

NEW HOPE BOROUGH COUNCIL
BUCKS COUNTY, PENNSYLVANIA

AUGUST COUNCIL MEETING

NEW HOPE BOROUGH COMMUNITY ROOM
123 NEW STREET
NEW HOPE, PENNSYLVANIA 18938

TUESDAY, AUGUST 15, 2023
COMMENCING AT 6:30 P.M.

BOARD MEMBERS PRESENT:

CONNIE GERING - PRESIDENT
LAURIE MCHUGH
LOUISE FEDER
PETER MEYER (via phone)
KENNETH MAISEL
DANIEL DOUGHERTY
MICHELE BECCI

ALSO PRESENT:

LAWRENCE KELLER - MAYOR
PETER GRAY - BOROUGH MANAGER
JOHN PENNINGHAM, ESQ. - BOROUGH SOLICITOR
MARK LABRUM, ESQ. - BOROUGH SOLICITOR
LISA LITTLEFIELD - ZONING OFFICER
MARY STOVER - BOROUGH ENGINEER
MICHAEL CUMMINGS - CHIEF OF POLICE
MATTHEW DECKER - AUDIO/VIDEO TECHNICIAN

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PRESIDENT GERING: I would like to call the meeting to order. If you can please stand up for the Pledge of Allegiance.

Thank you. Pete, if you can take roll, please.

MR. GRAY: Certainly.

Ms. McHugh?

MS. MCHUGH: I am here.

MR. GRAY: Mr. Maisel?

MR. MAISEL: Here.

MR. GRAY: Ms. Feder?

MS. FEDER: Here.

MR. GRAY: Mr. Dougherty?

MR. DOUGHERTY: Here.

MR. GRAY: Ms. Becci?

MS. BECCI: Here.

MR. GRAY: Mr. Meyer?

MR. MEYER: Here.

MR. GRAY: Mayor Keller?

MAYOR KELLER: Here.

MR. GRAY: Ms. Gering?

PRESIDENT GERING: Here. Thank you so much.

Is there anyone that would like to make

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comment, public comment, at this time before we start with what is on the agenda?

Yes, Mr. Clapper.

MR. CLAPPER: Good evening. Good evening, everybody. My name is Bill Clapper and I play a leadership role in New Hope Speaks.

Tonight I want to talk about public participation. New Hope Speaks is a community group, as many know, with a single mission and that is to promote public participation in our local government. Our mission is to present information to the residents of New Hope in order that they might have a factual basis to form an opinion on many issues dealt with by our local government.

Our group has made an impact on the community in the last three years as we created awareness of things like the Zoom components of meetings, need for transparency in the financials, recruited residents to join Borough committees and even Council positions and many others.

We have been called liars. We have been called distributors of misinformation, but that didn't slow our group down. We have continued to grow today where we have on our mailing list over 50%, closer to 60% of the voters of New Hope. We are able to reach all of

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2 these residents by e-mail and I want you to know that
3 through our group of memberships, which are -- there are
4 quite a few active people, we attend all Council meetings,
5 we attend many of the local commissions and board
6 meetings.
7 We created relationships with the state
8 office holders, representatives and senators. We
9 established relationships with many of the key business
10 people in our town. We enjoy an amazing depth of
11 experience with the residents of New Hope who we regularly
12 reach out to for guidance and advice on the issues that we
13 present. We are making an impact.
14 Tonight is a historic event for this town.
15 Its come down where we have the opportunity to participate
16 in a full session. There are many people here tonight who
17 will have the opportunity, hopefully, to speak. Expect
18 our leaders to be transparent and accountable for their
19 actions. I trust that as we discuss the various projects
20 tonight, including the parking garage project, that
21 Council will see and hear the town speaking. Thank you
22 very much. Thank you, everybody.
23 PRESIDENT GERING: Yes.
24 MS. SHANK: Thank you. My name is Leanne
25 Shank, L-E-A-N-N-E S-H-A-N-K. I live at 52 North Main

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2 Street.
3 Several Borough residents and I recently
4 spoke with Frank Shockey, who is a senior national flood
5 insurance specialist at FEMA, who informed us that he
6 recently requested to meet with Mr. Gray and our zoning
7 administrator to review New Hope's administration of our
8 floodplain management regulations and share his guidance
9 with and his hope in that they will share his guidance
10 with New Hope's Council and the Zoning Hearing Board in
11 order that you all are aware of regulations that need to
12 be complied with to maintain FEMA flood insurance.
13 So I guess my question is, if I can ask,
14 whether that -- that information was shared with all
15 members of Council and members of the Zoning Hearing
16 Board.
17 PRESIDENT GERING: This is only -- I'm
18 sorry, this is only public comment. If you do need an
19 answer to your question, e-mail them to Mr. Gray. He will
20 be more than happy to get back to you.
21 MS. SHANK: I will do so. My comment then
22 is I hope that Mr. Gray and Lisa share the information
23 that Mr. Shockey provided to them because it is crucial
24 with regard to the Borough's compliance with the FEMA
25 regulations if we wish to maintain our national floodplain

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2 insurance program for all of the residents and developers,
3 et cetera in the Borough.
4 Mr. Shockey also noted to us that he sent
5 an e-mail or a letter to Mr. Gray and Lisa outlining
6 provisions of FEMA that requires the Borough's attention.
7 And I will ask that that be also shared with the Council
8 and with the Zoning Hearing Board.
9 The Borough Council became a participant in
10 FEMA's national floodplain insurance program in 1973.
11 Council voted to participate in that which then allowed
12 residents and businesses to obtain federal floodplain
13 insurance at a reduced rate and not have to go out and try
14 to find it in the public market -- the private market,
15 excuse me.
16 As a condition of participating in that
17 program, the Borough is required to implement and
18 consistently enforce FEMA's Zoning Code related to
19 floodplain management and also in granting variances from
20 floodplain regulations only under exceptional
21 circumstances. If approved --
22 MS. McHUGH: You have 15 seconds left.
23 MS. SHANK: How many?
24 MS. McHUGH: Fifteen.
25 MS. SHANK: There are serious consequences

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2 to that such as loss of the ability for the residents to
3 participate in that program.
4 So I guess I have two questions I am asking
5 whether what we now know about the significance of
6 floodplain rights with The Landing project, would Council
7 agree and want to hear from this FEMA expert on our
8 applications, the Borough's obligations in this regard?
9 And two, would it reconsider neutral vote
10 about sending the proposed Landing project onto the Zoning
11 Hearing Board?
12 PRESIDENT GERING: Thank you so much.
13 Please send all of that to Mr. Gray. He will be happy to
14 respond to you.
15 With that we will -- yes, thank you.
16 Mayor's report.
17 MAYOR KELLER: I guess for the last
18 26 years this was one of the more interesting week and a
19 halves for me. I had COVID and so I very carefully --
20 rarely do I have to swear in a Council person in the
21 middle of a season but Michele Becci was nice enough to
22 come over to my garden with Jay and so I swore her in from
23 about 30-foot away and so it is official.
24 We both signed the paperwork so to save
25 time, I noticed that in the Council's President's report,

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 2 I think that we should all welcome Michele Becci as our
 3 new Council member. A little different.
 4 Another friend of mine, Howard Savin, you
 5 may know lives in Waterview.
 6 Dear Mayor and Chief Cummings; I was in a
 7 state of medical crisis on both July 26th and July 30th
 8 requiring multiple hospitalizations.
 9 Shortly after dialing 911 an officer
 10 arrived at our home in advance of the New
 11 Hope-Lambertville Rescue Squad. My wife and I were very
 12 impressed with each officers' professionalism and calmly
 13 understanding my needs and supporting the ambulance team
 14 as well upon their arrival.
 15 My wife Jill and I are very appreciative of
 16 the supportive services received in our time of need. The
 17 performance of the New Hope Police Department could not
 18 have been better than it was in this instant. So we have
 19 Officer Pellechia and more recently sworn in part-time
 20 Officer Kaleb Johnson. So commendations and
 21 congratulations to both of them.
 22 Lastly, probably most difficult for me was
 23 yesterday I got a letter; Dear Mayor Keller, accept this
 24 letter as a formal notice of my plan to resign as Police
 25 Chief of New Hope Police Department effective

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 2 Council that we should bring in an organization that
 3 brought us Chief Cummings, and they are called SafeCity
 4 Solutions.
 5 There are two retired police chiefs,
 6 combined they have about 43 years of -- 86 years in law
 7 enforcement. They go from A to Z in interviews, breaking
 8 down, finding out what this Borough needs and then that
 9 would be the best part of beginning with that. We have
 10 six months more, wish it was six years more, six more
 11 months of Chief and that is another 45 or so years so
 12 combined you got 135 years of police work with these three
 13 gentlemen.
 14 And so we should use the asset we have in
 15 my opinion, with Chief Cummings and I might be able to add
 16 a little bit of odds and ends, having been a resident of
 17 the Borough for almost 50 years.
 18 So I think that we should look at SafeCity
 19 Solutions. They have done -- they have probably done
 20 about 50 chief recommendations alone. They only failed
 21 once and it was because the one that they picked, the
 22 Council chose number two and it didn't work out.
 23 So they have a pretty clean record. Big
 24 Department, Chief Parkinson (sic) was Chief of Perkasio so
 25 more of our size and the other went onto become a Chief at

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 2 February 5th, 2024. Great birthday for me, my birthday is
 3 February 2nd.
 4 I am giving you advanced notice of my
 5 intent to resign to allow the Borough of New Hope the time
 6 to find a replacement for my position. This will give a
 7 clear and orderly plan of transition to the new police
 8 chief chosen to be my replacement.
 9 I spent 47 years in law enforcement, the
 10 last 15 years with the New Hope Borough Police Department
 11 as Police Chief. I found my employment here to be a truly
 12 rewarding experience. I have enjoyed the support of both
 13 you, Mayor, and the numerous Borough Council members that
 14 I have served under.
 15 I found many friends amongst the residents,
 16 business owners and organizations that make up this
 17 wonderful Borough.
 18 I retire with great satisfaction for all
 19 that I have accomplished during my tenure with the New
 20 Hope Borough Police Department. I will leave with many
 21 fond memories of my employment here.
 22 So I think we should have a round of
 23 applause. He is not leaving yet.
 24 And to follow that, I certainly was around
 25 then too and I would strongly suggest to this Borough

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 2 Reading which probably has -- I don't know, 150 officers,
 3 200. Big department. You know where Reading is.
 4 So I think that this group who did us very
 5 well 15 years ago, we should utilize them again in order
 6 to move forward. So I will get all of this paperwork
 7 together and you will all get a background on the SafeCity
 8 Solutions. I will get it all to Pete Gray, you can look
 9 at it and then we can move forward. And I know it is
 10 going to be a long night so I will stop there.
 11 PRESIDENT GERING: Thank you.
 12 Next is the heated discussion that
 13 everybody is here for but before we start I would like to
 14 make a comment that this Council and our original ad hoc
 15 committee has been making for three years, whatever we do
 16 in building a garage, it has always been the vision to
 17 have a revenue neutral program so it will not burden the
 18 taxpayers of New Hope, and we are those those taxpayers
 19 sitting back here. Our vision was always to be revenue
 20 neutral.
 21 So with that, I will move it to Dan, Ken
 22 and Louise to start the presentation.
 23 MR. DOUGHERTY: Okay. Well thank you very
 24 much, Connie. I am Dan Dougherty. This is Ken Maisel and
 25 Louise Feder is down next to the Mayor for the folks that

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 2 don't know us.
 3 Thank you all for coming this evening. We
 4 are going to try to go through sort of the background,
 5 where we are with regard to the analysis and we will go
 6 from there. Not sure if everyone has the proper copy.
 7 You can skip that page because -- you can
 8 start there. That is a good spot. You may have a copy of
 9 a presentation -- of another presentation that is from the
 10 previous ad hoc committee. I want to make sure we are all
 11 on the same page. No pun intended.
 12 Okay. So the one that we will be covering
 13 has sort of a colored emblem on the front of it and it
 14 says Ad Hoc Garage Committee.
 15 So what we have before you tonight is on
 16 page two of that, if you go forward, Matt. It should look
 17 like that and then go one more page. And it -- the first
 18 page has text on it, summary and recommendation. Okay.
 19 Thank you.
 20 First off I would like to say background, I
 21 know not everybody has been here and Ken and Louise, I may
 22 not be able to go through this entire deck. When I start
 23 to cough you guys -- the new committee met with the staff,
 24 stakeholders, prior committee members and consultants and
 25 reviewed all of the available documents that occurred over

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 2 would have to be spent by the Borough over the 20 years to
 3 pay for the bond, the bond interest, the operation costs
 4 and it comes to -- unfortunately when the garage itself
 5 was going to cost somewhere around \$14 million. Then
 6 there is another six or \$7 million in bond interest and
 7 another six or \$7 million in operations, you get up to a
 8 number that looks very big. It is very big.
 9 That is the aggregate number of dollars
 10 that would actually have to be on New Hope check stock
 11 written to somebody over the course of those 20 years to
 12 pay for all of the things that would have to get paid for
 13 for that garage. Feel very confident about that \$28
 14 million figure. When you divide it by 20, it is \$1.4
 15 million a year.
 16 We then evaluated that against the
 17 Borough's ability to borrow that money to begin and a
 18 bunch of other things as to how big that number is
 19 relative to our budget and we came up with some findings.
 20 Those will be later.
 21 So following are the facts and
 22 circumstances. Just touched on this on page three. As
 23 everyone knows, there is roughly about \$600,000 that has
 24 been spent so far on -- I would say 75% of which was spent
 25 in order to secure land rights, the ability to build on

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 2 the prior 30 months to evaluate the current state, costs,
 3 impact and how to move forward with the garage project.
 4 We revealed pretty quickly -- we came
 5 across a number of obstacles. Many of those obstacles
 6 were actually imbedded in questions and comments that we
 7 had received in public meetings over the prior 30 months
 8 that for various reasons were not able to be answered at
 9 the time, mostly due to litigation that sort of held down
 10 the ability of the prior committee to answer questions.
 11 So there was a tremendous backlog of
 12 information. So the first chunk of that was given out I
 13 believe in the first meeting of July -- July 7th, I
 14 believe something like -- it was a workshop, we gave out
 15 the basically 40 or 50 questions and answers.
 16 We evaluated all of those obstacles and
 17 risks and sort of -- we threw them out and some of them we
 18 tried to evaluate at some high level. We also then
 19 estimated the cost and this was the prior meeting, we
 20 estimated the cost of the garage. Now there is -- I know
 21 there has been a lot of talk about the 20-year \$28 billion
 22 cost and how it was arrived at, et cetera.
 23 We can only say it is based on our business
 24 experience and backgrounds and that number is, in our
 25 minds, very reliable. It is the number of dollars that

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 2 land that we own, that was sort of encumbered by a lease
 3 for lack of a better term that someone had.
 4 That was the source of the litigation to
 5 break that -- actually it was a license, to break that
 6 license and that is what took a couple years and that also
 7 is what necessitated much of the reason why the questions
 8 couldn't be answered, et cetera for that period of time.
 9 That actual hard dollar cost of going out
 10 the door about \$600,000. We are not including that
 11 \$600,000 by the way in the \$28,200,000. That is not in
 12 there. So then you get about \$1.4 million per year for
 13 20 years.
 14 As Connie just mentioned, there was a
 15 commitment by the previous committee and everybody else
 16 that when going down this path about two and a half -- two
 17 years and 10 months ago, that the cost for the garage
 18 would be paid for by lessees, which is the people who
 19 would lease the spaces, not by Borough residents.
 20 The \$1.4 million is the amount of money
 21 that would have to be collected every year. And that
 22 means with 325 spots -- there is no magic to it, if you
 23 divided \$1.4 million by 325 spots, you get an average rent
 24 rate of approximately \$4,300 per spot per year.
 25 That number compares very unfavorably to

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 2 the current market in New Hope which is on a weighted
 3 average of the people who we would be asking to rent these
 4 spots, on a weighted average are currently paying
 5 somewhere in the realm of a thousand dollars or less than
 6 a thousand dollars per year per spot.
 7 We didn't want to just say well oh my God,
 8 look at how much difference that is, so we actually went
 9 out -- the new committee went and interviewed all three of
 10 the perspective tenants -- before I begin with this, I
 11 want to make absolutely clear what you will see as far as
 12 the answers that they gave us have an anonymous -- it
 13 would be unfair, dramatically unfair for a government to
 14 say that this or that person/business said they would pay
 15 this much or they wouldn't buy this many spots or this or
 16 that.
 17 These are these business' internal business
 18 practices. It is their business. They are nice enough to
 19 talk to us about their inner working but it is not our
 20 business -- it is not in our purview to share their
 21 business with their competitors or competitors or who may
 22 not even be here in town. We can't do that.
 23 So we have taken the -- we have synthesized
 24 all of the responses that we heard from the three
 25 prospective tenants. Okay. And here on page four we

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 2 person interviewed them so that no single person came away
 3 with their twisted version of reality as to what was said
 4 to them. We went there and both or all three of us in
 5 some cases heard this stuff, came out and wrote it down
 6 and then we took this stuff and called them and read it to
 7 them over the phone and they corroborated that is what
 8 they wanted.
 9 We have 100% confidence that this is indeed
 10 exactly what these people want and said and believe and
 11 are going to do. They will not rent any spots. And why
 12 not? To generalize, they all would like the idea of a
 13 garage as long as they don't have to pay for it. Okay.
 14 In other words, why not if they are running
 15 a business, why not have the extra 325 spaces. It
 16 certainly can't hurt them but they are not going to pay
 17 for them. That is as simple as that. None.
 18 The other problem though is due to the
 19 constraints of this -- of -- from where -- and it is --
 20 this is nothing to do with the prior committee decision
 21 process whatsoever. The constraints of where that garage
 22 would have to be placed in such a position that it would
 23 not do a great job for any of them as far as housing the
 24 cars of their customers.
 25 You say well why is that? Well the

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 2 heard each is aware that parking can be challenging. It
 3 varies, they each have said it varies about weather,
 4 during certain days of the week, during certain months,
 5 different businesses have different business models. Some
 6 are more restaurant, some are more hotel. Monday through
 7 Friday. Some are more entertainment complexes, some are
 8 more dining.
 9 So they have different flows. So they have
 10 different needs by day of the week but they also all said
 11 that in general their own needs vary greatly by season,
 12 day of the week, et cetera. But most relevant, and it is
 13 in blue up there, and all were very clear and consistent
 14 that none of these would agree to rent any spots. It is
 15 pure and simple.
 16 You say well why? Why wouldn't they want
 17 to rent spots? So we probed all of those questions and
 18 again we will not get into this tenant said this, that
 19 tenant said that, we will basically -- but they all -- we
 20 actually read this material back to two of them, didn't
 21 get to the third, but we read this verbally to them over
 22 the phone to make sure that this -- by the way, we
 23 conducted these interviews with them with multiple members
 24 of the new committee present.
 25 So not one or two went there, so no single

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 2 distance from their location, I will try to do this from
 3 memory, I should be looking down once in a while. The
 4 distance is such that they couldn't get to and from it
 5 during the times when they needed to get to it. So during
 6 the time when there is really a problem, which is 50,
 7 60 days a year in town according to them, 50, 60 days a
 8 year in town. That is when there is traffic jams. That
 9 is when the traffic is jammed and it could take 20 minutes
 10 to a half hour to get a car from their business location
 11 to that location, for valet to do that.
 12 The other thing is they all concur, and
 13 this is probably why they are not willing to spend \$4,000
 14 a spot, is that parking is a 50 to 60 days per year
 15 problem. They have absolutely no need for 365 days
 16 parking.
 17 Anyone who lives here and is driving past
 18 the VFW lot knows it is empty on Monday, Tuesday,
 19 Wednesday and Thursday. There is probably a hundred spots
 20 off the top of my head. There is probably a hundred and
 21 some spots on North Main, those are empty right now. The
 22 comic book store, all the way up, they will be empty and
 23 they will be empty Monday, Tuesday, Wednesday and Thursday
 24 and Friday after eight o'clock and if it rains and all of
 25 January and all of February. Okay. Except for

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 2 Valentine's Day.
 3 So there is basically a problem on
 4 Saturdays and they are not going to spend \$4,000 or \$2,000
 5 for a garage for 50 days a year. Numbers just don't come
 6 close to working.
 7 So I am just trying to point out that these
 8 people have been very consistent. They -- basically they
 9 are paying less than a thousand dollars now. Because of
 10 the tremendous cost to build things nowadays, this thing
 11 comes -- and borrowed money and everything else, this
 12 thing comes up to \$4,300 per year per spot and they are at
 13 less than a thousand dollars per year per spot for spots
 14 that are superior than this garage would be.
 15 All right. Now there are a lot of other
 16 obstacles and risks and we want to thank the constituents
 17 because it is the constituents through their questions and
 18 their comments that brought so many of these to light.
 19 What this document -- we are very happy with it but much
 20 of what is in here is -- the source of much of what is in
 21 here, I have to say, is your input, the people who came up
 22 and said what about this environmental risk or what about
 23 this or that.
 24 So we took a lot of work to summarize it in
 25 this but a lot of this stuff came from you folks. There

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 2 are roughly 20 other obstacles and risks, some of which
 3 could be addressed but would have to be basically measured
 4 and you could throw money at it and make it go away. You
 5 throw a hundred grand at it, a lot of things you have
 6 problems and you can throw money at it and some things you
 7 can't throw money at to go away. Some of these things you
 8 could.
 9 We sort of tried to lay out there what
 10 items -- what were just insurmountable and it is not that
 11 somebody will lease the spots but there is a lot of things
 12 that are just absolutely insurmountable.
 13 Now this is important. There is going to
 14 be some important -- very positive takeaways tonight we
 15 hope. And some -- a lot wouldn't have come about but for
 16 the fact that this has been worked on for 30 months.
 17 There is no way this amount of work would have gotten done
 18 and these things teased out had we not worked on it this
 19 long or the previous committee worked on it this long.
 20 So there are two things came to light; one
 21 is can there be some sort of venture with the New
 22 Hope-Solebury School, some sort of partnership with the
 23 spaces there and some sort of financial transaction. Now
 24 this is just -- this is an idea, and some sort of
 25 financial transaction where people would pay to park there

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 2 and go to your booster club. I am calling it a booster
 3 club, but the sport teams and such like that.
 4 The other thing -- this has been banged
 5 around for a while is how about a surface lot of some sort
 6 similarly situated or someplace else which of course would
 7 be a very far, far less cost. So both of those things.
 8 What we are happy about is this document
 9 and many of the questions and such, if those things were
 10 pursued, a lot -- some of the obstacles and risks that are
 11 in these documents would still apply. Whoever will pursue
 12 those things, what is absolutely essential in this is that
 13 we don't lose sight -- we don't have to start from
 14 scratch. All of this stuff will follow.
 15 The first obstacle -- we will not go
 16 through all 20 obstacles, I promise you. The first
 17 obstacle out there is the financial obligation relative to
 18 to the Borough's small size. The Borough has held the
 19 line on real estate taxes for about seven years. Our real
 20 estate tax generate about \$800,000 a year of our \$5
 21 million budget.
 22 This garage would without a doubt have to
 23 require even after the bond -- I am sorry, even after the
 24 grant of \$1.75 million or even if the grant got bigger or
 25 something, the grant -- the bond requirement for this

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 2 would be about \$15 million. You can argue that it will be
 3 14.4. You can argue that it is 15.5 but it is roughly 15
 4 million. That number is so enormous relative to our size
 5 that it would -- there is some -- frankly there is some
 6 question whether or not it would be legal for us to borrow
 7 so much money.
 8 Right now the Borough's sort of debt load
 9 is one of the lowest debt loads. We owe about a million
 10 dollars. Relative to our \$5 million budget, that number
 11 -- that is a very low. That is -- let's just call that
 12 20%. Places like Lambertville are like 120%. Okay. They
 13 are in a lot of trouble right now. Places all over the
 14 state, there is a lot of boroughs, hundreds of them I
 15 think, and they are ranging from 10 to 60 to 70%.
 16 The State has a great website and I looked
 17 up all of the ones I knew of and the numbers range from
 18 about 10%, 20%, very few people like ourselves and most of
 19 them are just really tiny to perhaps 60%, 70%. A
 20 \$15 million bond would make our number 320%, which is
 21 quite large. It would raise -- it would be an enormous
 22 number. So we are not even certain about that.
 23 Then there is some subtleties about we used
 24 this analysis, we used the 3.5% interest rate. We think
 25 that is low. We won't know. We wouldn't know what the

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 2 actual interest rate on the bond issued would be until we
 3 went and did it, probably about two years from now.
 4 Pretty much bigger.
 5 I already talked about -- the next page.
 6 The poor location and distance and peak times. That is
 7 not something as solvable. It is basically three/tenths
 8 of a mile from the garage door to the Bridge Street
 9 opening at the Union Square parking lot. Three/tenths of
 10 a mile to get to Bridge Street. Just call it kind of
 11 three blocks, not quite three blocks. That is the exact
 12 same distance from that opening on Bridge Street on the
 13 lot to the New Hope-Solebury parking lot, the school
 14 parking lot.
 15 Interestingly enough, it is the same
 16 distance from the opening of the parking lot to the school
 17 as it would be from the opening of that parking lot to the
 18 door of the garage. And the garage obviously has
 19 elevators and ramps and every other thing. The school is
 20 more of a straight shot.
 21 Demand volatility. We already talked about
 22 that. There is a consensus among the major players in
 23 town that parking is a 50 day a year problem. I will not
 24 go into the multiple competing uses, they are there for
 25 your reading pleasure. I know you guys will read this all

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 2 costs. These are mostly cost issues on page ten. Again,
 3 you can throw money at any of these problems. Numbers
 4 seven, eight and nine, if you throw three quarters of a
 5 million at these problems they could go away, but those
 6 costs aren't really reflected in the \$15 million.
 7 There is problems with contractors, labor,
 8 material. This would be a prefabricated garage, the
 9 pieces would be from here to past that door; four feet
 10 wide, six feet tall and 60 feet long made out of concrete
 11 that would be shipped here. I don't know anybody in Bucks
 12 County that makes those. I don't know, Home Depot -- you
 13 can't get those at Home Depot.
 14 So they would come from some place far away
 15 and we have no way of controlling that type of
 16 construction. That is the cheapest type of construction
 17 by the way. So that is the cheapest way to do it. It
 18 would be much more if it was brick on brick or that kind
 19 of thing.
 20 This is one that really got my -- sort of
 21 my head -- because of the location, the only location that
 22 is suitable for a garage, could be a garage, this garage
 23 could have any kind of spot and a way to have to build --
 24 we know way too much about garages now.
 25 The way it has to be built it would require

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 2 night over and over.
 3 But the next thing is -- this is kind of
 4 the things that -- what is the chance of a natural
 5 disaster. Well we have had two or three of them in the
 6 last 20 years. When an actual disaster hits, a flood with
 7 climate change and everything else, I don't think anybody
 8 suspects that we will not get another flood in the next
 9 20 years.
 10 If that should happen; one, two or all
 11 three of this perspective lessees, if they were willing to
 12 rent these spots, would be shut down. They are not going
 13 to be writing checks for us for \$475,000 a year when they
 14 are closed due to a natural disaster.
 15 When that happens, the Borough has to pay
 16 these. It is not like a mortgage payment where you can go
 17 in forbearance. Municipal bonds have to be paid, there is
 18 -- absolutely have to be paid. They are basically default
 19 free with no risk of default because if you don't pay
 20 them, they will -- they -- an entity will come in and
 21 raise the taxes of the people to an extent necessary to
 22 pay the municipal bonds but municipal bonds don't default
 23 very easily.
 24 So skip lack of capacity. There is an
 25 enormous number of trees back there on the lot. These are

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 2 many, many variances and we would have to go and get all
 3 of those variances. There was some discussion that the
 4 variances -- we could waive a special ordinance and say
 5 the variances don't matter to us because we are the
 6 government. I am sorry, zoning code doesn't matter
 7 because we are the government.
 8 We would never have recommended that
 9 because frankly many of these same variances that we have
 10 to go for are the same variances that we are currently in
 11 conflict with some of our folks, our constituents, making
 12 them go get variances, the same exact variances.
 13 So the next page, page 12. I will not go
 14 into those. Again, there is public safety issues, fire
 15 prevention issues. We have spoke briefly with the fire
 16 department, we interviewed the chief. Those things are
 17 probably manageable but a lot of logistical things.
 18 Again, there is right now no way to run a
 19 business like this without additional resources. That is
 20 a manageable risk or obstacle, we will throw some money at
 21 it.
 22 The next one is the environmental risks.
 23 It is the last page so we should be happy about that.
 24 There is a number of environmental risks and this Borough
 25 has a very strong sense of environment, very important to

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 2 us to protect our environment, et cetera.
 3 There are many things that placing a
 4 building that is four stories tall, the size of a football
 5 field on land that we suspect is wetlands, part of it,
 6 next to a repairing buffer next to the canal, et cetera.
 7 That creates stormwater, all sorts of things like that.
 8 All of those are -- would be unknowns.
 9 And frankly, I think almost any of those
 10 could be a poison pill, almost any of them. One of the
 11 things we just can't get our arms around is the loss of
 12 the animal habitat because there would be about a couple
 13 hundred trees and a whole giant area that would have to be
 14 clear cut. And that was very kind of disturbing.
 15 So on page 14, page 14 we have a summary.
 16 And Connie mentioned this earlier, the foundational
 17 assumption that justified this project to Council and to
 18 the public was that the Borough would have leases from
 19 corporations that would entirely pay for the cost of the
 20 garage. We all said that this thing would not go forward
 21 if it was not at least projected to be revenue neutral by
 22 these long-term leases.
 23 A lot of questions as to why you would do
 24 this for even revenue neutral because of the risks and
 25 everything but with all of the other risks.

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 2 The -- I will just jump to the red, the
 3 committee therefore recommends that Council cancel this
 4 project.
 5 Positive outcomes are the findings will
 6 still apply. All of those things that we have developed
 7 will still apply if somebody two years from now says this
 8 time we really need a garage because we think we figured
 9 it all out. This stuff is still here, they won't start
 10 from scratch.
 11 There are great ideas that were generated
 12 by the public and by stumbling over them and et cetera and
 13 everything else. Some are very quick and inexpensive that
 14 would really help the parking situation.
 15 So improved signage to direct people to the
 16 back parking area of Union Square and to educate all of
 17 those people that are back there, many of which might want
 18 to go north to go home or even west to go to Doylestown or
 19 Buckingham, that area, that they can go out Hardy Bush
 20 Way.
 21 Right now I imagine nine out of ten people
 22 don't realize you can leave by the back door from the lot.
 23 So that -- for every person -- or go in there from Hardy
 24 Bush and get to the lot. That sort of thing would reduce
 25 congestion on Bridge Street and North Main.

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 2 Some people are probably coming out of that
 3 parking lot, making a left, going down to the light,
 4 sitting at the light and making a left and going left on
 5 North Main. It is taking them 10, 15 minutes to get out
 6 of town. They can go out Hardy Bush and get on -- I guess
 7 it is 202 there and be out of town on North Main Street
 8 and on their way to Lambertville in two minutes.
 9 All that requires is education and signage
 10 and there is absolutely no reason why we have to have a
 11 committee study that sort of stuff. It is not a lot of
 12 money, it can be done and it will reduce the impact of
 13 stuff. That stuff should be pursued -- it is this
 14 committee's recommendation that that sort of stuff should
 15 be pursued immediately.
 16 Other things need some analysis. We think
 17 that the surface lots or the partnership with New
 18 Hope-Solebury School should be pursued with a business
 19 plan, with a group of people, perhaps persons from the
 20 school, people who have surface lot interests or -- and
 21 maybe you will see a little later we have a
 22 recommendation, one person from Council -- there has been
 23 a lot of stuff going on.
 24 Now there has been a couple of other
 25 things, we want to be -- we left no stones unturned here.

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 2 There was some talk once it sort of became apparent that
 3 it was going to be no current demand for these spots that
 4 we should build it anyway because if we build it anyway,
 5 that would help people expand in the future. Even though
 6 it would sit there empty now because they could build --
 7 maybe if we had it, then maybe the businesses would --
 8 right now businesses might not expand.
 9 And I have a view on that, it is a personal
 10 view and I won't share it, but the problem is that we
 11 would never venture and spend \$15 million or \$28 million
 12 on a hypothetical business opportunity and say we want to
 13 expand, 10,000 people come in here a weekend is just not
 14 enough people. We need that number to be 13,000 people on
 15 a weekend. That is sort of what that thing says.
 16 We think that the Borough is currently the
 17 entertainment capital of Bucks County and we think that we
 18 have 2,500 people, 10,000 people come here on weekends.
 19 That is likely enough. To say that we need to expand
 20 capacity so that everybody else in Bucks County can come
 21 here on Saturday, we need an extra two to three hundred
 22 spots, we -- that is not how we think.
 23 We didn't want to assume so we actually
 24 spoke with the three major players in town and none have
 25 any -- none have any plans to expand. Okay. So there is

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2 nothing on the drawing board. Nothing. Nothing.
3 All right. Closing observations. First
4 off we think that this is -- this is -- all of Council, by
5 the way, approved almost everything up to this point. I
6 will tell you that. Okay.
7 So we think that the decision to apply for
8 the grant and to build the garage, engage design
9 consultants and use attorneys to litigate to break the
10 lease so we can build the garage on the land without
11 having a business plan was a flawed decision.
12 We spent a tremendous amount of money and
13 we could have probably gotten almost all of those same
14 answers internally, but something can be learned from that
15 we think. We think that if going forward, going forward,
16 that if things are going to cost money, a lot of money,
17 not \$3,000, but 10,000, 20,000, 30,000, that we have to
18 have goals. They have to have goals. They have to have a
19 business plan.
20 And grants, we shouldn't pursue grants
21 unless we have those business plans and the business plans
22 are supported by Council. To this day there is no
23 business plan for that garage. Okay. We also have to --
24 everyone has to do a much better job at informing and
25 listening to constituents.

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2 So we have a motion. I want to say that
3 Ken and Louise, its been -- I may be the guy that talks
4 the most but no means has this been my project.
5 MR. MAISEL: I would like to add to that.
6 I mean this undertaking has been very bittersweet in some
7 ways and -- but extremely satisfying. It was done without
8 bias. It was done in large part due to Dan helping to
9 orchestrate, you know look we got two people at meetings
10 and we have to do this.
11 And certain things -- I learned a lot and
12 it wasn't like there was any preconceived hope and
13 expectation that this was going to come down to this
14 tonight. Two months ago we undertook this somewhat under
15 duress and find ourselves in this position now where we
16 are a little bit in conflict, you know as to what has
17 happened and where we stand right now.
18 And it is -- but I can tell you I stand
19 behind this entire presentation that was just made. I
20 think it was done with -- it was done earnestly and I
21 think the numbers -- anybody can dispute the numbers.
22 They are so big and they are so -- you can speculate a
23 little bit but they are founded on thoughtful approach and
24 I stand behind the entire report and presentation tonight.
25 And I just want you to know that I think we

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2 caught a bad break. The litigation was involved, no
3 mistakes. I am not describing how this all went down but
4 there was a perfect storm. This is where we are tonight,
5 we are making a recommendation and I personally stand
6 behind it and I will defer to Louise as well.
7 MS. FEDER: Very simply and -- I completely
8 echo what Dan and Ken have said. When the previous
9 committee resigned, all three of us were committed to
10 stepping in, learning as much as we possibly could about
11 the project, being thorough and thoughtful and careful.
12 I agree there were no preconceived notions
13 here, which I wish there was a different outcome. It
14 would have been much simpler if we could have come to you
15 and said there is a clear cost effective path forward
16 here. Unfortunately, we couldn't find one.
17 So I am very grateful for the work the
18 three of us did together and I stand by those results.
19 PRESIDENT GERING: Thank you.
20 We do have a packed room and do we have any
21 questions to the presentation or comments out there?
22 MR. DOUGHERTY: Connie, I just wanted to
23 mention something -- what we have -- I don't know if this
24 is -- do we do it now, but oftentimes when we make a
25 motion there is a few -- if you have attended Council

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2 before, we will start saying something and repeating it
3 back until four times until we think we got it right. We
4 took a stab at writing a motion, okay, to basically close
5 this project out. It is up on the screen for people --
6 for us -- you know, we can discuss it but we took a stab
7 at it.
8 We think the analyses presented, the stated
9 dates, the garage is not viable. Council hereby agrees
10 that it is no longer in support of undertaking and we
11 agree that no such future efforts by Council, staff or
12 attorney will take place without the prior approval of the
13 majority vote of Council approving such work by Council.
14 And Council directs the Borough Manager,
15 Pete Gray, to take the steps to terminate -- because there
16 is an ongoing contract out there. THA Consultants has
17 received 122,000 and there is probably about 15,000 that
18 is going to be outstanding but their entire contract is
19 \$422,000. So we gave them a standby order about nine or
20 ten days ago to stop spending but they -- that contract
21 has exit provisions that have to be taken.
22 So this motion would empower Mr. Gray to
23 carry out those closing items so it is not -- we are not,
24 you know a month from now saying gee we forgot to close
25 it.

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 2 PRESIDENT GERING: Make a motion and then
 3 we will open it up for discussion.
 4 MR. DOUGHERTY: So the motion is on the
 5 screen. Should I read it? John, what is -- do you think
 6 I should read this motion that is up on the screen?
 7 Everyone has it.
 8 PRESIDENT GERING: We will. I got to tell
 9 you, on our agenda all we have is that this was going to
 10 be a discussion, not that there was going to be a vote
 11 tonight.
 12 So John, can we go into a motion or can we
 13 keep having a discussion? I need guidance.
 14 MR. FENNINGHAM: If the majority of
 15 Council votes to amend the agenda and calls for a vote,
 16 you can vote. The motion on the screen to be made part of
 17 the record, it doesn't have to be read verbatim.
 18 Currently the agenda does not call for
 19 action on any motion regarding the garage project.
 20 PRESIDENT GERING: I would like to
 21 continue the discussion since we have a packed room before
 22 we go into a motion, please. We have a lot of interested
 23 parties here, I would like to hear some feedback from the
 24 people in the audience about their feelings on this.
 25 Anyone would like to come up and speak

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1 first? Yes, Jay.
 2 MR. FREEO: Jay Freeo, 186 South Main
 3 Street.
 4 I guess a few things I wanted to -- I have
 5 been following this for a couple of years, I wanted some
 6 clarity on. My understanding was that the garage was
 7 going to be built on the paved area in the back of Triumph
 8 Brewery back there.
 9 Dan, you made reference a couple times to
 10 the wetlands, so can you clarify --
 11 MR. DOUGHERTY: I can just clear it up for
 12 you, Jay. The -- right now there is a paved area that
 13 would be about 35% of the footprint of the garage. The
 14 other 65% of the footprint of the garage is what I think
 15 is wetlands. It would be -- it is far bigger than the
 16 little parking lot that is up there. Far, far bigger.
 17 More than two times. So that flat parking lot would have
 18 to be torn out to support the garage so it is not --
 19 MR. FREEO: So the vulnerability is the
 20 other 65% it would have to expand for the footprint?
 21 MR. DOUGHERTY: Yes.
 22 MR. FREEO: The other item I heard was the
 23 surface lot is perhaps a viable option. Everyone knows a
 24 few locations in New Hope where that can be accomplished.
 25

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1 The school was made reference to but then I also heard the
 2 school was the same distance from -- to the Triumph
 3 Brewery and yet the Triumph Brewery was possibly too far
 4 for patrons to park.
 5 So do we have the same problem
 6 distance-wise with the school that we would have there?
 7 MR. DOUGHERTY: This -- we are the garage
 8 committee, we are not the New Hope-Solebury parking lot
 9 alternative design. That is a different business plan and
 10 would have to have the same things vetted and decide
 11 whether or not that type of thing would work. That is not
 12 the role of this committee.
 13 MR. FREEO: The distance issue, if they are
 14 equal distances it is a similar problem.
 15 MR. DOUGHERTY: I imagine so.
 16 MR. MAISEL: The difference is, Jay, one
 17 is \$15 million, the other one is --
 18 MR. FREEO: I get it. I was referring to
 19 just the issue of the distance. That was a big obstacle
 20 was the distance. I wanted to point that it is equal
 21 distance approximately.
 22 The other last question I have for you is
 23 the -- what is the feasibility of constructing a garage
 24 with just two stories? While the cost will not be half,
 25

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1 it may well be 60%.
 2 Is that something that can be considered
 3 and with the option that you then build additional levels
 4 in the future as needed and has that been considered or is
 5 that a viable option?
 6 MR. MAISEL: It has not been considered.
 7 We had a premise in front of us that was formalized, we
 8 took it to what we think is the end. There was no
 9 consideration of alternative two stories, three stories,
 10 four stories, anything else. It was clear we had focus on
 11 one thing and we think we got to the end of it.
 12 MR. FREEO: Sure.
 13 MS. FEDER: When the previous committee
 14 resigned, the three of us decided to come on and take the
 15 specifics of the project as they laid out and as was in
 16 the grant application. We felt that deviating from that
 17 plan would cause numerous other conflicting paths to open
 18 up so we presented as thorough an analysis as we can based
 19 on the spots that the previous committee recommended.
 20 MR. FREEO: I understand that. It is a
 21 very different wrinkle to put in the equation. I
 22 appreciate that.
 23 Again, I think the analysis that this
 24 current committee has done in the last month or so has
 25

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1
2 really been outstanding in terms of the depth and the
3 detail, most of which we had not had before and I think
4 the -- it sounds as though the disparity between the
5 original estimate and the numbers that are coming up with
6 now, the disparity is so great, perhaps there is not a
7 need to do a vetting or verification of the prior numbers
8 and these numbers to find out if it is somewhere in the
9 middle. Even what I am hearing, somewhere in the middle
10 would be unaffordable. Thank you.

11 PRESIDENT GERING: Thank you, Jay.

12 Yes.

13 MR. KASIRSKY: My family is holding me down
14 from speaking.

15 Bill Kasirsky, K-A-S-I-R-S-K-Y.

16 Troublemaker.

17 I appreciate that the Council is going to
18 reject a garage and I wonder if I can get a show of hands
19 from the audience who would not like a garage. Thank you,
20 all.

21 And the other comment, if you're going to
22 find an alternate and alternate method of parking like a
23 flat garage with lines or using the high school, could we
24 please set some low budget so we don't spend another half
25 a million dollars trying to do that? I would appreciate

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1
2 So I want to begin that I am not an expert
3 on building garages, their costs or their maintenance;
4 however I have ten years now running the non-profit Bucks
5 County Playhouse and I would like to address this idea
6 that the Borough doesn't need additional parking or that
7 we don't need to grow to succeed.

8 The Playhouse audience has grown
9 significantly since its reopening eleven years ago. When
10 I started in 2014 we had 35,000 annual attendees. By 2019
11 we were up to 75,000. Post-pandemic we expect 80,000 this
12 year and by 2026 well over a hundred thousand.

13 And just to say the more income we have the
14 more expenses, we are still living day to day but indeed
15 we will not survive unless we grow. The Playhouse's
16 successes is inspired by investment in New Hope, new
17 stores, new restaurants, new hotels bringing in more
18 revenue to the Borough, its businesses and its residents
19 and the need for more parking.

20 Our valet business is an important part of
21 our support. Last year we had to raise the price from \$20
22 to \$30 per car for one reason, we simply couldn't handle
23 the volume and had to close the parking lot on popular
24 weekends. We hoped the higher price would reduce demand.
25 It has not, it has only increased it.

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1 that. That is all I have to say. Thank you.

2 PRESIDENT GERING: Thank you.

3 MR. HERST: Thank you for your report.

4 PRESIDENT GERING: Identify yourself,
5 please.

6 MR. HERST: My name is Adolf Herst,
7 A-D-O-L-F H-E-R-S-T. I live at 160 Main Street. I am
8 retired.

9 I was involved in more than a hundred
10 business transactions over a period of 60 years. One
11 should never spend \$600,000 without a business plan. I
12 can -- I cannot imagine any business person committing to
13 this project without a written contract.

14 Madame President, you have led this
15 financial fiasco that could have caused this community a
16 great deal of financial distress.

17 First, I would urge the Council to vote to
18 bury this project forever. Then Madame President, if you
19 care about this community, you led this, you should
20 consider resigning. Thank you.

21 PRESIDENT GERING: Alex.

22 MR. FRASER: I am Alex Fraser, F-R-A-S-E-R.

23 I am the Bucks County Playhouse, producer/director of the
24 Bucks County Playhouse.
25

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2 Also the idea that we only need parking on
3 a certain number of weekends, that is exactly when we need
4 the parking. We don't need parking on Tuesday and
5 Wednesday nights although we have performances. We need
6 it on the weekends and we are losing business because we
7 don't have it.

8 I hope the Borough will invite other
9 business owners in town to participate in this discussion
10 and process. For the Playhouse, significantly increasing
11 available parking is the only way we can grow into
12 self-sufficiency. And in my experience, that which is not
13 allowed to grow cannot survive.

14 I love New Hope. I have made the
15 resurgence of the Playhouse my life's work. Imagine what
16 New Hope could be if the Borough took action to end its
17 parking and traffic nightmares. Imagine what access to a
18 garage via 202 and Hardy Bush Way would mean to North and
19 South Main Street and the entire length of Bridge Street
20 all the way through Lambertville to 29.

21 What normal traffic on Main Street and
22 Bridge Street would look like on summer and fall weekends.
23 So many of us who don't live in the Borough avoid
24 restaurants and shops in town because of the congestion
25 and lack of parking.

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1
 2 Almost none of our employees can live
 3 within walking distance of the Borough. In fact, none of
 4 them can afford it.
 5 Imagine the growth of our retail businesses
 6 throughout the Borough, if we can graciously welcome more
 7 visitors instead of causing them to leave frustrated and
 8 angry and vowing to never come again. And we hear it over
 9 and over. And how to encourage new business growth
 10 because we have plenty of parking rather than discouraging
 11 business growth because there is no parking.
 12 I hope we can all agree that we need more
 13 parking -- we can agree that we need more parking and join
 14 together to figure out how to make this garage work. Many
 15 of you have been significant supporters of the Playhouse
 16 since the earliest days of the Playhouse's return, and I
 17 am extraordinarily grateful to everyone who has helped us
 18 bring vibrancy back to the Borough.
 19 I implore the Council not to abandon the
 20 work that has been done and explore with urgency new
 21 avenues, new options, new solutions and lead the way to
 22 ensure New Hope's future. Thank you.
 23 PRESIDENT GERING: Thank you.
 24 MR. SANTARSIERO: Good evening. Steve
 25 Santarsiero, S-A-N-T-A-R-S-I-E-R-O, 530 Southridge Circle,

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 2 able to secure the \$1.75 million grant under the State
 3 Capital Program.
 4 And in the last two years, obviously has
 5 been discussed already, there was a lot of back and forth,
 6 location and a number of other issues that caused delay in
 7 this process and my office tried to be of assistance to
 8 the Borough in resolving that as recently as late last
 9 year.
 10 One thing I think just about every person
 11 in this room would acknowledge, regardless of where they
 12 are on this particular proposal, is that parking is a
 13 problem in New Hope and anyone who seems to deny that
 14 proposition is not paying attention. And it is a problem
 15 that you all, as the residents of New Hope know most
 16 directly, but it is a problem as Alex just described for
 17 all of the rest of us who come to this beautiful community
 18 to have dinner, to go to the Playhouse for entertainment,
 19 to go to the various other locations and businesses here
 20 in the Borough.
 21 So it is a problem and the issue becomes
 22 for you, as Council, how are you going to address that
 23 problem?
 24 Now Mr. Dougherty spent a considerable
 25 amount of time tonight going over this second ad hoc

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1
 2 Lower Makefield Township.
 3 First of all, Chief, we are going to miss
 4 you. Thank you for your service. I truly mean that and
 5 obviously we will have more time to talk about that in the
 6 next few months. We have to get lunch sometime. So I am
 7 looking forward to that.
 8 Mr. Mayor, I am glad that you are on the
 9 mend. Since we shook hands earlier, I sincerely hope that
 10 you are indeed COVID-free as I am going on vacation in
 11 four days. My wife will be pretty upset if I came down
 12 with COVID.
 13 Ms. Becci, welcome and thank you for
 14 stepping up and serving. This is one of the most
 15 rewarding experiences for a local official. I was a
 16 township supervisor in Lower Makefield for five years and
 17 this is indeed where government is closest to the people
 18 and we are seeing an example of that tonight.
 19 We have people coming out on both sides who
 20 are expressing their opinions, as is appropriate, and this
 21 conversation is a healthy one for the community. I, for
 22 one, welcome it.
 23 I want to talk tonight about -- obviously
 24 about the subject of the parking garage because after all,
 25 I, as the State Senator for New Hope, am the one who was

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 2 committee's report and he concluded with the motion that
 3 he wants to make and I will have some comments about that
 4 and I know your Solicitor has already given you some
 5 advice about that, but I think I have an absolutely
 6 different point of view, but we will talk about that at
 7 the end.
 8 But with all due respect to the three
 9 members of this ad hoc committee that did that report, I
 10 have to say that when I reviewed it and I looked at the
 11 facts and one thing I learned as a young lawyer, my mentor
 12 out of law school told me, the secret to the practice of
 13 law is getting the facts.
 14 And I found as an elected official,
 15 particularly when we engage in debate on any issue, indeed
 16 getting the facts and getting the facts right is
 17 critically important because everything else is close to
 18 that.
 19 Regrettably and with all due respect, this
 20 report that has been presented tonight is filled with
 21 alternative facts. So many alternative facts that I think
 22 Kelly Ann Conway would blush. And I think it is important
 23 for us publicly to go through what those alternative facts
 24 are and what the reality is.
 25 Now I have a presentation that I will be

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 2 happy to give to whoever --
 3 PRESIDENT GERING: Right there, Steve.
 4 MS. MILLER: Is he on the agenda to do his
 5 presentation?
 6 PRESIDENT GERING: Amy, he is under public
 7 comment and he can make comments and do his presentation.
 8 MS. MILLER: We get three minutes.
 9 PRESIDENT GERING: Just wait.
 10 MS. MILLER: He is not on the agenda.
 11 PRESIDENT GERING: He is part of the
 12 discussion so please sit and listen.
 13 MR. DOUGHERTY: I don't -- what I don't
 14 understand -- I am sorry, Senator, I need to understand
 15 what is going on here. Obviously we are being ambushed
 16 here. Everything this Council has to receive in advance
 17 of our meetings.
 18 SENATOR SANTARSERIO: Mr. Dougherty, you're
 19 not running the --
 20 MR. DOUGHERTY: You came here to stop this,
 21 basically ambushing this.
 22 PRESIDENT GERING: Nobody is ambushing
 23 you. You have to hear what the other facts are so
 24 let's --
 25 MR. DOUGHERTY: Everything this Council

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 2 Makefield we never limited anybody's ability for public
 3 comment.
 4 So let me go through the numbers, if I may.
 5 MS. MILLER: It is a rule.
 6 PRESIDENT GERING: Mr. Duffy, can you
 7 please keep quiet and listen to what is being said?
 8 Matt, go ahead and put it on the screen.
 9 MS. McHUGH: We are not timing public
 10 comment in this section. Please be respectful. Be
 11 respectful.
 12 MR. MAISEL: Excuse me. Was the former --
 13 the former committee's report, is that still being made
 14 tonight? If that is, that seems like that would be the
 15 opportunity to --
 16 PRESIDENT GERING: Let Steve finish.
 17 MS. McHUGH: He's a public official, we
 18 will let him speak.
 19 MS. FEDER: With respect to the Senator
 20 and to Council and to the ad hoc committee, just -- excuse
 21 me, just one quick comment.
 22 When the -- just for the Senator's benefit,
 23 I am so glad that you are here today because obviously
 24 everyone in town is so grateful for what you did to
 25 advocate for us so we can explore the parking garage. I

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1
 2 always receives in advance of the meeting for us to review
 3 prior to the meeting. That is one of our rules. This is
 4 an ambush.
 5 SENATOR SANTARSERIO: This is an ambush to
 6 call for a motion to vote on this issue without having put
 7 it on the agenda so the public knows. So what is going on
 8 here, Mr. Dougherty, is you're seeking to --
 9 MR. DOUGHERTY: There is no motion on the
 10 floor.
 11 SENATOR SANTARSERIO: You're seeking -- you
 12 want to make it. You're seeking to kill this tonight with
 13 your motion without having given the public notice of
 14 that. That is not particularly transparent, is it?
 15 And you want to do that with only having
 16 aired your version of what is going on and there is
 17 another version to an alternative --
 18 PRESIDENT GERING: Go ahead. We will --
 19 MR. MAISEL: Is there another
 20 presentation?
 21 MR. DOUGHERTY: You're a public commenter
 22 at this point, you get three minutes. You don't get to
 23 save your three minutes.
 24 PRESIDENT GERING: Dan, that is enough.
 25 SENATOR SANTARSERIO: When I was in Lower

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 2 know I am and I know I speak for the rest of the most
 3 recent parking garage committee.
 4 That being said, when we went into this
 5 process with the past -- was it two or three meetings
 6 where we brought finances before the public with the
 7 workshop and the previous Council meeting, we made very
 8 clear about what was coming next in our most recent
 9 report, which was made publicly available.
 10 We did say that at this meeting we were
 11 planning to present the conclusions of our findings and
 12 make a recommendation for what was going to happen next.
 13 When we got our packet we learned the previous committee
 14 would like to make their own presentation, which I
 15 welcome. I know that you had worked on this project for
 16 two and a half years and was eager to read through their
 17 findings as well.
 18 When we get more or less materials from the
 19 public, we, and via Connie as President of Council, she
 20 has very strict rules about the timeline in which we get
 21 materials from the public so that none of us are surprised
 22 by what we are hearing and need time to digest on the day.
 23 I do know that we work so close with your
 24 office and I am grateful for that but for us to now jump
 25 in public comment and hear a presentation, which none of

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1
2 us had the time to review, I am a little surprised. I
3 wish that we could have had time to digest that beforehand
4 because obviously if there are errors in our presentation,
5 I would want to know them before we are coming to present
6 them to the public here.
7 And as has been mentioned, this is public
8 comment. I would love to hear your public comment but I
9 do have reservations about having a surprise presentation
10 just presented in this manner. That is my comment.
11 SENATOR SANTARSERIO: I appreciate that and
12 all of the more reason why taking a vote on this tonight
13 is premature.
14 MS. FEDER: With just as much compassion as
15 I have for the situation that we are all in and trying to
16 get our arms around this, we have been very, very clear
17 for the past three meetings that we were planning to make
18 our recommendation at this meeting, and I know that was
19 communicated to the public and to various government
20 offices.
21 I don't think that is a surprise. I don't
22 think that making the motion is a surprise. It was said
23 in public in the previous meetings. Certainly if Council
24 does not want to do that, that is one thing but it is not
25 a surprise. That was very, very clearly communicated.

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1
2 respectful.
3 PRESIDENT GERING: All right. Please
4 continue.
5 MR. DOUGHERTY: Hold on.
6 MR. MAISEL: Connie, I think this is
7 inappropriate. I think this presentation -- while the
8 Senator is perhaps right that a legal way -- maybe should
9 have been up for a vote on the agenda tonight but this is
10 not something that this -- some information was provided
11 to the previous committee. It was -- there was ample
12 opportunity to just say what disputes were in any of the
13 numbers. I have had personal engagement with Peter about
14 what each one of these reports, not the third, not this
15 one, about any issues and he identified very minor issues
16 that he had with the whole report.
17 So to -- really I think there is -- this is
18 an ambush. I think this is just, you know a very
19 respected individual coming here advocating without us
20 having any preparation to be able to even communicate. We
21 are going to start talking about \$28 million or it is \$24
22 million.
23 PRESIDENT GERING: I will stop you. I
24 think we need to allow the Senator a few minutes to talk.
25 Excuse me. This is an opportunity to see

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2 SENATOR SANTARSERIO: All due respect, I
3 think it is a surprise when it is not on the agenda as the
4 agenda gets published for the public to see before they
5 come to a meeting.
6 MS. FEDER: With respect, Senator, our
7 agenda is vetted through our Council President, who I have
8 deep respect for. It was communicated at our previous
9 workshop that we were planning on making our final report
10 and making our recommendation. This is something that --
11 PRESIDENT GERING: Louise, I will stop you
12 there for a second. What the agenda says is a discussion
13 for the parking garage.
14 MS. FEDER: That was provided by you,
15 Connie, so wouldn't --
16 PRESIDENT GERING: Let's continue.
17 SENATOR SANTARSERIO: All right. So the
18 first problem is the \$28 million estimate is grossly over
19 --
20 PRESIDENT GERING: I'm sorry, excuse me.
21 You need to be respectful so just sit here until it is
22 your turn.
23 MS. McHUGH: Why are you objecting to
24 hearing alternative other sides? This is just another
25 version. This is another side of it. Please be

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1
2 what the other numbers are because --
3 MS. McHUGH: Why are you against hearing
4 another side?
5 MR. DOUGHERTY: I think that is a disgrace
6 that you have done to orchestrate this, Connie. An
7 absolute disgrace.
8 I apologize to you, Senator, for you being
9 dragged into this. You don't know 25% of what is going on
10 in this project. Trust me. The duplicity, the secrecy,
11 you don't know what you have got yourselves into here with
12 this group of people that you have been pulled in.
13 SENATOR SANTARSERIO: If so, then there
14 shouldn't be any objection to hearing -- with all due
15 respect, what I would say is that I will have copies of
16 this report that I will hand it out. Let me finish.
17 MS. McHUGH: Let him finish.
18 SENATOR SANTARSERIO: You will all have
19 copies of this and then at your next meeting in September,
20 having digested what I had to say, what you have been
21 presented already tonight from Mr. Dougherty, then the
22 Council can properly notice the entire town that it is
23 going to take a vote on this issue.
24 MR. DOUGHERTY: We are not going to have
25 elected officials all over Bucks County who don't live

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1 here come here and tell us that we have to listen to their
 2 perspective because they were -- they want to give us
 3 \$1.75 million of a \$28 million number. I don't care if it
 4 is 3.75 or 6.75. There is \$1.75 million. You don't get
 5 to tell us how to run our Borough.
 6 SENATOR SANTARSERIO: Mr. Dougherty, I am
 7 not going to tell you, I am going to show you.
 8 MR. DOUGHERTY: You're absolutely right,
 9 you actually said to me I will not try to force you to
 10 build a garage. Well that is pretty big of you.
 11 SENATOR SANTARSERIO: Mr. Dougherty, you
 12 keep throwing out this \$28 million number, which is a
 13 complete fabrication.
 14 MR. DOUGHERTY: Steve, I'm sorry. We gave
 15 these numbers out --
 16 PRESIDENT GERING: Dan, let him --
 17 MR. DOUGHERTY: He doesn't know. I feel
 18 sorry for you because you have been duped. I'm sorry.
 19 SENATOR SANTARSERIO: Please don't give me
 20 a false sympathy.
 21 MR. DOUGHERTY: I am sincere.
 22 SENATOR SANTARSERIO: I will go through the
 23 numbers right now.
 24 PRESIDENT GERING: He is entitled to --
 25

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1 estimate and added another \$3.2 million to the projected
 2 cost of the garage.
 3 How did it do that? It double counted
 4 professional services, site preparation work and
 5 contingencies, all of which were covered in THA's
 6 estimate.
 7 Secondly, it included a three year delay of
 8 the construction without any explanation why, and added in
 9 inflation adjusted cost of 12%, which as I am talking
 10 about in a moment, was far too high.
 11 Next slide, please. The other piece of the
 12 over-estimation of the cost of this has to do with
 13 operation and maintenance costs. The committee came up
 14 with the idea that operation and maintenance was going to
 15 cost \$250,000 a year in year one and then applied a 4%
 16 inflation rate after that over a 20 year period to come up
 17 with \$7.54 million in operation costs over that 20 year
 18 period.
 19 Why is that off base? Well a couple of
 20 reasons. Number one, THA Consultants started out at
 21 \$189,000 a year and doesn't get to \$250,000, the starting
 22 point for the committee, until year 20. The other piece
 23 is THA assumes staffing costs. Well the other garages,
 24 the two in Doylestown do not have any staff. They are not
 25

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1 MR. DOUGHERTY: He has been standing there
 2 for 25 minutes, he doesn't get to come here and do this,
 3 Connie.
 4 PRESIDENT GERING: You are arguing with
 5 him. Go ahead.
 6 SENATOR SANTARSERIO: As I said, the
 7 \$28 million is an exaggeration.
 8 PRESIDENT GERING: Please.
 9 MR. DOUGHERTY: He works for us. He works
 10 for us, not the other way around.
 11 He works for us, he doesn't tell us how to
 12 live our lives.
 13 SENATOR SANTARSERIO: There are two
 14 components. There are two components to the proposal that
 15 are inaccurate. The first one --
 16 PRESIDENT GERING: Sit down,
 17 Mr. Balderston.
 18 MS. McHUGH: We will have to ask you to
 19 leave.
 20 SENATOR SANTARSERIO: So the Borough, as
 21 you know, hired THA as a consultant to review the garage
 22 project. THA came up with an estimate as of 7-20-23 of
 23 \$12,892,000 to build this garage. The second ad hoc
 24 committee however choose, it seems, to disregard that
 25

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1 staffed. So \$7.54 million is a gross exaggeration of the
 2 costs over 20 years.
 3 Next slide, please. Now the inflation rate
 4 as used by the committee -- inflation on average over the
 5 last ten years, even taking into consideration the spikes
 6 for the pandemic, has been 2.4% per year. The current
 7 rate of inflation is 3.2% and the CBO, the Congressional
 8 Budget Office, predicts inflation rates to remain below 3%
 9 through 2033 or for ten more years. Despite all of that,
 10 the committee decided to apply the 4% inflation rate.
 11 Next slide, please. So what are the
 12 numbers? What are the real numbers? All of the estimates
 13 that were just mentioned by this gentleman earlier, all of
 14 the estimates -- all of the estimates are based on a 333
 15 stall garage. But that number is not written in stone and
 16 as was suggested by this gentleman earlier, Council should
 17 feel free to consider alternatives if they might prove
 18 more cost effective.
 19 So for the purpose of this discussion I
 20 would like to walk you through a 333 spot structure, which
 21 is what you have been considering up to now, a 250 stall
 22 structure and a 153 stall structure, which is the size of
 23 the garage the County recently built in Doylestown.
 24 Next slide. THA estimates --
 25

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2 MR. DOUGHERTY: This is a disgrace,
3 Connie. You need to resign from Council. You need to
4 resign from this Council. You're a disgrace.
5 SENATOR SANTARSERIO: If you take a look at
6 THA's construction estimates, minus the state grant and
7 you run it on the reasonable O&M cost that I just went
8 through, the actual cost of this project is at a cost of
9 \$38,717. That is the Cadillac version of a parking
10 garage.
11 Over 20 years, the O&M cost is \$18.9
12 million, not \$28 million. Now if you look at the more
13 reasonable rate for O&M which is based on what the County
14 pays, is about \$60,000 per garage per year. The number is
15 \$17.38 million.
16 Now the town -- Borough also at one point
17 hired the Harmon Group which is an engineering firm, which
18 estimated that the cost to build would be \$27,254 per
19 stall. Running the numbers again with THA's higher O&M
20 cost and then the most reasonable operation maintenance
21 cost that Bucks County pays, those numbers fall to \$13.5
22 million and \$11.9 million.
23 Next slide, please. Now PFM, Public
24 Financial Management Group that advises New Hope Borough
25 and many other municipalities and school districts and

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2 Remington & Verrick Engineers, have both stated that the
3 average cost for a parking garage in this area is about
4 \$25,000 per stall. Okay. It can range up to about
5 \$35,000 if you do a very expensive one with a facade and
6 those types of things but \$25,000 is a reasonable number
7 they have indicated.
8 The numbers again using the O&M cost from
9 THA and then the O&M cost that the County uses, those
10 numbers are \$12.4 and \$10.9 and are much more in all
11 likelihood closer to reality of what this thing would
12 cost.
13 Now if you build a 250 stall garage you see
14 that the numbers start to come down.
15 Next one. Same with the PFM.
16 And next slide, please. All of those
17 numbers come down. If you build a 153 stall garage, which
18 is what Bucks County just built in Doylestown.
19 Now if you go to page 16, these are the
20 actual cost estimates. This is what you are really
21 looking at. To this gentleman's question, if you
22 seriously want to consider the possibility of parking --
23 PRESIDENT GERING: Mr. Duffy, sit down.
24 SENATOR SANTARSERIO: The Council should
25 consider these different alternatives about what the

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2 actual cost should be. More importantly, you should
3 retain a company like PFM to advise you about what the
4 actual costs are rather than making these decisions based
5 on bad assumptions.
6 Now the revenue side of it. There has been
7 a lot of talk about these leases and I just have to say
8 that this is one way you can look at trying to do this.
9 You can lease out to the individual residents as you do
10 current spots already. But if you were to simply charge
11 what is being charged at the Legion lot down the street
12 right now, so \$20 a spot --
13 MR. DOUGHERTY: Which is empty. Which is
14 empty.
15 SENATOR SANTARSERIO: If you did that and
16 you considered as I do here, that you are dealing with
17 about 141 days that is calculated with three busy days a
18 week; excuse me, Friday, Saturday, Sunday, times 52 weeks
19 minus 15 days to take consideration in for holidays and
20 snow days and that type of thing, you come up with that
21 141 day need, which is probably close to accurate.
22 Do it at 333 spots for twenty bucks, if it
23 is higher it will be more, \$939,000. We will address that
24 in a moment. So 939,000 for 333 spots, 250 spots is
25 \$705,000 and 153 spots will bring in \$431,000.

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2 Now listen, you talk about the length of
3 how far it is, it is about 1900 feet from where this
4 garage is supposed to go to the center of town at Bridge
5 Street and Main. It is about 1900 feet from the Legion
6 lot to that same spot. So we are talking roughly
7 equivalent distances.
8 And we are talking earlier about the school
9 up the road. Well Mr. Dougherty admitted that that would
10 presumably be about 1900 feet.
11 I have gotten you so far \$1.75 million. I
12 cannot stand here tonight and promise that I will be able
13 to get you more money but what I can promise -- what I can
14 promise -- what I can promise is that I will do everything
15 I can to get more money for this project if you decide to
16 proceed.
17 And why is that? Why is that? Because the
18 Borough's own 2017 survey found that 79% of residents and
19 83% of businesses say that parking is a problem in New
20 Hope. It is not a surprise. It is evident to everyone
21 that lives here and all of us that visit here.
22 And so what I am telling you is do not rush
23 to do away with this possible project. Do not rush to do
24 away with this grant. Here's what will happen if you
25 decide as early as tonight, again without having told the

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 2 people of the Borough that you will vote, that you are
 3 going to close any further consideration on this project,
 4 then that \$1.75 million goes away. It goes out to
 5 Altoona, it goes to Erie, it goes to Pittsburgh, it goes
 6 to some other place other than Bucks County.
 7 Here's another problem; make no mistake
 8 because I believe this firmly, if you don't build this
 9 garage now, you will build it in five years or ten years
 10 and it is not going away but guess what? If you wait to
 11 do it until then, the cost is going to be even higher.
 12 And likely you will not have any State grant money because
 13 it will be very hard to convince the State after you
 14 turned down this grant, that you should get any more grant
 15 money down the road.
 16 Whereas if you decide at least tonight to
 17 continue to study this issue, which is what I am imploring
 18 you to do, if you decide to do that tonight, there is the
 19 possibility that we can get more grant money and those
 20 numbers that I just went through would be even lower and
 21 the debt that you have to take on would be even lower and
 22 the ability for you to not only break even but possibly
 23 make money off this would be higher.
 24 So I ask in light of this information,
 25 which you will all get copies of and all of you that want

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 2 speak. We have public comments, we have to let them
 3 speak. If we are going to continue this process, I sure
 4 would like the rules that we follow, which are three
 5 minutes a piece. I would love to hear Ms. Miller's
 6 comments in the next three minutes. Thank you so much.
 7 MS. MILLER: So I was a school board member
 8 for six years and you all know there is protocol to these
 9 meetings and there is rules and that was broken today.
 10 And that just shows the disparity here on this Council and
 11 it is very upsetting to see that.
 12 But that slick presentation -- why didn't
 13 he come three years ago and present that to the community
 14 what his costs were? And that hasn't been done.
 15 And I just think that you know, we all have
 16 an obligation to be respectful and we will do that but
 17 that was unbelievable and you should not be sitting in
 18 that chair. You should resign. That is unacceptable.
 19 I would just like to bring a couple things
 20 up from that presentation. You mentioned about the \$1.75
 21 grant. That is never guaranteed from our government. Who
 22 all knows that, right? This is never a guarantee. We are
 23 misled that that money was coming in and I thought in the
 24 business plan, which was never done, you had to have a
 25 commitment from the business owners such as leasing and

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 2 it too. In light of this information and due to the fact
 3 that not all residents were informed that there could be a
 4 vote tonight, that you not vote, that you wait until you
 5 have more information and you consider that. But at the
 6 end of the day -- at the end of the day, that is what you
 7 should do if you're going to make the best decision in
 8 this.
 9 I thank you, Madame President, for the
 10 opportunity to come forward.
 11 PRESIDENT GERING: Thank you.
 12 MS. MILLER: Amy Miller, Riverstone Circle.
 13 That was stunning. That was
 14 unprofessional. Shame on you, Madame President. That was
 15 unbelievable. We want transparency. We want to work
 16 together. We want to have a strong community. You just
 17 spit in everybody's face with that ridiculous
 18 presentation.
 19 MS. McHUGH: You need to be respectful.
 20 MS. MILLER: I am always respectful.
 21 MS. McHUGH: It was a presentation of
 22 facts.
 23 MS. MILLER: I was on the school board for
 24 --
 25 MS. FEDER: Laurie, you have to let her

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 2 that type of thing.
 3 There is no way you will fill 250 spaces in
 4 the parking garage. The other thing you never mentioned
 5 was a parking study or a traffic study. You didn't
 6 mention that. Interesting. That is a basic thing to do.
 7 And kind of going back to the presentation
 8 about the cost; what do you do when you do a project?
 9 What is the first thing you do? How much does it cost?
 10 The first thing you do is you look at it and you set a
 11 budget, you do a business plan. We do this. That wasn't
 12 done.
 13 You're going to take our community over a
 14 financial cliff. You should not be in this position
 15 anymore. I cannot trust you to be head of the
 16 comprehensive plan, the future of our community and I
 17 don't know how other people feel but I have lost trust in
 18 leadership and that was a disgrace.
 19 MR. BOOTH: Lawrence Booth, B-O-O-T-H, 84
 20 Buttonwood.
 21 This all -- lets all just take a deep
 22 breath. Emotions are running high. I am just stepping
 23 back and taking it all in and I am trying to do a third
 24 sort of view of everything.
 25 I am not for or against the parking lot. I

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2 am for (sic) making rash decisions and some of the things
3 I was writing as I was sort of stepping back and trying to
4 look at the bigger picture is that I am also a member of
5 the American Legion and I walk my dog three or four times
6 a week, parking at the American Legion. I have never in
7 28 years, never not had a parking spot somewhere in New
8 Hope.

9 The issue is convenience of that parking
10 spot. Sometimes I have to go by the library. Sometimes I
11 have to go way past to the high school, way past. We see
12 a lot of tourists coming from McCaffrey's. There is
13 plenty of parking, it is just not plenty of parking in
14 downtown.

15 So lets take a step back. There is no lack
16 of parking, it is just strategically located I think is
17 the issue. The other thing is you should never compare
18 projects to New York or Doylestown because we are not --
19 or New Hope, the money that can be spent there to rent
20 these out, you're not going to get that kind of money
21 here.

22 The fact that we have no leases already
23 signed ahead of time and no business plan, just stepping
24 back doesn't seem copacetic. I am not saying kill it but
25 as the treasurer of the library here and the treasurer of

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2 PRESIDENT GERING: Dan, I think it would
3 answer some of their questions because the same question
4 comes up. Mr. Balderston, I think a lot of your questions
5 will be answered when Laurie continues.

6 MR. BALDERSTON: Good evening. Welcome,
7 everyone. It is great to see a great turnout. This is
8 where it should be at every Council meeting.

9 I am not a newcomer here as Council knows.
10 I am very vocal. I have lived in this community my entire
11 life. I served on Borough Council. I have never seen the
12 outbreaks like I have seen tonight, mismanagement with our
13 President.

14 And now in regards to the parking garage,
15 the proposed garage. I am not against it -- parking, I am
16 against building this parking garage. We have a parking
17 lot sitting up there where part of this proposed garage
18 will be sitting on that parks 159 cars right now.

19 PRESIDENT GERING: In the microphone,
20 please.

21 MR. BALDERSTON: Thank you. By removing
22 the existing island up there that separates parking spaces
23 and park line to line, we can increase that parking by 40
24 some cars. Now we can take the wooded area that they are
25 talking about building the proposed parking garage, that

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2 the Friends of the Free Library of New Hope and Solebury,
3 line budgets, just compare line budgets. You know they
4 have their numbers. They have their numbers. Lets put
5 them in a line budget and compare them side by side.

6 The other thing is I want to say this,
7 there is always a future, hopefully, but there is always
8 going to be a future. There also will be future grants.
9 There will also be future projects. There is always going
10 to be new material developed that will be lighter,
11 stronger faster, cleaner.

12 I also think that as we are pulling out of
13 a global recession, I think that money will actually be
14 cheaper in three or four years as far as borrowing.

15 So again not for it, not against. I am
16 just taking a step back because I love this community and
17 I want us to continue to love it. Twenty-eight years.

18 PRESIDENT GERING: All right. We will
19 continue with the other part of this presentation and that
20 is going to answer some of yours questions.

21 MR. DOUGHERTY: There are questions out
22 there, Connie, and you know you don't want those people to
23 ask the questions. Don't just rush this along. You don't
24 like the hands that are up. That is what you are doing
25 here.

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2 some call it wetlands. I totally disagree.

3 I have asked and asked and asked the
4 Borough to provide me a map that shows these wetlands. I
5 have been up there after we have had these major storms
6 and there is no water laying in this area that they refer
7 to as wetlands.

8 We can gain another 140 or 160 spots in
9 that area that I am talking about building this all
10 on-grade, not up in the air and it could be done for a lot
11 less money. But in the past they have refused to listen
12 to me. I think we need to move in the direction of
13 building on-grade and not up in the air.

14 Due to the mismanagement of the Borough
15 President, there is no cars parking there because she
16 doesn't see that there is proper signage put up. This has
17 to stop, this garage nonsense from -- for this Borough
18 that is one mile square.

19 We talk about traffic and people coming
20 into this town, a lot of you don't know the traffic that
21 used to be in this town. I remember the days when the
22 weekend traffic would be backed up almost to Washington
23 Crossing Park on River Road. Also Mayor Keller may be
24 able to respond to that. Also the traffic is backed up on
25 202 to Spring Hill.

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2 We all know that there is only three ways
3 into this town, four really if you're coming from Jersey.
4 So let's not talk about the traffic or not having parking
5 spaces, we had parking spaces then and we used to move
6 traffic through this main intersection of 202 and 32 with
7 a police officer. His name was Frank Kirby. I swear he
8 had eyes in the back of his head. He could move more
9 traffic through that intersection than these traffic
10 lights and cross the pedestrians safely.
11 So I am -- in closing, I believe Connie has
12 not had her hands on the wheel informing the residents of
13 a number of issues in this Borough. And the biggest item
14 at the present time is the proposal of a parking garage.
15 She has been mismanaging many of these items by not
16 informing us. You all should be informed all of the time.
17 People introduce things to her and she
18 can't answer. We can't answer them now, but does she say
19 to any of her Council members you come back with an
20 answer? You come back with an answer. No.
21 So Connie, I ask you for your resignation
22 as President of Borough Council and from New Hope Borough
23 Council. Thank you.
24 PRESIDENT GERING: Pam.
25 MS. KERR: Pam Kerr, K-E-R-R, Main Street.

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2 needs to grow. Where? Up? Everything in New Hope is
3 going to have to be highrises because that is going to
4 bring business. No, we have a certain space in this
5 Borough and convenient parking will be difficult
6 especially when we give people dispensation to come in
7 without the number of parking places that they are
8 supposed to have by ordinance and we let people take away
9 spaces that were.
10 So whatever solution you come up with, the
11 disregard for the 2011 comprehensive plan has been pretty
12 consistent for 12 years now, which has led to this.
13 I have been here for sixty some years,
14 depending whether it is part-time or -- 66 years part-time
15 and 63 full-time. So I walked from Solebury mountain back
16 home to North Main Street. I can tell you yeah, the cars
17 were backed up beyond Bowman's Hill. There was no 95,
18 everything came through 202. And on the weekends, too bad
19 if you wanted to come to New Hope, everybody was coming
20 through.
21 These are just realities we have lived
22 with. This is not something new, but decisions we have
23 made have made some things worse and other things better
24 but certainly we haven't helped parking, we haven't helped
25 the perception of parking with what we have done the last

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2 I am going to say again, the convenient
3 parking is the issue, not parking. The kind of decisions
4 that have been made for a lot of years do not conform to
5 what the 2011 comprehensive plan suggested. We have a
6 Borough that doesn't have the number of streets and blocks
7 that people can go around that Lambertville does. We are
8 constrained in ways other people aren't.
9 We are not going to solve all parking
10 problems by saying we wish it to be so. Convenient
11 parking is difficult. One of the reasons why it is a
12 difficulty more now than it was before is back for quite a
13 long time, decades, you could put about 200 cars in the
14 Playhouse parking lot. It is prettier now but there are
15 only 40 spaces.
16 Some of the accommodations we have made to
17 the businesses, the organizations that have come in,
18 putting special overlays for them, allowing variances for
19 them along the canal, which has a flooded area. All of
20 these things that we have done in the historic area and
21 the floodplain area, just whatever. The whole community
22 -- the comprehensive plan said we have got narrow
23 sidewalks, we have got a number of roads, we have got --
24 you're supposed to pay attention.
25 Growth can only go so far. Everything

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2 12 years since the comprehensive plan. So to say that we
3 need to have a lot because it doesn't matter what the
4 numbers are, convenient parking is not solved by what I
5 have heard from anyone.
6 And to the point of what happened tonight,
7 I'm sorry that the State Senator came in and had to
8 tolerate what we did. But I also appreciate that rules
9 were put in place the last couple of years that we, the
10 citizens, can only talk for three minutes. Three minutes.
11 Three minutes. We are tired of being told we are only
12 talking for three minutes obviously.
13 But suddenly during the public comment
14 section a presentation was given, which we were not
15 allowed to do recently as earlier this evening, somebody
16 was held to three minutes.
17 That is incredibly insulting. Then I hear
18 we are supposed to be respectful. It has to come toward
19 us. It has to be role modeled.
20 And what I have seen recently, including
21 that an ad hoc committee that all three members resign
22 from now feel that they should give a report when the
23 report wasn't given three months ago. I am not talking
24 about when there was litigation going on. The moment it
25 was over you had an opportunity. You resigned. You

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 2 resigned. You resigned.
 3 And then three new people came on and
 4 presented something. They presented something last month.
 5 They presented a work session where all of this could have
 6 been brought up and instead I heard that they wanted to
 7 make a recommendation tonight but that wasn't put on the
 8 proposal -- on the agenda.
 9 So just from start to finish things have
 10 gone wrong and they have been going wrong at least for
 11 12 years since the last comprehensive plan. And that is
 12 on everybody that we are allowing things to happen that
 13 have nothing to do with our comprehensive plan and we come
 14 up against something like this.
 15 Seventy-nine percent of people think
 16 parking -- convenient parking is a problem and we can't
 17 change the streets of New Hope. And the State won't let
 18 us, even if we wanted to, because they own so many of our
 19 roads.
 20 I think we need to do better and we need to
 21 stop giving special accommodations to the three businesses
 22 that presumably wanted this so much that the whole plan
 23 came together but they are not committed to anything and
 24 have taken away parking.
 25 PRESIDENT GERING: Thank you. I'm sorry.

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 2 I think we have an opportunity coming up
 3 just in the next couple months to take a look at some
 4 other solutions because I do think that we do have
 5 parking, it is just not convenient parking. So for
 6 example we have the fireworks coming up in September, it
 7 is not enough time for us to get the signs to direct
 8 people to that parking lot back there but what about some
 9 sort of social media campaign like we do, announce on the
 10 community Facebook page that the fireworks are happening.
 11 What we also can put is some sort of notice
 12 in there; hey are you aware that there is convenient
 13 parking where you don't even have to go through town to
 14 park to come and see the fireworks and just see what kind
 15 of response we get from it. I mean maybe that is a way to
 16 just start looking at different parking options. And if
 17 we can drive people to it and it is something that will
 18 happen in a couple weeks, I don't know if we have somebody
 19 that handles our social media or anything like that.
 20 Just trying to throw out some ideas to
 21 maybe take a different look at how we do drive people to
 22 this parking and see if it works. Just get an idea.
 23 Thank you.
 24 PRESIDENT GERING: Thank you. Charlie, you
 25 will be the last, then we will continue with the rest of

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 2 MS. BRENNAN: Lynne Brennan, L-Y-N-N-E
 3 B-R-E-N-N-A-N.
 4 I think first of all bravo to the ad hoc
 5 committee and what you put together in such a short period
 6 of time. I think it goes beyond the numbers too, these
 7 reports. You have made a lot of valid points beyond just
 8 the numbers of how this will work.
 9 One thing I am really glad to see is that
 10 we have eyes on this, right? And I wanted to thank also
 11 Bill Clapper for getting the community involved because it
 12 is really important. And I think we have an opportunity
 13 right now to just take a step back. I came in here before
 14 this whole meeting with my little notes that are kind of
 15 irrelevant at this point.
 16 But you know, we can't change what has been
 17 done already but we can move forward in a better direction
 18 and I think this ad hoc committee is doing that. We are
 19 moving forward with informed community participation and
 20 we are looking at what we have to face.
 21 At this point the most important thing is
 22 that we stop this bleeding of spending this money on this.
 23 Like right now, until we have the facts. You know,
 24 \$600,000 out the door for nothing and we are still at the
 25 same point. That is a little disturbing.

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 2 the parking presentations so come on up.
 3 MR. HUCHET: Charlie H-U-C-H-E-T.
 4 First I would like to join the others who
 5 have recognized the work of the committee too. I think
 6 they have done an outstanding job and presented a very
 7 well -- I really respect the fact that it has reached out
 8 to the public and given credit to the public from input
 9 that they have made to you and your thinking and I think
 10 that is an excellent model for the future.
 11 I also want to highlight something that
 12 they said and you said in one of your pages, page 16,
 13 where you said that something positive can arise from this
 14 if -- the word if is highlighted, if the Council learns
 15 from this experience and changes how it operates.
 16 I have seen a number of things happen
 17 before Council where studies have been made, proposals
 18 have been presented, information has been raised and they
 19 have been shelved or disregarded. I think that this would
 20 be most unfortunate and I would hope that there was some
 21 responsibility taken by Council members to -- while this
 22 is still fresh in your minds, to say what could we have
 23 done differently? You made some reference to some of
 24 those things.
 25 I think what you have learned or what you

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1
2 can learn from this should be documented. It should be
3 kept for future boards so that we don't make -- learn from
4 past mistakes. And I think that statement about what you
5 have learned should be made public. I think that would be
6 a very transparent thing to do and we can also learn from
7 it.

8 I am afraid this meeting tonight has
9 exposed a fundamental organizational issue and I don't
10 mean to make this as a personal attack by any means. I
11 personally like Connie and I think she's very personable.
12 Good to be with in a social situations.

13 But I think what this has revealed tonight,
14 and this isn't the first example of it by any means, that
15 that there is a leadership style that I would describe as
16 autocratic and that is where there is a high need for
17 control, where it not her, certainly she wants to protect
18 the board making all of the decisions.

19 Now I -- unfortunately that kind of
20 leadership creates crisis and a high frequency of
21 conflicts. It creates frustration and resentment in
22 public because the public feels excluded from your
23 decision making. Unfortunately we have heard it in
24 different respects tonight.

25 It also stifles creativity and innovation

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1 because people are unable or feel unable to share their
2 thoughts and their ideas. It relies on the judgment and
3 the decision making of the leader and if the leader's
4 judgment is faulty in a given situation, which can happen,
5 it is because of the autocratic style of the leader
6 whereby she is or he is not able to listen and hear other
7 points of view and be influenced by them.

8 I think what we need now is a democratic
9 leadership that has a strong inclination towards
10 consultation, toward listening, toward collective decision
11 making and input from all affected as exemplified by
12 committee two by being transparent and being accountable.

13 Now all of the board members were privy to
14 a lot of these decisions and all of you need to be held
15 accountable but it is Connie's watch and I think there is
16 a certain decisiveness evident tonight on the Council. I
17 don't think we are going to be able to move ahead as well
18 as we might move if Connie does not step back from her
19 position as Council leader.

20 I would hope that the Council leader bring
21 out the best in the community. This was perhaps not a
22 very good example tonight but I am afraid to say a symptom
23 of a deeper problem and I hope will be addressed as such.
24 Thank you very much.
25

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2 - - -
3 (Recess.)
4 - - -
5 PRESIDENT GERING: Everyone can take your
6 seat so we can continue.

7 All right. We have one more partial
8 presentation in reference to the parking garage and that
9 is from the first ad hoc committee. But unfortunately
10 Mr. Flager has to leave so he would like to make a comment
11 before we move on.

12 MR. FLAGER: Randy Flager, F-L-A-G-E-R.
13 425 Riverview Circle, New Hope.

14 I say I haven't been at a council meeting
15 since I left council all of those years ago. Boy, what I
16 have missed. I tell you I won't be back.

17 So I want to thank everyone for everything
18 but I want to say a couple things. I had the great
19 privilege -- our firm does municipal law work. I
20 represent I don't know, eight, nine municipalities
21 including Bristol Township, Morrisville, Warminster, Bucks
22 County Water & Sewer, et cetera, et cetera, et cetera, et
23 cetera.

24 And I have represented democratic and
25 republican councils and sometimes state reps, state

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1 senators show up. They don't announce, they just show up.
2 It happened in Warminster, it happened in Bristol. And it
3 can be the other party's senator. In Bristol the
4 republican state senator used to show up all of the time
5 and never ever when they came did anyone ever attempt to
6 limit them, cut them off, be disrespectful or heckle them.

7 These are our representatives. They are
8 also in a position to funnel millions of dollars to a
9 Borough for whatever project. I agree with Dan that a
10 project of 350 parking spots doesn't seem feasible to me.
11 But it is interesting tonight when I came here I passed
12 my daughter and son-in-law and his parents. And what are
13 you doing? We are looking for a parking space. I
14 couldn't believe they said that on the way here. Well
15 good luck. You will find one eventually.

16 We obviously need more parking. We have
17 always needed more parking. I have been coming here since
18 the late '50s, lived here for almost 25 years. I don't
19 know why we can't build something much more reasonable,
20 something small. I think 350 doesn't make sense. It also
21 can be expanded in the future. I don't know. I don't
22 understand this.

23 And the numbers, with all due respect, I do
24 municipal financing too for all of the municipalities
25

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2 represented, the numbers used are higher than the numbers
3 that you can get in the market so I think those numbers
4 are somewhat inflated. And I also think that building a
5 350 or 325 car garage is a little too ambitious and too
6 expensive. I don't think we can afford it.

7 But I think that our State Senator is in a
8 position, besides this grant of \$1.75 million, is in a
9 position to funnel millions of dollars to this Borough in
10 the future, furthering that down and making it feasible so
11 that the numbers -- I agree we don't want to lose money on
12 this. We would like to make a little money, at least
13 break even.

14 That is why I am saying it is wonderful to
15 be back and I don't envy you, any of you who run for
16 office. Congratulations on your term. My dear friend
17 Tina Rettig unfortunately moved to be with her grandson,
18 soon to be born, out in Austin, Texas.

19 So thank you and good night, everyone.

20 PRESIDENT GERING: So next on the agenda is
21 the other part of the parking garage project and this is
22 from the original ad hoc committee. I know you have a lot
23 of questions that you felt weren't answered, part of it is
24 was there a business plan, was there a feasibility study
25 and so forth.

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2 drafting public presentations for this project. We shared
3 a huge backlog of information with the public that we
4 uncovered all in a timely -- that was uncovered all in a
5 timely and a transparent manner. We focused on moving
6 forward and therefore choose not to critique the previous
7 committee's judgments and actions and Borough's
8 expenditures. You have not heard us dig into the \$600,000
9 and question the basic debacle of the last 30 months. We
10 were moving forward.

11 This statement was basically going to occur
12 before the -- right after they got finished. You just
13 witnessed from the previous committee, despite us having
14 been 100% transparent, the new committee had no knowledge
15 of the presentation you just saw until last week. It was
16 done in darkness.

17 The new committee has received exactly zero
18 questions over the last month from the previous committee.
19 None. Not one question have they brought to us concerning
20 any part of our presentation.

21 The only thing we can say about the
22 presentation that you are about to see is that it reflects
23 the perspectives of the previous committee; Connie Gering,
24 Peter Meyer and Laurie McHugh, and it reflects only their
25 perspectives.

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2 So Laurie McHugh will start this and give
3 you some information; how we started and how we ended up
4 where we ended up. So go ahead, Laurie.

5 MR. DOUGHERTY: May I just interrupt
6 respectfully on this, and this will be respectfully, this
7 package of material was in our binders as of last
8 Thursday, it was the first knowledge the new committee had
9 any knowledge that any work was being done by the ad hoc
10 committee.

11 Over the last four days we have determined
12 that they have actually done a lot of the subterfuge
13 you're seeing today but I won't get into that. We had a
14 statement in anticipation of this because in our --
15 according to the agenda that Connie put together, they had
16 their ad hoc -- prior ad hoc committee materials before
17 ours. They were going to present it before ours.

18 In anticipation of that, we wrote something
19 that -- because we thought ours was going to come after
20 theirs. I would like to make this statement before we
21 begin. Now this was going to happen before we made our
22 presentation because it was supposed to come out right
23 after they got finished. That is what was in our binders.

24 So before we begin, the new committee spent
25 the last 60 days researching, documenting, analyzing and

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2 Other than that we will not comment on it
3 nor will we attempt to validate any of it. We have looked
4 at it. We saw that it cherry picks, picks dates from far
5 in the past to justify actions, et cetera. The entire
6 thing is basically a pack of something. I will leave it
7 to you to decide that. Thank you.

8 MR. BALDERSTON: Why wasn't that presented
9 before you all resigned?

10 MS. McHUGH: This is basically a timeline
11 of what happened during the --

12 MR. BALDERSTON: Why wasn't --

13 MS. McHUGH: We didn't have anything to
14 present.

15 MR. BALDERSTON: Is that why you resigned?

16 MS. McHUGH: Excuse me. Quiet. Thank you.

17 First of all I would like to start with it
18 is very disrespectful to just be shouting out. We have
19 given you your time, we appreciate it if you gave us your
20 time.

21 But I would like to start with I think it
22 is very unfair calling Connie out, calling her financially
23 irresponsible. Connie has worked tirelessly for this
24 Borough for the last eight years, nine years. We have
25 brought -- she has doubled and tripled the parking

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 2 revenues, over \$1 million.
 3 The reason why this Borough is in such good
 4 financial shape is because of Connie. She has been at the
 5 lead for that. So to call her financially irresponsible
 6 and to have this witch hunt against her is totally unfair.
 7 I would like to start by saying the reason
 8 the garage project came about was because in Fall of 2018
 9 our own commission, the Renaissance Economic Development
 10 Study that was conducted by the Barth Consulting Group and
 11 they cited parking as the number one issue for businesses
 12 and residents.
 13 The Barth Consulting Group recommended that
 14 a multi-level parking garage be done and in the back of
 15 Union Square, and this was supported by residents and
 16 business surveys. So that was what spun this garage on.
 17 In August of 2020 we had an initial
 18 consultation with the feasibility of the parking garage
 19 and that was with the Harmon Group and they indicated that
 20 it would -- the initial cost of between \$8.8 million and
 21 \$9.5 million.
 22 Now this was the cost data that showed that
 23 a parking garage was financially possible at that time and
 24 it was with full Council vote to proceed. Everything that
 25 has been done as far as the parking garage has been done

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 2 parking garage. That is what we did. Let's figure it
 3 out. Dan was part of the original parking garage
 4 committee. All of this was done with full Council
 5 support.
 6 Our first option was to look for a garage,
 7 where can we put a garage. We floated the ideas of other
 8 places and nobody wanted it. Where was the best place?
 9 Behind Union Square. We already own that property, it
 10 should be easy so we started the process. Then of course
 11 we came up against litigation.
 12 But we were also working with the Senator's
 13 office, we were awarded a \$1.75 million grant that would
 14 help with this from the funds and then he could also help
 15 us with further development funds. This is as far as we
 16 got before litigation took place. We had presented a
 17 concept, we had presented it here in this room and
 18 everybody was invited to give your design ideas, what you
 19 thought realistically.
 20 We wanted the public to be involved. We
 21 wanted you guys to be involved in this and then it came to
 22 a screeching halt and also remember there was a global
 23 pandemic during that time too. So there was no more -- we
 24 weren't going to go down the road to look at what we can
 25 do with the garage when we didn't even know if the

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 2 with full Council support.
 3 By definition, an ad hoc committee cannot
 4 act independently and yet they have never done so, so
 5 everything we have done has been with full Borough support
 6 -- full Council support. We have had over 15 executive
 7 sessions about this. Everything was disclosed. There has
 8 never been anything done in darkness.
 9 The reason why we decided to do this report
 10 was because we felt we needed to show our side of the
 11 story. The reason why the Senator came was because he
 12 wanted to make remarks. He has been with us since the
 13 beginning of this. His office has reached out and tried
 14 to help this tiny borough get funds.
 15 Now whether or not the parking garage is
 16 feasible right now or not is not the question. What the
 17 discussion should be is how do we fix parking. Everybody
 18 in the Borough, everybody that visits, every study that
 19 we have ever had, all you have to do is walk down Main
 20 Street on weekends and you know we have a parking problem.
 21 It needs to be fixed.
 22 It doesn't matter that there is nobody
 23 parking there on Tuesday. Everybody is coming during the
 24 weekends. That is when parking needs to be fixed.
 25 So our first option was to look at a

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 2 litigation was going.
 3 That is where we were at and then we
 4 finally got through that. And this was after Council,
 5 full Council in June of 2021, all agreed to approve to
 6 retain THA Consulting, meaning that the study that the
 7 Barth Group had done and the initial proposal from Harmon
 8 Group constituted a business plan to move forward and
 9 start looking at this and see if it was feasible.
 10 Fortunately we are at litigation, pandemic,
 11 came to a grinding halt but we needed to go through that
 12 litigation to address the license that was in perpetuity
 13 with Union Square so we needed to get through that.
 14 And again kept asking what is the size of
 15 the garage? How big is it going to be? What is the
 16 design going to be? We didn't know. We didn't know when
 17 we were going to get through this. We couldn't go back to
 18 the people that said they were interested with a price
 19 until we knew what the price was going to be and up until
 20 litigation was done, it was all speculation.
 21 So we have all done that. The costs go up,
 22 right? Construction goes up. Everything. But we never
 23 thought that it was going to double. We never thought
 24 that it was going to be \$28 million, and we disagree with
 25 those numbers. This is where the discussion should come

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2 in. Yes, we need to discuss. I am sure they are
3 somewhere in the middle but the most important thing to
4 remember is that we were working with the State Senator's
5 Office and if we decide not to go forward with this, we
6 lose these funds and future funds.

7 So the reason to keep this discussion
8 going, and maybe it is not the garage as the best way to
9 do it, maybe put the garage somewhere else but let's
10 continue the discussion as a united Council because this
11 should not divide us. It is one subject that should not
12 make us a divided Council because we all want the best for
13 New Hope.

14 I know how hard you guys worked on this.
15 You know how hard we worked on this. All of us together
16 as Council worked extremely hard. We are not just up here
17 one day of the week or one night a month, we are working
18 behind the scenes all of the time. So we really do
19 deserve the respect and it is really rude to just call
20 people out and ask them to resign when you don't know the
21 whole story about that. That is the end.

22 Again, we were never independent. We never
23 acted independently. There is nothing done in the dark.
24 All we want to do is just keep this discussion going. I
25 know many of you are unhappy. I am sorry about that but

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2 You kept us in the dark for three years by
3 not telling us what your business plan was, just that you
4 were busy doing lots of work, running around doing lots of
5 things. No business plan.

6 Please look back to the questions that we
7 have submitted for the last three years to the committee
8 where we have received no response about the business
9 plan. It is a reflection, a true reflection of a lack of
10 leadership of this Council that they failed to address the
11 concerns of the citizens and for that I believe that the
12 call for resignation is appropriate. Thank you.

13 PRESIDENT GERING: Candy.

14 MS. SOUWEINE: Candace S-O-U-W-E-I-N-E.

15 So Laurie, I was going to start this by
16 saying that was sort of a nice defense but I will not say
17 that.

18 So everybody has different numbers. Dan
19 got different numbers, Steve for whatever reason has
20 different numbers, you probably have different numbers.

21 I think for me the issue is not -- so two
22 things. First of all, the ad hoc committee has never
23 walked away, if I read this correctly, from other
24 alternatives. They said there were other alternatives
25 that needed to be looked at so it is not this or nothing.

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2 that is the process, right?

3 We have to keep moving. We can't stop
4 looking at the obstacles that we face because we can't
5 agree because we have to keep moving and that is what this
6 Council has always done.

7 This might be a little blip in this. Let's
8 keep working and we need you guys to work with us. We
9 hear you. We want you to be more involved. We love that.

10 PRESIDENT GERING: Hold on. Mr. Clapper,
11 go ahead.

12 MR. CLAPPER: Bill Clapper, North Main
13 Street.

14 I think what I just heard and what I have
15 heard from the Senator and earlier tonight, was a
16 disregard of the question that we have been asking for
17 three years. Disregard of the question we have been
18 asking for three years. And it is as simple as what is
19 the business plan? How much is this going to cost? And
20 how much money is the town going to derive from that?

21 Had you started with that point, you might
22 have had the entire community, had the numbers been
23 favorable in your support. No one was against the parking
24 garage per se as a parking garage. We were concerned
25 about the risk that you are heaping upon the citizens.

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2 If I understood their document. So that is one thing.

3 The other thing is I am not opposed to
4 spending money, I am opposed to spending way more than we
5 can afford. We haven't used the spaces that we have.
6 That is the bottom line for me. None of these are going
7 to be downtown New Hope. None of them are going to be
8 that convenient place that everybody wants.

9 The Playhouse isn't going away so there is
10 going to be a walk that is involved in this. If there is
11 a walk, why not use the spaces we already have? None of
12 the big three have signed on, whoever they are.

13 PRESIDENT GERING: All right. Amy and then
14 we have a long agenda to go so if you can finish up.

15 MS. MILLER: Amy Miller, Riverstone Circle.

16 So just a couple of questions. So the
17 numbers that you are presenting on this sheet --

18 MR. DOUGHERTY: I can't quite hear you.

19 MS. MILLER: So I just have a question.

20 The -- so the numbers you are presenting on this
21 presentation were from August of 2020, is that -- you said
22 it was \$8.8 to 9.5 million. That was kind of the first
23 initial ballpark. So my question is also --

24 MS. McHUGH: That was August of 2020.

25 MS. MILLER: I know you mentioned a

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2 litigation a lot, but obviously you couldn't talk about
3 the litigation and that whole process and I understand
4 that, but you can't be on two parallel tracks and it goes
5 back to the business plan, which you did not do.

6 And I know that grant was -- to be eligible
7 for the grant you had to do a business plan, so you
8 weren't even doing that while you were doing the
9 litigation. And maybe if you really hashed out these
10 costs, maybe you shouldn't have gone to that litigation if
11 you felt that it was way above the purview of the town to
12 pay such costs.

13 And we all know inflation and all things
14 always cost more than we think. When we are making our
15 budget, we also have to put that in.

16 So the other question I have, you're making
17 this defense now. You mentioned multiple times this was
18 supposed to be cost neutral but you haven't proven that
19 once. Also why did you resign from the committee? You
20 never gave us a reason of why you resigned from that.
21 Thank you.

22 PRESIDENT GERING: Yes.

23 MR. MICHAEL: Brad Michael, M-I-C-H-A-E-L,
24 Union Square.

25 I just think it is duly noted that our

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2 everybody who feels differently, I think basically it says
3 that if it were to be revisited in the future -- it says
4 it right in the thing, I don't know if you will be able to
5 get it up there, it was about an hour ago.

6 It says that if it were to be revisited,
7 such work where money would start to be expending again on
8 this would have to be approved by Council by a majority
9 vote of Council to actually start the work again.

10 I don't think that is unreasonable to have
11 for once in this type of situation, given the incredible
12 conflict that this is that before -- if we were to start
13 it up again, that Council would have to be behind it and
14 start the project.

15 We are not saying that we can never build a
16 garage. This doesn't say anything like that. It says
17 that right now we have to stop it. We have to empower our
18 Manager to extricate us from the THA Consulting, stop the
19 bleeding, to get to basically withdraw from the thing.
20 And then from that point on, if we should decide if work
21 is going to get done on it, it won't be done in the dark.

22 It won't be people talking to our attorneys
23 or talking to consultants or talking -- applying for
24 grants or talking to people all around the state or doing
25 -- until Council was actually in favor of going forward

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2 license agreements stated before all the litigation
3 happened, that there would -- a parking garage was allowed
4 so there was no need for litigation. That license
5 agreement still stands, if the parking garage is not
6 built.

7 So the fact that we were sued for this
8 before any of the practical due diligence still baffles me
9 and pains my wallet significantly still. Thank you.

10 PRESIDENT GERING: With that --

11 MR. MAISEL: I would like to make a motion
12 and I would like to ask John if it is allowable. I would
13 like to make a motion to amend the agenda to allow for a
14 vote to conclude the parking garage work as presented.

15 Doesn't mean forever. It doesn't mean
16 anything. It is not an editorial comment on whether we
17 need or don't need parking but this position that we are
18 in right now, I would like to make a motion for that,
19 allow for a vote to be made.

20 MR. DOUGHERTY: I will second that motion
21 to amend the agenda.

22 PRESIDENT GERING: Go ahead. Discussion on
23 this.

24 MR. DOUGHERTY: I think as Ken just said,
25 the way that we worded the motion, all due respect to

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2 with that type of thing and empowering.

3 And at that time, that type of work would
4 never again be done where there is three members of
5 Council where all they need is a fourth person to
6 basically ram something through. Any kind of project in
7 the future would require somebody from Council, some of
8 our residents, some of our business people on a committee.
9 And every one of their meetings would be public, held
10 publicly and they would report to Council on a monthly
11 basis in a public setting. That is what we would
12 envision. That is what we want.

13 PRESIDENT GERING: I think that is
14 excellent. What I would like to do is to make a
15 suggestion that we don't kill this project right now but
16 let's bring four residents from the public and let them
17 reevaluate the numbers you have and the Senator's numbers
18 and see if there is a medium road where we can maybe save
19 the grant money and so forth and still be able to bring a
20 garage.

21 I am not saying -- I think it is great that
22 you three, if you want, and have Mr. Clapper I think would
23 be a great addition to this.

24 MS. FEDER: Actually a --

25 PRESIDENT GERING: Can I --

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MS. FEDER: Go ahead.

PRESIDENT GERING: That would be my suggestion to be a little bit open-minded and revisit this in the September meeting and see how those numbers are before you kill everything and lose all of your future monies. That is my --

MS. FEDER: In response to that, again with respect, that is something that was brought up enumerable times over the past years for the previous parking committee and we have presented our findings multiple times to you and the rest of Council. That is not something that was ever suggested.

There were so many opportunities to have feedback on our numbers. And like I said to the Senator earlier and frankly, like I said to the Senator when I contacted his office when we took over as the new committee, I would love to run through those numbers and find that we were wrong. It would have been so wonderful to find out that we were wrong.

I am at a place where we have looked at this as carefully as we can, we have gone over the feedback from our community as closely as we can and we are still spending money on a project that this committee has looked at and has found is hemorrhaging money and will

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decisive issue and a lot of work has gone into this, especially with the most recent ad hoc committee.

But I guess my question is what do we gain by canceling the current THA contract? The objective I think is to simply not spend any more money.

So I guess my question is can we put a moratorium on the spending and leave the contract in place because if you want to go back and renegotiate that contract six months from now or a year from now, escalation will hit in. You may still incur some escalation but it could be substantially higher if we try to negotiate this later.

So what if we were to put -- simply put a moratorium on the spending, do the evaluation of the -- I think I have seen now three cost estimates; the original, the Senator's and this latest ad hoc committee and find out what the real numbers are. And then look at the feasibility of other options, how the money can be utilized for flat lots, perhaps structures half the size, so on and so forth.

But I guess putting a pause on it gives us time to just settle down and think about this and get to the bottom of the real numbers, produce a business plan and make a good educated decision on where to go from

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cost the Borough to a degree that I am not comfortable with.

So the motion on the table is to amend the agenda. Period. That is what we are talking about currently to include -- the committee would like to make a recommendation that we vote on it this evening, again which is something that was communicated to you and to the public in our previous two presentations. That was what we were discussing.

I am not at the point where we are discussing expanding or changing the committee at this particular point. I defer to the other committee members, if they feel differently or other Council members, but that is where I am sitting at presently.

PRESIDENT GERING: Thank you.

MS. McHUGH: Sorry. Did you compare the numbers with the State Senator's numbers?

MS. FEDER: How could I, Laurie? We would have loved to. I am not discussing this right now. I am done. I have -- you heard what I have had to say. I am done.

PRESIDENT GERING: Jay.

MR. FREEO: I have a lot of respect for all of the Council members and this is obviously a very

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here. Thank you.

PRESIDENT GERING: Thank you.

MR. DOUGHERTY: The motion on the floor is to amend the agenda that I want to actually restate that and it is not to vote. The motion is to amend the agenda. Okay.

So we are going to -- the second -- basically people are talking about the second motion that we are going to; am I correct, John?

MR. FENNINGHAM: I'm sorry.

MR. DOUGHERTY: Was that correct? The motion on the floor is to amend the agenda?

MR. FENNINGHAM: Correct.

MR. DOUGHERTY: It is not to terminate the garage project.

MR. FENNINGHAM: That is correct. That is what I heard.

MR. DOUGHERTY: Before talking about why not terminate the garage contract, the motion on the floor is to amend the agenda to allow us to vote one way or another or to continue or terminate the garage project. That is my point. So folks may be a little premature.

PRESIDENT GERING: So we have the motion on the floor to amend the agenda. We have a first and a

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1
 2 second.
 3 All in favor?
 4 MS. FEDER: Aye.
 5 MS. McHUGH: Aye.
 6 MR. MAISEL: Aye.
 7 MR. DOUGHERTY: Aye.
 8 MS. BECCI: Aye.
 9 MR. MEYER: Aye.
 10 PRESIDENT GERING: Aye. Opposed? It is
 11 unanimous.
 12 MR. DOUGHERTY: Now the motion can be made,
 13 if you can find it on the presentation of the word
 14 document. I don't know, it's the last page.
 15 I can read it from there but what it
 16 basically does is it is a proposed motion and basically
 17 tries to do two things, basically legal documents, how we
 18 got here with multiple meetings and the basis for this
 19 decision and then it says in order to basically not
 20 continue doing all of this stuff, it basically empowers
 21 our Borough Manager to actually terminate the THA
 22 contract, which we have been told by the prior committee
 23 was sort of like an installment based contract. They were
 24 tasked to do that.
 25 That is what we were told they did so that

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 2 committee knows what they are but nobody else can make an
 3 intelligent decision on any of those things.
 4 Basically what I said is we basically did
 5 three meetings and are no longer in support of the
 6 undertaking, if this passes, of the design or
 7 construction. No longer wish to pursue such effort. We
 8 agree that no such effort by Council, staff or our
 9 attorney will take place without the prior approval of a
 10 majority vote.
 11 What this does is it basically stops this
 12 thing from being a zombie project. Okay. That costs
 13 money. Basically a project that is the living dead. If
 14 people want to study it on Google and want to learn all of
 15 it, they can learn it on their own time and everybody in
 16 the Borough can do that, including everybody on Council.
 17 But what we are saying is that there is not
 18 a garage project that is sponsored by this Borough until
 19 this Borough Council affirmatively says that we are
 20 pursuing one again. That is what that second paragraph
 21 attempts to do.
 22 The third thing is basically direct our
 23 Borough Manager to extricate us from this contract. I
 24 drafted that, that is why I wanted to explain it.
 25 I would like to make a motion for a vote.

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 2 chunk of it, once completed can -- once you get done that
 3 chunk, you can terminate the rest of the chunks and we are
 4 at a terminable phase of that contract.
 5 So we terminate that contract, there is no
 6 financial efficacy or financial gain or win by letting --
 7 having some consultants hang out there for another three
 8 months while we try to figure it out. If the consultants
 9 have to reenergize the project, they will reenergize this
 10 project.
 11 This project has been dragged on for three
 12 years. There has already been massive increases that they
 13 have passed along to us because of inflation. And the
 14 fact that we have got at least a dozen decision points
 15 outstanding right now that this Council is nowhere near
 16 close enough to make that affect the design of that garage
 17 and that there are nuances that we have not gone into
 18 those but there is a dozen of them. And all of those if
 19 -- it would take days to actually figure out which way we
 20 want to go with those designs items.
 21 But putting that aside, that is where we
 22 are with that project right now. It is not like they can
 23 go to the next phase. There is a dozen decisions this
 24 Council has to make as to what that next phase is going to
 25 look like and none of us has been prepared -- this

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 2 PRESIDENT GERING: Well so you have got a
 3 motion on the table; correct, Dan? That is your motion?
 4 MR. DOUGHERTY: That is the motion as I
 5 drafted.
 6 PRESIDENT GERING: Do we have a second?
 7 MR. MAISEL: I will second.
 8 PRESIDENT GERING: Now lets open it for
 9 discussion.
 10 I, as I said before, feel that maybe if you
 11 wait 30 days until September, we reevaluate all of the
 12 numbers, the options and include some of the community who
 13 are so opposed to what has been going on and bring it back
 14 to the Council September meeting and lets see where things
 15 go.
 16 I don't know how anyone else feels about
 17 that. Thirty days is not going to make that big of a
 18 difference. Check all of the numbers out before you
 19 cancel everything and say we are not going to do
 20 everything.
 21 MR. MAISEL: I can't -- I am pretty close
 22 to these numbers and with all due respect to the different
 23 numbers, I am willing to even say you want to use 28
 24 million, you want to use 24 million, you want to use 20
 25 million.

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2 If you put the whole package together and
3 that is the interviews with the users, it is with a risk
4 attached to it and you blend it all together, it is not
5 viable. It is as simple as that. It is not just one
6 thing corroborating somebody's numbers, the numbers are --
7 will close the gap. I really don't think we are off by
8 that much. I am willing to suggest that we can be over by
9 20%, 25%. It doesn't matter, it gets us to \$22 million.
10 And there isn't an appetite for that in the
11 marketplace in town right now to pay 350 or so thousand
12 dollars by three tenants each to support this.
13 So it is not just one thing, just massaging
14 the numbers, you know because somebody has a stronger feel
15 for it I mean. And we are talking about something that
16 will be built three years from now and with inflation the
17 way it is, when we actually counted into it, and I don't
18 think any of the other numbers are absolutely done that.
19 So what are we giving up by waiting thirty
20 days?
21 PRESIDENT GERING: That is the --
22 MR. MAISEL: So that is a question that you
23 are asking and I am saying who is going to navigate
24 through those numbers and determine that it is \$21 million
25 and then determine the interviews that were made by people

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2 MR. DOUGHERTY: My understanding is
3 everyone has to be able to hear him and they can't. It is
4 not just us.
5 MS. FEDER: If you have a comment, we need
6 the stenographer --
7 MR. DOUGHERTY: There is a motion on the
8 floor.
9 PRESIDENT GERING: There is a motion on
10 the floor. So anyway, we have a motion on the floor.
11 My suggestion was we take 30 days to bring
12 in some of the residents here and let them look at the
13 Senator's numbers, go with the numbers that this committee
14 presented and then wait 30 days and then make the true
15 decision about what we have.
16 MR. DOUGHERTY: Here's my perspective on
17 that. First off there is 20 risks and obstacles, none of
18 which have been addressed by the committee. They weren't
19 even teased down. But as I said, some of those you can
20 throw money at. Some are insurmountable.
21 But here's the thing, this thing was always
22 said -- whether you want to say whether it is \$4,300 or
23 \$4,600 or you want to pretend that inflation is this or we
24 will get another \$2 million in grants, whatever you want
25 to make those pretend things to be to get it down to \$21

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2 that want to buy --
3 PRESIDENT GERING: Ken, you're the finance
4 committee, I think you and Mr. Clapper and some other
5 people can look at the numbers again.
6 MR. MAISEL: I do not see any validity in
7 pursuing that. I think what we give up is the state money
8 potentially. Maybe that is it. That is what we give up
9 because we can always resurrect this thing.
10 MS. FEDER: Is there something coming out
11 of that phone that is invisible in the meeting? I
12 understand that Peter Meyer is listening. My impression
13 was you couldn't be absent from the meeting and
14 participate over Zoom. We were told that by this Council
15 President. Are we allowed to do --
16 PRESIDENT GERING: He is on the phone.
17 MS. FEDER: He is on the phone. So
18 Mr. Fenningham, are we allowing Mr. Meyer to speak from
19 Peter Gray's cell phone in the midst of this discussion?
20 MR. FENNINGHAM: Yes.
21 MS. FEDER: Has he been voting throughout?
22 MR. MEYER: I am legally permitted to
23 vote.
24 MR. FENNINGHAM: He has been listening.
25 MS. FEDER: I am sorry, we can't hear you.

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2 million, whatever number you want to make it.
3 Okay. To Ken's point, that takes us to the
4 \$4,300 number down to approximately \$2,800. There are no
5 willing tenants to rent that garage at \$2,500 or -- there
6 is no willing tenants. So that is the key. So we have
7 documented that. We have validated that with these
8 perspective tenants.
9 So the amount of -- I am sorry, Peter, you
10 don't have the floor.
11 Call to question.
12 MR. FENNINGHAM: A member of Council has
13 been trying to speak, he's been overridden so I think you
14 have to make a decision whether you let Mr. Meyer speak.
15 He has been listening.
16 PRESIDENT GERING: Let Mr. Meyer speak.
17 MR. MEYER: Can everybody hear me? All
18 right. Fine.
19 Item one, we had a business plan. We did
20 interview people. Now let me tell you something, if you
21 build a building and you want to lease it out, do you have
22 lessees before you build the building? To build the
23 building on a calculation that you will have lessees.
24 That is the basis on which we planned for the garage.
25 There was a meeting of this Borough Council

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2 of the five people I see in front of me because one of
3 them, Michele wasn't there. There was six of us there and
4 the other one was Tina. We voted unanimously to enter
5 litigation. We voted unanimously to enter the mediation.
6 We came up with a \$2,500 price tag at one point for spaces
7 in that garage in that mediation. All were party to that.
8 Now whether the \$2,500 is relevant today or
9 not, I have just heard Dan say that nobody would lease
10 from us at 25, at 30, at 43. I want to have evidence of
11 that. And the way we get evidence of that is by
12 continuing to gather the relevant data.
13 Now there is one other little piece that
14 everybody is ignoring. Laurie made reference to it. In
15 1978 -- excuse me, in 2020 the parking revenues of the
16 Borough of New Hope were \$700,000 a year. You know what
17 they are at the current moment, six months into the year
18 of 2023, thanks to two people that have been taking abuse
19 this evening, namely Laurie and Connie. They are not
20 \$700,000, they are -- at the rate we are going \$2 million.
21 This adds 1.3 million to the coffers of New Hope. Put
22 that against the 1.4 million that Dan's inflated numbers
23 have in there.
24 And lets talk about how we use our parking
25 revenues to enhance parking in this community. I spent 40

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2 been the case.
3 MR. DOUGHERTY: We noticed just tonight
4 that the prior committee and the President of this Council
5 is quite inept in doing stuff in the dark.
6 PRESIDENT GERING: I beg your pardon. I
7 would --
8 MR. DOUGHERTY: Everything we saw here
9 tonight was done in the dark.
10 PRESIDENT GERING: Oh please. Really
11 having an elected official come in --
12 MR. DOUGHERTY: Your presentation Laurie
13 made was completely a surprise to us. We had no question
14 --
15 PRESIDENT GERING: It was in your book.
16 MR. DOUGHERTY: I am sorry, I shouldn't be
17 doing that. We have to stay on the motion. The motion on
18 the floor is the one that is up on the screen. So I am
19 calling it.
20 PRESIDENT GERING: Do you have three
21 motions then?
22 MR. DOUGHERTY: There is three paragraphs,
23 Connie. The first paragraph just sets the stage. The
24 second sets nothing new will happen unless there is a
25 positive vote by Council.

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2 years, longer, doing economic development work both --
3 this Borough hasn't spent a God damn dime on enhancing its
4 business community since I have been on Council. That is
5 not right.
6 We should table this thing and figure out
7 what we need to do from here on out to enhance parking in
8 New Hope and to revive the parking in New Hope and do not
9 automatically arbitrarily and with inadequate information,
10 rule out the garage.
11 I vote to table and I vote against anything
12 other than table.
13 MR. DOUGHERTY: Okay. So that is not on
14 the floor.
15 So there is a motion on the floor, Connie.
16 Can we call the motion?
17 PRESIDENT GERING: Go ahead, call it.
18 I am not quite sure what the motion is.
19 Your motion is to cancel out the contract if I understand
20 you correctly.
21 MR. DOUGHERTY: It has three parts -- two
22 parts. Number one, basically a freeze that no such future
23 efforts by Council, staff or our attorney will take place
24 without prior approval of the majority of Council.
25 PRESIDENT GERING: Dan, that has always

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2 PRESIDENT GERING: That has always been the
3 case, Dan.
4 MR. DOUGHERTY: It wasn't the case tonight.
5 If this is always the case, then you shouldn't be offended
6 by it.
7 Then lastly, that we would direct Mr. Gray
8 to extricate us from the project. That is what the motion
9 on the floor is.
10 MR. FENNINGHAM: It is actually separate
11 motions, each paragraph as a separate motion.
12 PRESIDENT GERING: Thank you. So the first
13 motion that Dan has up there, this Board has not or any of
14 these committees do not do anything without Council
15 approval.
16 It -- there is a history, you can go
17 through the minutes. No matter what happens, it is
18 approved by majority of Council. So it is not that we
19 would go up there and make anything done so --
20 MR. DOUGHERTY: I will say we will take
21 that out, the second paragraph.
22 PRESIDENT GERING: So the second paragraph
23 is you want to --
24 MR. DOUGHERTY: We will take it out if you
25 are offended by it. You think it has always been the

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1 case.

2 PRESIDENT GERING: It has been.

3 MR. DOUGHERTY: So it is already in place.

4 PRESIDENT GERING: Correct. What you are

5 doing is you want Council to direct the Borough Manager to

6 take necessary steps to terminate the existing arrangement

7 and future obligations with the consultants, THA

8 Consultants; did I get that right?

9 MR. DOUGHERTY: Yes.

10 SENATOR SANTARSERIO: And the grant,

11 terminate the grant.

12 MR. DOUGHERTY: Yes. That is what the

13 motion is.

14 PRESIDENT GERING: All right. So that is a

15 motion. Can I have a vote?

16 Let's have a discussion first. Do we want

17 to terminate our grant and are we still totally against

18 giving 30 days to see where we are at?

19 MR. DOUGHERTY: We know how you feel about

20 it, the way you just framed that.

21 PRESIDENT GERING: Go ahead.

22 MS. MILLER: So I just wanted to clarify

23 that the Councilman on the phone made a comment that there

24 is no proof that people will lease it. But if you drive

25

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1 MS. MILLER: There is usually a calculation

2 over your budget, a certain percentage that you would have

3 to go for referendum.

4 MR. FENNINGHAM: That is under state law

5 and I don't know that that is relevant to the motion right

6 now. It is not relevant.

7 MS. MILLER: Okay. I am just making a

8 point.

9 MR. FENNINGHAM: We understand your point

10 but there is a motion pending on the floor.

11 MS. MILLER: I want to make it clear that

12 there is no way you will make the money on this.

13 PRESIDENT GERING: Thank you.

14 MR. FENNINGHAM: I would just comment that

15 I wasn't aware of the motion with regard to the THA

16 contract, I haven't reviewed the termination provisions.

17 I am concerned and I voiced that tonight just for your

18 benefit.

19 PRESIDENT GERING: Thank you.

20 MR. FENNINGHAM: I am also concerned with

21 what I heard about the grant and if that vote is

22 irrevocable, than any discussion of alternative plans for

23 any type of parking arrangements would be scuttled. So

24 I'm just giving you that observation.

25

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1 up Bridge Street, have you noticed the River House parking

2 lot that they built a year and a half ago, I think they

3 have a solution to their parking problem. The Logan Inn

4 parks at the church and there is also use of the fire

5 station.

6 PRESIDENT GERING: Correct.

7 MS. MILLER: So you will think that they

8 are going to spend \$2,000, \$3,000, \$4,000 on top of what

9 they do now? So I just want to clarify, you don't have

10 the major big businesses committing to this. Okay.

11 And to keep spending money for 30 more days

12 on something that you don't have the money for and as was

13 brought up, even if it was \$20 million or a little less

14 than that, would you have to go out for a vote because it

15 is so above your current budget?

16 PRESIDENT GERING: Absolutely. There

17 always will be a vote taken.

18 MS. MILLER: I mean out for the vote on

19 the ballot.

20 PRESIDENT GERING: That would be a legal

21 question.

22 MS. MILLER: You might have to do a

23 referendum. We had to do that with the school district.

24 PRESIDENT GERING: That would be --

25

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1 PRESIDENT GERING: Thank you. Pam.

2 MS. KERR: I would just like to suggest a

3 compromise that we vote tonight on not spending any more

4 money until there is a clear plan. I don't know that

5 there is some way to use the state money.

6 On the other hand, I am hearing things that

7 went for three years and was the basis of what, the last

8 two months was done that would allow us to have a

9 responsible vote in 30 days but to not spend more money

10 from this moment on until there is a responsible plan.

11 PRESIDENT GERING: Thank you. Any other

12 public comments? All right.

13 MR. MAISEL: Just one comment in regard to

14 this. There is nobody on this new -- this ad hoc

15 committee that is going to work on the numbers. The

16 numbers cannot be massaged to a point where they need to

17 be.

18 There is no appetite for this at this

19 moment. I think we are just kidding ourselves. We are

20 buying a month for no good reason. It just doesn't -- we

21 are too close to the action and we are getting hung up on

22 the numbers but there is obstacles. It is an

23 insurmountable thing I think in the opinion of this

24 committee.

25

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2 MR. DOUGHERTY: John, the last thing you
3 said, you think this should be two motions. Tell me what
4 version you want now.
5 MR. FENNINGHAM: I would prefer a single
6 motion so there is no context of misunderstanding.
7 MR. DOUGHERTY: We have amended the
8 agenda. Is that fair to say that we are amending the
9 agenda to amend it for two motions now or do you want us
10 to go and amend the agenda for a second time?
11 MR. FENNINGHAM: It would be --
12 MR. DOUGHERTY: When I said amend, we
13 approved the amendment of the agenda.
14 MR. FENNINGHAM: You amended the agenda.
15 What I understand the motion is to terminate the agreement
16 with THA. It is an AIA contract with THA Consultants and
17 the RACP grant is what it says up --
18 MR. DOUGHERTY: Yes. Extricate us from the
19 involvement of the things, including but not limited to
20 those things. So I'm sorry, are there two motions?
21 The one in the middle we have said is going
22 to be taken out. There is one at the top, I don't think
23 -- really think it is a motion, it just says whereas we
24 have studied this thing and we have come to the
25 conclusion. Can you go to the top part?

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2 supports, is that even a motion or is that just
3 justification --
4 MR. FENNINGHAM: That is just a statement.
5 MR. DOUGHERTY: Okay. So we don't need
6 that. Just the third paragraph.
7 I am fine with that. Is everybody okay
8 understanding that the motion that is on the floor, I am
9 amending the motion by the way, do I need to have -- I
10 don't want to get in trouble.
11 MR. FENNINGHAM: Yes, you should amend the
12 motion.
13 MR. DOUGHERTY: So I make a motion to amend
14 the motion to include just the third paragraph.
15 MR. FENNINGHAM: A second of the motion.
16 MR. MAISEL: Second.
17 MR. DOUGHERTY: Do we have to vote on that,
18 John?
19 MR. FENNINGHAM: I am sorry.
20 MR. DOUGHERTY: On my amendment of the
21 motion or can we vote on the -- is there a majority vote
22 to allow that amended motion?
23 MS. FEDER: Aye.
24 MS. McHUGH: Aye.
25 MR. MAISEL: Aye.

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1
2 MR. FENNINGHAM: The one motion, if you
3 can roll it back, directs the Borough Manager, that is the
4 motion I am referring to on the floor.
5 MR. DOUGHERTY: So now you're saying the
6 motion is the first paragraph and the third paragraph,
7 that is one motion?
8 MR. FENNINGHAM: No. Let me be clear, I
9 thought you said you withdraw the portion that says no
10 longer --
11 MR. DOUGHERTY: Yes.
12 MR. FENNINGHAM: If we scroll to the next
13 paragraph, Council directs the Borough Manager. That
14 paragraph that incorporates the THA contract and the grant
15 -- program grant, that embodies in one motion that is what
16 you have.
17 MR. DOUGHERTY: Okay.
18 MR. FENNINGHAM: And that and first
19 paragraph you said you were taking --
20 MR. DOUGHERTY: There is three paragraphs,
21 the top one.
22 MR. FENNINGHAM: I can't see them. I
23 can't see them.
24 MR. DOUGHERTY: I am sorry. There is three
25 of them. The one says whereas the analysis no longer

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1
2 MR. DOUGHERTY: Aye.
3 MS. BECCI: Aye.
4 MR. MEYER: Aye.
5 PRESIDENT GERING: Aye.
6 MR. DOUGHERTY: Technically we have a
7 motion that consists of one paragraph and I call to
8 question. How is that?
9 PRESIDENT GERING: Make a motion.
10 MR. DOUGHERTY: I make a motion to Council
11 to direct its Borough Manager to take the necessary steps
12 to terminate any existing arrangements and future
13 obligations with consultants and other parties. I am so
14 sorry, I just realized you were trying to type everything.
15 The Borough Manager to take the necessary
16 steps to terminate any existing arrangements and future
17 obligations with consultants and other parties, including
18 but not limited to those with THA Consultants and the
19 Redevelopment Assistance Capital Programming grants.
20 I make the motion, somebody has to second
21 that.
22 PRESIDENT GERING: You have a motion.
23 MR. MAISEL: I will second that motion.
24 PRESIDENT GERING: All right. We will
25 start down here.

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2 MS. FEDER: Aye.

3 PRESIDENT GERING: No.

4 MS. McHUGH: Nay.

5 MR. MAISEL: Aye.

6 MR. DOUGHERTY: Aye.

7 MS. BECCI: Aye.

8 MR. MEYER: Nay.

9 MR. DOUGHERTY: The motion passes four to

10 three.

11 PRESIDENT GERING: Yes, the motion passes.

12 The contract will be cancelled and there will be no grant

13 money.

14 All right. With that, we have a long

15 agenda. Go ahead real quick, Mr. Balderston.

16 MR. BALDERSTON: I would like an

17 explanation on why we don't address the parking all

18 on-grade rather than going up because we can do it. We

19 have --

20 PRESIDENT GERING: Mr. Balderston, you

21 just had that opportunity for us to take 30 days to do

22 that and not lose the grant money and the future grant

23 money that we just lost and it was voted by this Council

24 that they were not in favor of that so that is where we

25 are right now. That will have to have a future

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2 discussion.

3 MR. BALDERSTON: I have been asking this

4 for months. Months, at your meeting and never got an

5 answer.

6 PRESIDENT GERING: Thank you.

7 Next on the agenda is can we have a motion

8 for a Certificate of Appropriateness for 52 South Main

9 Street?

10 MS. FEDER: I will make that motion.

11 MR. MAISEL: Second.

12 PRESIDENT GERING: Any discussion?

13 All in favor?

14 MS. FEDER: Aye.

15 MS. McHUGH: Aye.

16 MR. MAISEL: Aye.

17 MR. DOUGHERTY: Aye.

18 MS. BECCI: Aye.

19 PRESIDENT GERING: Aye.

20 Next can I have a motion for a Certificate

21 of Appropriateness for 186 South Main Street?

22 MS. FEDER: I will make that motion.

23 PRESIDENT GERING: Second?

24 MR. MAISEL: Second.

25 MS. BECCI: I recuse myself from this.

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2 PRESIDENT GERING: All in favor?

3 MS. FEDER: Aye.

4 MS. McHUGH: Aye.

5 MR. MAISEL: Aye.

6 MR. DOUGHERTY: Aye.

7 PRESIDENT GERING: Aye.

8 Can I have a motion for a Certificate of

9 Appropriateness for a sign installation for 20 West Bridge

10 Street?

11 Can I have a motion for approval?

12 MS. FEDER: I will make that motion.

13 PRESIDENT GERING: Second?

14 MS. BECCI: Second.

15 PRESIDENT GERING: All in favor?

16 MS. FEDER: Aye.

17 MS. McHUGH: Aye.

18 MR. MAISEL: Aye.

19 MR. DOUGHERTY: Aye.

20 MS. BECCI: Aye.

21 PRESIDENT GERING: Aye.

22 Can I have a motion for oppose or stay

23 neutral on the application for 180 West Bridge Street,

24 which is our school district?

25 MS. FEDER: I move that we stay neutral.

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2 PRESIDENT GERING: Stay neutral.

3 All in favor?

4 MS. FEDER: Aye.

5 MS. McHUGH: Aye.

6 MR. MAISEL: Aye.

7 MR. DOUGHERTY: Aye.

8 MS. BECCI: Aye.

9 PRESIDENT GERING: Aye. Good luck.

10 Can I have a motion -- well first of all is

11 18 & 24 Waterloo here? You can come up, please.

12 MR. OETINGER: Good evening, Madame

13 President. Will Oetinger, O-E-T-I-N-G-E-R, from Grim,

14 Biehn and Thatcher. I am here on behalf of the applicant,

15 Chris Asplundh, for this project.

16 MS. McHUGH: You picked a hell of a

17 meeting.

18 MR. OETINGER: Borough Council, I don't

19 want to belabor any points of this application. This is

20 an application which has come before the Zoning Hearing

21 Board and actually been granted relief twice, although we

22 just did not pursue the subdivision at the time and the

23 variance expired pursuant to the Sunset clause in your

24 Zoning Hearing Board decision.

25 But happy to entertain any questions from

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1
 2 Borough Council.
 3 PRESIDENT GERING: Any questions from
 4 Council? Guys, any questions?
 5 MS. FEDER: I think I actually have to
 6 recuse myself on this one, my husband works for a firm
 7 that is owned by Asplundh.
 8 PRESIDENT GERING: Thank you.
 9 Motion to stay neutral?
 10 MS. McHUGH: I will make that motion.
 11 PRESIDENT GERING: We will stay neutral.
 12 Good luck at Zoning.
 13 All right. Next is can I have a motion to
 14 approve the resolution to continue support for the Lower
 15 Delaware River Management Plan and add the Aquetong Creek
 16 to the Lower Delaware River Wild and Scenic River System?
 17 They were in front of us at a workshop,
 18 they need our support. Can we have a motion for approval?
 19 MS. FEDER: I will make that motion.
 20 MR. MAISEL: Second.
 21 PRESIDENT GERING: All in favor?
 22 MS. FEDER: Aye.
 23 MS. McHUGH: Aye.
 24 MR. MAISEL: Aye.
 25 MR. DOUGHERTY: Aye.

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1
 2 (ph) it and I missed the meeting but can you share -- shed
 3 some light? I don't recall us ever "workshopping" -- it
 4 was one of these two and I don't think we ever did it. I
 5 am just --
 6 PRESIDENT GERING: Can we discuss the one
 7 we are on before --
 8 MR. DOUGHERTY: I just want to find out --
 9 MS. FEDER: It is not this one. This is
 10 the one that is the simple definition.
 11 MR. DOUGHERTY: So everybody is in
 12 agreement that we never said to the public we were going
 13 to workshop this one? I am fine then.
 14 PRESIDENT GERING: All in favor?
 15 MS. FEDER: Aye.
 16 MS. McHUGH: Aye.
 17 MR. MAISEL: Aye.
 18 MR. DOUGHERTY: Aye.
 19 MS. BECCI: Aye.
 20 PRESIDENT GERING: Aye. Thank you.
 21 Next can we have a motion to approve the
 22 RB-1 and RB-2 ordinance amendment?
 23 For those of you that have questions, there
 24 is also a summary for that. We are just having a motion
 25 on the table first.

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 2 MS. BECCI: Aye.
 3 PRESIDENT GERING: Aye. Thank you.
 4 Can I have a motion to approve the
 5 ordinance amendment to Chapter 275-31, and this is dealing
 6 with the Central Business District.
 7 Can I have a motion for approval?
 8 MS. FEDER: I will make that motion.
 9 PRESIDENT GERING: Second?
 10 MS. BECCI: Second.
 11 PRESIDENT GERING: Any discussion?
 12 MR. DOUGHERTY: I just have a question that
 13 is probably for Pete Gray. Ken and I have talked about
 14 this offline, this and the RB-1, RB-2 things. The -- and
 15 I am not in favor --
 16 MS. FEDER: This is not that one. This is
 17 the one with the definition.
 18 MR. DOUGHERTY: I am sorry, I am actually
 19 talking about both of them. There is a question -- I
 20 apologize, there is a question. I will get to the point
 21 that -- for Peter Gray.
 22 This Council, one of these two proposals I
 23 know we had talked about at a meeting and we then said boy
 24 this is complicated. We don't understand it, let's
 25 workshop this. I could be -- and maybe we workshopped

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 2 MS. FEDER: I will make the motion.
 3 PRESIDENT GERING: Second?
 4 MR. MAISEL: I second.
 5 PRESIDENT GERING: All right. We are open
 6 for discussion.
 7 Mr. Cohen, you're here for that one. It is
 8 a two-parter, which part don't you like?
 9 MR. COHEN: All right. So with regard to
 10 the proposed amendment to the RB Ordinance -- for the
 11 court reporter's purpose, Paul Cohen. I am an attorney.
 12 I am here on behalf of my clients, Jeffrey and Stephanie
 13 Cohen, no relation, who reside at 45 New Street and also
 14 own the property at 24 Waterloo that was the subject of
 15 the previous zoning application.
 16 The reason I am here is to -- and I believe
 17 Mr. Dougherty is right, this is a complex ordinance and I
 18 think it has a number of issues. Our request is that
 19 Borough Council, at a minimum, reconsider some of the
 20 concerns on this ordinance.
 21 And I am just going to take a few minutes
 22 just to explain what those concerns are. As I understand
 23 the ordinance, and my focus given that my clients'
 24 property is in the RB-1 District relates to that
 25 particular part of it. I don't think there is much

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2 difference in the other section.
3 But it basically changes significantly how
4 the zoning ordinance measures certain aspects of property
5 and what the allowances are, including the height
6 limitation, which is now changing from a set number to
7 something dependent upon surrounding properties.
8 It changes the front yard build to line in
9 the same way, then it adds a new requirement or a new
10 restriction on the footprint, the allowable footprint of
11 the building, which is something that has never been
12 regulated. I have never seen that regulated anywhere.
13 Building coverage is regulated and that still stays the
14 same but this is limiting the size of the footprint of a
15 primary residence.
16 The concerns are multiple. With regard to
17 the height limitation, the ordinance does not in any way
18 take into account the impact of the floodplain. Those few
19 properties in these districts that are located in the
20 floodplain, are going to be restricted in the height that
21 they are allowed to build their structures based on the
22 average of other buildings that are not elevated out of
23 the floodplain.
24 So any building, any construction where you
25 are required now to elevate from the floodplain, you're

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1
2 going to be restricted based on the height of surrounding
3 structures that are not elevated out of the floodplain.
4 And it is going to create a true burden on anybody that is
5 looking to build or substantially improve their property
6 because any construction that requires elevation is most
7 likely going to be in violation of this ordinance.
8 It is going to force homes that are smaller
9 in scale than the historic properties or will force
10 modified rooflines, which probably is not what you are
11 looking to do because we will try to get in under that new
12 height limitation.
13 Number two; with regard to the footprint,
14 you're saying that each property is now restricted in the
15 size of their footprint based on four surrounding
16 properties, essentially two in each direction. There is
17 no way to actually calculate that in most cases. As
18 everyone knows, the Borough has somewhat limited building
19 records, a lot of the records were lost in the floods.
20 You have got a lot of historic properties
21 that have been approved over the years. The Board of
22 Assessment records as to what is the footprint is not
23 necessarily accurate and property owners have no
24 obligation to allow contractors, nor their neighbors to
25 come onto their site and measure the footprint of their

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2 building.
3 So from the start it is not going to result
4 in any accuracy but it is also going to create -- and I
5 believe one of the purposes of this ordinance is
6 purportedly to bring the properties that are out of
7 compliance in compliance.
8 What this is going to do is create a large
9 number of non-conformities that previously didn't exist,
10 both with respect to height and with respect to this new
11 requirement of footprint. So anybody that has a property
12 in this district that might otherwise have been able to
13 add a garage or add a little kitchen addition now will
14 have to get special relief because they are increasing the
15 non-conforming structure. And there is no exception in
16 the ordinance for those structures that currently exist
17 when they are going to be eventually expanded.
18 The ordinance also doesn't account for
19 different sized lots. Usually when we talk about building
20 coverage we talk about percentages. We talk about
21 percentages so if you have a larger lot, you're allowed
22 to build a larger building. That just makes sense. Under
23 the new ordinance, that is not the case.
24 So in my clients' instance because this is
25 a real concern, his lot is significantly larger than the

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1
2 surrounding lots. In fact, his lot is 61% larger than the
3 four average lots, yet he is going to be bound in the size
4 of the building that he can construct based on the fact of
5 what is on these much, much smaller lots. And that is
6 completely inequitable and is going to be taking a
7 significant value from these properties.
8 The exclusions exclude large outliers. So
9 in the ordinance if you have a neighbor who has a
10 particularly large building, that is excluded. But if you
11 have a neighbor with a particularly small building, that
12 is not excluded. So that, in my opinion, is arbitrary and
13 inequitable because you are not allowing people to
14 actually build in compliance with the surrounding
15 neighbors. You just don't want it to build anything
16 larger.
17 If there happens to be a large historic
18 property or something that is going to be built completely
19 in compliance with the -- similar to the neighboring
20 properties but it is just larger, it is going to be
21 excluded. Again what is happening here is not an effort
22 to build in compliance and in coordination with the
23 surrounding properties, it is in an effort to try to limit
24 what people can build on their property and I don't think
25 this is the way to go about it.

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1 And finally, I don't think this is
2 consistent with your Historic District Ordinance. Your
3 Historic District Ordinance says when you take down a
4 building you're supposed to build something similar to
5 what was there, that you are supposed to preserve the
6 character, setback and design of the building that was
7 removed. And in many cases this is going to make that
8 impossible because the new building will be significantly
9 different, perhaps significantly smaller, lower, whatever
10 the case may be.

11 I understand what the Council is trying to
12 do here. I don't think it is appropriate because I think
13 what really is happening is you're trying to expand that
14 historic district and that control over what can be built
15 outside of what is the existing historic district.

16 But I think there are real practical issues
17 with this ordinance. I do think it will have a distorted
18 impact on a few people and I think that that makes this
19 question legal because you're going to have property
20 owners who are affected by this in ways that others are
21 not. And I do think the end result is you will force more
22 people to have to go to zoning to get relief than those
23 that you are trying to avoid.

24 And -- I will throw this last comment in, I
25

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1 know it has been a long night. The last comment is what
2 you are really going to force is subdivision, force more
3 things to be built. Because if you will tell my client
4 who has a property where they should be allowed to build a
5 larger property -- a larger building, that you can't do
6 that, then we will subdivide it into three lots. I am not
7 saying he is going to do that. There is no plan for that.
8 We have a submission for a single family home that has
9 already been submitted.

10 But hypothetically, you can find somebody
11 that is going to subdivide because now I have these tiny
12 little lots and I can build the same thing that I would
13 have been able to build on my tiny lot.

14 I am asking you to reconsider. I am asking
15 you to workshop, bring this back, look these things over.
16 I think these are serious concerns. I would be happy to
17 talk to your Solicitor when there is more time to flesh
18 out my concerns.

19 MR. DOUGHERTY: Can I ask a question?
20 First off, I want to point out that you started by saying
21 that you agreed with me. I appreciate that.

22 MR. COHEN: No, that didn't happen.

23 MR. DOUGHERTY: You said you did.

24 Second thing is I really appreciate --
25

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1 would you be willing to serve on our Planning Commission?
2 MR. COHEN: If you want to give me a house
3 here, I would be more than happy to.

4 MR. DOUGHERTY: I never heard somebody
5 announce so clearly all of the things you did. I think
6 the Council if we can -- perhaps Paul would be willing to
7 send us those 15 things that -- and have --

8 MR. COHEN: Six.

9 MR. DOUGHERTY: It felt like 15. So if he
10 can provide us those, we can make the necessary
11 modifications.

12 Because I have also heard on the street,
13 Connie, that people -- they have concerns that it is not
14 -- that it unnecessarily restrict properties.
15 Properties.

16 PRESIDENT GERING: Didn't we get a second
17 opinion on this and that was brought up before, that is
18 why you said get a legal opinion.

19 I thought we got a second one, John.

20 MR. FENNINGHAM: We did. I asked for
21 special counsel to review the constitutionality of this
22 proposed amendment to both districts that someone raised
23 the White appeal, which was -- that appeal goes back a
24 century ago.
25

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1 So from the legal concept of
2 constitutionality standpoint, the amendments are approved
3 by special counsel.

4 MR. DOUGHERTY: I don't think Paul was
5 saying --

6 MR. FENNINGHAM: No, he is not. He is
7 raising application functionality issues in terms of
8 having to apply these standards. And frankly, I think it
9 might be appropriate for Mary and Lisa to have that
10 evaluation further. I know we have vetted this over and
11 over again but I can say that I am not prepared to react
12 to the one scenario that Paul mentioned, which is the lot
13 size being larger, not the structure. This is focused on
14 the structure, trying to keep conformity to some degree
15 and size and dimension but the lot size he makes a valid
16 point. I am not waiving anything, but it is something to
17 evaluate.

18 MR. DOUGHERTY: And if a relatively large
19 historic building -- if God forbid -- heaven forbid went
20 away, something happened to it. I will not mention which
21 one, but a tall one for example, if it went away, it would
22 have to be replaced perhaps with a very short squat
23 building under this approach.

24 So you think of some big houses in town
25

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1
2 that are kind of grand or a big lot and if something
3 happens to the structure and it goes away, it sounds like
4 you will have to build this tiny little squat house
5 because the houses next to it aren't necessarily the same
6 size.
7 PRESIDENT GERING: So the recommendation is
8 to have a motion to table it, John?
9 MR. FENNINGHAM: Yeah, because while we
10 can't accommodate Paul's client or at least the particular
11 property, we have to look at that in the expanse of the
12 Borough District RB and RB-1 and 2 that I think it's
13 appropriate to table it.
14 MR. MAISEL: I just have one comment to
15 make. We had this discussion, we asked John about the
16 legality of this and we were told that it is legal, it is
17 appropriate, its been -- we have discussed this forever.
18 I am not advocating for it, I don't even understand it. I
19 think Mr. Cohen --
20 PRESIDENT GERING: Here is a summary. We
21 gave it to everybody.
22 MR. MAISEL: I hadn't seen this.
23 PRESIDENT GERING: There is copy out there
24 of the summary.
25 Hold on a second, can we have a motion to

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1
2 a past architect on the HARB Board and currently the
3 architect for the -- on the Doylestown HARB Board and I
4 take the historic districts very seriously. I am known as
5 being one of the more particular people about getting
6 things to a HARB district and historic communities.
7 With that said, I wouldn't know how to
8 apply this ordinance. I have tried. I do have clients
9 that are right now in the FEMA floodplain district and
10 raising their two-story house would turn their house to a
11 rancher on stilts with this ordinance. I have other
12 clients that have friends that are doing work. Let's just
13 use one word, Cintra would not be able to be restored.
14 You would take it down and you would lose it.
15 So you have not begun to look at the
16 complications that this has brought to -- which is what I
17 do to each and every project and how it is currently in
18 the ordinance and how that changes.
19 Projects right now, as has been stated,
20 have a relationship to the land and a relationship to the
21 community. They are responsible to be conforming in scale
22 and height and mass but they are also allowed to have a
23 house with a garage that is commensurate with their lot
24 being larger or have an existing property where the house
25 is taller.

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1
2 table this?
3 MR. MAISEL: No, I want to table it. I
4 just want to know that we could have -- had Cohen not
5 shown up here tonight, we might have voted on this on the
6 basis of being told that -- as we look at it, we looked at
7 it five times, been looked at by special counsel and we
8 were going to blindly just say okay. Let's go for it.
9 So now we have somebody who has -- he has a
10 biased approach and he is looking at it but it is still
11 credible.
12 PRESIDENT GERING: Hold on. We are going
13 to table it, do you still want to speak?
14 MR. FEY: I still want to speak.
15 Ralph Fey, F-E-Y. I spent my entire time
16 here today. I want to agree with Dan.
17 PRESIDENT GERING: Come on up.
18 MR. DOUGHERTY: Before you begin, Ralph, I
19 wish there were more people to hear this. I want to
20 apologize to you personally for last -- our last meeting
21 where I said why isn't this stuff attached and et cetera.
22 That was my bad, and whatnot, you had given us the stuff
23 and I apologize for that. I apologize.
24 MR. FEY: Thank you. Some of what preceded
25 me took a little of my talking points. As you know, I am

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2 I am not saying in the direction of this
3 where we try to unify the approach is inappropriate. What
4 I am saying is this doesn't do it yet and I strongly am in
5 favor of Dan's idea of taking it back and doing a little
6 work on it and I would love to be a part of that.
7 PRESIDENT GERING: Thank you. Gentleman
8 back there.
9 MR. FENNINGHAM: Just a comment before the
10 next speaker.
11 This has been vetted by the County and the
12 Borough Planning Commissions, its been gone through
13 multiple reviews. Just so you understand there has been
14 an effort to really crystalize exactly how it would go
15 into effect, and this predates me, but the intent behind
16 it was to streamline processes so that not everyone has to
17 go before the Zoning Hearing Board.
18 The answer to Paul Cohen's client is he may
19 have to go to the Zoning Hearing Board under various
20 circumstances but I still stand by my recommendation to
21 hear these comments and digest them and work with the
22 Borough Engineer and come back with something that is
23 workable for all folks.
24 PRESIDENT GERING: Identify yourself.
25 MR. SALAK: Sure. Good evening. My name

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 2 is Alexander Salak, S-A-L-A-K. My spouse, Dr. Dawn
 3 Rickert, and I are members of Riverview Dental LLC, which
 4 owns 135 North Main Street.
 5 And I beg to differ with some of the
 6 Council's conclusions and I may be able to propose
 7 something a little different but here are our issues.
 8 We object first of all to the ordinance
 9 exclusion -- we object to the ordinance exclusion of
 10 houses built before 2012 and designated them as outliers
 11 because they are bigger. That is totally unreasonable and
 12 arbitrary. These houses are part of the New Hope
 13 community. They are part of the New Hope Borough
 14 landscape. They are part of the small town/big town,
 15 whatever town character of New Hope Borough.
 16 They are part of the impression that every
 17 person has when they visit our town. You can't simply
 18 pretend they are not there and you can't arbitrarily say
 19 that you will -- maybe this house and maybe not that and
 20 so on. That is unreasonable and arbitrary and sounds a
 21 lot like spot zoning which -- and you can't arbitrarily
 22 say we are going to include this house but not this one.
 23 That is unreasonable, arbitrary and sounds a lot like spot
 24 zoning, which courts have consistently struck down as
 25 unconstitutional.

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 2 with this amendment can't be determined or enforced
 3 without launching a full investigation of the township
 4 records. And if those don't exist, by surveying other
 5 properties and all it takes is one neighbor to refuse
 6 access and you will be precluded where you resort to
 7 unlawful trespass. And if the township's records are
 8 inaccurate or incomplete, and a property owner wants to
 9 independently verify the township's conclusions, he or she
 10 is unable to do that without being given access to
 11 neighboring properties and incurring unreasonable expense.
 12 And then you have the challenge of trying
 13 to figure out which properties are outliers. The
 14 amendment tries to clarify this by stating that comparison
 15 homes must be within one half times of your property. So
 16 here is a visual example; we have a single story home
 17 built with neighboring properties that are two stories.
 18 The two story building by its very nature is two times as
 19 high. So this immediately qualifies every two story home
 20 in the district as an outlier and that immediately
 21 precludes us and every owner of a single story building of
 22 ever having a two story home, which is unreasonable,
 23 arbitrary and exclusionary.
 24 Under Pennsylvania law, an ordinance is
 25 deemed arbitrary when it results in a disparity of

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 2 In the mailed notice of this meeting you
 3 admit the reason for excluding large homes is and I quote,
 4 "because variances granted for some housing units built in
 5 that period have resulted in some exceptionally large
 6 structures". Our position has always been there is
 7 nothing wrong with the current ordinance. The large home
 8 problem was created by the Borough because of variances,
 9 not something that is in the ordinance. You cannot
 10 equitably wipe out and expect to fix past decisions at the
 11 expense of small property owners.
 12 The character of the neighborhood has
 13 changed and this amendment is not related to the stated
 14 purpose. And even more importantly, we object to the
 15 proposed formula and the perimeter restrictions. Laws
 16 must be clear and unambiguous to stand.
 17 The current ordinance has a stated height
 18 of 35 feet. You know why that works? Because it is an
 19 objectively ascertainable standard. In two minutes both
 20 the property owner and the building inspector can
 21 determine whether a structure is in compliance.
 22 And most importantly, that standard applies
 23 and affects every property owner equally. In contrast,
 24 this proposed amendment is too vague and subjective and
 25 will create doubt and conflict every step. Compliance

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1
 2 treatment of similar land owners without the reasonable
 3 basis for such disparaging treatment.
 4 We have no idea how many houses we have to
 5 go in either direction to find one within one and a half
 6 times. Even then maybe it is excluded because of its
 7 setback or perimeter. It may be a property all the way on
 8 the other side of the district which is absurd for
 9 comparison purposes. In fact we object to the whole idea
 10 about outliers completely because it contradicts the
 11 amendment if you're trying to maintain some kind of
 12 consistency between the buildings.
 13 Look, we don't want reverberations of three
 14 or four story mansions, lower the height restrictions to
 15 30 feet for example. That works. It is easy. It is easy
 16 to understand, easy to apply, easy to enforce. And most
 17 importantly, it applies equally to every property owner.
 18 And with respect to building footprints,
 19 that seems to be adequately covered in the current
 20 ordinance by the impervious ratio without having to resort
 21 to an investigation, as I mentioned before and don't hand
 22 out variances indiscriminately.
 23 So in conclusion as it stands, the proposed
 24 amendments treats property owners unjustifiably different
 25 and completely arbitrary and unreasonable in its

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1 applications and impact that unfairly excludes various
2 property owners, does not advance public interest and
3 whatever public interest there is can be achieved with
4 less restrictive means that don't deprive us of our 5th
5 and 14th amendment property rights and does not violate
6 protection rights.

7 PRESIDENT GERING: Thank you.

8 MR. FEY: Sorry, you said something that I
9 have to challenge. You said that this has been vetted by
10 a particular group. What was that group?

11 MR. FENNINGHAM: That would be called the
12 County Planning Commission.

13 MR. FEY: So if they vetted it, you can
14 tell me the answer to this question. What do I do when I
15 have a two story house and I have to raise it ten feet?
16 If it is so well vetted. It will be the tallest building
17 in that neighborhood.

18 MR. FENNINGHAM: The intent of this,
19 contrary to the last speaker, it was to take an area of
20 the district, have that conformed -- as I understand it, I
21 didn't draft this, have this conform to the area and
22 location, which is why houses in a row and the argument
23 about constitutionality across the entire district is not
24 the issue.
25

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1 MR. FEY: So you don't have an --
2 PRESIDENT GERING: Mr. Fey, this lovely
3 young lady has something to say.

4 MR. FEY: Yeah. Okay. Sorry to cut you
5 off. I didn't know you were so sensitive.

6 MS. BITZER: Joanne Bitzer, 48 Waterloo
7 Street. B-I-T-Z-E-R. Okay. This RB-1 and RB-2 affects
8 me and I don't know how it does and I don't know who to
9 ask to get help about it.

10 PRESIDENT GERING: Well we just tabled it
11 for further discussion.

12 MS. BITZER: Okay. And I don't know who to
13 talk to.

14 PRESIDENT GERING: Mr. Gray, the Borough
15 Manager.

16 MR. GRAY: Give my office a call and we
17 will help you out.

18 MS. BITZER: What is your name?

19 MR. GRAY: Peter Gray, G-R-A-Y.

20 MS. BITZER: And your phone number?

21 MR. GRAY: 215-862-3347.

22 MS. BITZER: Okay. And I am Joanne Bitzer,
23 so I will be calling you.

24 MR. GRAY: Thank you.
25

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1 MR. FEY: That is not my question, that is
2 his. Mine was what do I do when you tell me to raise my
3 building because FEMA says I have to and you tell me I
4 can't raise my building because it will be taller than the
5 two neighboring properties.

6 I am sure that came up in this vetting
7 because I read nothing in the ordinance about what to do
8 when you are dealing with FEMA. It is completely void in
9 that area.

10 MR. FENNINGHAM: You sound a little
11 aggressive, that is probably why I recommend tabling it
12 and --

13 MR. FEY: I take --

14 MR. FENNINGHAM: Can I finish my comment?

15 MR. FEY: You got the floor.

16 MR. FENNINGHAM: Public comment here is
17 very engaging. He doesn't want to hear the answer.

18 PRESIDENT GERING: Did you have a comment?

19 MR. FEY: I apologize. Do you have an
20 answer to my question?

21 MR. FENNINGHAM: You cut me off.

22 MR. FEY: I apologize for cutting you off.

23 Please answer.

24 MR. FENNINGHAM: I am okay.
25

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1 PRESIDENT GERING: Thank you, Joanne.
2 We have a motion on the table to table the
3 RB-1 and RB-2.

4 MS. McHUGH: I will make that motion.

5 PRESIDENT GERING: There is a comment.

6 MR. DeLUCA: Frank DeLuca, 120 Old York
7 Road.

8 I realize you're tabling it but I wrote a
9 letter to the Borough Manager, Peter Gray, in public
10 comments and I hope that he would read that tonight before
11 continuing with any further motion.

12 MR. GRAY: I received it after the
13 deadline. I believe Ms. Littlefield did e-mail you this
14 afternoon inquiring about the questions you may have. We
15 will be happy to answer the questions tomorrow.

16 PRESIDENT GERING: Thank you, Frank.

17 We have a motion on the table to table the
18 RB-1, RB-2 ordinance at this time.

19 MR. MAISEL: I will make that motion.

20 MR. DOUGHERTY: Second.

21 PRESIDENT GERING: All in favor?

22 MS. FEDER: Aye.

23 MS. McHUGH: Aye.

24 MR. MAISEL: Aye.
25

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2 MR. DOUGHERTY: Aye.
3 MS. BECCI: Aye.
4 PRESIDENT GERING: Aye. Thank you.
5 All right. So we can keep moving along,
6 guys, can I have a motion to approve the June 20th and
7 July 18th Council minutes? Counsel meeting minutes.
8 MS. FEDER: I will make that motion.
9 MR. MAISEL: Second.
10 PRESIDENT GERING: All in favor?
11 MS. FEDER: Aye.
12 MS. McHUGH: Aye.
13 MR. MAISEL: Aye.
14 MR. DOUGHERTY: Aye.
15 MS. BECCI: Aye.
16 PRESIDENT GERING: Aye.
17 Can I have a motion to approve the August
18 accounts payable for \$162,810.16, the July 28th and
19 August 11th payrolls in the amounts of \$80,195.28 and
20 \$83,048.13?
21 MS. FEDER: I will make that motion.
22 MR. MAISEL: Second.
23 PRESIDENT GERING: All in favor?
24 MS. FEDER: Aye.
25 MS. McHUGH: Aye.

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2 I am liaison to Zoning. We had a meeting
3 in reference to The Landing and its continued for
4 October 2nd. There will be another meeting August 23rd
5 with other zoning issues.
6 And Peter Meyer for the --
7 MR. GRAY: Just one brief comment from the
8 Planning Commission. The Planning Commission is in the
9 review stages of preparing an RFP for the comprehensive
10 plan. This document will be presented to Council in the
11 near future and subsequently provided to consultants for
12 review and consideration of submittal proposal.
13 PRESIDENT GERING: Thank you.
14 Do we have a Manager's Report?
15 MR. GRAY: I have two e-mails we received
16 for public comment.
17 The first one is from Patty Herst. I am
18 writing this letter to request the Borough Council
19 reconsider their neutral vote towards the Zoning Hearing
20 Board application for The Landing, Landmark Development.
21 A number of us have become aware that the Borough and the
22 zoning decision to grant variances could impact the
23 resident's ability to obtain flood insurance.
24 We think at this stage it is appropriate
25 that the Borough Solicitor be in place to defend the

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2 MR. MAISEL: Aye.
3 MR. DOUGHERTY: Aye.
4 MS. BECCI: Aye.
5 PRESIDENT GERING: Aye.
6 Parks and Rec, do you have a report?
7 MS. FEDER: We had talked about native
8 plantings. We talked about public sculpture. Other than
9 that, nothing to report. Thank you.
10 PRESIDENT GERING: Thank you.
11 Shade Tree?
12 MS. McHUGH: I don't have a report right
13 now but I will next month. But we are finishing up the
14 porous pave project. It looks amazing. So I want to get
15 a picture of all of them and do a nice presentation. It
16 will be next month. We do have a meeting tomorrow, if
17 anyone wants to stop by.
18 PRESIDENT GERING: Thank you.
19 Parking Facilities Committee, I guess you
20 are okay.
21 MR. DOUGHERTY: I think we are good.
22 PRESIDENT GERING: All right. Thank you.
23 Finance Committee, Ken?
24 MR. MAISEL: I have no report tonight.
25 PRESIDENT GERING: Thank you.

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- 1
2 residents' interest so their flood insurance coverage is
3 not impacted.
4 With all appreciation and consideration,
5 Patty Herst.
6 And finally, Chris and Kathy Kerr. The
7 plan for the New Hope parking garage building conceived
8 was poorly researched from the beginning. Many of us
9 suspected as such and said so early in the process. The
10 report of the new ad hoc committee provides the facts and
11 the figures to confirm it.
12 Please kill this project now before any
13 further financial impact on the Borough taxpayers.
14 That is all I have.
15 MS. FEDER: Mr. Gray, quick question just
16 before we sign off, is the next Zoning Hearing Board for
17 The Landing on the 2nd or the 12th?
18 PRESIDENT GERING: The 12th.
19 MR. GRAY: The 12th of October.
20 PRESIDENT GERING: Thank you.
21 Do we have a Solicitor's Report?
22 MR. FENNINGHAM: Only a comment on the
23 last subject, which is the reason I mentioned the County
24 and the Borough Planning Commissions vetting is that they
25 hold public meetings. They are the people that deal with

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1
2 the nuts and bolts of applying the amendments to get to
3 the result that the Borough would recommend for you to
4 consider.
5 So my point was simply not argumentative,
6 it was -- I would have appreciated to have those expert
7 architects, engineers to have presented their thoughts to
8 the Planning Commission. What I will do is go back and
9 look at those minutes to assist Lisa and Mary.
10 But I would have thought all of that was
11 digested when they approved, each of those planning
12 commissions approved the form of the amendments that you
13 were presented.
14 PRESIDENT GERING: Thank you so much.
15 Any announcements? Can I have a motion to
16 adjourn?
17 I'm sorry, Pam. I' sorry.
18 MS. KERR: Pam Kerr.
19 I just wanted to announce that on Monday,
20 the 28th, before Parks and Rec, from 3:30 to 7:00 my
21 family is hosting a birthday fundraiser for New Hope Arts
22 Public Arts Program. So anyone is invited. It is nice if
23 you can let me know somehow. If you don't, just come. We
24 will have food and just hang out and enjoy the arts center
25 and we are all getting older, including the baby.

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C E R T I F I C A T E

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

Karen W. Browndorf, RPR
Official Court Reporter

- - -

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1
2 PRESIDENT GERING: Thank you so much.
3 Can I have a motion to adjourn?
4 MR. MAISEL: I will make that motion.
5 MS. BECCI: Second.
6 PRESIDENT GERING: All in favor?
7 MS. FEDER: Aye.
8 MS. McHUGH: Aye.
9 MR. MAISEL: Aye.
10 MR. DOUGHERTY: Aye.
11 MS. BECCI: Aye.
12 PRESIDENT GERING: Aye.
13 - - -
14 (The proceedings were concluded.)
15 - - -
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