ten borings because of the
 22 amount of space. And they are not doing the borings for
 23 these past two, three months in order to save us money,
 24 according to them.
 25 So they haven't done any borings and in

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1
2 this would be another \$5,000 for the extra five borings
3 because of how big the lot is they have determined or
4 actually engineers determined, that they need ten borings.
5 And to not bore you with all of those
6 details, I don't think -- this committee doesn't think
7 this is something that should be approved.
8 However, there is \$13,700 of this \$71,000
9 which is actually owed to them and it is for stuff that
10 over the last 30 months has just bumbled through. It is
11 not a tremendous amount of money. It is very natural
12 where there was discussions took place and about \$13,700.
13 Also we haven't been billed by them since
14 last July so there is a little bit, dribs and drabs of
15 work getting done and that \$13,700 is in here, is in this
16 number.
17 So it is my -- it is our recommendation
18 that this motion be modified to not approve this as stated
19 but to approve the payment of basically the contractual
20 payment of \$13,700 at this time and then we will return to
21 this once we get a couple -- once we can get -- come --
22 once the committee can come to Council with its answers on
23 the yes/no on those half a dozen variables and then we
24 will return it and approve this.
25 But approving this now, all we do is get

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2 to make this \$18,700, authorize the extra five borings, we
3 can do that too.
4 MS. McHUGH: I would like to do that.
5 MR. MEYER: Let's do that. And also can we
6 include in this please as part of this, a direction to THA
7 to conduct the borings.
8 MR. DOUGHERTY: Yes.
9 MR. MEYER: They promised that to us
10 sometime in May.
11 MR. DOUGHERTY: Yes. Exactly.
12 MS. McHUGH: You guys won't get any answers
13 without that.
14 MR. DOUGHERTY: That is correct.
15 MS. McHUGH: Another reason why we couldn't
16 answer many questions.
17 MR. DOUGHERTY: The borings -- we would
18 like to ask this to be amended to make payment,
19 contractual payment to THA in the amount of \$18,700 and
20 then we will cover these other things.
21 PRESIDENT GERING: Jay, go ahead before we
22 vote.
23 MR. FREEO: Jay Freeo, 186 South Main
24 Street.
25 Quick question. That was an excellent

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1
2 them to do a lot of work on things that we don't have
3 answers to. So our goal tonight is -- we talked about
4 this, this is to be fair to them to get them paid but not
5 let them just drive forward with this at this stage.
6 PRESIDENT GERING: All right. We will
7 amend the motion to \$13,000 --
8 MS. McHUGH: I have a question. So the
9 five borings weren't getting done?
10 MR. DOUGHERTY: Never. Not started the
11 borings. We have asked them many times and they basically
12 each time have said they wanted to save -- the reason they
13 didn't do them is they wanted to save us money. They
14 could have done them three months ago.
15 MS. McHUGH: As they were told to.
16 MR. DOUGHERTY: They didn't do them because
17 they in their infinite wisdom decided that since they
18 needed ten, it would be more prudent to send one
19 mobilization out to do the ten borings to save the trips.
20 So I --
21 MS. McHUGH: A thousand dollars --
22 MR. DOUGHERTY: People that know me know
23 that conversation did not go well with me and THA. So be
24 that as it may, they still haven't done the borings. We
25 will empower them and direct them -- actually if you want

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2 explanation of all of the various charges. What confused
3 me was it sounded like the \$13,000 should have been part
4 of the original contractual amount and the 13,000 is only
5 simply a progress payment towards that original amount or
6 is it truly a change order?
7 MR. DOUGHERTY: The 13,000 is actually
8 incurred, it is not part of a change order. It is
9 incurred invoices sort of out of the contract over the
10 last 12 months.
11 Nobody envisioned us shutting the project
12 down. So the money just sort of ran out during that time.
13 MR. MEYER: Let me add to Jay's question,
14 the \$13,700 is not including the enumeration that we are
15 looking at here?
16 MR. DOUGHERTY: Correct. The \$13,700 is
17 embedded in this.
18 MR. MEYER: Thank you very much.
19 MR. MAISEL: Jay, I think what you are
20 driving at is there might have been questions and
21 investigations and things outside the scope of the
22 original and these were --
23 MR. FREEO: Additional scope.
24 PRESIDENT GERING: Thank you.
25 All in favor?

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1 MS. FEDER: Aye.
 2 MR. MEYER: Aye.
 3 MS. McHUGH: Aye.
 4 MR. DOUGHERTY: Aye.
 5 MR. MAISEL: Aye.
 6 PRESIDENT GERING: Aye. Thank you so much.
 7 Next can I have a motion to approve the
 8 amended rate schedule for our Solicitor?
 9 Why this is being done is we approved the
 10 rate in January and a rate was approved for the municipal
 11 rates and one when John is working with our contractors,
 12 the developers but we never did a rate for him for special
 13 counsel, right, and we do have another counsel that we use
 14 for special counsel.
 15 So what we would like to do is amend it so
 16 for special counsel projects his rate would be \$235.
 17 Can I have a motion for approval?
 18 MS. McHUGH: I will make that motion.
 19 MR. MEYER: Second.
 20 PRESIDENT GERING: Any questions?
 21 All in favor?
 22 MS. FEDER: Aye.
 23 MR. MEYER: Aye.
 24 MS. McHUGH: Aye.
 25

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1 MS. McHUGH: Aye.
 2 MR. DOUGHERTY: Aye.
 3 MR. MAISEL: Aye.
 4 PRESIDENT GERING: Aye. Thank you so much.
 5 Next can we have a report from Parks and
 6 Rec is first on here. Louise?
 7 MS. FEDER: Sure. Just briefly, Parks and
 8 Rec met last month to discuss upcoming planting plans. We
 9 had a nice presentation by Lambertville Goes Wild on
 10 native plant initiatives within Lambertville and the group
 11 was learning more about possible ways to adopt those
 12 methods and strategies in New Hope and something the group
 13 is taking under consideration going forward.
 14 And then more discussions about public
 15 sculptures initiatives with New Hope Arts sculpture
 16 program in New Hope and we are planting some more plants.
 17 PRESIDENT GERING: Thank you. Shade Tree.
 18 MS. McHUGH: So if you walk around town
 19 you will see there is a lot of action going on with our
 20 shade trees. We are in the middle of our porous pave
 21 project, which is a fabulous thing.
 22 I will do a more advanced program or
 23 project presentation next month when everything is done
 24 with the pictures and all of that stuff. And the -- we
 25

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1 MR. DOUGHERTY: Aye.
 2 MR. MAISEL: Aye.
 3 PRESIDENT GERING: Aye. Thank you.
 4 Next is can I have a motion to approve the
 5 minutes for June 5th, 2023 workshop?
 6 MR. DOUGHERTY: I will make that motion.
 7 MS. McHUGH: I will second.
 8 PRESIDENT GERING: All in favor?
 9 MS. FEDER: Aye.
 10 MR. MEYER: Aye.
 11 MS. McHUGH: Aye.
 12 MR. DOUGHERTY: Aye.
 13 MR. MAISEL: Aye.
 14 PRESIDENT GERING: Aye. Thank you.
 15 Can I have a motion to approve the July
 16 accounts payable for \$213,348.90? June 27th, June 30th
 17 and July 14th payroll in the amounts of \$4,373.28,
 18 \$84,194.07 and \$80,773.11.
 19 MS. McHUGH: I will make that motion.
 20 PRESIDENT GERING: Thank you.
 21 MR. MAISEL: Second.
 22 PRESIDENT GERING: All in favor?
 23 MS. FEDER: Aye.
 24 MR. MEYER: Aye.
 25

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1 are meeting tomorrow.
 2 PRESIDENT GERING: Thank you.
 3 MR. BALDERSTON: Comments on the --
 4 PRESIDENT GERING: Can we finish, then you
 5 can ask a question.
 6 MR. BALDERSTON: It is about the Shade Tree
 7 Committee.
 8 PRESIDENT GERING: Go ahead.
 9 MR. BALDERSTON: This is very simple. I
 10 appreciate all of the work Shade Tree Commission has been
 11 doing but I would like to -- can you look at a tree on
 12 North Main Street that is dying and it is getting ready to
 13 collapse or fall. And that is located north of 25 North
 14 Main Street. I don't know the address of the tree itself.
 15 It is right across the street from the Dubliner. If you
 16 look at the top, you will see a lot of it is dead.
 17 MS. McHUGH: I will bring it up at
 18 tomorrow's meeting.
 19 Would you like a response to this? Would
 20 you like Shade Tree to respond after the meeting to you
 21 directly?
 22 MR. BALDERSTON: I'm sorry.
 23 MS. McHUGH: Would you like Shade Tree to
 24 respond directly to you after I find out the answer to
 25

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1
2 this question?
3 MR. BALDERSTON: No. I wanted to make sure
4 --
5 MS. McHUGH: I don't want to be accused of
6 not answering again.
7 PRESIDENT GERING: Pam, did you have a
8 comment?
9 MS. KERR: I was just hoping for an answer
10 eventually about when trees overhang the sidewalk and
11 interfere with walking on the sidewalk. What is the
12 policy?
13 MS. McHUGH: They need to be trimmed. Do
14 you have a certain one?
15 MS. KERR: JaQuinley talked to somebody
16 about a tree with poison ivy in it that you can't avoid
17 without ducking down and --
18 MS. McHUGH: Is this on --
19 MS. KERR: It is Phillip Powell's old
20 house, P-O-W-E-L-L.
21 MS. McHUGH: Is that New Street?
22 MS. KERR: No, North Main Street. Charles
23 -- I don't know the number but JaQuinley I think called or
24 something.
25 MS. McHUGH: Where at on North Main Street?

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1
2 MS. McHUGH: Yeah. And any time you see
3 anything like that, just bring it to our attention. You
4 can e-mail the Borough and we will forward it to Shade
5 Tree and we will take a look.
6 MS. KERR: I may show up tomorrow when I
7 have more information because JaQuinley was told there is
8 nothing you can do about it.
9 MS. McHUGH: That doesn't sound right. If
10 it is bushes -- Shade Tree. Is it a bush?
11 MS. KERR: If it is a bush, does that
12 change things?
13 MS. McHUGH: That just wouldn't fall under
14 the Shade Tree. Poison ivy is an issue.
15 MS. KERR: It is over the sidewalk.
16 MS. McHUGH: Okay. I will have to look at
17 it. We will have to look at it.
18 PRESIDENT GERING: Dan, do you have
19 anything else to say about the Parking Facilities
20 Committee?
21 MR. DOUGHERTY: We are good. Thank you.
22 PRESIDENT GERING: You guys did a great
23 job.
24 MS. McHUGH: Very great job. A lot of
25 work.

COUNCIL - JULY 2023

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2 MS. KERR: North of --
3 MS. FEDER: It is Ferry and North Main.
4 MS. KERR: Next to Sherry Baker's house.
5 What is Charles' last name.
6 MAYOR KELLER: Tiffany.
7 MS. KERR: Tiffany. Thank you. Is it his
8 house? Charles Tiffany's house.
9 MS. McHUGH: It overhangs with poison ivy?
10 MS. KERR: Yes. And up until recently the
11 house next to 131 had -- until they took it down, for
12 years had overhanging stuff and we just had to duck.
13 MS. McHUGH: We do a full survey of all of
14 the shade trees and the committee goes out and looks at
15 them.
16 MS. KERR: Well for years anybody who was
17 trying to get someone in a wheelchair and not get knocked
18 was having to walk like this and the rest of us --
19 MS. McHUGH: Is this one on Sherry's house?
20 MS. KERR: This is now gone.
21 MS. McHUGH: That one is taken care of?
22 MS. KERR: But it was for years. That
23 should be something that you look at because since you
24 don't walk North Main Street as often, you might not
25 notice it.

COUNCIL - JULY 2023

1
2 PRESIDENT GERING: Finance Committee.
3 MR. MAISEL: Okay. So I guess we are just
4 kind of getting into it now. I hope that everyone who is
5 interested in the financials has picked up -- we have them
6 printed. Pete, are they here somewhere, the financials?
7 MR. GRAY: Yes, at the front entrance.
8 MR. MAISEL: So I -- the way I look at
9 this and the way I present this for the public is to
10 really just kind of do an overview of the main line items,
11 which make up 80 or 90 percent of the budget from a
12 revenue standpoint and from an expense standpoint.
13 If that is not satisfying, the delivery of
14 that, then the numbers are available to you to question.
15 They will be on the website tomorrow and you know, you can
16 go through them.
17 As an overview, revenues are tracking equal
18 to or ahead of budget for the year. This is based on
19 actuals through the first six months with the influence of
20 projections to the remaining six months of the year. Best
21 of our ability.
22 If you look at that document, you can see
23 that that is the case. There are some anomalies in there
24 and some smaller line items that can be explained. If
25 you're interested, please see that for the explanation.

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2 All line items or major revenues tend to be
3 tracking higher than versus the budget. On the expense
4 side, the Borough is at or under budget for all major
5 expense line items. That also makes up 80 percent of the
6 budget from the major line items using historic data and
7 timing considerations we see no budgetary concerns for the
8 balance of the year.

9 And that is where we stand for finances.
10 So we are in really solid shape and hopefully feel
11 comfortable if that is the case.

12 PRESIDENT GERING: Thank you.
13 Do you have a HARB report?

14 MR. MAISEL: No, I don't. I have been
15 derelict and I didn't follow up on -- Jay probably could
16 be helpful on this if we want to get into it tonight or I
17 can learn what happened at the last HARB meeting.

18 PRESIDENT GERING: You can do it next
19 month.

20 MR. MAISEL: I need to reach out.

21 PRESIDENT GERING: Thank you.
22 Zoning. The meeting was cancelled this
23 month for The Landing and is being continued to August
24 14th. So there was no Zoning Hearing Board meeting.

25 So next is Mr. Meyer.

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1
2 RB-1 and RB-2, that there was an error in the
3 informational letter that was sent to owners dated
4 July 14th that said that the comparable buildings that
5 were -- buildings that will be excluded or demolition that
6 would be excluded from the comparisons in that scale
7 definition within the ordinance makes reference to a
8 period 2002 to 2022, when in fact the correct statement is
9 that only those kinds of changes that have occurred in the
10 past ten years are what is covered in the ordinance and
11 that is what is skipped per the ordinance.

12 Both of those now should be ready for
13 Council action -- both of those in August given the way we
14 understand the process.

15 PC is also working on the launch of the
16 comprehensive plan process, reviewing the plan, looking to
17 craft a RFP that we have from Pete Gray for -- to try and
18 get us some help in the planning process and writing the
19 boilerplate that needs to be done.

20 We are prioritizing PC concerns and
21 developing the process for creating a new comprehensive
22 plan that serves the current development needs of the
23 Borough. In the process we look at -- looked at the past
24 plan and several members of the Planning Commission noted
25 the past plan 2011 remains relevant in a number of ways

COUNCIL - JULY 2023

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2 MR. MEYER: Planning Commission met last
3 night. It approved the revised Central Commercial
4 District ordinance with one small clarifying edit having
5 to do with the finding of what was meant by a --

6 MS. LITTLEFIELD: It was --

7 MR. MEYER: A property -- an area below the
8 grade --

9 MS. LITTLEFIELD: Area below street level.

10 MR. MEYER: Below street level. A couple
11 of words of clarification. Planning Commission did not
12 think that that constitutes a material change but that is
13 going to have to be a judgment that is made by the Borough
14 Solicitor. But Lisa has that change in language.

15 MS. LITTLEFIELD: I did forward all of that
16 to Mark Labrum this morning and Mark did respond and said
17 that he believes it is immaterial so they can make that
18 change.

19 MR. MEYER: Great. Thank you.

20 Then we also approved a revision of the
21 Residential Zoning ordinance creating the RB-1 and RB-2
22 Districts and that is also going to be ready to go for
23 Council decision in August.

24 I do need to note that for those of you
25 that may have received an informational letter about the

COUNCIL - JULY 2023

1
2 and it seems to have been little used in some of the
3 decision making that they were identifying having been
4 done with regard to land use.

5 More specifically, there seems to be no
6 reference to the comprehensive plan that seems to get done
7 by the Zoning Hearing Board when it is making decisions
8 and after all, of the Zoning Hearing Board's variances
9 represent a change from zoning that has been done
10 consistent with the comprehensive plan.

11 So the PC sort of suggests that it is
12 prepared to have at least a subcommittee review the
13 applications for the Zoning Hearing Board -- a Zoning
14 Hearing Board petition before it gets seen by Council so
15 that it may be able to advise Council as to whether or not
16 this is something that Council should in fact object to
17 given the content of the plan.

18 That is simply something that the Planning
19 Commission has suggested, given the fact that the number
20 of variances are going to tend to decline, the variance
21 requests, due to the new dimensional requirements proposed
22 by the RB-1 District, that may or may not be something
23 that the Planning Commission will take on but the members
24 wanted me to let you all know that they are willing to do
25 that. End of my report.

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2 PRESIDENT GERING: Thank you.
3 MR. MAISEL: I have a question. The letter
4 that went out, was there another letter that corrected the
5 letter sent out to the recipients?
6 MR. MEYER: We discovered this error last
7 night so it is not as though anything could have happened.
8 I will turn that one over to Pete.
9 MR. MAISEL: It seems to me that we may
10 want to send a new letter out with the corrections in it.
11 Somebody was -- actually reached out to me and I said I
12 don't even know what the letter was that was sent. I have
13 not seen it.
14 MR. GRAY: There is a letter that was sent
15 out last week to the property owners that would be
16 affected by the RB-1 and RB-2.
17 MR. MAISEL: I have not seen that. I
18 would like to see that. And I also think it seems to me
19 that we should send an amended one as well, right?
20 PRESIDENT GERING: I didn't --
21 MR. MAISEL: I would think that we would
22 want to send a corrected one out, you know whatever small
23 adjustment, for notifying something it should be complete.
24 PRESIDENT GERING: If you guys feel we
25 should send a new one, Pete can send a new one.

COUNCIL - JULY 2023

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2 MS. DELEVICH: Gerry Delevich,
3 D-E-L-E-V-I-C-H.
4 Can you give us a summary or a gist of why
5 the changes are being made for the RB-1 and RB-2?
6 PRESIDENT GERING: Really?
7 MS. DELEVICH: I would like to suggest --
8 PRESIDENT GERING: It has been going on for
9 six to nine months. Really?
10 MS. DELEVICH: I would like to suggest
11 since this letter has to be changed that maybe this comes
12 up with the September meeting.
13 MR. GRAY: The advertisement indicated this
14 would be presented to Council in the August meeting.
15 PRESIDENT GERING: You have time to send
16 the letter out.
17 MS. DELEVICH: Okay. Thank you.
18 PRESIDENT GERING: Thank you so much.
19 How many people were online tonight?
20 MR. DECKER: Sixteen.
21 PRESIDENT GERING: Thank you.
22 Any announcements? All right. Can I have
23 a motion to adjourn?
24 MS. McHUGH: I will make that motion.
25 PRESIDENT GERING: Thank you.

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2 MR. DOUGHERTY: Would I have gotten the
3 first one? I happen to have --
4 MR. MEYER: No.
5 MR. DOUGHERTY: The property I own --
6 MR. MEYER: You should have gotten one.
7 MR. GRAY: They were mailed on last Friday.
8 MR. DOUGHERTY: They would go to the
9 property owner, it doesn't go to the addressee?
10 MR. GRAY: It would go to the property
11 owner.
12 MR. DOUGHERTY: I don't want to take our
13 time now but we didn't get one. It should have went to
14 our house.
15 PRESIDENT GERING: If you guys -- do you
16 guys feel they should send out a corrected letter?
17 MS. McHUGH: Yeah.
18 PRESIDENT GERING: Correct it and send a
19 new letter.
20 Pete, do you have a report?
21 MR. GRAY: Not at this time.
22 PRESIDENT GERING: Solicitor report?
23 MR. FENNINGHAM: No report.
24 PRESIDENT GERING: Thank you.
25 Ms. Gerry.

COUNCIL - JULY 2023

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3 (The proceedings were concluded.)
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COUNCIL - JULY 2023

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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