

BEFORE

NEW HOPE BOROUGH COUNCIL

In Re: Regular Meeting

- - - -

TUESDAY, OCTOBER 16, 2018

- - - -

A public meeting was held at the Borough Municipal Building, 125 New Street, New Hope, Pennsylvania 18938, commencing at 7:01 p.m. on the day and date above set forth, before Edward McKenna, Professional Reporter.

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350 SOUTH MAIN STREET, SUITE 203

DOYLESTOWN, PENNSYLVANIA 18901

215-345-7966

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1 BOROUGH COUNCIL:

2 Alison Kingsley, President

3 Connie Gering, Vice-President

4 Dan Dougherty

5 Laurie McHugh

6 Ken Maisel

7 Tina Leifer Rettig

8 Peter Meyer

9 Mayor Keller

10 T.J. Walsh, Esquire, Solicitor

11 E.J. Lee, Borough Manager

12

13 ALSO PRESENT:

14

15 Chief Michael Cummings, New Hope Police

16 Jim Ennis, Zoning Officer

17 Karen MacNair, Engineer

18

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1 Approval of Accounts Payable:.....38

2 Consideration to approving payment of accounts

3 payable for the month of September in the

4 amount of \$354,131.10 and September 12, 26 and

5 October 10 payroll in the amounts of

6 \$64,403.57, \$84,669.34 and \$72,330.78

7

8 Uninvest Account Update: Authorization to...39

9 name Christina Szabo and E.J. Lee as the

10 authorized signers of the Uninvest Bank Account

11 established for the LED upgrade loan and

12 remove Janelle Clements and Cathy Thomas from

13 the account

14 9. Council Member Reports on Committees:

15 A. Parks and Recreation Board.....40

16 (Tina Rettig)

17

18 B. Shade Tree Commission (L. McHugh).....40

19

20 C. Finance Committee.....40

21 (A. Kingsley, C. Gering, D. Dougherty)

22 D. Revitalization Committee (P. Meyer)...40

23 E. Land Use and Historic Preservation.....40

24 (HARB - Maisel, ZHB - Gering, PC - Meyers)

25

10. Manager and Solicitor Reports.....71

11. Public Comment.....72

12. Adjournment.....90

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10 181 West Bridge Street

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14 previously approved final land development

15 application for Joseph Stanley Park/Cintra

16 land development - 175 & 181 W. Bridge St.

17

18 Resolution memorializing our recognition...14

19 of the 60th Anniversary of the New Hope

20 Historical Society

21

22 7. Ordinances:

23 Advertisement of Ordinance amendment to....33

24 Non-Uniform Pension Plan

25

8. Motions

Special Events Permit: Zombie Crawl.....35

Saturday, October 27, 2018

Meeting Minutes: Consideration to approve.35

the minutes for the September 4 workshop and

the September 11 meeting of the New Hope

Borough Council

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1 MS. KINGSLEY: I'd like to call the

2 meeting to order.

3 (The Pledge of Allegiance was recited.)

4 ---

5 MS. LEE: I would like to take roll.

6 Vice President Gering?

7 MS. GERING: Here.

8 MS. LEE: President pro tem McHugh?

9 MS. McHUGH: I am here.

10 MS. LEE: Mr. Dougherty?

11 MR. DOUGHERTY: Here.

12 MS. LEE: Mr. Maisel?

13 MR. MAISEL: Here.

14 MS. LEE: Mr. Meyer?

15 MR. MEYER: Here.

16 MS. LEE: Ms. Rettig?

17 MS. RETTIG: Here.

18 MS. LEE: Mayor Keller?

19 MAYOR KELLER: Here.

20 MS. LEE: President Kingsley?

21 MS. KINGSLEY: Here.

22 MS. LEE: Also, we have solicitor Walsh

23 here, myself, as well as several members of the

24 community. I'd say 20. We also have here Chief

25 Cummings. We have our zoning officer, Jim Ennis,

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1 our engineer, Karen MacNair.
2 MS. KINGSLEY: Okay. One brief
3 announcement: Leaf collection starts October 10th
4 through the December 14th every Wednesday. So
5 start raking.
6 Mr. Mayor?
7 MAYOR KELLER: Yes, I don't have a lot to
8 report, but I do have a question.
9 I noticed, when I received the agenda
10 today, and I noticed that the -- I assumed that
11 the Mansion would be present, presenting tonight,
12 because as I recall, I didn't think that our
13 council had made a decision whether it was to --
14 they were voting against, for or neutral, unless I
15 missed it.
16 If someone on council could clarify to me
17 why, because the public is here, and I would think
18 that it wasn't -- that door was not, in my mind,
19 closed. If someone could explain to me on council
20 why we would not have the Mansion come back to
21 continue their presentation tonight?
22 MS. KINGSLEY: The Mansion is coming back
23 at the next work session, on November 5th.
24 MAYOR KELLER: Okay. Well --
25 MS. KINGSLEY: It's a regularly scheduled

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1 work session. Council did not have a quorum at
2 the -- they were actually scheduled to present,
3 and so council will have the opportunity to fully
4 vet and make a decision prior to the next zoning
5 hearing.
6 MAYOR KELLER: Okay. Then I would just
7 like to add, as Mayor -- and I've said this at
8 these work sessions. A work session is one thing,
9 but if we're going to be -- this council is going
10 to be voting on things -- because I miss almost
11 every other work session, at least three people on
12 this board that work during the day, and a work
13 session should be a work session.
14 We're going to be voting at a work
15 session, I just think that we should be -- that's
16 just my opinion. We should change the course in
17 the way in which we do things.
18 A work session is one thing that irons
19 some things out, but I think that something of
20 that magnitude that is going to have an impact on
21 our borough of that size, I think that the public
22 should be able to come and hear and see what the
23 plans are.
24 I don't know how the rest of council feels
25 about it. I have to put that out there, because I

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1 really -- I think that everybody should know
2 before and not after the decision is made. I just
3 want to go on record with that.
4 MS. KINGSLEY: So work sessions are always
5 public, Larry, as you know, and in this particular
6 case, council directed the applicant to come to
7 the next work session, and respond to the
8 particular items, and then council did not have a
9 quorum.
10 And so the applicant did what they were
11 asked, and then had, I think as a result of the
12 zoning hearing, the opportunity to be fully
13 vetted, in the same format as they were originally
14 intended to be, and council did announce to the
15 public --
16 MAYOR KELLER: That's fine.
17 MS. KINGSLEY: -- that it would make a
18 decision on those, too, and we have done that
19 before, where we have actually said to an
20 applicant to come to the work session, and the
21 items that they were asked to decide on would then
22 be decided on there, and the public was told there
23 would a vote there.
24 MAYOR KELLER: Okay. And I see 20 people
25 here on a council meeting, and I have -- at least

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1 the work sessions I've attended, when we're really
2 crowded, we have three people, max.
3 I mean, Jeff and Steve, I have you, but
4 other than you two, and Pammy, our peripheral
5 attendees.
6 So I just think that on smaller issues,
7 but this has -- this is going to have a tremendous
8 impact on our downtown area, and I think that a
9 work session during the day, to have that is just
10 not something we should be doing.
11 That's just my opinion. I don't know how
12 the rest of council feels, but I just had to put
13 out there how I feel.
14 MS. GERING: Larry, we're going to discuss
15 that in my report on zoning.
16 MAYOR KELLER: Okay. Great.
17 MR. DUFFY: Can I make a comment on this?
18 MS. KINGSLEY: Ed?
19 MR. DUFFY: Ed Duffy, New Hope.
20 MS. McHUGH: Can you come to the
21 microphone?
22 MR. DUFFY: Okay.
23 Ed Duffy, New Hope.
24 I agree with the Mayor that if there's a
25 legal vote going on, that a work session should

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1 not happen, because it's the middle of the day,
 2 and not to get the residents, you're not going to
 3 have the audience you can possibly have for
 4 whatever the agenda might be. It's a work
 5 session, not a voting session, right?
 6 MS. KINGSLEY: Yes, but council does have
 7 the right to vote if it's announced ahead of time,
 8 which was the original intent. When the second
 9 meeting was scheduled, it was said that there
 10 would be no voting, unless council announced it
 11 ahead of time there would be a vote.
 12 If council -- at this point, if council
 13 decides that it's not going to vote and wait for
 14 the next meeting, that's their prerogative.
 15 MR. DUFFY: But then you leave people in
 16 flux as to which meeting they should go to have
 17 any input on whatever, not this particular thing,
 18 but anything like that, where they vote on it, if
 19 you're going to vote, you're not going to vote,
 20 you may vote, you may not vote.
 21 Work session is a work session. That's
 22 where it's -- that's how it started out. Now, if
 23 it's combined with a voting session, ability to
 24 vote on things, that really kind of skews things
 25 around.

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1 Any other comment?
 2 Steve?
 3 MR. COPPENS: Steven Coppens.
 4 Am I not correct, council, if there's a
 5 quorum at an announced meeting can vote to decide
 6 if they want to vote? Work sessions, if there's a
 7 quorum, you can vote?
 8 MS. KINGSLEY: Yes.
 9 MR. COPPENS: I must say, I do not
 10 disagree with the Mayor that at work sessions, you
 11 should really keep that to a minimum.
 12 MS. McHUGH: We do. We do.
 13 MS. KINGSLEY: The only other item, to my
 14 recollection, correct me if I'm wrong, we have
 15 voted on since we started work sessions was
 16 actually the Cintra project.
 17 MR. COPPENS: Right.
 18 MS. KINGSLEY: And it was exactly the same
 19 situation, where they had several items that were
 20 narrowed down that council identified, and we said
 21 that if you come back to the work session and
 22 address those issues, that council will vote on
 23 it.
 24 MR. WALSH: You actually didn't vote.
 25 MS. KINGSLEY: We made a recommendation.

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1 Okay. That's what I got to say.
 2 MR. WILLIAMS: I'd like to say something
 3 on that subject.
 4 MS. KINGSLEY: Would you like to come to
 5 the microphone?
 6 MR. WILLIAMS: Sure.
 7 My name is Chris Williams. I'm a resident
 8 of New Hope, and I would just like to say that --
 9 not that any of you are wrong on this, but I still
 10 agree with Mayor Keller's point that the fact that
 11 these things happen, you know, at times when a lot
 12 of people can't make it, can't be heard.
 13 I think that is something that really
 14 matters in something that's especially -- well, it
 15 matters in everything, but in a matter as big as
 16 this, that's something that I don't think needs to
 17 be -- it needs to be done behind -- I'm sorry.
 18 I'm not a good public speaker. I need to put my
 19 thoughts together.
 20 You know, but I don't want to say behind
 21 closed doors, because that's not the way that --
 22 that is not the way it's being done at all, but it
 23 needs to be done at times when people have input.
 24 That's all I have to say. Thank you.
 25 MS. KINGSLEY: Thank you.

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1 MR. WALSH: No, you took no position.
 2 There was actually no vote.
 3 MS. KINGSLEY: Okay.
 4 MR. WALSH: Because it was strictly on
 5 whether they would take a position on the zoning
 6 hearing board application, which is what the
 7 Mansion is.
 8 MR. COPPENS: How many council members are
 9 normally at a work session, ballpark?
 10 MS. KINGSLEY: Normally?
 11 MR. COPPENS: Yeah.
 12 MS. KINGSLEY: Six or seven, normally.
 13 MR. COPPENS: Okay. Thank you.
 14 MS. KINGSLEY: At the last session there
 15 were three. So we didn't have a quorum.
 16 MR. COPPENS: I was here for that.
 17 MS. KINGSLEY: So was the applicant.
 18 MR. COPPENS: Thank you.
 19 MS. KINGSLEY: Okay. Quick update on
 20 Odette's. We finally have a date for the move.
 21 It will be October 24th, and the actual physical
 22 move will start at 9:00 a.m.
 23 There will be barricades, and pedestrians
 24 will only be allowed to move into outside of the
 25 perimeter of 200 feet. So if you think you're

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1 going to stand next it and watch it being be put
 2 on the pad, don't count on that.
 3 MS. KERR: Will the street be open to
 4 Waterloo?
 5 CHIEF CUMMINGS: No. Coming to Waterloo?
 6 I was thinking of Waterworks. Waterloo, yes.
 7 MS. KERR: Okay.
 8 MS. KINGSLEY: Next, simply an
 9 announcement. There will be a preliminary hearing
 10 for Janelle Clements. That's scheduled for
 11 November 5th, and we'll have an executive session
 12 after the meeting tonight for litigation and
 13 personnel, and a work session is scheduled on the
 14 18th, which is this Thursday.
 15 The library is going to be presenting, and
 16 then on November 5th, there will be a budget
 17 discussion as well as the Mansion coming back.
 18 And now what I'd like to do is go out of
 19 order, and this year the library, the Historical
 20 Society rather is celebrating their 60th
 21 Anniversary, and at the recommendation of our
 22 council members, Dan Dougherty, council agreed we
 23 would like to read a resolution.
 24 And at this time I'd like to call the
 25 former presidents of the library -- of the

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1 restoration and preservation of the Parry Mansion.
 2 Now, therefore, we have resolved and
 3 enacted by the Borough Council of New Hope as
 4 follows: The background paragraph set forth above
 5 incorporated by reference as fully set forth
 6 herein at length, the Council of New Hope Borough,
 7 on behalf of the community, recognizes the
 8 significant contributions of the New Hope
 9 Historical Society.
 10 Borough Council New Hope extends its
 11 sincere congratulations to the New Hope Historical
 12 Society on its 60th anniversary, and the
 13 provisions of this resolution are declared to be
 14 severable. If any provision of this resolution is
 15 declared to be invalid or unconstitutional by a
 16 court of competent jurisdiction, such
 17 determination shall have no effect on the
 18 remaining provisions of this resolution, resolved
 19 and enacted by the Borough Council of New Hope
 20 this 16th day of October, 2018.
 21 Congratulations.
 22 Now, do I have a motion to approve the
 23 resolution?
 24 MS. McHUGH: I'll make the motion.
 25 MR. MEYER: Second.

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1 Historical Society forward.
 2 If you would all come forward?
 3 MAYOR KELLER: I see at least six.
 4 MS. KINGSLEY: And, Mr. Mayor, if you
 5 would like to join them? He's going to present.
 6 I'd like to read the resolution. This is
 7 a resolution of the New Hope Borough Council
 8 commemorating the 60th anniversary of the New Hope
 9 Historical Society. New Hope Borough is a
 10 Pennsylvania subdivision organized and existing
 11 under the Pennsylvania Borough Code.
 12 The New Hope Historical Society is a
 13 Pennsylvania nonprofit corporation, with its
 14 principal address at the Parry Mansion. The New
 15 Hope Historical Society was established June 25th,
 16 1958.
 17 The New Hope Historical Society was formed
 18 to preserve the rich history of New Hope Borough,
 19 and the Historical Society has continued to
 20 preserve the history of New Hope Borough through
 21 preservation advocacy and education over the past
 22 60 years.
 23 Lastly, New Hope Historical Society
 24 continues to inspire the community and the
 25 preservation of its great history and the

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1 MS. KINGSLEY: All in favor?
 2 THE BOARD: Aye.
 3 MS. KINGSLEY: Any opposed?
 4 Thank you.
 5 Okay. We have a certificate of
 6 appropriateness for 57 West Ferry Street, for
 7 painting the front door.
 8 Do I have a motion to approve?
 9 MR. DOUGHERTY: I'll make that motion.
 10 MS. KINGSLEY: Second?
 11 MR. MAISEL: Second.
 12 MS. KINGSLEY: All in favor?
 13 THE BOARD: Aye.
 14 MS. KINGSLEY: Motion carries.
 15 Peter, Joe, we're going to take the next
 16 two items together.
 17 MR. WALSH: I can set this up. The floor
 18 is yours. I can set this up a little bit for your
 19 benefit.
 20 MR. STAMPFL: Sure.
 21 MR. WALSH: For those of you who are not
 22 familiar with the project, this is the Joseph
 23 Stanley Park. The project involves the Cintra
 24 Mansion. The long history of this, it had a
 25 flurry of activity from 2011 to 2013.

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1 The project was approved back then to
2 promote renovating and required preservation of
3 the Mansion. There would be four units in the
4 Mansion. There would be three other buildings
5 constructed throughout the property. There would
6 be, I think, a preserved one other slightly off
7 the barn.

8 There would be 25 new units, apartment
9 style, multi-family dwellings, and those are the
10 buildings. So there would be a total of 29 units,
11 living units on the property. There also would be
12 a small subdivision proposed where it would be the
13 most west of the property, if you're looking at it
14 to the right, if you're looking at it from the
15 street. That would be a potential future home of
16 the free library.

17 So in 2013, that project received full
18 plan approval from council, and then they needed
19 to go through conditions. It sat for a little
20 while. Joe and Pete, Mr. Price and Mr. Stampfl --
21 excuse me -- came forward at the end of last year,
22 beginning of this year.

23 They submitted an application as a
24 successor applicant to Mr. Hillier, who was the
25 prior principal of the applicant to breathe life

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1 We have appeared in front of HARB a number
2 of times. We have listened to their suggestions.
3 We modified the building design configuration,
4 landscaping, based on their feedback, planning
5 commission feedback, as well as some of the
6 informal preliminary meetings we have had with
7 council.

8 The drawing you see here, we retained
9 Langan, the civil engineer, the previous
10 applicant's civil engineer, just for continuity,
11 since they were familiar with the project.

12 As you can see, the building that's in the
13 center of the existing Mansion, as it sits today,
14 there's a small addition proposed to the back of
15 the Mansion. The two smaller buildings that you
16 see here and here are the existing cottages. They
17 are going to remain. We're going to renovate and
18 re-purpose them as well, and then the building
19 that you see in the right lower corner here, that
20 is the existing barn.

21 As Mr. Walsh mentioned, there are 29
22 residential units that are proposed. That is the
23 same number that was proposed previously. The mix
24 of one or two-bedrooms has not changed from what
25 the previous applicant proposed. So that is still

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1 into the project again.

2 They submitted a submission for an
3 amendment to that plan that was approved in 2013
4 to make a few small changes, nothing to expand it
5 drastically. Didn't change the number of living
6 units, didn't change anything about the library
7 lot.

8 They're here tonight because they have
9 been through the review process before all of the
10 prior boards, the council, I'm sorry, the Borough
11 Planning Commission, the zoning hearing board and
12 HARB, and they're ready for some recommendations
13 and possible final action by council.

14 And I guess I turn it over to you guys
15 now, if you want to have a small presentation
16 before we get back to the details and then the
17 approval.

18 MR. STAMPFL: Sure. Should we put
19 something on the screen?

20 MR. WALSH: If you have it available. Is
21 it available?

22 MS. McHUGH: Right over there.

23 MR. STAMPFL: Good evening. It's good to
24 be here again and present the changes we have made
25 over the course of the last approximately a year.

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1 an identical unit, as far as number of one
2 bedrooms, number of two bedrooms.

3 There are four new residences proposed in
4 the Mansion itself. In the barn --

5 MR. WALSH: That's the same as what it was
6 in --

7 MR. STAMPFL: That is correct. That is
8 the same as it was. One of the changes was, and
9 what prompted us going back to zoning was we
10 shifted the allocation of some of the residential
11 units.

12 One of those changes was in the barn there
13 were six residential units proposed for the barn.
14 We have reduced that number to four, and added
15 those into the new building clusters. There are
16 three clusters that are shown, two on the lower
17 and one in the upper right-hand side. They are
18 seven residences each.

19 One of the other changes that we made is
20 instead of a rental to somewhere down the road
21 condo, we're looking at for-sale products from the
22 very beginning. So we're proposing this as a
23 condominium association, and they would be for
24 sale right from the beginning.

25 The two cottages, we're going to make

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1 amenity spaces, one on the right that can be used
2 either as a meeting room, fitness center, whatever
3 the condominium association deems or feels is
4 appropriate for the use of that cottage.

5 We are going to fit it out with a small
6 kitchen counter area and kind of there will be
7 facilities there, but it is not going to be used
8 for anything by the community.

9 The other cottage is going to be used as
10 the outdoor rec space for two of the residences in
11 the Mansion. One of the other changes we made is
12 we added sunken terraces, patios and decks for all
13 of the residential units, which we felt is
14 important for the community, and since the upper
15 floors of the Mansion, it's a historical building,
16 we did not want to start to carve openings into
17 it, with french doors with balconies. We wanted
18 to keep it as much in its current condition as it
19 is now.

20 We decided to take a cottage, which was
21 the original ice house, and just divided that down
22 the middle, and make that, for lack of a better
23 term, the cabana to be used by the residents in
24 the upper units of the Mansion.

25 One of the other modifications that we

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1 MR. PRICE: Correct.

2 MR. STAMPFL: This drawing, I think,
3 illustrates a little clearer. This is an extra
4 plan that basically I was showing on the drawing.
5 You can see the darker shaded areas in the parking
6 areas. Those are the proposed locations for the
7 carport.

8 MR. WALSH: There's 29 of them?

9 MR. STAMPFL: There are 29.

10 Okay. For our presentation to HARB and
11 Planning Commission, we prepared some renderings
12 that showed the character and nature of how the
13 community will look.

14 This is the one that we used from -- taken
15 from the entry drive, the proposed entry drive
16 into the community, and just for reference, it
17 would be Number 1 of the top left there.

18 Removing some of the landscaping, you will
19 see the cottage or cluster Number 3 behind. We
20 used muted colors. This was one of the items that
21 we had lengthy discussions with HARB on, what were
22 the appropriate colors so that the clusters would
23 blend in the background a little bit more, and the
24 Mansion would still have the prominence that it
25 does have currently.

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1 proposed is car parking. We're proposing one
2 covered parking space per residence. There are 58
3 spaces designated for the residents. There are
4 ten visitor parking spaces, the same as was
5 previously approved. The only difference is we're
6 covering the carport for the open air style to
7 covered parking so that everyone has one covered
8 space.

9 MR. WALSH: Pete, where would those
10 carports be? That was one question I had.

11 MR. STAMPFL: They are -- and let me see
12 if I can find a different plan that shows that a
13 little clearer.

14 MR. WALSH: Are they the spaces behind
15 Cintra?

16 MR. PRICE: Yeah, that's exactly it. Most
17 of them are on the road that's between the Mansion
18 and the new clusters.

19 MR. MEYER: Are they the ones that are
20 shaded on the diagram?

21 MR. PRICE: Yes, the ones that are shaded
22 on the diagrams.

23 MR. MEYER: Thank you.

24 MR. PRICE: Those are the carports.

25 MAYOR KELLER: So visitors won't have --

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1 You can see in the background, the
2 carports, again, are open air. They're going to
3 be made out of wood, and we had some discussions
4 whether greenery would be planted, ivy or
5 something like that to make it a living green
6 structure. That's something that we may explore
7 as an option.

8 Here is a view taken from Bridge Street,
9 if you were standing on the school property,
10 looking across. This is the view that you would
11 have with adding the landscape, per the landscape
12 architect's plan, as well as the existing
13 vegetation that was there.

14 Here is the view of the proposed on one of
15 the other drives, on the loop that is a circle
16 around the community. You can see the clusters
17 that is cluster Number 3 with a lot of
18 landscaping. It kind of blends in some muted
19 color.

20 And this is a side section that is taken
21 through the property. Again, the Mansion with the
22 landscaping, as proposed, still has prominence,
23 and really stands out, as it should, as the jewel
24 in the --

25 MR. DOUGHERTY: Can you go back one slide,

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1 please?
 2 MR. STAMPFL: Sure.
 3 MR. DOUGHERTY: Okay. That's from Bridge
 4 Street, the other side of the street, staring over
 5 at Cintra?
 6 MR. STAMPFL: Correct.
 7 MR. DOUGHERTY: Is that sidewalk there
 8 currently?
 9 MR. STAMPFL: No, we're proposing a
 10 sidewalk.
 11 MR. DOUGHERTY: I'm sorry. So it will
 12 span the entire frontage of the property?
 13 MR. STAMPFL: Correct. It goes from
 14 Kiltie Drive to connect it --
 15 MR. DOUGHERTY: There's two openings of
 16 Kiltie, sort of a loop.
 17 MR. STAMPFL: Yes.
 18 MR. DOUGHERTY: Thank you.
 19 MR. STAMPFL: And we have all the floor
 20 plans. I don't know if you want to go through all
 21 of that, but, basically, that is our plan, what we
 22 presented over the past --
 23 MR. WALSH: The only other change that --
 24 you mentioned two of them. I'm talking change
 25 from the 2013 approval, the current plan. I'm

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1 only the engineer and the zoning officer, but
 2 reviews of the planning commission, the zoning
 3 hearing board, and any conditions that council
 4 might put forth tonight. You had that in advance.
 5 Do you have any comments to that? Are you
 6 agreeable to all of the conditions that are in
 7 there?
 8 MR. STAMPFL: Yes, we did read through it.
 9 There was nothing that we had --
 10 MR. WALSH: It carries forward the 2013
 11 approval, just amends it so that your changes are
 12 now memorialized.
 13 MR. STAMPFL: Thank you.
 14 MR. PRICE: Yes.
 15 MR. MAISEL: I have a question. You said
 16 there was 58 spots on the property itself. 58
 17 parking spots on the property?
 18 MR. STAMPFL: There are 68 in total.
 19 There are ten that are for visitors, and then 58
 20 for the residents. So each resident has two
 21 parking spaces.
 22 MR. MAISEL: So what happens if there's a
 23 party? How does that -- is there an opportunity
 24 to park on any of any width enough to -- if you
 25 have 30 people coming over, how would you deal

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1 talking about expansion of the footprints of the
 2 three new buildings, the reduction of the barn,
 3 the carports, and you also -- I don't know if you
 4 need to go back up there. There used to be the
 5 connector drive that went through the front yard,
 6 if you will, that connected.
 7 MR. STAMPFL: Yes. Thank you.
 8 You can see the yellow highlighted area up
 9 near the top. There was an existing drive made,
 10 which we wanted to take out for a number of
 11 reasons. It saved some of the trees that are
 12 currently there. It reduced impervious coverage,
 13 and it also kept the Mansion with a nice front
 14 yard, and that vista remains as it is today.
 15 So we met with staff. We met with our
 16 engineers, and everyone felt that it could be
 17 removed, and so we felt it did a lot of positive
 18 things for the community.
 19 MR. WALSH: Are those three items the
 20 material differences between the 2013 plan and
 21 what's presented today?
 22 MR. STAMPFL: Correct.
 23 MR. WALSH: And I previously put together
 24 and sent to you a draft resolution, which would
 25 approve the plan, based upon the reviews of not

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1 with that?
 2 MAYOR KELLER: The high school parking
 3 lot.
 4 MR. STAMPFL: Okay.
 5 MR. MAISEL: There is no way to try to
 6 override that 58? It is what it is?
 7 MR. STAMPFL: It was previously approved
 8 for the parking lot.
 9 ---
 10 (Discussion off the record.)
 11 ---
 12 MR. WALSH: This is an amended land
 13 development. This plan has approval, both
 14 preliminary and final in 2013. So this is an
 15 amendment that is strictly designed to allow these
 16 proposed changes.
 17 MR. MAISEL: I'm certain it was. It was
 18 more of a curiosity as opposed to trying to --
 19 MR. WALSH: From the parking perspective,
 20 it meets the zoning as it relates to overflow,
 21 number of spaces, things of that nature. That has
 22 all been vetted by Mr. Ennis and the engineering
 23 aspects by Gilmore Engineering.
 24 MR. DOUGHERTY: Just a somewhat inane
 25 comment. Joseph Stanley Park, what's the

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1 origination of or the derivation of that?
 2 MAYOR KELLER: I can answer that. Joe
 3 Stanley and Dewey Lee Curtis, a Virginia boy, the
 4 other is a Philadelphia boy, they owned that.
 5 They bought it around 1961, and Joe and Dewey had
 6 a store on the first floor.
 7 They had their antique shop on the first
 8 floor of Cintra itself, and they had probably 13
 9 rentals on that property, seven or eight, maybe
 10 nine of which were legal. They also had a couple
 11 in the basement.
 12 And so Dewey passed around '91, '91 to
 13 '93, and Joe was there until, gosh, 2010 maybe,
 14 and then Joe passed on, so then two sisters. So
 15 that's where it all -- so I housesat there quite a
 16 few times in the early '80s when they went to
 17 Europe.
 18 MR. MAISEL: Thank you.
 19 MR. WALSH: Either of have you have any
 20 comment from the zoning perspective, in view of
 21 all of the comments that have been addressed in
 22 the letter? Both of you are at least at the stage
 23 so you can tie up loose ends.
 24 Okay. Anybody from the public at this
 25 point that -- before I suggest a motion to

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1 MR. WALSH: So if council is of the mind
 2 to recommend the motion to adopt Resolution
 3 2018-09, which is the resolution of New Hope
 4 Borough Council granting the amended final major
 5 subdivision and land development plan approval for
 6 the property located at 181 West Bridge Street,
 7 State Route 179, New Hope Borough, Bucks County,
 8 further identified as Bucks County tax map parcel
 9 Number 27-6-4, subject to all conditions set forth
 10 in that resolution, that would be a recommended
 11 motion.
 12 MS. KINGSLEY: Do I have a motion?
 13 MR. MEYER: So moved.
 14 MS. KINGSLEY: Second?
 15 MR. DOUGHERTY: I'll second that.
 16 MR. WALSH: Before you do, do you agree to
 17 all of the conditions of the resolution?
 18 MR. PRICE: We do.
 19 MR. STAMPFL: Yes, the one -- excuse me,
 20 Mr. Walsh. One thing we were wondering, for
 21 marking purposes only, we would like it to be
 22 named Cintra, just because of the historical
 23 significance of that.
 24 So we just didn't want anybody to be
 25 surprised, you know, on a sign that it says Cintra

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1 council -- that would like to have any public
 2 comment on the plan?
 3 I know been it's been sitting around for a
 4 while. So we're just all sort of glad to see it
 5 finally get going.
 6 Okay. Well, thank you.
 7 So then if council is of the mind, the
 8 recommended motion would be to adopt resolution
 9 number --
 10 ---
 11 (Discussion off the record.)
 12 ---
 13 MS. KINGSLEY: First one would be approval
 14 of the certificate of appropriateness.
 15 So do I have a motion?
 16 MS. GERING: I'll make the motion.
 17 MS. KINGSLEY: Do I have a second?
 18 MS. RETTIG: I'll second.
 19 MS. KINGSLEY: All in favor?
 20 THE BOARD: Aye.
 21 MS. KINGSLEY: Opposed?
 22 Motion carries.
 23 ---
 24 (Discussion off the record.)
 25 ---

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1 or something like that.
 2 MR. WALSH: That's up to you. There was
 3 nothing in the approval that mandated the name. I
 4 think everybody expects Cintra would be used at
 5 some point. But you're affirming all of the
 6 conditions?
 7 MR. STAMPFL: Yes.
 8 MS. KINGSLEY: Okay. All in favor?
 9 THE BOARD: Aye.
 10 MS. KINGSLEY: Opposed?
 11 Motion carries.
 12 MR. WALSH: We'll true it up, get this to
 13 you. We'll be asking you to sign and countersign
 14 and return it to signify your acceptance. We
 15 appreciate that.
 16 MR. STAMPFL: Thank you.
 17 MR. PRICE: Thank you very much.
 18 MS. RETTIG: Congratulations.
 19 MR. MEYER: Congratulations.
 20 MS. KINGSLEY: The next is an ordinance
 21 submitted for the non-uniform pension plan.
 22 MR. WALSH: I'm asking council is if they
 23 are of the mind to give me authorization to
 24 advertise for a public hearing, the adoption of an
 25 ordinance that would amend your non-uniform

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1 pension plan to allow the manager, the position of
 2 manager to be eligible.
 3 Right now it's written the manager
 4 position is not eligible. We have discovered that
 5 it's somewhat of an anomaly, because the history
 6 of how that came to be is -- depends who you ask,
 7 but after speaking to the actuaries and our plan
 8 administrator, they said we are in the minority
 9 there. It's rare that the manager is excluded.
 10 So we met. We had a phone call with them.
 11 They said, it's very simple to do, won't change
 12 any actual values or the assets in the plan. You
 13 would need to do an amendment.
 14 Very simple, I would need authorization to
 15 advertise that for a public hearing at your
 16 November 20th meeting, I think. I think that's
 17 right. So I need the approval, and then it would
 18 come back in November.
 19 MS. KINGSLEY: Is there a motion to
 20 advertise?
 21 MR. DOUGHERTY: I'll make that motion.
 22 MR. MEYER: Second.
 23 MS. KINGSLEY: Any questions from the
 24 council?
 25 Any questions from the public? Hearing

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1 Do I have a motion?
 2 MR. MEYER: Can I raise a question first?
 3 MS. KINGSLEY: Peter, let me make the
 4 motion first, and then we'll do corrections.
 5 MR. DOUGHERTY: I'll make that motion.
 6 MS. KINGSLEY: Second?
 7 MS. GERING: I'll second.
 8 MS. KINGSLEY: Now, any corrections?
 9 MR. MEYER: Yes, indeed.
 10 The initial section of the meeting of the
 11 4th of whatever that was, September, has me saying
 12 something, which I didn't say. I believe it was
 13 the Mayor who was introducing a particular item
 14 for consideration by council, and it's attributed
 15 to Mr. Meyer.
 16 MS. KINGSLEY: Can you give us the page
 17 and line number?
 18 MR. MEYER: Page -- it starts on Page 3.
 19 Page 3 is referencing to me, to Mr. Meyer, and I
 20 believe it's the Mayor.
 21 ---
 22 (Discussion off the record.)
 23 ---
 24 MS. KINGSLEY: Maybe Line 10?
 25 MR. MEYER: None of those utterances were

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1 none.
 2 All in favor?
 3 THE BOARD: Aye.
 4 MS. KINGSLEY: Motion carries.
 5 MR. WALSH: I'll have that for you in
 6 November.
 7 MS. KINGSLEY: All right. Special event
 8 permit for the Zombie Crawl, October 27th.
 9 Do I have a motion to approve the special
 10 events permit?
 11 MS. GERING: I'll make the motion.
 12 MS. KINGSLEY: Is there a second?
 13 MS. McHUGH: Second.
 14 MS. KINGSLEY: Is there any discussion?
 15 Chief, are you good?
 16 CHIEF CUMMINGS: Yes, I am.
 17 MS. KINGSLEY: Questions from the public?
 18 Hearing none.
 19 All in favor?
 20 THE BOARD: Aye.
 21 MS. KINGSLEY: Opposed?
 22 Motion carries.
 23 Meeting minutes, consideration to approve
 24 the minutes from the September 4th workshop, and
 25 the September 11th meeting of Borough Council.

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1 by me, as far as I can tell. It had to do with
 2 granting a request for a permit for the High Heel
 3 Drag Race. That was not something that I would
 4 have introduced.
 5 MS. McHUGH: Page 4.
 6 MS. KINGSLEY: Did you find it, Pete?
 7 MR. DOUGHERTY: It appears to me, on
 8 Page 5, that Peter, at the beginning of Page 5 is
 9 directing the conversation. I could be wrong. I
 10 doubt Peter was -- said something along the lines,
 11 so the next is the plan for alternative one on
 12 Main Street pedestrian approval plans. That
 13 sounds like something that Council President may
 14 have been saying.
 15 What do you think? Including the last
 16 comment on Line 19 of Page 4, that sounds like
 17 something -- it looks like some of the things that
 18 were attributed to Mr. Meyer's comments are --
 19 MS. KINGSLEY: They inserted Mr. Meyer
 20 after Line 5.
 21 MS. RETTIG: Right.
 22 MS. KINGSLEY: It's Peter's name. Yes.
 23 Just remove Peter Meyer's name from
 24 Line 5, Page 4, Line 5.
 25 Were there any others?

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1 MR. MEYER: You might notice Tina Rettig's
 2 name is R-e-t-t-i-g, not u-g, same document.
 3 MS. KINGSLEY: Any other additions or
 4 corrections?
 5 Dan, would you like to amend the motion to
 6 address the additions and corrections?
 7 MR. DOUGHERTY: Yes. I'd like to amend
 8 the motion that I --
 9 MS. KINGSLEY: To address the corrections?
 10 MR. DOUGHERTY: I would like to amend the
 11 motion to adopt the minutes as have been revised
 12 in the previous conversation.
 13 MS. KINGSLEY: Second?
 14 MS. RETTIG: I'll second it.
 15 MS. KINGSLEY: Any other comments?
 16 Hearing none.
 17 All in favor?
 18 THE BOARD: Aye.
 19 MS. KINGSLEY: Opposed?
 20 Minutes are approved.
 21 Council, accounts payable, consideration
 22 to approve payments of the accounts payable for
 23 September in the amount of \$354,131.30, and
 24 September 12th, 26th and October 10th payroll in
 25 the amount of \$64,403.57, \$84,669.34 and

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1 Motion carries.
 2 Parks and rec report?
 3 MS. RETTIG: Nothing at this time.
 4 MS. KINGSLEY: Shade Tree?
 5 MS. McHUGH: We have nothing at this time.
 6 MS. KINGSLEY: Okay. Finance?
 7 MS. GERING: No report.
 8 MS. KINGSLEY: Revite?
 9 MR. MEYER: Nothing to report at this
 10 moment.
 11 MS. KINGSLEY: Okay. And land use?
 12 MS. GERING: I have a report.
 13 On October 11th, zoning met, and the
 14 Mansion was on the agenda. We had four council
 15 members there, our borough manager and our zoning
 16 officer, and there seems to be that council has a
 17 serious concern about this project, and since we
 18 did not give them approval or disapproval, we felt
 19 it was important to be at this particular meeting
 20 to show our presence.
 21 I know this is something that we will be
 22 meeting on November 5th, but up to this time we
 23 didn't have a time set to do this, so council can
 24 establish a position and address all of the
 25 concerns that were not addressed with this

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1 \$72,330.78.
 2 Do I have a motion to approve?
 3 MS. GERING: I'll make the motion.
 4 MS. KINGSLEY: Second?
 5 MS. RETTIG: I'll second it.
 6 MS. KINGSLEY: Any discussion? Questions?
 7 All in favor?
 8 THE BOARD: Aye.
 9 MS. KINGSLEY: Opposed?
 10 Motion carries.
 11 Last is the Univest account. I would like
 12 authorization to name our treasurer, Christina
 13 Szabo and Manager E.J. Lee as the authorized
 14 signors of the Univest account, established for
 15 the LED upgrade loan, and then remove Jenelle
 16 Clements and Cathy Thomas from the account.
 17 Do I have a motion?
 18 MS. RETTIG: I'll make that motion.
 19 MR. MAISEL: Second.
 20 MS. KINGSLEY: Second?
 21 Any discussion? From the public?
 22 Hearing none.
 23 All in favor?
 24 THE BOARD: Aye.
 25 MS. KINGSLEY: Opposed?

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1 project.
 2 MR. DOUGHERTY: And along those lines, so
 3 the people who were at the meeting, some of the
 4 people were at the meetings, some of the people
 5 were at the council session, have worked to sort
 6 of analyze the situation, and take in all of the
 7 things we heard at the previous council session,
 8 as well as the conversation that was presented at
 9 the zoning hearing board, as there were four of us
 10 at that meeting.
 11 What we have done, which I think is our
 12 approach here, is to try to start the
 13 conversation, and try to sort of get our
 14 constituents' input into this process, as much as
 15 humanly possible.
 16 So what we're going to try to do this
 17 evening is share with you a summary or at least a
 18 perspective of this. I'm not saying that it's all
 19 of Borough Council's perspective. It's not been
 20 voted on. It's not finalized, but it does lay out
 21 some of the issues that we have been hearing in
 22 both council meeting, as well as responses that we
 23 have been hearing on the street, and from our
 24 constituents, and from our business people.
 25 So we have a report here, and our -- for

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1 the folks here in the room, we have sufficient
2 copies, if folks want to -- Mr. Duffy or somebody
3 could hand it out? There will be more copies
4 available for folks, and I'll hand copies out to
5 council.

6 I don't intend to read the entire report,
7 because I think, frankly, it will put everybody to
8 sleep. We don't want that, but what we will do is
9 go through it and ask for input, if you will.

10 If you can pass that down that direction?

11 For those people who would want an
12 electronic version of this file, we will -- I
13 would ask -- I could send it, I guess, somehow to
14 Jim Ennis and/or JoAnn at the office.

15 But, first, does everyone have a copy?
16 I'm going to go fairly --

17 MR. WALSH: I need to understand the
18 process of what this is. Council is --

19 MR. DOUGHERTY: I'm sorry. I didn't ask
20 you a question.

21 MS. KINGSLEY: No, but I'm trying to call
22 a point of order.

23 T.J., do you want to weigh in on this?

24 MR. WALSH: I don't want to get in the
25 middle of this. I just want to clarify so that

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1 have copies.

2 Basically, the background is, the
3 prospective owners of the current -- existing, but
4 currently unused restaurants and inn, they're
5 asking for zoning variances to increase the size
6 of the building substantially, to increase the
7 number of seats, to go from about 7,000 feet,
8 square feet, to about 17,000 square feet, to
9 increase the number of lodging rooms from about
10 eight plus two apartments. No additional parking
11 is planned to support this.

12 This document attempts to explain the
13 perspective of the people who are involved in it,
14 to understand why they feel that this project
15 would be deleterious to the future of New Hope.
16 That's what the document does.

17 So on Page 2, I think this is the key
18 thing I think I want to stress here, is what
19 makes -- Page 2 is at the bottom of this. It's
20 not the third sheet.

21 What makes Central Bucks County special is
22 our roads, our open space, our farms, our history,
23 our shopping, our dining, our arts, our theaters
24 and our outdoor activities.

25 We are not Montgomery County. We do not

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1 everyone understands, this is step one in the
2 process.

3 There's the zoning hearing board
4 application. The only thing in front of council
5 is whether council, as a council, wants to take a
6 position on the application or not. That's it.

7 MR. DOUGHERTY: Thank you.

8 What we would like to do is first just
9 talk about the bottom of the page here, just to
10 make clear. It's intended to promote discussion,
11 not stifle discussion. It just represents the
12 perspective of a number of New Hope Borough
13 Council members, and the input of various
14 constituents throughout the town that has been
15 shared.

16 It is by no means a consensus document.
17 It's not intended to be. There are other people
18 with different perspectives. I want to make it
19 clear, it's being shared in order to further
20 discussion about the future of New Hope
21 development in general, and specifically how this
22 development of this particular development will
23 impact the quality of life for all of New Hope.

24 So I'm not going to read the entire thing.

25 You have a copy of it. If you need more copies, I

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1 have large malls or enormous catering halls on the
2 shoulders of our roads. We certainly should not
3 have them in the center of our small towns'
4 boroughs. What makes us special, we are a small
5 town, and that's what makes us very special.

6 This uniqueness is threatened right now by
7 overdevelopment in New Hope, very, very
8 threatened. Just in the last 20 years, there's
9 been a number of developments here of a very large
10 nature, and I think what happens is, it's sort of
11 like putting a frog in the water.

12 When you turn the water on, you turn the
13 fire underneath of the pot, and the frog doesn't
14 jump out of the pot. Usually, it waits. It
15 doesn't realize until it's too late, that it can't
16 get out.

17 We already have more large developments
18 coming on line in the next 24 months that have
19 already been approved. This is yet another one.
20 This document illustrates the statistics, facts,
21 why a good portion of this council feels that this
22 is the wrong project for New Hope.

23 On Page 3 -- I'm not going to go through
24 all of these numbers, but right now there's an
25 abundance of restaurants in the borough. There's

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1 33 establishments of a combination of bars,
2 restaurants and cafes, 33 just downtown here.
3 That does not include the Raven, Tastebuds and
4 McDonald's.

5 The concentration here, they are
6 concentrated. They're concentrated on three
7 streets, just Main, Bridge and Mechanic. If you
8 add up all the length of the streets on which
9 restaurants exist, it's 2,200 feet of street.
10 That means there's a restaurant, a bar or cafe
11 every 67 feet in this town.

12 Seats, there are 3,285 seats in those 33
13 restaurants. It doesn't seem possible that --
14 when you count them, but I've physically walked to
15 each and every one of these restaurants and
16 counted the seats myself. That's the number.

17 It might be off by 20 here or there,
18 because people, during the summer, they move
19 chairs here and there, but the number is very
20 accurate and precise.

21 The average restaurant is about 100 seats.
22 If you have 3,285 seats, you have 100 -- the 33
23 restaurants, it's about 100. The problem is, the
24 top, the big seven, the top seven restaurants are
25 1,700 of those 32 seats.

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1 all those previously approved numbers.

2 So on Page 5, it just tells you that in
3 the last two years, we have added 420 seats to
4 this town. That's Nektar, Salt House, Great Barn,
5 Ferry Market and River Cafe. These exist in
6 spaces that did not have restaurants and bars.
7 They basically -- or they were empty for a long
8 while. Salt House had a place in it.

9 Anyone can argue and debate about all
10 these things, by the way, but the general thrust
11 of this is, we have 400 more seats than we did two
12 years ago. That brought us up to 3,285. There's
13 going to be another 400 seats coming on line in
14 the next two years that's already been approved.
15 That's the Bucks County Playhouse Inn and the
16 Playhouse deck, and the second explanation of the
17 Logan Inn, because that's going to be getting
18 bigger, and it's already been approved. That's
19 400 seats.

20 That does not include the seats down at
21 Odette's. Very generous we left Odette's out of
22 the analysis, because they're south of town. They
23 don't contribute to the incredible density up the
24 ridge at Main.

25 Part of the reason why this entity was

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1 It doesn't take an economist to realize
2 that the huge big box restaurants are dominating
3 this town, when seven restaurants have 1,700
4 seats, and this would be another one, and this, by
5 the way, does not include the three places that
6 are not on line yet, that have already been
7 approved.

8 So these number don't include about 400
9 other seats that have already come onboard,
10 whether or not -- whatever we do, they're already
11 approved.

12 We also have -- on Page 4, we also have a
13 tremendous Bucks County Playhouse. We have the
14 Children's Museum, and the Ivyland Railroad, all
15 of which create crowds, crowding, congestion and
16 people.

17 We also have an explosion of additional
18 lodging coming on line. For the last 50 to 100
19 years, there's probably been, in the Borough,
20 downtown -- I have not been here that long, but
21 there's probably been, probably 30, 40, 50 inns,
22 that have rooms at inns and lodges.

23 Now, that number is going to double
24 overnight, as it stands already. This request for
25 a variance on the Mansion would add still more to

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1 looking to trim the size of this thing and add all
2 of these rooms, on Page 6, is that they say they
3 can't get this thing to work unless they have a
4 lot more rooms and they have a banquet hall.

5 What this page attempts to do and says
6 that we have, in the past three years, New Hope
7 has gained four new medium-size restaurant type
8 establishments, Nektar, Salt House, Great Barn,
9 River Cafe. That's just in the last three years.
10 Each has less than 100 seats.

11 None have a banquet or event space. None
12 have lodging. All have been well received. All
13 are thriving. Each provides an interesting and
14 unique dining experience alternative to our
15 residents and visitors, and each added to our
16 village's charm, instead of detracting from it
17 with a gigantic, overly large event space, banquet
18 hall.

19 There's no hardship here. Restaurants
20 don't have to add 2,000 square feet in order to
21 succeed. Restaurants that meet customers' needs,
22 that are well run succeed.

23 The next page is just numbers. It's just
24 showing where those extra 400 seats are. That's
25 just numbers. I'll skip through it.

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1 Page 8, as we were told, the applicant in
2 the case is a prospective owner of that building.
3 They don't own the building. What they're saying
4 is they will not buy the building if they don't
5 get these variances. That's a simple fact. They
6 said that in the meeting. They don't own the
7 building.

8 What this really means is, at the price
9 the current owner is asking for the property, the
10 property does not make sense to the prospective
11 owner to develop it, unless they get variances to
12 massively expand it.

13 That's not a hardship. It's not the
14 function of zoning to grant variances to allow a
15 prospective property owner to massively expand the
16 property so they can justify a much larger price
17 for that property than what it's worth, as it sits
18 there that day.

19 There is a price that someone will pay to
20 purchase the Mansion property and operate it as an
21 inn with eight rooms, two apartments and a
22 restaurant and a bar.

23 Here is the biggest thing with this: If
24 this type of approach is approved, if we are going
25 to allow a prospective owner to justify a massive

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1 with no parking, this will be another very large
2 establishment that has no parking available for
3 its 250 guests, and all of its people that are
4 going to be sitting in this room.

5 We have already given -- this council has
6 granted get-arounds to the existing developers
7 that have already been approved, and those are not
8 working. People are saying, we're going to ferry
9 cars, you know, half a mile away.

10 People are going to say that they're going
11 to pay a fee to New Hope of 500 or \$1,000 for
12 every parking space they don't have, and all we
13 end up doing is jamming the town up more and more
14 and more.

15 Page 11, there's -- what the applicant has
16 suggested is, they don't need parking, because
17 they're going to valet all the cars.

18 Now, we believe that there's issues
19 currently with another establishment in town
20 relative to their commitment to provide parking
21 for their expansions that they already have gotten
22 approval. We believe there's some things that are
23 not getting done, that had been committed to
24 relative to parking for a very large
25 establishment.

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1 expansion of an existing property, on Page 9, if
2 we were to say that that's okay, then anybody in
3 this town could say that they needed to triple
4 their footprint.

5 Very simple, there's four steps: Buy any
6 restaurant or inn inside of the borough; step two,
7 rent it to tenants, who for whatever reason can't
8 make it successful; step three, let the property
9 sit there and decay for a year or two; and step
10 four, find the developer who will argue that it
11 can only succeed if we make it three times as
12 large. That's exactly what's happened here.

13 New Hope has many restaurants that have
14 been in business for decades, that don't have 250
15 seats, and they don't 22 lodging rooms. They
16 don't have a banquet hall.

17 New Hope has many inns that have been in
18 the business for decades that don't have a
19 catering hall and a bar. Nektar, Salt House,
20 River Deck Cafe, Great Barn Brewery and
21 storefronts, they are now thriving businesses.
22 They didn't have to triple their footprint to do
23 it.

24 Now, Pages 10 and 11 go in very gory
25 detail as to congestion and gridlock. Right now,

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1 We don't think it's going to get any
2 better with this establishment, but if they do
3 valet cars, on Page 11, it makes it very clear as
4 to how -- why valeting cars is not the solution
5 for the 200 extra -- 250 extra seats in town.
6 Basically, valeting cars creates more congestion.
7 It doesn't eliminate the congestion.

8 We feel that Bridge Street will back up,
9 all the way up the hill and across the bridge. We
10 feel that there's going to be safety issues. When
11 that street is blocked, that police, fire and
12 ambulance responders will not be able to get
13 through to Main Street.

14 We feel that the hundreds of cars being
15 valeted and ferried back and forth or wherever
16 they say they're going to valet, have rented
17 parking spaces, which we have questions about
18 that, we think that that actually just adds more
19 cars to the traffic jam, increases congestion.
20 It's going to hurt all of the businesses in town.

21 So I tried to go through this as quick as
22 possible. I apologize if I went too fast, but on
23 Page 12 is the conclusion.

24 We must stop New Hope from becoming Bucks
25 County's catering hall. Soon, we will no longer

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1 be a community who's fortunate to live in a
 2 village like New Hope, a wonderful place to live
 3 and visit. Instead, we'll be a location that's
 4 sold away its charm to developers, and let our
 5 village be overwhelmed by a long row of mega
 6 restaurants and event spaces.
 7 Increasing the size of establishments
 8 takes New Hope still further away from the quaint,
 9 bucolic, arts centric, small restaurant, boutique
 10 shopping that sets us apart. We cannot allow New
 11 Hope to become a glorified banquet hall.
 12 Despite what applicants think, for all the
 13 other business owners in this town, who might
 14 think that this is a good thing, because they'll
 15 have more people coming here, you'll do the exact
 16 opposite.
 17 Any businessperson who supports this
 18 because they think it's going to bring business to
 19 him or her is mistaken. It's going to make
 20 crowds, where people just won't want to come here.
 21 Destroying New Hope's small town charm
 22 will not be good for business. Traffic,
 23 congestion, gridlock are not good for business or
 24 property values. New Hope's restaurants,
 25 tourists, arts and businesses will all lose if

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1 Do you want to vote for the first Tuesday?
 2 It's always on a Tuesday night. The first and
 3 third Tuesday?
 4 MS. McHUGH: I don't think we should vote
 5 at all.
 6 MR. DOUGHERTY: The issue, I think, is
 7 trying to address if it's going to morph from time
 8 to time to a situation where very big important
 9 decisions are going to be voted on, and it's at
 10 4 o'clock in the afternoon, when people are at
 11 work, and they and our constituents cannot go to.
 12 That is the sort of a nonstarter.
 13 If it was truly pure work, and our
 14 constituents could read the minutes and stay
 15 informed in that manner, and no votes were being
 16 taken, that would be different, but our
 17 constituents, some percentage of them physically
 18 cannot be here at 4 o'clock in the afternoon.
 19 That's what I think Alison is trying to address.
 20 MS. McHUGH: I understand that, but I
 21 don't think that work sessions have morphed into
 22 those types of meetings. This is one occasion.
 23 MS. KINGSLEY: Yeah. We were actually --
 24 like I said earlier, we never -- in fact, with
 25 Cintra, it was no position.

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1 these variances are granted. This is wrong for
 2 New Hope.
 3 MS. KINGSLEY: Is this a report to the
 4 zoning committee?
 5 MS. GERING: I'm sorry. It was in
 6 addition to the report.
 7 MS. KINGSLEY: So it's part of the report?
 8 MS. GERING: Right.
 9 MS. KINGSLEY: From the zoning liaison.
 10 Okay.
 11 Okay. Based on earlier comments tonight,
 12 as far as the timing for the work session, when
 13 the work session was originally instituted, there
 14 was a lot of discussion among council about what
 15 time it should be.
 16 Connie? Laurie?
 17 MS. GERING: Yes.
 18 MS. KINGSLEY: So and at that time, there
 19 was one council person who could not do any
 20 evening meetings. So my suggestion, based on
 21 people wanting to have input, would be we needed
 22 to move it to 7:00 p.m., consistent with the
 23 regular council meetings.
 24 MR. WALSH: 7:00?
 25 MS. KINGSLEY: At 7:00.

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1 So I don't know. Do the rest of you want
 2 to weigh in on that?
 3 MS. RETTIG: I don't know the time I've
 4 been on council, I don't think we have done a vote
 5 at a work session. If we have, we have done --
 6 MR. DUFFY: Into the mic please.
 7 MS. RETTIG: In the time that I've been on
 8 council, I don't believe we have done a vote on
 9 maybe we have done one during a work session.
 10 MS. KINGSLEY: Personally, I don't have
 11 any objection to moving to an evening time slot.
 12 Ken? Come on, you always got an opinion
 13 here.
 14 MR. MAISEL: I'm a little overwhelmed.
 15 What -- I think that we -- on Tuesday we have
 16 to -- we would have to vote on the 5th? Is there
 17 a need to vote on the 5th, because it's true, we
 18 have not voted at a workshop before.
 19 MR. WALSH: The only reason it was done, I
 20 think the only reason it was done is -- back up.
 21 This zoning hearing board applicant came before
 22 you at a public meeting in September, a regular
 23 meeting, and you did take the position or vote to
 24 take a position on the applicant, because they
 25 were -- I think it was for work you had asked them

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1 to do.
2 So you do normally only have zoning board
3 applicants come before you to present their
4 application, to see whether you want to take a
5 position on the regular meeting. The only time or
6 reason it was put, that if they were coming back
7 so you could tie it up the issues, and then decide
8 whether you were going to vote.

9 You normally don't vote. I mean, that was
10 the only reason it was done, because the zoning
11 hearing board was scheduled. Those hearings have
12 to be scheduled within a certain amount of time,
13 within 60 days of when the application comes in.
14 If you don't, that's the law. You have to do
15 that. Otherwise, it's deemed approved. So
16 there's no flexibility there, unless the
17 applicant --

18 MR. DOUGHERTY: And, T.J., my take on it,
19 I was at that meeting. There were a tremendous
20 number of concerns expressed to the applicant, to
21 us at the regular council session, and I believe
22 that we said we didn't want to -- we didn't want
23 to vote against it that evening, because it would
24 basically probably kill the deal.

25 And we said -- this is my take on it. But

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1 applicant here at the council meeting, something.
2 I don't know what, but something to say, okay,
3 well, they might come back, they might come back,
4 never.

5 I heard today, I heard maybe they're going
6 to be back Thursday, and tonight, later in the
7 day, I hear they're going to be back at our next
8 work session, not the one we're going to have
9 Thursday, but the further one, on November 5th.
10 The November 5th work session is when they're
11 coming back.

12 So, at a work session, on an issue of this
13 import and that size, that applicant should have
14 been here tonight, and we could have worked
15 through some of these issues. They would have
16 heard these issues. So I'm just aghast.

17 We spent probably 45 minutes or a half an
18 hour with a fellow on New Street, who went through
19 HARB approval to add, I think, 62 feet on back,
20 square feet on the back of his house.

21 Then he went to the zoning meeting that
22 next week, and they -- he spent an hour and 15
23 minutes making the case to add this 62 feet on the
24 back of his house, and it was approved.

25 Here, it is 10,000 square feet, 250 seats,

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1 we said, we knew they had to get to this zoning
2 hearing board by that thing in order to make the
3 60 day deadline. And so we said, well, you can
4 come back to this work session.

5 It wasn't that there were just open issues
6 here. The work session was a stopgap that was
7 placed there. It was, that will get us to the
8 point where we can have a further discussion on
9 it, and maybe get a decision for them, before they
10 go to zoning.

11 So that meeting didn't happen, because we
12 didn't have a quorum, and we couldn't vote. So
13 then next -- they go to zoning, and zoning's
14 perspective -- I was at the meeting -- was sort of
15 like, well, if council hasn't weighed in on this,
16 what are you doing here. And it's sort of the
17 tail wagging the dog at this point.

18 At that meeting, I stood at that
19 microphone, at the zoning hearing board, and asked
20 whether I should have standing, et cetera. I left
21 that meeting -- I think almost everyone else
22 did -- figuring that that applicant would be back
23 here this evening, but I think the applicant
24 thought that, too.

25 Something happened then to not have the

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1 and we're basically putting it in a work session,
2 where none of the public constituents probably
3 won't be here on Main Street.

4 The balance is so far off and the
5 transparency to our constituents is abysmal at
6 this point.

7 MR. MEYER: If I may, briefly? When we
8 met and heard from the applicants, I was under the
9 impression that they were going to be making some
10 significant changes, based on our comments, and
11 would be coming back to us.

12 The idea they're coming back to us at a
13 work session, which at least by permission to
14 date, we have not voted, would have been
15 inappropriate altogether, simply because we do not
16 vote, and the question was whether or not council,
17 as a council, was going to express an opinion.

18 I might add, by the way, if, in fact, at
19 work sessions council doesn't vote, then I am a
20 little confused about why a work session has to be
21 terminated or canceled or whatever, due to the
22 lack of a quorum.

23 A quorum, as I understand it, T.J., you
24 can correct me on this, is something that one
25 needs to have in order to vote, not in order to

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1 deliberate. That's another story.
 2 I find the entire process extremely
 3 disturbing. I think that there are -- at this
 4 stage of the game, quite frankly, given what I
 5 heard before council the first of when they
 6 appeared before us, and then what they presented,
 7 so far as they have gotten, to the zoning hearing
 8 board, those are not the same two proposals
 9 anyway.

10 There's been a significant change in the
 11 number of seats that they are requesting. And
 12 this doesn't make any sense at all as a process,
 13 without dealing with the issue of merits that
 14 Dan's document addresses.

15 The process itself suggests to me that we
 16 are having some serious problems with the proposal
 17 itself. We need to have a consistent proposal.

18 If I may remind my colleagues on council,
 19 we had problems with inconsistent proposals with
 20 regard to a slightly different, rather large
 21 development over on Mechanic Street. I would
 22 rather not repeat that problem with the Mansion
 23 Inn.

24 MS. KINGSLEY: Okay. So what I'm hearing
 25 from council is that you would like to address

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1 change the time for this one meeting, because --
 2 MS. KINGSLEY: There's another meeting on
 3 top of that, the planning commission. So we still
 4 can't accommodate it. So it would then have to go
 5 to the next general council meeting.

6 MR. WALSH: That's after the zoning --

7 MR. MEYER: Zoning hearing meets the 15th.

8 MS. KINGSLEY: And that's outside the
 9 timeline?

10 MR. WALSH: It was continued to a date
 11 certain, so it's the 15th. They would have to --
 12 it's up to the zoning hearing board whether they
 13 schedule. It's not up to council.

14 MS. KINGSLEY: All right. So the zoning
 15 hearing board would have to agree.

16 MR. WALSH: The applicant would.

17 MS. KINGSLEY: Okay.

18 MR. DOUGHERTY: I think it's fair to --

19 MS. KINGSLEY: We can direct, T.J., if
 20 council decides to ask the applicant if they would
 21 agree to pushing their next zoning? They would
 22 have to push the zoning hearing to after the next
 23 council meeting.

24 MR. MEYER: Next council meeting --

25 MR. WALSH: Or find a special meeting

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1 this. At this point, it would be next either at a
 2 work session evening or at the next month's
 3 council meeting to have applicant come back.

4 And I think part of the confusion here is
 5 that the direction from council, based on our
 6 minutes of the last meeting, it was very clear
 7 that we had narrowed to two issues, the parking
 8 and the number of seats, and that's when we
 9 directed them to come back at the work session,
 10 and that's right here in the minutes. That was a
 11 conversation with Connie and with Dan, and
 12 questioning that that was the major concern, and
 13 that's what we wanted them to come back with.

14 It appears to me that council has decided
 15 there are a lot more issues that some of you have
 16 and some you may not have. I don't know, but if
 17 that's the case, then the applicant, in all
 18 fairness to them, since they're not here tonight
 19 to respond any of the concerns that you have
 20 raised as a result of your attendance at the
 21 zoning meeting, I think that it either needs to be
 22 an evening meeting, which then -- it would have to
 23 be either Tuesday, the 6th --

24 MR. MEYER: That's election day.

25 MS. GERING: Can we still do the 5th, but

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1 before that date of the zoning hearing board, if
 2 they don't agree to do that. You can't force
 3 that.

4 MS. KINGSLEY: So if the applicant does
 5 agree --

6 MS. KERR: What about the second Monday?

7 MS. KINGSLEY: If the applicant does not
 8 agree to a change of the time for the zoning
 9 hearing, what are the ramifications of that?

10 MR. WALSH: Then they'll go ahead with the
 11 hearing that date. They'll go ahead with the
 12 hearing when it's scheduled, which is on the 15th.
 13 Every hearing needs to be held within 45 days of
 14 the prior one, and the applicant has to agree to
 15 it past that.

16 MS. KINGSLEY: And so if that becomes the
 17 case, that council is not able to meet with the
 18 applicant prior to that, what are the
 19 ramifications of that?

20 MR. WALSH: Ramifications of that?

21 MS. KINGSLEY: Right. In other words, if
 22 council is not able to meet with them, to hear
 23 their presentation, and make a decision to remain
 24 neutral, support or oppose --

25 MR. WALSH: Until you take an official

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1 vote, you don't -- council has not taken a
 2 position. You have individual members express
 3 their feelings on the zoning hearing board
 4 application for purposes of council's potential
 5 vote to take a position, yea or nay.
 6 MR. MEYER: Can council schedule a special
 7 council meeting?
 8 MR. WALSH: Yes.
 9 MR. MEYER: Is a motion in order?
 10 MR. WALSH: Let ask this: Is there a
 11 planning commission meeting in November?
 12 MR. ENNIS: No, there's not one scheduled.
 13 There's nothing in the pipeline.
 14 MR. DOUGHERTY: There's no planning
 15 commission in November?
 16 MR. ENNIS: There's nothing in the
 17 pipeline.
 18 MS. KINGSLEY: We could meet November 5th
 19 and change the work session.
 20 MR. MEYER: Excuse me. If I may?
 21 MS. KINGSLEY: On the 5th.
 22 MR. MEYER: One of the things that
 23 normally is done -- if I may speak as the spouse
 24 of the ex-judge of elections, one of the things
 25 that is normally done prior to election day, which

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1 are Tuesday, whatever that is, but council has the
 2 ability to call a special meeting.
 3 MR. WALSH: That's correct.
 4 MR. DOUGHERTY: Period, and it doesn't
 5 have to be called a work session. I would prefer
 6 this to be -- since it's getting called a special
 7 meeting, I would prefer it to be called a special
 8 meeting, then there's no nonsense about any vote
 9 here or not, and it will be advertised and
 10 everything else.
 11 MR. MEYER: Can I suggest that there's no
 12 reason that it cannot be held on Thursday,
 13 November 8th? We don't get into a conflict over
 14 the election.
 15 UNIDENTIFIED SPEAKER: That brought down
 16 the house.
 17 MR. DOUGHERTY: Or the 9th.
 18 MR. MEYER: The 9th is a Friday. I'm
 19 trying to avoid the weekend.
 20 MR. WALSH: So do it Thursday.
 21 MS. McHUGH: I can do Thursday.
 22 MS. KINGSLEY: All right. So let's back
 23 up.
 24 You just want to call a special meeting?
 25 If you want to call a special meeting, does the

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1 is -- since the elections are held in this room,
 2 is that this room is set up over that weekend for
 3 the election that is going to take place the next
 4 day, since the polls have to be open at some
 5 ungodly hour in the morning, and I used to have to
 6 come here to help set up before 6 o'clock in the
 7 morning.
 8 If, in fact, we hold any meeting in this
 9 space that Monday night, may I point out that
 10 we're going to need to have public works rearrange
 11 this room after that meeting, and we would need to
 12 take that into consideration in terms of our
 13 planning here.
 14 MR. WALSH: Okay. Police can help, too.
 15 CHIEF CUMMINGS: We can do anything.
 16 MR. WALSH: Okay.
 17 MS. KINGSLEY: Okay.
 18 MR. WALSH: You just need to advertise.
 19 MS. KINGSLEY: So first of all, is
 20 everybody on council comfortable? I want a motion
 21 to move the meeting to 7 o'clock on the 5th for
 22 work session.
 23 MR. DOUGHERTY: I just have a question.
 24 We call this thing a work session. It's a regular
 25 scheduled -- regularly scheduled council meetings

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1 applicant have to agree to that or not?
 2 MR. WALSH: Nope.
 3 MS. KINGSLEY: Okay.
 4 MR. DOUGHERTY: What was the question?
 5 I'm sorry.
 6 MS. KINGSLEY: The question was, does the
 7 applicant have to agree to that?
 8 MR. DOUGHERTY: They don't have to agree
 9 to --
 10 MS. KINGSLEY: I just asked T.J. I want
 11 to make sure, legally, that the applicant --
 12 because this discussion tonight, the applicant, in
 13 fairness to them, didn't have an opportunity to
 14 review or rebut --
 15 MR. DOUGHERTY: Right, I would just urge
 16 we take the earlier date.
 17 MS. KINGSLEY: In all fairness, if we're
 18 going to call a special meeting --
 19 MR. WALSH: To be respectful, do you want
 20 to say, these are the two days we're considering,
 21 make sure they can make it before you --
 22 MR. DOUGHERTY: Thank you.
 23 MS. KINGSLEY: Thank you.
 24 MS. GERING: What's the other date?
 25 MS. KINGSLEY: It would either be the

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1 5th --
 2 MR. MEYER: The 7th or the 8th.
 3 MS. KINGSLEY: Let's give them the choice
 4 of the 5th, 7th or 8th at 7:00 p.m.
 5 MR. WILLIAMS: I have a quick question for
 6 the people here.
 7 MS. KINGSLEY: We have got a court
 8 reporter who has to --
 9 MR. WILLIAMS: He's right in front of me.
 10 It's not that important. I just wanted to
 11 know when -- if we're going to offer them two
 12 potential dates, when will we know which date it
 13 is?
 14 MS. KINGSLEY: As soon as we find out.
 15 MR. DOUGHERTY: Is there a statutory
 16 requirement how many days in advance of the
 17 meeting it has to be advertised?
 18 MR. WALSH: Special meetings are usually
 19 24 hours, unless it's an emergency, then it
 20 doesn't require it. This doesn't qualify as an
 21 emergency.
 22 MS. KERR: Facebook.
 23 MR. DOUGHERTY: I would urge as much
 24 advanced notice as possible. I would prefer this
 25 not to be a 24-hour fire drill for our

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1 pension plan, and it's part of the requirements to
 2 continue our state aid. So the numbers that will
 3 be in the 2019, putting in the police plan is
 4 \$180,266 and MML will be including the non-union
 5 pension is \$19,200.
 6 MS. KINGSLEY: Okay. Any other comments
 7 from council?
 8 Any comments from the public?
 9 Steve?
 10 MR. COPPENS: Steve Coppens. I'm sorry.
 11 Hold on just a second.
 12 First of all, this Mansion thing, I'm
 13 sorry that I missed the meeting. I was out of
 14 town. Boy, am I sorry about that.
 15 Anyway, I read in the paper when I got
 16 back into town, something about the library is
 17 requesting money, additional funds. Did that --
 18 what are doing there? What did we do there?
 19 UNIDENTIFIED SPEAKER: Thank you so much.
 20 Yeah.
 21 MS. KINGSLEY: The work session on
 22 Thursday, they're coming to present on Thursday.
 23 MR. COPPENS: Is that a normal --
 24 MS. KINGSLEY: Well, we just announced
 25 that the one from October --

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1 constituents, after what you heard here today.
 2 MR. WALSH: Fair enough.
 3 You asked about what the requirement is.
 4 It's 24 hours. We're going to give as much notice
 5 as possible.
 6 MS. KINGSLEY: The 5th, the 7th or the
 7 8th, okay?
 8 MR. MEYER: I would like to say, I would
 9 suggest that the 5th is totally unreasonable,
 10 unless you're absolutely certain -- take a look at
 11 all of the chairs in here. They won't get stacked
 12 up on the stage for the election.
 13 One hour, starting at what hour? How long
 14 is it going to take the night of the 5th? You
 15 really want to disrupt the elections?
 16 MS. KINGSLEY: It's partially dependent,
 17 Peter, on getting a mutual date. Okay.
 18 MR. MEYER: Make it the 17th.
 19 MS. KINGSLEY: Can I have the solicitor's
 20 report?
 21 MR. WALSH: None.
 22 MS. KINGSLEY: Management report?
 23 MS. LEE: I just have one announcement I
 24 need to make, if you want to vote on this. I have
 25 to publically announce the 2019, the police

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1 MR. COPPENS: No, I mean, is the request
 2 the funds normal?
 3 MS. KINGSLEY: No.
 4 MR. COPPENS: Okay. Because if I recall,
 5 I see a line on my tax bill for the library.
 6 Okay. And is that part of the shared services
 7 thing, and where do we stand on that with Solebury
 8 Township or is that independent and nothing to do
 9 with that one?
 10 MS. KINGSLEY: The library is asking both
 11 communities for an additional contribution.
 12 MR. COPPENS: Right.
 13 MS. KINGSLEY: And that's what they're
 14 coming to present to us.
 15 MR. COPPENS: Okay. And I was at the
 16 junior council meeting today. They mentioned
 17 something about they're working on recycling and
 18 the carbon footprint of the borough, and that they
 19 were trying to do recycling trash cans, but they
 20 didn't have any money.
 21 How can they exist without a budget? I
 22 can't understand that. I brought that up at the
 23 last session, last whatever, last year with them.
 24 And I don't understand how they can exist and do
 25 anything without a budget. So can you get them

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1 some money so they can do something?
 2 And I'm not real big on giving people
 3 money, you know that. But, I mean, I think
 4 recycling is very important. I think we have done
 5 it here 20 years ago, and I'm kind of disappointed
 6 in this town that we have not done it, because
 7 we're supposed to be progressive, whatever. I
 8 would say hippy, but that's not like a real thing
 9 anymore, but I really think that we should
 10 consider giving them some funds to work with.
 11 MS. McHUGH: It will be brought up at the
 12 budget meeting.
 13 MR. COPPENS: Pardon?
 14 MS. McHUGH: It will be brought up at the
 15 budget meaning for junior council.
 16 MR. COPPENS: Thank you.
 17 MS. McHUGH: Last year was their first
 18 real year, so we had to work out the kinks.
 19 MR. COPPENS: I understand that.
 20 MS. McHUGH: We didn't know what to ask
 21 for last year.
 22 MR. COPPENS: I was told last year
 23 somewhere along the line that there was somebody
 24 sponsoring junior council, some corporate
 25 sponsorship or something.

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1 discussed with Alison, and requesting that the
 2 dumpster be moved in compliance with our zoning.
 3 And we had a site meeting. Jim showed up,
 4 and Ms. Lee, which I thank you. And at that time,
 5 Jim said that the dumpster was properly located,
 6 and in accordance with the ordinance, which it is
 7 not. It's actually five feet into the street,
 8 which I communicated over and over to Jim, and got
 9 no response, and this is why I'm forced to come
 10 here tonight.
 11 I have a responsibility to my building,
 12 where 20 people call that their home, and this
 13 matter's serious and adverse effect. The dumpster
 14 should be moved tomorrow. The concrete slab that
 15 was put there without proper permits, as I
 16 understand it, can be moved to the lot in the
 17 back, as well as the bushes that had been planted
 18 in the borough property.
 19 In addition to that, what's added to the
 20 problem, and I've discussed it by e-mail with Jim,
 21 I get no response back, and I said, respectfully,
 22 because you're very busy, is the fact that I
 23 understand that, per docket Number 383, the zoning
 24 law rule given and issued for the property 142
 25 South Main Street, the River Cafe is operating

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1 MS. McHUGH: I don't know who told you
 2 that.
 3 MR. COPPENS: I think it was Katie. Is
 4 that her name, council president at the time? Be
 5 that as it may, they need some money to work with.
 6 MS. McHUGH: I agree.
 7 MR. COPPENS: Thank you.
 8 MS. McHUGH: Thank you.
 9 MS. KINGSLEY: Mr. Fernandez.
 10 MR. FERNANDEZ: Good evening, members of
 11 council, Mr. Mayor, Police Chief, staff members
 12 and friends of the community.
 13 I'm here to request and confirm, again, a
 14 complaint I filed with our zoning officer and our
 15 borough manager's office, and it's awkward because
 16 a long time friend of mine is involved here,
 17 Alison, regarding the River Cafe, the property
 18 across the street from my apartment building, 136
 19 South Main Street.
 20 And since June, as a long trail of e-mails
 21 and pictures to the offices of the borough
 22 council, if you see those copies, the effect has
 23 been adverse from the River Cafe. Specifically,
 24 the dumpster started a complaint of health issues
 25 and noise issues with the tenants, and we

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1 illegally, for lack of better words, not in
 2 compliance with the zoning order. I'm sure the
 3 zoning officer can clarify that.
 4 But as it states in the approval back in
 5 May, 2014, make it very clear that the applicant
 6 and his wife, 142 South Main, were proposing a
 7 low-key, quote, unquote, coffee-tea shop,
 8 including the sale of food products to be taken
 9 out as a retail accessory to the proposed
 10 restaurant use.
 11 It states clearly that no food preparation
 12 or no cooking of foods on the premises. It's
 13 right through the docket over and over again, and
 14 myself, the building owner, another property
 15 owner, we were notified. We, as good neighbors
 16 said, fine, a low-key tea shop, coffee shop will
 17 be fine, not somehow a full-fledged restaurant.
 18 As to the Mansion report, by coincidence,
 19 I applaud you. It was done very well. New Hope,
 20 by some accounts, has become a food court, and
 21 that's not what we want, but, specifically, I'm
 22 here, and Alison, and all business owners, we wish
 23 you the best. Make millions.
 24 But we want you to do it in accordance
 25 with the ordinance and laws, rules and not

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1 illegally, because so many other business owners
2 in this community that I know very well, and you
3 know very well have to comply with our zoning
4 officer, with our borough manager, and this
5 example, saddens me to say, gives the wrong
6 message that one of our community leaders and
7 Borough Council President appears to be in
8 violation of multiple ordinance and zoning rules
9 and laws.

10 So I'm asking the borough for help. This
11 has escalated to the point that I have to be here.
12 I don't want to be here, Alison, and I've tried
13 for six months, and it's creating an adverse
14 situation, health risks for the community, traffic
15 liability issues, multiple e-mails to Jim and our
16 borough manager. And I know Alison. You report
17 to her. So I would think you shared everything
18 with Alison and borough council.

19 So I'm here respectfully asking if, as of
20 tomorrow, the dumpster can be moved where it
21 belongs, not outside of the property line, and the
22 zoning code be enforced, no cooking on the
23 premises, which has led, through the summer, to
24 the rodents and cats and rats and birds and
25 squirrels, which pictures were submitted to Jim.

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1 MR. DOUGHERTY: I think it's -- I'm here.
2 I don't know this subject matter. We have not
3 been informed. So we don't have -- I think
4 there's two things here.

5 There's the facts and circumstances of the
6 zoning, facts and what the zoning docket thing
7 says, and what you're allowed to do there, and the
8 facts and circumstances of the dumpster. That's
9 one thing.

10 I'm also hearing here that there's a
11 constituent service issue, that we have a
12 constituent for the last -- you say six months is
13 what you're saying. I don't know. I never met or
14 have spoken to you in my life. So I don't know
15 you.

16 I don't know the subject matter, but a
17 constituent services issue here or constituent has
18 been complaining for constituents for six months.
19 So since June. Well, that's not six months, and
20 where a member of our council is party to that
21 subject.

22 So, clearly, from a transparency issue --
23 I don't know the subject matter. Okay. I'm not
24 going to opine on that. I don't know that stuff,
25 but from a transparency perspective, any

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1 And people chuckle about that, but it's
2 true. The pictures are there, and other community
3 members, good, longstanding members, which would
4 be Marsha Brown, on and on and on, and good
5 builders, restoration people have to follow our
6 zoning rules.

7 They see this lawlessness, it sends the
8 wrong message, and, again, I don't like being here
9 tonight. I feel I was forced after six months,
10 and you have the history of e-mails and pictures,
11 and nothing has been done as far as I'm concerned,
12 and I know the other community members.

13 So we're asking or I'm asking that the
14 owner of the property and cafe comply as of
15 tomorrow morning, both with the trash can and
16 property line issues that they're encroaching, and
17 to adhere and obey the zoning board docket, which
18 states clearly no cooking, and it continues to
19 have an adverse effect to the community.

20 That's my request.

21 MS. KINGSLEY: Thank you.

22 ---

23 (Discussion off the record.)

24 ---

25 MR. WALSH: I have no comment.

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1 constituent should be concerned about any of
2 council has issues, and, again, are complaining to
3 the management team of this organization, and that
4 constituent is not being satisfied in some manner,
5 saying I've looked into it or something, however
6 it needs to be responded to. I've looked into it,
7 and everything you said is -- you know, doesn't --
8 you know, something where it closes it off.

9 So I think that this council needs to put
10 together a response, a formal response to this.
11 That includes -- I think this council needs to see
12 these e-mails and see his list of e-mails, because
13 we were not aware of this.

14 MR. FERNANDEZ: I have asked them.

15 MR. DOUGHERTY: And understand what's
16 going on here, because our constituents can't feel
17 that we seven people get special treatment,
18 because we force them to jump through hoops with
19 our police power, if you will, and we are getting
20 special treatment.

21 I don't know the facts and circumstances.
22 Everything you said could be very easily explained
23 away, but I think it needs to be researched. So I
24 would respectfully ask for a full file of this
25 entire material, everything that you have be

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1 handed to -- maybe to E.J., E.J. to summarize that
 2 in full to us. That's what I would like to see.
 3 MR. FERNANDEZ: I applaud you for that
 4 recommendation, and I have the docket copies right
 5 here on the files. It clearly states here, and
 6 the order starts out by, there will be no food
 7 preparation on this subject property. That's loud
 8 and clear, and it's to be a low-key coffee and tea
 9 house.
 10 MR. DOUGHERTY: Again, that's not stuff
 11 that I can sit here and opine. I'm not on the
 12 zoning hearing board. I'm not a zoning officer.
 13 What I can opine about and I think needs to be
 14 addressed is what you are telling us, is that
 15 you've been trying to work this through the system
 16 here for four or five months, and you've gotten
 17 nowhere. You are not satisfied as someone, the
 18 person to which it applies is one out of our
 19 fellow council people.
 20 MR. FERNANDEZ: Yes.
 21 MR. DOUGHERTY: That, I think, is the
 22 problem that I would like to see addressed.
 23 MR. FERNANDEZ: I wish them all the best.
 24 I'm just asking that they adhere to the rules,
 25 regulations and laws of this town, and so that the

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1 working on it, you won't hear from us anymore, you
 2 won't be involved, goodbye, and as many of you
 3 know, not to get into personal facts, I'm from
 4 Cuba, and I fled the communist revolution and
 5 oppression and things done secretly, and this does
 6 not give a very good appearance of transparency
 7 and communication, especially something as serious
 8 as this.
 9 MR. COPPENS: This isn't Cuba either.
 10 MR. FERNANDEZ: Excuse me?
 11 MR. COP: I said, it is not Cuba either.
 12 MR. FERNANDEZ: No, god forbid.
 13 My message that I'm trying to convey, and
 14 I apologize if it's not coming out properly, is
 15 that I've always felt proud about New Hope. Good,
 16 bad or ugly, we have full transparency on all
 17 issues, and this one I don't seem to be getting
 18 that, and we are having -- I don't want to take
 19 more time now.
 20 The adverse effects, you have people
 21 walking up Waterloo Street. You have cars backing
 22 out and almost hitting and coming in the parking
 23 lot. You have the health issue of the dumpsters
 24 in the past, on and on and on.
 25 If somebody -- if I applied for the Havana

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1 borough manager can do their job, and the zoning
 2 officer can enforce and do his job, and everybody
 3 else in the community sees that the laws and rules
 4 are obeyed.
 5 MS. LEE: If I may say something, as you
 6 already mentioned, we have been in touch. You
 7 have been e-mailing me, I believe sometime about
 8 early August, and we did go out on-site to meet
 9 with you to inspect the complaint that you did
 10 bring forward.
 11 Since then, I believe our zoning officer
 12 has been looking into this, as a courtesy that we
 13 give to all residents who have kind of violation
 14 in any way. I believe the zoning officer has
 15 contacted Alison to bring all of this up to her,
 16 and as we would give any constituent, any resident
 17 or business owner of New Hope Borough sufficient
 18 time to address the issues, and I believe that's
 19 currently where we are.
 20 MR. FERNANDEZ: It's been, respectfully,
 21 five months, going on six. When you get copies of
 22 all the e-mails, and I know the files are
 23 extensive, and the last communication I got from
 24 Mr. Ennis was over a month, six weeks ago.
 25 You might know this, Mr. Ennis, we're

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1 Cafe today, and said it's going to be a simple
 2 Havana coffee and tea house, and I opened day
 3 number one with Cuban food and cooking, where
 4 there's no cooking, I'm going to be allowed six
 5 months by a zoning officer to blatantly continue
 6 operating?
 7 MS. McHUGH: We have already established
 8 it hasn't been six months. It's been since
 9 August. Mr. Ennis is right here. So I don't
 10 think we are hiding anything from you.
 11 And, Mr. Ennis, would you like to come up
 12 and address this please?
 13 MR. FERNANDEZ: June is when it started my
 14 complaint.
 15 MR. ENNIS: So the perspective that needs
 16 to happen right now is that George came with one
 17 complaint, June or July, one complaint at the
 18 time. That was about the appearance of the
 19 property owner's or business owner's trash cans.
 20 George was given a very definitive
 21 response that until after our meeting with T.J.,
 22 that there would be adequate screening along the
 23 dumpsters, during the right planting season, which
 24 would be fall, and it would be addressed
 25 accordingly.

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1 It was, however, post the original
2 complaint, well past the original complaint.
3 Okay. You then wanted to have other issues that
4 you wanted to be addressed.

5 And I'm telling you that they are being
6 addressed, but just because I'm not responding to
7 you, telling you exactly how they're being
8 addressed doesn't mean they're not going to be
9 addressed.

10 And I would like a little bit to afford to
11 the person that is really the subject of all of
12 this, to whether or not confirm that they had been
13 in numerous discussions on how you are going to be
14 addressing those issues, and also when they're
15 going to be addressed, those issues.

16 MS. KINGSLEY: So our attorney has met
17 with the architect, and there will be a zoning
18 application filed to address the use, and the
19 original zoning decision, and the way it was
20 handed down, and that conversation has been going
21 on with Jim now probably for a couple of months,
22 and Paul Cohen would be the attorney who is
23 handling this.

24 And, unfortunately, Ted had family issues
25 over the past three or four weeks with the death

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1 cooking in it, and it was brought to my attention,
2 there should be no cooking.

3 MS. KINGSLEY: I would just like to say,
4 George, if I could interrupt, but every person --
5 first of all, we have two large dumpster. Both of
6 those dumpsters, everything that goes into the one
7 dumpster is cardboard. Everything that goes into
8 the second dumpster is bagged in heavy bags, tied,
9 and both dumpsters are chained shut.

10 There is a smell down on the intersection
11 of Waterloo, and it's coming out of the storm
12 sewer. It's not coming out of the dumpsters. The
13 dumpsters are picked up two mornings a week,
14 Thursday and Friday, one for recycling and the
15 other for the garbage.

16 So if you go stand over the storm sewer,
17 you can actually smell the sewage. It's not
18 coming out there, and there are no rats anywhere
19 near our building.

20 MR. FERNANDEZ: Alison, respectfully, I
21 have had that building for 23 years. I know the
22 difference between the sewer smell, which usually
23 comes from Lambertville, but be that as it may
24 regardless, the dumpster, it was explained to me
25 by the zoning officer would be five feet.

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1 of his sister-in-law, which he had to handle, and
2 he was unable to be here on any kind of regular
3 basis to deal with that, and with the architect
4 and with Jim.

5 So the original meeting that we were going
6 to try to have didn't happen, but, clearly, we
7 have been working on it.

8 Also, it went to tree commission and got
9 their approval to plant a border, rip out the
10 weeds along the parking lot, and put a plant
11 border down along the boat ramp, all the way to
12 the river.

13 So at wholesale prices, it was \$1,000
14 worth of trees and plants for that buffer. If it
15 was retail plants, it would be probably be four
16 times that. So that was donated basically to the
17 borough, and we would end up maintaining that. So
18 that's pretty much where we are.

19 MR. FERNANDEZ: Well, I don't want to
20 prolong this. Thank you, Alison and Jim.

21 The files will show it's a consistent
22 concern about the dumpster, and then involved
23 realizing that part of the problem with the grease
24 and the food coming out of the dumpster, bringing
25 in the rodents, et cetera, because they were

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1 The boundary line is five feet to the
2 other side boundary and the bushes planted should
3 be on your boundary property, not on the easement
4 that the fire rescue and the Bucks County water
5 sewer were upset when they saw that. That's nice
6 you put the bushes there, but they should have
7 been on your property, not the easement of the
8 ramp.

9 MS. KINGSLEY: They are not on the ramp.
10 They're in the buffer, and it's borough property,
11 and there was permission granted to plant them
12 there by the tree commission.

13 MR. FERNANDEZ: Again, I'm respectfully
14 requesting that the laws and rules be obeyed, the
15 trash can be removed to where it belongs, and the
16 apparent violations with the coding of the
17 premises be observed.

18 And, truly, Alison has known me for over
19 20 years. I respect her a great deal. I'm simply
20 asking that these rules be obeyed. That's pretty
21 much it.

22 MS. LEE: Thank you.

23 MS. GERING: Thank you, George.

24 MS. KINGSLEY: Thank you. Any other
25 public comment?

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1 Hearing none, the meeting is adjourned.
 2 (At 8:52 p.m., proceedings were
 3 concluded.)
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 2
 3 C E R T I F I C A T E
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 5
 6 I hereby certify that the proceedings and
 7 evidence are contained fully and accurately, to
 8 the best of my ability, in the stenographic notes
 9 taken by me at the meeting in the above matter;
 10 that the foregoing is a true and correct
 11 transcript of the same.
 12
 13
 14 EDWARD McKENNA, C.R.
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