

**New Hope Borough
February 1, 2021
Council Workshop Meeting
Minutes**

Council President Gering called the meeting to order at 4:00 PM.

Present: Council Members, Connie Gering, Dan Dougherty, Tina Rettig, Laurie McHugh, Ken Maisel, Louise Feder, Peter Meyer, Chief Cummings, Zoning Officer Tracy Tackett, Code Official Rick Lupinetti, Borough Treasurer Christina Szabo, Borough Manager Peter Gray, Administrative Assistant JoAnn Connell.

Update on McDonald's Waiver of Land Development

Ms. Gering – do we have a representative of McDonalds? **Mr. Gray** – Ed Mack is here representing McDonalds along with Audra Gentile, Melissa Bean, Mary Bachert, David Keefrider, and Ron Gentile. **Ms. Bean** - discussed the proposed colors of the building. Ms. Bean also indicated there would be trex for the slats. **Mr. Maisel** – asked a question regarding the doors coming unhinged. **Mr. Keefrider** - Melissa did a great job explaining the construction of the walls and the gates, but with these gates, the size of them and having them split in two, as opposed to one large gate, we don't anticipate and hinge or decaying problems from the material or the construction. We think these boards or these gates will probably outlast most of the life of the building. **Mr. Maisel** – Ok. Well, Thank you. **Ms. Gering** – Any other questions? **Mr. Dougherty** – Just a quick one. First off, I want to applaud the efforts of the applicant and their architects. I couldn't personally, just speaking for one person, I couldn't be happier with the results of the modified plans. Unfortunately, I'm flying a little bit blind today. I usually pick up my book and I couldn't get there because we're closed today. Is the top of this bin the trash areas behind those gates; Is that closed in? Is there a roof over top of that? **Mr. Keefrider** – No. There will be no roof. **Mr. Dougherty** – Ok, so inside there, there will be roll-away trash bins. Is that true? How large and what not? My concern, which was pointed out last time, I believe, is we have a, I forget the name of the birds, a vulture-something, birds here and there could be 20 birds standing there going after that trash, if those lids aren't closed. I understand that you're going to say that the lids are going to always be closed, but that's intent vs what actually typically happens with commercial properties. My fear is that it's going to look like there's going to be, what are those vultures called that we have so many of? **Mr. Maisel** – Turkey vultures, turkey vultures. **Mr. Dougherty** – They're gigantic, so they really make a terrible visage. So that would be my only concern. First off, the optics from the Bridge Street side, now, I think they're fine and even from the Wells Fargo or the gym, looking over, I have no problem. You have to have trash. You have trash, you have to have a place to put it, but I do have a concern that, currently, there is not a turkey vulture issue in that location, because this is. I mean, you mentioned earlier that this was an enclosed solution. It's not enclosed. It's open to the sky and it's where vermin, as well as these turkey vultures. Vermin can run right up there, I mean, **Ms. Rettig** – I had the same concern, Dan, so I was wondering, is it possible, because I also think this is so much better than what you showed us last time and you guys should be commended for that, because it really does look good. Is there a way to just do almost like a carport cover of it so it's not fully enclosed, but it just sort of prohibits the big birds from getting in? Make it more difficult for them. Do you guys understand what I'm talking about? **Ms. Bean** – I do understand what you mean. I'll mention two things to address both of your concerns. First, I'll talk about Tina's concern and the idea of a carport cover. The way that the trash trucks work, is they lift the bins over their heads. They pull in and lift over the driver's area of their vehicle and into the back. So, a carport isn't really a solution for this type of operation and that is not something that I've seen, but I think for the operation of the trash truck, that that's not feasible for this situation. As for Dan's concern, having the enclosed trash enclosure that's currently there is causing current sanitary concerns with vermin and various things. I understand your concern about birds, but having the open air trash enclosure is a more sanitary solution to have airflow and to not have those vermin be almost within the building footprint, so to speak. Having open air does allow for better sanitation airflow, etc., I'm not sure if Ed or Audra have any further comments about that. **Ms. Rettig** – I have another question, then. A follow-up, I'm sorry. How many times a week, a day, etc. what time of day does the trash get picked up at McDonalds? **Ms. Gentile** – I can answer that.

Good Afternoon. It is once a week and it's after 7AM. Just to address the bird issue, from my point of view, for one - living around the store and two - being a customer of the shopping center. The current trash of the current people in the shopping center do not have birds attacking it, if you will and I expect this to be the same. **Mr. Dougherty** - Tracy, I guess, **Mr. Meyer** - Can I jump in? **Ms. Gering** - Go ahead, Peter. **Mr. Meyer** - As we look at thing, here, I have a couple of questions. First of all, my suspicion is that the aesthetic problem that Dan is raising, with regard to the birds, is something that McDonald's itself would rather not have happening around McDonald's. So, I have a funny feeling that their motivation may very well be the same as ours. That's observation. Second question. As I look at these gates, how high are these bins behind those gates? In other words, what's the likelihood that those gates would be screening a bird or vermin that would land on the top of the trash bins from sight anyway? How high are the bins, relative to those gates? **Ms. Bean** - The gates are supposed to be 8-feet tall. Ed or Audra do you know what size bins they are proposing to use at this site? Are these the shorter ones that are maybe five or six feet tall? **Ms. Gentile** - Yes. I believe they are about six feet tall. **Ms. Bean** - So, like you said, there will be about two feet of screening, then, as well and Audra, have you had any trouble with birds at your other sites? You and your father own a number of McDonald's restaurants in the region, so I think that you would have some insight on this. **Ms. Gentile** - No, the dumpsters have covers over them and the only time they're lifted up is if a trash bag is being put in and then it is immediately closed or if the trash is being collected. And then they go out and immediately close them once they fill, so the trash collector flips back the lid, if you will. **Mr. Dougherty** - Actually, again, I think that the new plan is a vast improvement. I think you too probably see that it is, just optically from, since you get most of your business from Bridge Street, I would imagine the optics of this is superior from an invitation perspective, to come to your restaurant. This is going to look better because there's not a trash coral facing Bridge Street. So, I really do applaud your efforts. I just brought up the problem with the vultures, because we do have a lot of those here in New Hope. Maybe this is a question for Tracy. If we notice, if start getting complaints, is that a Borough of New Hope type issue or is that the Department of Health for the County, if there's vermin, the vultures are vermin, too. So, right now, if the lids are closed, I have confidence that, hopefully, there won't be fifty birds, vultures, standing there and rats running across the parking lot, but if the problem arises, Tracy, what is the recourse. Is that recourse that the Borough would have to entertain or pursue or is that something that the County's Department of Health. Exactly what would Council's responsibility be to follow up. That's the genesis of my question. **Ms. Tackett** - So, I'm just looking at the nuisance standards of the zoning ordinance and we do have some language in here that we say that if there's a nuisance that's been created, we can certainly site them for this section, but it also refers to Bucks County Health Department, so I think it would probably be a two-tiered approach. It would probably be the Borough would go after them and then the County would go after them. I would also just note that, if they go to one of the pictures, these trash enclosures are right on the drive through lane, so people will literally be sitting right there. So, I could imagine if there are turkey vultures hanging out, right there, they're going to have a bigger issue with their customers. **Mr. Dougherty** - I agree with the same thing as Peter's observation. McDonald's has a very strong interest in presenting a nice place to eat and restaurant and so, we're just worried about some stuff. **Ms. Tackett** - So it would be a two-pronged approach. So it would be us and it would be the county. **Ms. Gentile** - So are you citing anybody now who have turkey vultures, who have their trash cans in the back of their business? **Ms. Tackett** - No. Although I know that our Enforcement Officer has had some issues with some folks downtown with trash. But, I think he was able to work with them to get them compliant. **Ms. Gentile** - Ok. I don't foresee an issue. **Ms. Gering** - Any other questions from Council? Alright, well thank you so much. You did a wonderful job, here on the presentation and the design is really top-notch compared to what we saw last time. Thank you.

Discussion - Proposed 2021 Fee Schedule

Ms. Gering - Alright, next we have the discussion on the proposed 2021 fee schedule. Pete, I'm going to let you take charge of this, because I know that numerous Council members gave you a list of questions they had and I'm sure some of them were probably duplicates. So, if you want to start with that or whatever you're comfortable with. **Mr. Gray** - Sure. So, we did provide several schedules. First schedule has a current column, along with a frequency and proposed. There's also another schedule that just has the proposed rates. So there's two separate schedules. I do have several individuals here. Tracy is here to answer some questions related to the beginning, related to land development, the zoning type questions. We also have Rick Lupinetti, who is our Building Official, available as well for any questions about

permitting for the various electrical, plumbing, HVAC, those type of questions, as well. The Chief is here as well and Christina is here for escrows and we also have JoAnn Connell for any questions related to her area, as well. We have spent the last two months or so going over the various rates. Some of the rates that we found dated back to the late 2000, some go back to 2005, 2006, 2008. Some are recent have been updated, so we gathered all the resolutions that were done throughout the years and we tried to put together a comprehensive document that would show all the fees in one schedule. And that's what we have for your consideration today. So if anybody wants to start with any questions, we're happy to answer what you may have. **Ms. Gering** – Alright, who would like to start with questions they had? **Ms. Feder** – I'll go, I guess. **Ms. Gering** – Go ahead, Louise. **Ms. Feder** – First off, thank you so much, all of you. I know this was a really mammoth undertaking and I'm really grateful that you guys were able to take a look at our questions and send back some really detailed responses. So that was super helpful and I'm super glad for that, so thank you. I know I sent you guys a bunch of general some of the things were new to me and trying to understand what they were. So, I think for me today, I had four general areas that I was focusing on after getting the answers back from Pete and whoever else on staff that chimed in on those questions. Four buckets, for me. The main one for me that I'd like to speak to rest of Council about is the fees for HARB. The \$75 application fee from zero, I'm concerned about there. Less, though, that the \$75 is an impossible fee, but more that especially as Ken, JoAnn and I have been looking at ways to make the HARB application process a little bit less onerous and encourage people to maybe understand the process and partake in the process in a way that is intuitive for the applicant. I think that adding a \$75 fee from the outset is a pretty big reason for people to continue with the "ask forgiveness, not permission" mindset that we've seen in the HARB district. Especially when you compare it to the other fees that we have for the other committees and then I did just quickly look at the fees schedule for Newtown. I know that Pete mentioned in my email to him that I was curious what we were looking at for comparisons, but the main comparisons were Newtown and Morrisville. Unless I read it wrong, it looks like Newtown has no fee for the application for HARB, so the thing one I think it's a lot that we have a \$75 application fee off the bat, but I'm also curious if we're instituting a fee when...what is the frequency of the fee? Do we do it every time they come before the HARB Board? Is it for concept review and formal review? And then we have the different fee schedules throughout where we have fees for residents and this is for non-residents. And I understand that we have big projects in the HARB district and most of them do take a lot of time, but what I worry about with HARB having a fee, in general, is that because so many people in town live in the HARB district and it's a committee that, if you live here, you're going to be coming before HARB a number of times when you have your house. Right? You want to change your door, change your window, paint, change your roof, that's a lot of times to go before a board with a \$75 fee, plus we're changing fees for zoning for a number of different things. So, I was thinking about it as pretend you have somebody who is coming to do, I was looking at my past fence project from last summer. So if you're doing that, under our new fee schedule, you would have the flood plain permit, which is now \$100, the \$75 HARB fee and another \$100 fee for the fence. So, \$275 before you get started, which I think a lot of people in town would be no problem, but when we're already dealing with a lot of folks who just know that going through HARB process takes time and it can be a pain, and why not just try to do it and then clean up afterwards. I think it's adding another obstacle vs maybe helping make that process easier. So, that's my first issue. Do want me to go through the four things that I was looking at? **Ms. Gering** – why don't we address your first issue. How does everyone else on Council does anyone have comments? Go ahead, Peter. **Mr. Meyer** – Thank you. Couple of things. First of all, I think the fees are – the whole logic behind fees, is we are trying to make sure, that when one person in the Borough or one actor within the Borough is doing something that the Borough managing things does not have the cost of that one person or that one actor imposed on the people. I mean, that's the logic behind the fee, rather than a tax. So the question becomes, from my point of view, with regards to any fee, are we breaking even on this, are we making money on that, which we shouldn't be doing, are we losing money on this or are we eventually losing money on it. So, for example, when you talk about fire inspections and stuff like that, **Ms. Gering** – Peter, stay on the HARB one, Ok? **Mr. Meyer** – I'm getting to the HARB one. I'm trying to stay with the principal, Connie, alright? With regard to the HARB fee, itself, first of all, if you have a Borough with a large number of people in it, you are very likely to have the necessary professionals to be able to serve on the HARB for the required people that need to be on the HARB for reviewing fees. Larger boroughs are more likely to have the necessary architects, residents, etc. etc., I mean Realtors, etc., etc., as residents. We do not, necessarily have that. We may have to hire expertise in order to be able to deal with issues. That is an expense. That is a logical reason for us to have a fee

rather than no fee, as comparing ourselves to other boroughs. That's item one. Item two – the whole business about acting and then asking for forgiveness is a New Hope pattern, not because of fees, but because there has been too much giving of forgiveness. We are dealing here, not with an issue involving fees, but an issue involving code enforcement and enforcement over all. So, as far as I'm concerned, if we are actively enforcing, nobody is going to want to try to deal with the problems associated with having to undo what they've just done without HARB's permission. In fact, the \$275 that you just added to whatever project it is, is a small amount of money relative to a lot of projects that are going to involve things like flooding, and so on and so forth. I don't think it is significant. I think it is a perfectly reasonable fee. Thank you. **Ms. Gering** – Ken, did you have something to say? **Mr. Maisel** – I think that it's getting a little bit unwieldy, because I think we are maybe glossing over one element of the fee. And that is, people come in for concept reviews in front of HARB. They come in for a conceptual one and then they might even come in for a formal one. And we encourage the concept of folks, for somebody to come in and we very eagerly spend the time with that group of people. Are they going to pay \$75 each time they're coming in or does the \$175 fee take them to the finish line? You know, some of these commercial things, these concept reviews can take hours and Tracy's time. So, I understand we're looking to recompense regarding the efforts that are put in by the staff. Forgetting our architectural Historical Architectural guy, forgetting him, because we'd like to think, at some point, we'd like to be off that dole. But, as it relates to some of these things, there should be, I think, a difference between a commercial review and a residential review and then there should be one fee attached to from concept to formal. Whether it's \$75 or \$50, we're splitting hairs, I do think that it's a quantum leap from zero to \$75, but in the whole scheme of things, I don't it's the end of the world, but I do think we do need to really clarify how we're going to approach the fee implementation. **Ms. Gering** – Thank you, Ken. Dan? **Mr. Dougherty** – I agree with Ken and I agree with Louise. Thinking about the numbers, if we do maybe four or five HARB reviews at each monthly meeting, let's just say there's four on average, at an average monthly meeting, roughly. We could argue about that, but, it might be \$300 x 12, we might be talking about \$3,600 here. It's not offsetting our costs, so given the restart and the reset and all the work that's going into HARB right now, with Louise and Ken and all these people, I don't think it's a good idea to say, well, we're trying to recast this thing, we're trying to figure out what is a review vs this, vs. that, and the colors on the pallet. We don't have our, I don't think this is a flawless process, right now. To try to collect \$3,600, whatever that number is that I just came up with? I don't know the efficacy of that, at this time. I think, maybe down the road, to Ken's point and to Louise's point, we figure out that maybe it varies by commercial vs. residential. That type of thing, There's a second part to this, not to go on and on. Roughly, we have about 1,200 parcels in the Borough, roughly. 1,200 real estate parcels and only about, I'm going to make a number up, about 150-200 of them does HARB apply to. So, you've got four out of five people, of our constituents that never ever have to pay this, who feel very strongly that they care deeply about the historical integrity of the town, who therefore adopt a HARB document that says if you live in that little section, then you have to make sure that you satisfy this HARB thing. Oh, and by the way, you also have to pay a fee for us to decide whether or not we feel that you're satisfying it. That's a hard sell for me, at this point. Especially because we don't have the, the process is a lot better than it was a two years ago, but I just don't feel right now is a good time to put in a fee. I agree with Louise and sort of with Ken, right now. I wouldn't mind, mind you, for a commercial HARB application. I think that's a different animal. But, having someone every time they do something with a door or a window pane layout on their windows, hitting them up for \$75, just so we can, \$1,800 of the dollars would probably be residential and \$1800 would be commercial, what are we doing? I mean, what are we trying to accomplish, there? **Mr. Maisel** – Can I just add one thing to what you're saying, Dan? I think the estimate actually last year was 60 or something around that applications. But, your point is well taken. It's not a huge amount of money. We are working on streamlining this effort. I know that JoAnn's on this call and, of course, Louise is here, as well. Is it possible, instead of to trying to deal with this and maybe we'll end up doing this for some of the other fees that we're considering today. But is it possible that we just table the HARB for another month or two and use it as an addendum after the fact? Once we can really start establishing what it is, this streamline effect and how we might approach formals and informals and concept reviews and commercial vs non-commercial and then just add it in. I mean is that something we can do or do you feel that it's necessary to deal with this whole entire fee thing in one fell swoop. **Mr. Meyer** – Can I move that we **Ms. Gering** – Hold on. Pete, what is your take on this. Can we do this because we do have this committee that's working on revamping how we treat the HARB applicants and the process. So, would it be better to just take this one off the table, for now, and then, once the committee comes in with their recommendations,

we readjust what we charge, fee wise. **Mr. Gray** – We could certainly do that. We could wait for the recommendations and then, at a later date, maybe in a month or two, revisit the fee schedule and do an updated fee schedule later in the year. **Mr. Maisel** – that would be great. **Ms. Feder** – thank you, so much. **Ms. Gering** – Everyone in favor of that? **Mr. Meyer** – So we would table this one item. **Ms. Gering** – Yes, this one item. **Ms. McHugh** – Works for me. **ALL** – Yes. **Ms. Gering** – Thank you. Louise, you're still on. What's the next one on your list. **Ms. Feder** – thank you. I appreciate that one. The other one. Pete, I so appreciate your explanation to me about the flood plain permit, but I wasn't 100% certain. I don't know if it's something that Tracy might need to chime in on. So there's a flood plain permit, now, that's new. Is that correct? And it's \$100 for any construction done in the flood plain? Does that apply to every project? I understand that it might be tied to the zoning laws, but I wasn't clear on the why there. **Ms. Tackett** – So, we don't have a flood plain permit, currently. When somebody comes in for a zoning permit, I'll review the general zoning requirements and, in addition, I'll review the flood plain requirement as part of that permit. But we don't have a way of separately tracking our flood plain activity. It gets mixed in with our zoning permits. Technically, we're supposed to be reporting to FEMA on all of our flood plain activity. And so, the thought was, having a separate permit, for when people are doing flood plain and maybe it would be part of the zoning, maybe it could just be another section or something. But, from a tracking standpoint, it's easier to have a zoning permit and a flood plain permit, because then they get entered into our software system as their own and then, at the end of the year, we can run a flood plain report. So, that was the thinking. The \$100 is proposed is a fee that I've used elsewhere and, typically, it does take an hour or two of time with processing and reviewing and communication. That's kind of where that came from. If council isn't ready for that, then that's fine. We'll just continue as we have been. **Ms. Feder** – And that would be for any project. **Ms. Tackett** – It's for anytime that there's a structure in the flood plain. In a flood plain, a structure is basically a building. It wouldn't, necessarily be a fence or that sort of thing. Because what has to happen is anytime somebody is proposing improvements to an existing building in a flood plain, they're supposed to provide an analysis of the value of that structure and the value of their improvements. Because, once they improve a structure by 50% of its value or more, they have to bring it into compliance with the flood plain requirement. **Ms. Feder** – Got it. Ok. **Ms. Tackett** – Often it's a back and forth, because people have to get an appraisal and they have to do an assessment of the value of the structure and the value of their improvements then we have to prepare. And then there, if they don't meet that threshold, then they have to show how they're complying with our flood plain ordinance and so, there's a fair amount of review that has to occur to make sure that all their improvements are in compliance with the flood plain ordinance. And that's separate from the usual zoning district, setbacks and that sort of thing. Which is your typical zoning stuff. So that was the thought with that. **Ms. Feder** – I get it now. Sorry, it took a couple times. **Ms. Tackett** – No, that's fine. **Ms. Gering** – Any other questions on that permit from anyone else on Council. Ok. That will stay. Did you have another question, Louise, from your list that you sent in? **Ms. Feder** – yes, I'm sorry. I was curious about the Special Events, which I know is kind of a funny one to look at, but I was curious about....and it's such a dumb thing to ask about, but I figured since we're changing it now, now is the time to ask. Why is the application for Special Events going from zero to \$500? I understand that there's a lot of coordination there, but I was looking at that for the application fee for that going up to \$500 and the Community Room application going. **Ms. Gering** – One at a time. Don't intermingle. **Ms. Feder** – I'm sorry. They're linked. **Ms. Gering** – They're two different topics. I'm going to kind of chime in, because JoAnn will have a lot to say. She cannot unmute herself. Right now we do not charge for Special Events and we have all these events that come into town and it takes hours of JoAnn's time for processing their application and so forth and it's not even a revenue neutral event. So, we've got all these races that come in town, it takes hours to reviews and working with these people. When JoAnn and I have spoken, over the years, the big thing was the time it takes is costing the Borough money for someone else to come in and make money on these events in town. So, JoAnn, can you unmute yourself and chime in? **Ms. Gering** – Pete, do you have to unmute her? **Mr. Gray** – JoAnn, if you could unmute yourself. **Ms. Connell** - Hi Everybody! **Ms. Gering** – We were discussing the event fees. Louise wanted to know why, all of a sudden. Can you chime in on that, please? **Ms. Connell** – I'd be happy to. It really does take a lot of time. The one important factor, of course is liability, which I know we all know. There's so many items that have to be signed. There's details that have to be taken. There's agendas and also, for instance, there's with some of the events, they use numerous tents. What we need to know, if they have 25 tents, I need to know exactly what's going on under each of those tents. I need a narrative. I also coordinate with the Police Department. We have to make sure that access is going to be safely closed. There's just so many things involved. There's also the PennDot,

naturally when they're using a state road. And I get a signed application because I don't believe anyone. I want it signed and I want it from that particular organization, so I have to gather twelve to fifteen different items to make sure that this runs successfully and safely. **Ms. Gering** – Thanks, JoAnn. Any other questions on this application? **Ms. Connell** – You know, I do have to add one more thing, too. They are using the borough. They are renting the Borough, essentially, for a few hours. So, closing the Borough down for three to five hours. And they are bringing business in town, which is totally important, but they still are closing the Borough down and I think that is also something that should be considered. **Ms. Gering** – thanks, JoAnn. Louise, did you have any other questions? I'm sorry, Dan, go ahead. **Mr. Dougherty** – Just a question as to the mechanics of it. Is for any event, regardless of size, I think we put this in and I'm leaning toward yes. If this goes in, if there's an all-day affair on Main St and the parking lot of the Logan vs. a 9:00 in the morning half-hour / 20 minute run through town – the first question I have, That's the same \$500. The second question is, is it the same \$500 profit or non-profit organization? Because I think, and I'm not saying that it needs to be different for either the first comparison or the second comparison, I just need to know, is it \$500 no matter the scope of the event and / or profit vs non-profit. **Mr. Gray** – It would be the same, across the board for any event. **Mr. Dougherty** – So I think, Council, I'm still in favor of it. But I think Council is going to be put in a position, probably as soon as COVID clears and we start having these events again of having appeals to us to waive that fee for smaller organizations. Now then, Council has two choices, say yes or say no and be a bad guy for some small organization that's race for the cure or this, that, the other thing. And then, when you're explaining this, you're losing, because you can explain away that it costs thousands of dollars of time, but you don't have a good place to stand on some of these types of issues. I'm just pointing out, so we have to accept that we're going to have, every time one of these comes up and it's a non-profit, we're going to have someone standing there asking us to waive it, that we're either going to have to shoot them down or agree to waive it. So, that's the nature of the beast. **Ms. Gering** – Tina? **Ms. Rettig** – I understand what you're saying, Dan, but in my mind, now we start getting into the very slippery slope of definition. What defines a small organization? What defines a large undertaking? For profit and non-profit? A little easier in the definition category, but not always. And I think, if we're going to do this and one person, I am for this fee, but we have to make it very understood. There's a new Sheriff in town and there's going to be a \$500 fee. End of discussion-period. You want to have a Special Event in New Hope, it takes our Police, it takes our Administrator, it takes our Zoning, it takes our time, it takes up our streets, it takes up our parking spaces. We have to be across the board. It's got to be that one fee. So we just have to stand firm, because in my mind, the definition part of this becomes completely unmanageable. **Mr. Dougherty** – I support what you just said 100%, Tina. I wanted to tease that concept out in everyone's mind. So, I agree with everything that you just said. And what JoAnn said, as well. **Ms. Gering** – Anyone else from Council on this? **Mr. Meyer** – Yes, can I just clarify one thing with JoAnn, which is, while I agree completely with Tina and Dan, I do have to ask the question about a half-hour run through town vs. a twelve-hour event with tents going up, etc. etc. etc. Is there a significant difference in the amount of work that you have to do, JoAnn, between the two events in which case there might be grounds for difference? **Ms. Connell** – No. The same paperwork's required because of liability. **Mr. Meyer** – that's what I thought, but I just wanted to be sure of that. Thank you. **Ms. Gering** – Thanks, JoAnn. Any other questions from Council? Louise, your next question. **Ms. Feder** – No, I'm completely in the same place as Dan. The reason I'm asking about it is that I'm wondering about non-profits, but also smaller organizations where, if they're really tiny that's a heavy lift. But I understand the why behind it. And the reason why I linked that up with Community Room application, in my head, which I know we don't get a lot of, but since we're looking at the whole thing, **Ms. Gering** – The Community Room is totally different from the Special Events, so that everybody understands. The Community Room has fees there for applications and so forth. So, go ahead, start with that one. **Ms. Feder** – I wanted to clarify, so if you do something in the Community Room you're not paying Special Event on top of the Community Room application, right? They're like two separate things? **Ms. Gering** – They're two separate things. **Ms. Feder** – Ok. That was one thing. And the other one was the application for the Community Room, and I understand why the deposit is higher, because obviously we're worried about the computers and the art and everything else in there, but if this is turning the money down to use the Community Room is \$800 is that right? Because there's the application and, hopefully, you'd get your deposit back. But it would be \$800 down to rent the Community Room? **Mr. Gray** – It would be \$800. **Ms. Connell** – It's a \$500 fee. Oh, I'm sorry. **Mr. Gray** – It would be \$500 for the deposit and \$300 application fee and, yes, \$800. And if there's no issues with the way the applicant left after they left, they would get their deposit back. **Ms. Connell** – And there's also a cleaning fee. There's a cleaning fee per hour for \$50 that we

tack on to that. So let's say, what happens is the public works department has to completely set up the room up, once we have an event that's been approved for an event to be held in that Community Room. So, what they have to do is they have to set the whole entire room up and that's when they're using the utilities, whether it's Summer or Winter, Spring or Fall and then, naturally, toilets have to be cleaned, toilet paper, paper towels have to be replenished, garbage has to be replaced and then, once the room is done, the floor has to be cleaned and it has to be put back to the current way it was found. So that could be \$50 times 350 depending on if it's a 50-person event. We haven't had a lot of small charities come before us, but when they did, they get treated the same way, in that Community Room. **Ms. Feder** – Ok. And all of that makes sense. I guess I was wondering about the application fee being \$300 the only reason I'm asking is I know events cost what they cost, but I'm wondering about the intent of the Community Room, I think was supposed to be for small organizations and people who don't, necessarily have a place to have an event. There's a base \$800 down, plus the cleaning fee, plus the cost of the event. It may answer why we don't have the Community Room used as often as we do. But it like that we have two or three rental fees per year. Is that right? **Ms. Connell** – I'm trying think this past 2020, naturally there weren't any. Yeah, it's about two or three. The only people that get carte blanche is the local government if a local government entity comes in, they're allowed to have the room, but everyone else has to pay. The Canal Street Association usually met there every year. There's also a rule in place in the Community Room where we don't want to rent the room out every month to the same organization, so it locks up other opportunities for other organizations. And then we also have to worry about the government meeting, which are priority. Our Zoning Hearing Board has two Thursdays and the first two weeks of the month totally reserved. And, as you know, the rest of the meetings, hopefully, when they fall in place, after COVID. **Ms. Feder** – I know it's a small thing to look at, but it's the same thing I'm just throwing out there, where I think it's something that we're trying to have available for the Community at large. It's a hefty fee for the room. I understand the deposit. The cleaning fee makes total sense to me, but I guess it's the \$300 application that I'm having trouble backing into. **Ms. Gering** – Any other comments from Council? **Mr. Meyer** – Let me point out that any event space costs money. This is an event space. **Ms. Feder** – Oh sure, but it's intended as a Community Room. That's the whole, **Ms. McHugh** – I agree with you, Louise. The whole idea of that room was supposed to be Community oriented and this really does put a challenge in that way. It's a hefty fee if you want to use that room and it's supposed to be for our Community. **Ms. Feder** – Right. **Mr. Dougherty** – Is it true that a long time ago, my understanding, is that apparently it was much easier to use in the past and, apparently, quite some time ago, parties used that room – I'm sorry. A group of people used that room and, for lack of a better term, the perception was they trashed it, which then, all of these rules were then adopted. When you look at these rules, there's no wonder nobody rents the thing. I remember looking at the rules, and all those rules were put in place in response to something that went down that was bad. That's my understanding and maybe I'm, **Ms. Connell** – That's correct. **Mr. Dougherty** – Along those lines, I think there was a certain amount of personality issues, at the time. Reaction to the people or the group who had trashed the room. So, the hammer came down with all these rules. I like what Louise is saying and what Laurie is saying. It's kind of hard to call it a Community Room. Our taxpayers own this thing. At the same time, it's our taxpayers. Maybe it has to be a resident sponsored? I don't know what the answer is. We shouldn't have people from Newtown coming up and using it and us eating some of those costs. But it certainly isn't a Community Room the way we've got it jiggered the way we've done it. That's my observation. **Ms. Gering** – I agree with you. I think the application fee needs to be adjusted. I think it's a little hefty. But the \$500 security deposit, I'm still in favor and I'll tell you why. We just had our computer fried. Somebody spilled something and we had to replace it. So, if there's no damage, we give them their money back and if there's a cleaning cost then we shouldn't be, but I think the application fee is a little on hefty side. That to me, should be adjusted. Tina, you're next. **Ms. Rettig** – I just looked at it sort of the same way, but I also to make an analogy, when you belong to a synagogue, the members pay dues. But, if they still want to rent the room, there's still a fee that goes along with renting the room. And there's a security deposit that goes along with renting the room. I'm not a member of a church, but I believe it would be the same thing. If you want to rent the room in the church, there's a fee that goes along with it. So, I believe we need to have a fee. Definitely the security deposit. I'm open as to the size of that fee. If everybody is saying \$300 is onerous, then let's knock it down. But it definitely needs to have something behind it, so that people feel like they can use it. And, again, members of our community. Members of New Hope Borough, people who live in New Hope Borough. It should not be rented by people in Newtown or Lambertville or in Solebury. They have their own spaces. This is not a for rent hall. **Ms. Gering** - Peter.

Mr. Meyer – Ok. First off, I've got no problem with knocking down the fee. I think that makes perfectly good sense. As has been suggested by Tina, certainly the deposit should remain where it is, cleaning fee, etc. I think that there may be a distinction between the fee that we want to charge New Hope residents that are trying to utilize the space for some purpose and whether the space is also being used by an organization that also got a special event permit. But we may want to differentiate fees there. But, finally, I think the big thing that Dan has raised, which is a further job, I hate to look at you, Pete, but there you are, and to throw it at you and for anyone else that's involved. And maybe it's Park and Rec. What are all the rules. Do we need to modify the rules that Dan is saying are so onerous, that it is keeping people from using the room, which may be the reason, not the fee, that they're not participating. I'd like to suggest that we modify the fee for \$100 for the people that are from New Hope proper and start looking into what the rules are. **Ms. Gering** - I like that suggestion. That was my thought that \$100 was a fair amount and then keep the security deposit and cleaning and then move forward with that. Alright, what's next on the list? **Ms. Feder** – I'm good. Thank you. **Ms. Gering** – Alright, who else sent in questions to Peter that needed to be answered? **Ms. McHugh** – I did. **Ms. Gering** – Go ahead, Laurie, you're next. **Ms. McHugh** – Ok, so Shade Tree has an application fee of \$10 and we're not really sure what the fee is for, because basically, JoAnn gets the application, time stamps it and just throws it in Shade Tree's mailbox. And from there, it's handled by the volunteers of Shade Tree Commission. So what they would like is to have that fee just taken away, because it is an obstacle. There's really no justification for the fee and we really want people to just hand in their paperwork and let us deal with trees, as needed to be done. So, that was my question. **Ms. Feder** – Laurie, that makes so much sense to me, especially when I saw that we were changing the fees for taking trees down under zoning. That makes a lot of sense, if we're going to look at having the charge for taking down a shade tree that is not 15", I think. Is that right? And then having a \$200 if you forgot to apply for that permit. Taking away the fee to come to Shade Tree might help a lot. **Ms. McHugh** – Well we just can't justify the fee and it really isn't that much of an effect, because we have less than 10 a year. It's just that people can't pay on line and then they have to get out the checkbook and we all know what happens when you have to get out the checkbook, because you're so used to paying everything online, now. It presents another obstacle in the process that we want to see. **Ms. Gering** - JoAnn you want to chime in on this, since you're the one who has to handle this? **Ms. Connell** – Yes, if I get there aren't that many Shade Tree applications, that is correct. So, when I get an application, I actually go back to the applicant and get photos. Most of the time I have to remind them about the fee, which is no big deal and then I scan it to Gloria, who then decides how she wants to distribute it to the board and then I put it in their binder, their meeting binder, which they're not using lately since they're using the Community Room instead of the Administration Building. So, there are a couple steps. And then I have to make sure that it isn't more than 15 caliper, because then it falls within the zoning ordinance. But most of the time, 99% of the time it does not fall within the 15 caliper and that's basically it. **Ms. Gering** – So it sounds like the \$10 isn't even revenue neutral. But go ahead, that's a discussion there. **Mr. Dougherty** – We should make it \$100. **Ms. Gering** – I was going to say \$5, would have been my thing, but you know it needs to be revenue neutral, we're not looking to make money, here, but you know if we're spending more than that on processing than what we're getting, so that's the question with the \$10. **Mr. Meyers** – My only comment would be we want it to be revenue neutral and, obviously, if it's going to be revenue neutral and it does take JoAnn time, it cannot be zero. **Ms. Gering** – Correct. **Mr. Dougherty** – I just have a basic problem with governments, in general in this regard. We pass these things called the Shade Tree commission and we say it's going to be wonderful, we're going to protect, and generally the population, our constituents, that and HARB, support these things because they're all feeling good. So then we pass them and we get the community and we create these rules that are awful and then we start charging people for the process that we've created and I'm pretty sure that a lot of this stuff was passed at the time and built in to the passage proposal that said, oh, by the way, we're going to charge everybody to use this new system that's going to protect the trees that we're going to charge them for a HARB application, it probably wouldn't have passed at the time. They pass these things with no fees and then we go this is costing money we got to start charging people. I don't feel comfortable to charge people on a beautification type issue. It just doesn't hang together for me. It just doesn't. Especially when it's something that a lot of people ignore and now we're actually going to charge people, because they fill out the application, the \$10 is silly, whether it's 10 or 25 or 40, I don't feel good about that. I know, Peter, what you're saying about only certain people utilizing the service should pay. I understand that. But these are niceties that the town has felt improved the value and the quality of the town. And then we adopt and then we say, ok, now you have to pay all the cost for it. It doesn't hang

together for me. **Mr. Meyer** – Dan, I recognize your point. I’m not saying that you have to pay all the costs for it. I’m simply trying to clarify the situation. If we are doing something here that we think that our constituents want to have done, regardless of who pays for it, and therefore implicitly saying they’re willing to pay taxes for it, fine. Then let’s acknowledge what we’re doing. That’s all I’m trying to do. **Ms. Gering** – Is the census here that we get rid of the \$10, then? I’m getting mixed emotions here. Laurie thinks it should be removed. Louise, what was your take on it? **Ms. Feder** – I agree because on the fee schedule it’s already saying we’re increasing from \$10 to \$25, right? That’s in the proposal and I think it was a question that I had to Pete in my long email. I was curious about this. It’s a similar issue to the HARB application, but we already have, the Shade Tree Commission does amazing work. We all know that, but I have found most of my neighbors don’t know what it is. Like I said I had to put in an application to the Shade Tree committee for a tree in our yard, nobody knew what I was talking about. So, I think if we’re trying to make people aware of this wonderful committee, all that they’re doing for the town, the resource is there, I think it should be, just like Laurie is saying, if the fee is not covering, you know JoAnn does a ton of work, obviously, but if it’s not as onerous as HARB and zoning and events and whatever, that we’re not getting a lot from our \$10, other than maybe putting up another obstacle to get people in front of Shade Tree, so that we’re actively taking care of our trees and our canopy in town. So, I agree with Laurie and what Dan said earlier. **Mr. Maisel** – I think this sounds like a goodwill one that we should eliminate. **Ms. McHugh** – thank you. **Ms. Gering** – Alright, we’ll eliminating it seems to have the census. **Ms. McHugh** – thank you, guys. Shade Tree thanks you! **Mr. Dougherty** – Let’s raise one of the other ones, now. **Ms. Gering** – What else do we have on the list? Who else had questions on this fee? Wow. That is not bad, guys! Peter, are there any questions from the Public, because we’re getting toward the end, here? **Mr. Gray** – Yes there is one hand raised, Mr. Duffy. **Ms. Gering** – Well, happy snow day, Mr. Duffy. **Mr. Duffy** – A snowball to you. It looks like you’re having fun. I think the residents do belong to a club. It’s called the property tax club. And so, that gets everybody in. If there’s an application for fee, that should be they’ve paid their fee for that. If it’s outside, not a resident, then fees seem to be appropriate. But charging the residents fees for all these different things or charges seems like double taxation. So, I think that’s what I think Dan kind of thinks that way, too. He’s going item by item, but across the board if you just talk resident and non-resident I think that’s a lot easier. That’s it. **Mr. Meyer** – Ed, I appreciate your comments and my only comment to you is then the property taxes go up. Fine. You pay it out of one pocket or pay it out of the other, but somehow it’s got to get paid. **Mr. Duffy** – No, the work that’s being done, now, is already being paid by property tax. There’s no upping the property tax. You guys work it well. **Ms. Gering** – Are there any other questions? **Mr. Gray** – No other hands are raised. **Ms. Gering** – Well, Council, does anyone have any comments to make tonight? Can I have a motion to adjourn? **Mr. Maisel** – I’ll make the motion. **Ms. Rettig** – I second. **Ms. Gering** – Thank you, thank you. Stay safe.