

BEFORE

NEW HOPE BOROUGH COUNCIL

In Re: Workshop Meeting

- - - -

MONDAY, OCTOBER 4, 2021

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A public meeting was held at the Borough Municipal Building, 125 New Street, New Hope, Pennsylvania 18938, commencing at 4:01 p.m. on the day and date above set forth, before Tara Wilson, Professional Reporter and Notary Public in and for the Commonwealth of Pennsylvania.

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DOYLESTOWN, PENNSYLVANIA 18901

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1 BOROUGH COUNCIL:
 2 Connie Gering, President
 3 Dan Dougherty, Vice-President
 4 Laurie McHugh
 5 Ken Maisel
 6 Peter Meyer
 7 Louise Feder
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 9 Peter Gray, Borough Manager
 10 Michelle Fountain, Borough Engineer
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1 MS. GERING: I'd like to call the
 2 meeting to order.
 3 Pete, if you can do roll call.
 4 MR. GRAY: Certainly.
 5 Mr. Dougherty?
 6 MR. DOUGHERTY: Here.
 7 MR. GRAY: Ms. Rettig?
 8 MS. RETTIG: Yep.
 9 MR. GRAY: Ms. Feder?
 10 MS. FEDER: Here.
 11 MR. GRAY: Ms. McHugh?
 12 MS. MCHUGH: Here.
 13 MR. GRAY: Mr. Maisel?
 14 MR. MAISEL: Here.
 15 MR. GRAY: Mr. Meyer?
 16 MR. MEYER: Here.
 17 MR. GRAY: Ms. Gering?
 18 MS. GERING: Here.
 19 This is a work session, so everybody
 20 knows, this is not a regular council meeting.
 21 First on the agenda is 8 West Mechanic Street,
 22 request for an exception variance.
 23 Mr. Cohen, is it Groundhog Day? Didn't
 24 I just see you two weeks ago?
 25 MR. PAUL COHEN: You did, but I know

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1 A G E N D A
 2 P A G E
 3 1. ZHB Application - 8 West Mechanic Street -
 4 request exception/variance for expansion 4-11
 5 2. 83-85 South Main - Sketch Plan review 11-24
 6 3. 8-10 Waterloo - Sketch Plan review 24-35
 7 4. Financial Report 35-46
 8 5. Public Comment 46-60
 9 6. Adjournment 60
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1 you wanted to see me again, trying to keep you
 2 happy. So council reviewed this application a
 3 couple weeks ago. We are heading into a zoning
 4 hearing on October 14. Following the hearing, I
 5 had had some follow-up discussions with Mr. Gray.
 6 Council expressed -- one of the -- one of the
 7 areas of relief that we're requesting has to do
 8 with parking because of the deck we're putting
 9 on, we're adding a few more seats to the
 10 restaurant. So when we originally came in, we
 11 were looking to add, I believe, it was five
 12 parking spaces for which we were seeking a
 13 variance.
 14 After listening to council, we went
 15 back and just looked at the -- the seating
 16 configuration of the restaurant and instead of
 17 looking for 107 seats as the final, it's
 18 basically just a hundred. That is the only
 19 change to the plan since we were here last, so we
 20 were asked to come back in. We did submit a
 21 revised plan. Again, the only change in that
 22 plan is the parking calculations, but we're happy
 23 to come back and answer questions. We do have
 24 some photographs that were taken, this was
 25 inquired about last time. I know council

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1 expressed an interest in --
2 MS. GERING: Paul, so we don't drag
3 this out. You were just here two weeks ago.
4 MR. PAUL COHEN: Yep.
5 MR. GERING: So what you're basically
6 saying is to bypass the parking requirements,
7 you're going to put less seats on your deck and
8 that's why you're here today. So in case you
9 decide to add those additional seats once you're
10 open and you get your zoning approval, then it's
11 going to be the borough's responsibility to
12 monitor how many seats you've got there. That's
13 what I heard you say.
14 MR. PAUL COHEN: Well, we're not
15 bypassing, we do still require a variance because
16 we are still adding seats to the restaurant and
17 will require three more parking spaces so we are
18 still requesting the variance. We're simply
19 saying that at the end of the day, instead of
20 approving for 107 seats approval, we'll have
21 approval for a hundred seats. It's not changing
22 any approach to this, the borough would always
23 have the ability to oversee what our seating is,
24 but our permit would only allow for 100 seats.
25 MS. GERING: So does that mean the 14

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1 by 17 deck is going to be smaller to accommodate?
2 MR. PAUL COHEN: No, it's not.
3 MS. GERING: That's what I thought.
4 MR. DOUGHERTY: Mr. Cohen, there was
5 some question at the last council meeting
6 concerning, my understanding, I'm not an
7 attorney, so -- I watched a lot of Perry Mason.
8 So the question that whereby, my understanding
9 how zoning operate is that if there is an easier
10 path forward rather than asking for a variance
11 is, the ordinances permit a pathway where they
12 don't have to ask for a variance. That that
13 pathway sort of has to be taken, that's my
14 understanding, it's not up for debate, it's just
15 my understanding.
16 When we talked last time we mentioned
17 that there was payment in lieu of for parking,
18 okay. And at the time I think I said -- I said,
19 well, you needed five spots, I believe it's five
20 thousand --
21 How much is it?
22 I need clarification on that either
23 from yourself -- so you're still asking for a
24 waiver or a -- you want that -- you want our
25 parking requirement relative to the additional

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1 seats to be ignored, you want --
2 MR. PAUL COHEN: That's not --
3 MR. DOUGHERTY: -- that waived or are
4 you intending to pay the parking in lieu of?
5 MR. PAUL COHEN: As I mentioned at the
6 last meeting, if a fee in lieu were still an
7 option, we would pay the fee in lieu. January of
8 2020, this board repealed that option, you no
9 longer have alternative parking -- alternative
10 measures to satisfy the parking. That's one of
11 the issues that I followed up with Mr. Gray after
12 the meeting and I believe he has confirmed that
13 there is no longer a fee of lieu in your
14 ordinance.
15 MR. DOUGHERTY: So there is no
16 opportunity for you to pay a number, create a
17 number?
18 MR. PAUL COHEN: If that's correct. If
19 that were an option, absolutely, we would gladly
20 pay the fee in lieu and move on, but it's not an
21 option; the only option is to get a variance.
22 And I'll just ask, Mr. Gray, if you
23 could confirm that. I believe we spoke about
24 that in our e-mail about that. I think we've
25 confirmed that that is no longer part of the

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1 ordinance.
2 MR. GRAY: That's actually the
3 ordinance that you repealed in 2020.
4 MR. DOUGHERTY: And it wasn't replaced
5 with a larger fee?
6 MR. GRAY: No.
7 MR. PAUL COHEN: It was previously. So
8 it was a thousand dollar fee, then an ordinance
9 passed or maybe your fee schedule was passed that
10 increased it to 5,000, and then it was repealed
11 and my understanding now is that the borough is
12 considering a new ordinance that would
13 re-implement it, but it would have -- it wouldn't
14 be as wide open as it used to be, it would be
15 limited to a certain number of spots, but that is
16 not -- my understanding that has not passed yet.
17 MR. DOUGHERTY: So there is currently
18 -- refresh my memory. Currently how many seats
19 is the place zoned for currently?
20 MR. PAUL COHEN: The restaurant's
21 currently approved for 87 seats based on the last
22 zoning decision.
23 MR. DOUGHERTY: So you wanna add 13
24 seats?
25 MR. PAUL COHEN: Eighty-nine, I'm

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1 sorry.

2 MR. DOUGHERTY: So 11 seats.

3 MR. PAUL COHEN: It was 89 seat, we

4 originally proposed 18 new seats. We're now only

5 proposing 11. Part of that discussion came from

6 council's discussion, my client went back partly

7 because of the pandemic and jus because of the

8 arrangement in the restaurant, he was able to

9 determine that they don't have 89 seats

10 currently, they're fewer. I think somebody

11 actually asked that at the meeting and he

12 indicate that its got a dozen fewer seats

13 actually in the restaurant. So when adding the

14 new seats it's really only going to get us up to

15 a hundred.

16 MR. DOUGHERTY: Okay. So there are 89

17 or 87 now, there's some number like 78 or

18 something, but there's still going to be the same

19 number of seats proposed on the deck, sort of?

20 MR. PAUL COHEN: I think it's about the

21 same, yeah. The original application, I don't --

22 we may had a schematic where the seats are, but

23 it wasn't -- obviously just a design and

24 obviously tables move, but obviously with what

25 we're asking for, the presumption is that we are

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1 is Michael Gale with Genesis Investment

2 Properties. We are the group that owns the

3 property 8385 South Main. We are here today to

4 -- we're looking to demolish the existing

5 building and put up a new building. I know

6 that's a challenge. The reason that we're asking

7 for that is when we purchased the building

8 earlier this year, we discovered that it had been

9 owned by one family for quite some time, been

10 frankly neglected when it comes to maintenance.

11 So we've identified a number of issues in the

12 building and if -- if given the opportunity,

13 we'll present that information.

14 Right now the plan is to -- in light of

15 that is to bring the building down, reconstruct

16 it. We do propose to increase the use on the

17 residential side. Right now it is built as a

18 three unit commercial space. On the first floor,

19 one apartment below it, behind it on the first

20 floor, excuse me, and then one part on the second

21 floor. What we're proposing as the architect

22 will show briefly is two commercial units added,

23 so three on the first floor and then five

24 apartments in a -- on the second -- three

25 apartments on the third floor, two apartments the

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1 going to be limited to 100 seats in the

2 restaurant.

3 MR. DOUGHERTY: Nice round number, easy

4 to count.

5 MS. GERING: Any other questions from

6 council?

7 MR. DOUGHERTY: Does the 100 seats

8 include the bar stools?

9 MR. PAUL COHEN: Yes, it does.

10 MR. DOUGHERTY: So it's a hundred

11 places for people to sit down?

12 MR. PAUL COHEN: Correct.

13 MR. DOUGHERTY: Thank you.

14 MS. GERING: Any other questions?

15 Council staying neutral? All right.

16 Good luck at zoning.

17 MR. PAUL COHEN: Thanks you, folks.

18 MS. GERING: All right. Next on the

19 agenda 83-85 South Main Street.

20 MICHAEL GALE: Good afternoon my name

21 is --

22 MS. GERING: If you could take your

23 mask off when you speak, sorry, then put it back

24 on. Thank you.

25 MICHAEL GALE: Good afternoon. My name

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1 on the second floor. So we would raise by one

2 floor we're proposing and adding three

3 apartments. So that's very briefly what we're

4 looking for.

5 MR. DOUGHERTY: Can I ask a question?

6 MICHAEL GALE: Sure.

7 MR. DOUGHERTY: Steven Cohen the

8 architect, there's a letter dated August 15 here.

9 It says description of work, the letter -- what

10 is that the letter? Am I confused or are these

11 the apartment where the one apartment, first

12 floor, lower apartment you do down a couple steps

13 and then upper step, the other one you go up --

14 MICHAEL GALE: Correct.

15 MR. DOUGHERTY: -- a little --

16 MICHAEL GALE: Yeah, you're correct.

17 MR. DOUGHERTY: Well, it says here, the

18 apartments, as well as commercial spaces are in

19 need of significant repairs including... both of

20 those apartments are currently listed for rent in

21 realtor.com and they're totally rehabbed.

22 MICHAEL GALE: We have --

23 MR. DOUGHERTY: So I'm confused by this

24 statement versus what I see online, those

25 apartments are very nice and they say they come

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1 with one car parking and they're for rent right
 2 now. Are you renting them out?
 3 MICHAEL GALE: We are. So what we've
 4 done in the meantime rather than sit for perhaps
 5 quite a long time with vacant spaces, we went
 6 ahead and made a commitment to invest in those
 7 apartments to make them livable for now. So,
 8 yes, you're absolutely correct and there is
 9 parking onsite -- existing parking, we haven't
 10 changed anything.
 11 MR. DOUGHERTY: So each of those
 12 parking -- each of those two units come with one
 13 par -- do you know if the current zoning permits
 14 the three commercial spaces plus the two
 15 apartments?
 16 MICHAEL GALE: That I don't know. I
 17 believe it does not allow two apartments, correct?
 18 STEVEN COHEN: It allows, I think --
 19 MS. GERING: You can take your mask and
 20 speak, please. Thank you.
 21 STEVEN COHEN: Oh, sorry.
 22 THE REPORTER: And your name, please?
 23 MS. GERING: Microphone. Identify
 24 yourself, microphone, please.
 25 STEVEN COHEN: My name is Steven Cohen,

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1 STEVEN COHEN: It's a concept.
 2 MS. GERING: Are you aware where your
 3 building's located?
 4 STEVEN COHEN: Yes.
 5 MICHAEL GALE: Yes.
 6 MS. GERING: It's smack in the middle
 7 of the Historic District next to the Visitors
 8 Center.
 9 STEVEN COHEN: Yes.
 10 MS. GERING: And how do you envision
 11 this compound of five apartments being right
 12 there smack in the middle of the Historic
 13 Downtown District?
 14 MICHAEL GALE: Well, I'd like to
 15 address this comment.
 16 MS. GERING: Please, go ahead.
 17 MICHAEL GALE: I would like to think
 18 it's going to bring additional folks to the town
 19 to support the businesses for one and then also
 20 allow for a new safe facility for the commercial
 21 tenants downstairs on the first floor.
 22 MS. GERING: I'm sorry? You -- you
 23 feel the residential is going to bring more
 24 people into New Hope, is that what I heard you
 25 say?

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1 I'm an architect registered in Pennsylvania. We
 2 received a memo dated September 1st, we didn't
 3 get it until several weeks ago, like a week and
 4 half ago, but as I understand it, only one
 5 apartment is allowed.
 6 MR. DOUGHERTY: That's interesting.
 7 STEVEN COHEN: Yeah.
 8 MR. DOUGHERTY: So there's an illegal
 9 apartment that you're trying to rent. You're not
 10 allowed to rent that apartment, you understand
 11 that, right? You can't get a use and occupancy
 12 for it.
 13 STEVEN COHEN: That would be a -- it's
 14 a prior nonconforming, that's the way the
 15 building was it had --
 16 MR. DOUGHERTY: Well, there's
 17 difference between prior to nonconforming and if
 18 it was just an apartment squeezed into a basement
 19 and you don't just -- you have -- it will remain
 20 to be seen, how's that? So instead of that, you
 21 want to tear a building down and build five
 22 apartments instead of two back there, that's the
 23 gist of it?
 24 MICHAEL GALE: Yes.
 25 MR. DOUGHERTY: Okay. Thank you.

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1 MICHAEL GALE: Bring more -- more
 2 business, yeah, to the businesses in town,
 3 absolutely. And maybe even a place for the
 4 workers to live, so they stay here in town.
 5 MR. MEYER: If I may?
 6 MS. GERING: Go ahead, Peter.
 7 MR. MEYER: All right. I'm simply
 8 dealing with the memo that we received from our
 9 zoning officer when this process started and I'm
 10 quoting -- and I could have done this from
 11 several other sources -- "building's within the
 12 Historic District shall not be demolished unless
 13 the applicant has demonstrated that the buildings
 14 cannot be adapted and used for the use intended
 15 or for any other permitted use."
 16 I do not see in the materials that
 17 you've provided to us any documentation of this
 18 demonstration that the buildings cannot be
 19 adapted, given what I just heard about the fact
 20 that two of the apartments are being offered for
 21 rent right now. It strikes me as further
 22 evidence that perhaps the buildings can be
 23 adapted, and if you can't demonstrate that, it
 24 doesn't matter what the sketch plan looks like,
 25 you're not going to be able to get through the

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1 process. So what evidence do we have?
 2 MICHAEL GALE: Well, I don't -- I
 3 understood this was a preliminary meeting, but I
 4 have had our structural engineer look at that and
 5 they prepared to submit the report.
 6 MR. MEYER: All right. Because you're
 7 also going to be in violation of exceeding the
 8 5,000 square feet, when I went through the
 9 diagram and added up the square footage of the
 10 building in question and it sort of continues on
 11 from there. You know, there are a whole series
 12 of issues with regard to what you submitted in
 13 terms of things that are in conflict with the
 14 historic preservation intended in the HARB
 15 District.
 16 And I guess the question I have for you
 17 is, you know, I mean, do you recognize what in
 18 fact you're facing there? Because there are an
 19 awful lot of problems with this proposal as it
 20 sits before us in terms of violating the zoning
 21 that applies there, the question of tearing
 22 something down in the Historic District,
 23 demonstrating that it needs to be torn down and a
 24 variety of other things. I might add, by the
 25 way, that you indicated somewheres in your

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1 your project.
 2 MICHAEL GALE: May I ask one question
 3 first?
 4 MS. GERING: Sure.
 5 MICHAEL GALE: Is it preferable to
 6 leave the building that's there and do the best
 7 we can with it? I mean, is that what we want in
 8 the historic district?
 9 MS. GERING: Well, the building could
 10 be rehabbed. There's room in the back that you
 11 could probably do an addition for apartments
 12 without tearing it down. I'm very familiar with
 13 your property, so I know there's land in the back
 14 and that -- that wasn't enticing, I'm sure, but
 15 you could probably do an addition and do
 16 something back there without tearing the building
 17 down and massive -- putting in a massive
 18 compound. Again, like I said, I'm only one voice
 19 on this council.
 20 MICHAEL GALE: I understand and I'm
 21 sure you do from our perspective as property
 22 owners, you know, the amount of investment to
 23 rehab, you know, may not make sense to do, you
 24 know, what you're suggesting. So, you know, I
 25 guess my concern is, you know, do we just put

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1 application that the basement that is accessible
 2 from the woodshop contains hot water heating
 3 units, if I remember correctly. It actually
 4 contains the five gas fire heating units, but
 5 that's another matter, that's a minor detail.
 6 So please proceed, but I mean, these
 7 are the things that I see as the barriers.
 8 MICHAEL GALE: I appreciate that. And,
 9 yes, to answer your question, I knew what kind of
 10 bottle that we would facing would be uphill, but
 11 I'm not going to get anything without asking this
 12 stuff that's why we're here. Does it make sense
 13 at this point for Steve to show what he's brought
 14 or does it not make sense?
 15 MS. GERING: I personally am totally
 16 against your project and I'm only one voice on
 17 this council, so I have to hear what rest of
 18 council feels like. I don't feel that we can
 19 come in and start tearing buildings down in a
 20 Historic District and put massive compounds
 21 there, especially with five apartments and then
 22 you're gonna allow parking back there. You're in
 23 the heart of the district next to the Visitors
 24 Center. So I'm only one voice, maybe we can hear
 25 what rest of council, but I am totally against

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1 band-aids on it and keep it in place for the sake
 2 of preserving the historic district or do we do
 3 something that puts a brand new facility and has
 4 it preserved for perhaps a hundred years.
 5 MS. FEDER: Connie, may I comment on
 6 that?
 7 MS. GERING: Yes, please.
 8 MS. FEDER: So thank you for sharing
 9 the plans, it was nice to review them. I will
 10 say to your question, part of the reason we have
 11 the historic district is so that the answer to
 12 that question is, yes, we are trying to preserve
 13 the buildings in the Historic District in town.
 14 Of course, people other wise would look at some
 15 of these properties and say, well, they're much
 16 more profitable if they're much larger or
 17 entirely different than what is there; but
 18 because we have a historic district with the
 19 mission of preserving the essential character of
 20 town, that is why if you take on a property in
 21 that district, the expectation is that you're
 22 honoring the character of the building and also
 23 the sense of place.
 24 With five apartments going in, in the
 25 heart of downtown New Hope, but also the heart of

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1 the historic district, it's really hard to look
 2 at the plan and consider it as even an maybe
 3 because you're in -- because we have that part of
 4 the ordinance there, that you don't tear down the
 5 building unless the building is literally unsafe
 6 to habit, which is, we've all discussed, it's
 7 not. Those businesses also have been there for a
 8 long time, so it's not like we're dealing with
 9 some vacant, forgotten, falling down building.
 10 This is a building that people know really well,
 11 is used by, you know, different shareholders in
 12 the town, right, we have merchants and we have
 13 people who want to rent.
 14 So just to be blunt when you're saying,
 15 is the question would it be better to rehab a
 16 building in the historic district, then the
 17 answer is yes. Am I --
 18 MR. DOUGHERTY: That's right.
 19 MR. MEYER: Thank you, Louise.
 20 MR. MAISEL: I'd like to add something.
 21 Connie, I'd like to add something.
 22 MS. GERING: Okay. Ken.
 23 MR. MAISEL: I think the -- I think
 24 what has been said by the other council members
 25 is -- is absolutely so and I think it's a -- and

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1 oppose this.
 2 MICHAEL GALE: All right.
 3 MS. GERING: Good luck.
 4 MS. McHUGH: Thank you for coming in.
 5 MR. DOUGHERTY: I have a question, more
 6 of a technical question, I guess, for our
 7 attorney. It sounds like this applicant intends
 8 to continue to go to zoning, is that -- is that a
 9 fair statement? Are you gonna -- what's your
 10 next step? Are you intending to go to the zoning
 11 hearing board?
 12 MS. GERING: No, this conceptual.
 13 MR. DOUGHERTY: This is just -- so
 14 there's no formal -- do we need to put together a
 15 formal response, I guess, is the -- at this
 16 point, other than the feedback we've given?
 17 MR. GRAY: This is just for a sketch
 18 plan at this time, so there's no requirements.
 19 MR. DOUGHERTY: Okay. Thank you. I
 20 just wanted to make sure we weren't forgetting to
 21 do something if we had to. Thank you.
 22 MS. GERING: Thank you. Good luck,
 23 guys.
 24 Next we have 8-10 Waterloo for a sketch
 25 plan review.

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1 I say this respectfully, it's kind of a specious
 2 argument to say would you rather have it this
 3 versus, you know, by doing what it is that you
 4 want to do. And I think that there is something
 5 in between where, of course, we'd rather not have
 6 facades of downtown New Hope deteriorating and --
 7 and would love to see them freshened up in a
 8 meaningful way; but I don't where you have it or
 9 where you're taking it currently, and where it
 10 is, is the argument. Maybe it's something in
 11 between what Connie has indicated, you know,
 12 something that can be made viable for as an
 13 economic endeavor versus what you're
 14 contemplating. So personally, I don't think it's
 15 worth looking at the plans as they exist now
 16 until your engineering report indicates something
 17 or -- or there's a change of the landscape.
 18 MICHAEL GALE: I appreciate that.
 19 Thank you.
 20 MS. GERING: Laurie, or, Tina, you have
 21 any comments?
 22 MS. McHUGH: No. I'm in agreement with
 23 rest of council, it's an historic building.
 24 MS. RETTIG: Absolutely.
 25 MS. GERING: So unfortunately we'll

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1 MR. JOHN VanLUVANEE: Good afternoon.
 2 John VanLuvanee with Eastburn and Gray.
 3 MS. GERING: Nice to see you again.
 4 MR. JOHN VanLUVANEE: Nice to see you
 5 again. Let me just give you a little bit of
 6 background here. I represent a limited liability
 7 company, Barcore (phonetic), LLC. The principles
 8 are Art Corsini and Dr. John Marcus, those two
 9 gentlemen in the back. They purchased the
 10 property in May of this year from Gale Pedrick
 11 who had been a long time resident. With
 12 conditions of the -- the sale Ms. Pedrick
 13 continues to live there for a period of time
 14 while my clients evaluate the property and
 15 determine how they are going to proceed.
 16 About a month and a half ago, I think
 17 it was, we met with Peter and Michelle and
 18 Barbara Kirk to explain what would preliminarily
 19 makes the most sense with this project based on
 20 -- well, for this property, based on what we know
 21 and what we expect to find as we explore it
 22 further.
 23 During that meeting, the next step that
 24 was suggested to us is that we submit our plan
 25 and have Michelle review it, which is why you

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1 have a review letter in front of you. We have --
2 we're not surprised by any of the conclusions
3 there, we've done our evaluation and frankly, we
4 have no problem with any of Michelle's statements
5 and conclusions.

6 I also want to make it clear that we
7 understand what our burdens are. We understand
8 that we need to and will be supplementing a
9 structural engineering report. If you read
10 through that report, Michelle accurately
11 characterized it, but what he said in the
12 beginning is this was a walk-through, the
13 properties were both occupied and weren't able to
14 do a detailed evaluation. We weren't able to get
15 on the river side, so we know we have to come up
16 with a much more inclusive and conclusive
17 structural engineering report before we really
18 formulate a hard and fast decision.

19 We are, however, convinced based on
20 discussions with the -- with our consultants that
21 the -- it's going to be, in our opinion, we think
22 we will be able to meet our burden of proving
23 that it is not feasible to rehabilitate the
24 property. Let me speak to that just basically.
25 And again, I'm not the expert and we'll have to

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1 square feet, the other one is 4700. So, yes, if
2 we make the one lot bigger then we have to make
3 the other one smaller since they're both
4 nonconforming that generates the variances. Your
5 ordinance also basically requires variances if
6 you're going to raise a building rather than
7 trying to rehabilitate it, that triggers a number
8 of the other variances that Michelle identified.

9 So we're aware of our burden. We think
10 we're going to be able to meet it. Peter
11 suggested we come before you. It's not a formal
12 sketch plan review, there's no decision that you
13 have to make. We haven't filed an application to
14 the zoning hearing board, but we are asking for
15 preliminary feedback.

16 We believe that our situation is very
17 similar to the property immediately to the south
18 of 8 and 10 Waterloo, which recently went through
19 the process to get approval to tear down an
20 existing structure and build a new building. The
21 architectural style Mr. Louis had come up, I
22 think is consistent with what was approved in the
23 property next door, I believe.

24 Peter, have they all seen the stuff we
25 submitted?

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1 prove what I'm about to tell you, but it's our
2 evaluation that in order to address the issues
3 that were identified in the structural report,
4 preliminary report that we had, if we tried to
5 proceed with fixing that up it would constitute
6 substantial improvements to both of these
7 buildings which would require that they be raised
8 above the flood plain elevations.

9 If you read the report, the foundations
10 are essentially stone, brick rubble. We think
11 that our structural engineer will be able to tell
12 us that it is not feasible to attempt to raise
13 these buildings given their proximity to the
14 river, but that's our burden, we recognize that.
15 If we can't prove it, then we haven't met the
16 criteria in your ordinances and we're fully aware
17 of those.

18 With respect to the configuration, this
19 makes the assumption then that we obtain the
20 approval to build a new building, buildings on
21 the property. The variances that were identified
22 are essentially in an effort to balance these two
23 lots to make two lots essentially the same size.
24 If you looked at the existing configuration, one
25 of these lots today is only -- it's what? 1431

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1 MS. GERING: Mr. VanLuvanee, I got to
2 stop you. You are 8-10 Waterloo, what property
3 are you discussing that got approvals? I'm kind
4 of missing the boat here too.

5 MS. MCHUGH: Yeah, me too.

6 MR. JOHN VanLUVANEE: It's similar to
7 the one to the south of us.

8 MR. MAISEL: The last one.

9 MS. GERING: You lost me. I'm sorry.

10 MR. JOHN VanLUVANEE: I apologize for
11 that, that was not intentional. No, what we're
12 saying is Mr. Louis in his work has studied the
13 one next door, we're familiar with the process
14 and we think we're proposing something that is
15 consistent with what was done on 12 Waterloo.

16 MR. DOUGHERTY: Similarly -- may I?

17 MS. GERING: Please.

18 MR. DOUGHERTY: Similarly, just -- you
19 know, this is very colloquial, kind of. The
20 property just to the north of it on the other
21 hand, was not torn down; in fact, it was raised.
22 It was raised up. So for every and analogy that
23 could be created to the property on its right,
24 the property on its left facing the river, that
25 property, which was three -- I think it was three

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1 units or four townhouses were collectively
 2 lifted. So I think the fact that a house in the
 3 proximity of a house was torn down, I don't know
 4 what -- I don't know what that means as far as
 5 validating this approach.
 6 MR. JOHN VanLUVANEE: All I said was,
 7 Mr. Dougherty, if it meet our burden and obtain
 8 approval to tear it down then what we're
 9 proposing would be consistent, in our opinion,
 10 with what was done on 12 Waterloo. I wasn't
 11 making a leap of faith and saying that just
 12 because it happened next door, we should be able
 13 to shortcut the process. I wasn't suggesting
 14 that.
 15 MR. DOUGHERTY: Well, I guess my
 16 question this -- to Pete.
 17 This is in historic district, is it or
 18 not?
 19 MS. GERING: Yes.
 20 MR. JOHN VanLUVANEE: Yes.
 21 MR. DOUGHERTY: So the house itself is
 22 of age, it's not a 1960s contemporary property,
 23 it is a very, very --
 24 MR. JOHN VanLUVANEE: There's no
 25 question about that.

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1 inspector. And they looked at that and said,
 2 well, that's okay, we'll buy it anyway and what
 3 we're going to do is tear it down anyway, 'cause
 4 that's -- if you bought it in May and you're here
 5 in September, October, that's what that means, I
 6 think. They didn't go in and say after looking
 7 around real closely we've decided we have to tear
 8 it down. They bought with the intent of tearing
 9 it down.
 10 MR. JOHN VanLUVANEE: They bought it
 11 with the expectation that they were going to be
 12 able to demonstrate that that is the only
 13 feasible way to renovate the property.
 14 MR. DOUGHERTY: I think that's a 7/10
 15 split.
 16 MR. JOHN VanLUVANEE: But that's not --
 17 that's not a legally relevant issue.
 18 MR. DOUGHERTY: No, I'm just trying to
 19 get some of the background, just like the
 20 background of the house next door was -- was torn
 21 down, that's background. It just doesn't really
 22 -- I was trying allude that --
 23 MR. JOHN VanLUVANEE: Another thing --
 24 MS. GERING: Mr. VanLuvanee, we're back
 25 to the same situation that we had with the

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1 MR. DOUGHERTY: -- old structure.
 2 MR. JOHN VanLUVANEE: It's an old
 3 structure.
 4 MR. DOUGHERTY: A very old structure.
 5 MR. JOHN VanLUVANEE: Old structure
 6 that's --
 7 MR. DOUGHERTY: And it's part of the
 8 Historic --
 9 MR. JOHN VanLUVANEE: -- been
 10 renovated.
 11 THE REPORTER: One at a time, please.
 12 You guys are talking over one another.
 13 MR. JOHN VanLUVANEE: I apologize.
 14 MR. DOUGHERTY: So my question is, the
 15 current owners of the property, they bought it?
 16 Roughly, and I don't need the month and date.
 17 MR. JOHN VanLUVANEE: May of this year.
 18 MR. DOUGHERTY: So I would imagine
 19 typically such people get a home inspection and
 20 they probably found out a lot about this stuff.
 21 Then they moved forward and purchased the place
 22 with the idea that this stuff that's in this
 23 engineer's report probably looks an awful lot
 24 like the stuff that's in the home inspector's
 25 report. I'm assuming that they had a home

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1 project for Main Street. You're coming in,
 2 you're buying a property in a Historic District
 3 and because it's not financially feasible for you
 4 to get -- make the money that you would like,
 5 your first request is, we're going to tear it
 6 down. Again, you're in a Historic District,
 7 you're also on the river. There's been other
 8 houses that have been preserved along there and
 9 then again, on this council, I'm only one voice.
 10 I'm totally against you tearing this property
 11 down. If you just bought it, then you need to
 12 find a way to preserve it and reconstruct it so
 13 it is doable for you, in my opinion.
 14 MR. JOHN VanLUVANEE: I'm not the least
 15 bit surprised to hear you say that.
 16 MS. GERING: Anyone else on council?
 17 MS. RETTIG: I agree. Honestly, I have
 18 to just say, I'm getting a little bit tired of
 19 hearing people come before council to say, we'll
 20 we bought a historic property we're in the middle
 21 of the historic district, the house is old and
 22 it's more feasible for us to tear it down and
 23 rebuild than it is for us to rehabilitate. When
 24 you buy a house that's old in the historic
 25 district, you know what you're getting.

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1 MR. JOHN VanLUVANEE: We do. There's
2 no question, we know what our burdens are. The
3 clients who bought the property they didn't
4 understand procedures and didn't know their
5 burden. That is our burden to prove, but we're
6 presenting the project as we see it and as I said
7 assuming approval to raise the structure is
8 obtained from your processes, that's the plan
9 down the road. I'm not asking you today to tell
10 me you like the idea of tearing it down. That's
11 our burden to show you that we don't have an
12 alternative.

13 MS. FEDER: I'd just like to chime in.

14 MS. GERING: Please.

15 MS. FEDER: I agree with Tina that I
16 think it's the same issue we were talking about
17 earlier. I think all of our expectations, as a
18 Historic District, we need to make sure we're
19 preserving the buildings in the historic
20 district. Aside from that, though, I did want to
21 take a look at the plan. There was a comment
22 that it looked like it was in keeping with the
23 style of the building at 12 Waterloo Street, is
24 that what you had said?

25 So that building, just in my

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1 unfortunately, so thank you so much for
2 accommodating me, Connie, and council.

3 This is the -- this is the update we
4 committed to, I think it was back in May we said
5 we'd give another update. If you recall those
6 who were on the phone call at the time, we
7 pointed -- it was pointed out that many of the
8 year-to-date numbers when you look at a cash
9 accounting system, they could say, well, look,
10 there's -- it looks like real estate taxes are
11 zero and you can't -- I pointed out that if
12 you're halfway through the year on some of the
13 things that are not periodic in nature, like the
14 collection of real estate taxes, the payment of
15 the police non -- the police uniformed pension
16 plan came in for \$227,000, those types of things,
17 they occur pretty much all at once or once over a
18 two-month period.

19 It might about zero, zero, zero and
20 then all the money comes in because of the nature
21 of when the payment occurs or vice versa, could
22 be zero, zero, zero and then boom, an expense
23 hits for exactly the amount that's budgeted.
24 That's why it's kind of hard to do a projection.
25 You really gotta be careful at looking at the

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1 understanding of it walking through town, that's
2 sort of a modernized barn type structure. This
3 is completely different style. It's also got a
4 lot of windows looking out on to Waterloo Street.
5 It changes the pedestrian experience going down
6 that street pretty dramatically and hides an
7 awful lot of the river. So when we're talking
8 already making the extraordinary deed of tearing
9 down a home in the heart of the historic district
10 and building something new this is also something
11 just drastically very, very different.

12 MR. JOHN VanLUVANEE: We appreciate
13 that, 'cause we know we'll take plan through HARB
14 if -- if get to that point, we understand that.

15 MS. GERING: Any other comments? Ken?

16 MR. MAISEL: No.

17 MS. GERING: Well, good luck guys.

18 MR. JOHN VanLUVANEE: We'll probably
19 see you again at some point.

20 MS. GERING: I'm sure you will. Take
21 care.

22 All right. Next we're going to have
23 Dan Dougherty is going to give a financial brief
24 report as he had promised.

25 MR. DOUGHERTY: I have a hard stop

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1 numbers, what's behind the numbers and that's why
2 we gave -- we did so much work to try to explain
3 it in the May update, which was I believe though
4 April 30, I don't have the memory, as to where we
5 stood on a year-to-date basis, as well as on a
6 projected basis as to how we were performing from
7 a revenue and expense perspective against the
8 budget.

9 So I'm here tonight to explain how
10 we're doing again, an update, which we committed
11 to, this is what we're doing and these -- the
12 actual year-to-date figures against will be
13 posted on our websites for those people who want
14 to delve into any of the numbers, so there's no
15 -- it'll be out there. So through August 31st an
16 overall we -- on a top line basis, the revenue is
17 exceeding our budget. Our revenue items are
18 exceeding budget on a top line basis. Now,
19 there's a lot of different pieces, there's 30
20 different pieces of revenue. Some are doing
21 better than others, a couple of minor ones are
22 like, you know, we expected \$8,000 by the end of
23 the year and we only have 2 as of August. So,
24 you know, we could dive into every single one of
25 them, but on an aggregate basis for revenue,

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1 year-to-date and on projected basis, we expect to
 2 exceed budget. So that's good news.
 3 Expenses are actually, what we spend,
 4 are under control and we think that they're going
 5 to come in, in the aggregate right at budget. So
 6 thanks to the hard work of Mr. Gray and his
 7 staff. Personnel and police expenses
 8 specifically, which represent 2.7 million of our
 9 \$4.2 million, are tracking slightly lower than
 10 where we would -- where we had budgeted for. So
 11 if something that's 2.7 million out of your 4.2
 12 million of your expense is doing well above that,
 13 that's a big help for anything else that might
 14 happen. And the fact that revenues are exceeding
 15 budget, we're gonna be in good shape by the end
 16 of the year, that's really the takeaway.
 17 Specifically, those items where the
 18 revenue, the year-to-date revenues, are already
 19 over the annual budget that we expected to get
 20 for those items, are property taxes. So our
 21 property taxes, the receipts, the revenue, have
 22 already exceeded the budgeted amount by 4,000.
 23 Most property taxes have been paid by now, but
 24 there will be some people that will dribble in
 25 because some people pay them a little later and

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1 we expected on the New Street improvements on the
 2 Visitors Center, about \$5,000. And our law
 3 budget, law budget is exceeding, we have a number
 4 -- as you saw the individuals that were here
 5 before us this evening, each one of the people
 6 who come before us, when we collectively decide a
 7 decision relative to a zoning matter or an issue
 8 such as that, we have to employ a lawyer to argue
 9 our case. It seems to me, this is an
 10 observation, a personal one, that we have at
 11 least 15 developers in this town right now who
 12 are pushing, to be generous about it, pushing the
 13 envelope to extremely levels. We have to respond
 14 to those situations. The only way we can do it
 15 when we go and represent our interests in front
 16 of the zoning hearing board, is by hiring a
 17 lawyers. And that's what we think is a good
 18 portion of why the law fees are where they are.
 19 Positive things on the project --
 20 everything I mentioned just there was
 21 year-to-date relative to the budget. Now, I can
 22 project, in other words, take what I think is
 23 going to happen between August 31st and the end
 24 of the year on some of these revenue and expense
 25 items; and it's not a science, but I'm pretty

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1 that type of thing. We think that disposition of
 2 real assets plus other changes are all together
 3 that's going to be about a \$20,000 positive thing
 4 on the revenue side.
 5 Now, on the other side, we have
 6 interest income, we expected interest income. We
 7 had it in there as \$10,000, it's no -- there's no
 8 -- no secret that trying to get interest in any
 9 kind of money in our funds, it's very low, it's
 10 virtually nil. And it's not something we can fix
 11 because we can't demand interest, so we expected
 12 10,000, that number's going to be closer to
 13 2,000, so that's a negative thing. But in the
 14 aggregate because of our parking revenue and our
 15 parking tickets, I'll be frank about it, parking
 16 tickets and our kiosks and all those things, we
 17 expect to have our revenue exceed our budget by a
 18 fair amount. Not what's a fair amount? Not
 19 really prepared to say a number yet, because we
 20 only have through August 31st, but it's not gonna
 21 to be, it's gonna be more than 50 or \$60,000 of a
 22 \$4.2 million. So revenue's very strong and
 23 expenses are tracking to budget.
 24 Now, on the -- on a negative side of
 25 the expense side, we did spend a little more than

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1 good at it, I guess. Enabling taxes. Right now
 2 right now the enabling taxes are running at 95
 3 percent -- enabling taxes is earned income tax --
 4 Pete, what are -- it's EIT --
 5 MR. GRAY: Real estate transfer tax.
 6 MR. DOUGHERTY: Real estate transfer
 7 tax.
 8 MR. GRAY: Earned income, EIT; business
 9 privilege tax.
 10 MR. DOUGHERTY: BPT, which is the 365 a
 11 year per business.
 12 MR. GRAY: And the local service tax.
 13 MR. DOUGHERTY: And a local service
 14 tax, which is marginal, but those things
 15 together, especially EIT and the real estate
 16 transfer tax, are a large number. Off the top of
 17 my head, I don't want to mess it up, but it's --
 18 we have projected \$1.8 million of our \$4.2
 19 million budget and we are currently practically
 20 at as of August 31st, the \$1.8 million, we're at
 21 95 percent of budget on the revenue on that. And
 22 that's because the earned income taxes are strong
 23 and also it's because of the real estate transfer
 24 taxes are very strong.
 25 So we expect that revenue line item or

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1 it could be projected, the fact the revenue line
 2 item could run high by a quarter million dollars
 3 by the end of the year, so -- and that's just the
 4 -- it's the half of one half of one percent of
 5 earned income that comes out of people who --
 6 residences -- residents, I'm sorry -- residents
 7 who live here, wherever they work, they have to
 8 pay a half of percent of their earned income. So
 9 if somebody makes \$10,000, they pay \$50 of that
 10 to us. That number comes to \$1.8 million and
 11 we're probably gonna be around \$2 million by the
 12 time it does things.

13 Fines, which are tickets, parking
 14 tickets generally speaking, which we suspect the
 15 vast majority are paid by non-New Hope residents.
 16 We can probably get more detail on that. That's
 17 my opinion by the way, that's not a fact
 18 necessarily; but those are already at 99 percent
 19 of budget. We still have four months to go
 20 September, October, November, December, so that's
 21 going to be -- that alone could be a \$75,000
 22 gain.

23 The zoning sales publications, every
 24 one of these people who comes before us that
 25 wants to put five apartments where there are

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1 The only other update I have is that our bond
 2 issuance, which is going to be finally approved
 3 at the next meeting, is going result in
 4 substantial savings. And I will be able to
 5 provide a comparison of our debt as a borough to
 6 the surrounding communities and there really is
 7 no comparison. We -- we currently pay somewhere
 8 less than four percent of our budget for debt
 9 service, that's principal and interest. They are
 10 localities around here are paying 20 and over 25
 11 percent of all of their revenue is going to pay
 12 for their debt, and our debt is actually dropping
 13 and we're taking a nickel of debt out in a long
 14 time. And we think we're going to basically be
 15 able to reduce this debt, both the interest and
 16 everything else, from 13 years of 185,000 down to
 17 8 and a half years at 162,000.

18 And we also are using \$550,000 cash to
 19 through against the outstanding \$1,673,000 of
 20 debt. That's the only debt we have and that debt
 21 was taken on, it's about \$2.9 million to fix this
 22 building we're sitting in, to buy it and make it.
 23 So that's what that debt was for and the police
 24 station and all that stuff. That was a long time
 25 ago, but we've been chomping away it and not

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1 currently one legal one, they have to pay zoning
 2 fees and whatnot. That's running at 92 percent
 3 of the year of the budget. All these numbers
 4 should be 66 percent of the budget, if you think
 5 about it, 8 months instead of 12 months is 6 --
 6 two-thirds of the year. So zoning sales
 7 publications are currently at 92 percent.

8 Public safety running at 84 percent,
 9 that's expected to through 30 -- probably result
 10 in a \$30,000 variance, a positive variance. And
 11 the downside, the law, the legal fees that we are
 12 using to basically address and --

13 MS. McHUGH: Protect.

14 MR. DOUGHERTY: -- protect, that's a
 15 good word, with the massive number of buildings
 16 that are going up and massive size of them, it --
 17 it takes every bit of our staff's focus and to
 18 keep track of this and you need attorneys to do
 19 that. I mean, a lot of people here, why didn't
 20 council stop this development or that
 21 development? We are doing everything we can to
 22 not stop the development, but make sure the
 23 developments are fair and proper, and that takes
 24 legal fees.

25 That is really -- that's the update.

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1 taking any additional debt out. And it was a
 2 capital project, so it's a good thing to take
 3 debt out for that.

4 So I think we -- I think it was 2.9
 5 when it started. It will be 1.2 million
 6 effective December 1, because we're going to
 7 throw \$550,000 at it to -- when we refile the
 8 bond at the same time, and that's also going to
 9 cut the duration by a third, how long we gotta
 10 pay it. And I think that's it for today.

11 Next update we would provide you an
 12 update on the police pension fund, which I can
 13 tell you right now, without hesitation, it
 14 represents a far, far lower, smaller portion of
 15 our budget than any surrounding community and it
 16 is well funded. Thank you.

17 Does anyone have any questions?
 18 Council and then --

19 MS. GERING: Nice job.

20 MS. McHUGH: Thank you. I sleep better
 21 at night knowing that our debt is being taken
 22 care of.

23 MS. GERING: Thank you.

24 MS. McHUGH: We are not like the
 25 surrounding areas. When was the last time w

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1 raised taxes?
 2 MS. GERING: Seven years ago.
 3 MR. MEYER: Seven or eight.
 4 MS. GERING: Okay. Guys, we're on a
 5 role here, so we can get everybody out so they
 6 can have dinner with their family. We're under
 7 public comment.
 8 Is there anyone who would like to make
 9 a public comment? The gentleman in the back,
 10 please come up here, your full name and your
 11 address.
 12 MELVIN BAND: My name is Melvin Band.
 13 For the last 18 years I've lived in Solebury, 413
 14 Jason Court. And the reason I'm here -- in fact
 15 I didn't even expect to speak. We had a
 16 fantastic financial report and even though I'm in
 17 Solebury, we're all in the same boat. One end of
 18 the boat, the borough council, the other end of
 19 the boat, the Solebury Supervisors. And you're
 20 doing a fantastic job, but it's the middle that
 21 we're sinking like a sinkhole and that's the
 22 school board. And basically 95 percent of the
 23 time I go and I would implore you come --
 24 In fact, I believe, Mrs. Gering, you
 25 did come and Mr. Maisel once and like wow and you

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1 a few questions more clarification than anything
 2 else. On the legal expense that's 227 versus the
 3 88, I understand the rationale behind that, no
 4 criticism. Does that mean that that coverage has
 5 to be made up in other expense categories? In
 6 other words, we forego other things that had been
 7 planned to be spent by?
 8 MR. DOUGHERTY: I could -- I can answer
 9 the fact the way municipalities and even the
 10 council budgets work, et cetera, it's not the
 11 other things won't get done, it's that you hope
 12 when you budget, the budget process does the best
 13 job it can -- this budget was adopted last
 14 November, et cetera --
 15 BILL CLAPPER: Dan, excuse me, would
 16 you mind -- I can't understand.
 17 MR. DOUGHERTY: Sorry about that. So
 18 what hope for is in the aggregate, the top line
 19 that those things that are -- that are -- develop
 20 negatively, so basically if the law comes in too
 21 high, that you do the best you can at budgeting
 22 every single item based on all your knowledge of
 23 the past and upcoming future. Things are not
 24 going to work out that way, it's impossible math
 25 -- statistically. So what you hope for if you've

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1 get an education on how not to run a system.
 2 And there's a financial meeting every
 3 month. At the end of this month there's a school
 4 board meeting and you give your input and see
 5 what's going on. They spend money like there's
 6 no tomorrow. You know what? No problem, we're
 7 sell our bonds and we had 28 million -- \$28.5
 8 million renovation a few years ago, they sold the
 9 bonds in one week, but whose to know. Oh, it's a
 10 terrific community, the scores are high, the
 11 people are wealthy and there's only double AA
 12 graded, so -- and they expect to do it again.
 13 And then when the bonds are due, no problem,
 14 we'll sell more bonds, okay. And you know what I
 15 call that a educational financial scheme, it's
 16 look a bondsy scheme. So hopefully you can come
 17 to the meetings. And if they want to come here,
 18 they'll get a lesson too on how to run a proper
 19 system. That's all.
 20 MS. GERING: Thank you so much.
 21 I see another hand up, Mr. Clapper,
 22 come on.
 23 BILL CLAPPER: Good afternoon,
 24 everyone. Bill Clapper, North Main Street, New
 25 Hope. Thanks, Dan, for that report. I just had

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1 done a good enough job, that other variations are
 2 going to occur, either in the revenue side or on
 3 the expense side, where expenses are going to
 4 come in less than you expect them. And so there
 5 are enough things inside -- so, for example, the
 6 personnel costs, which were -- which include the
 7 general administration, the finance -- our
 8 finance department, which is one person and the
 9 police department, I previously mentioned that
 10 that's \$2.7 million, that is currently through
 11 August 31st running at 61 percent. In other
 12 words, year-to-date was 61 percent on those three
 13 different areas. Normally those would be 66
 14 percent and just because of very careful planning
 15 and very careful head count management and really
 16 careful overtime management, the number's not
 17 coming in at 66 percent.
 18 So five -- the difference is five
 19 percent, sixty-six versus sixty-one. Five percent
 20 of this number that's \$2.7 million, so \$135,000
 21 so far this year that that thing is light, if you
 22 will, and on a projected basis that thing could
 23 run \$180,000 below what we thought it would run.
 24 Instead of 2.7 million, it might be 2.52.
 25 MR. BILL CLAPPER: Sure.

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1 MR. DOUGHERTY: So that -- what you
 2 hope for is that these things will balance one
 3 another out. So it's not going to be a function
 4 -- to answer your question, it's not going to be
 5 a function of, oh, that means we're not going to,
 6 you know, get to and be able to pay for these
 7 other things that we're planned for. There's
 8 enough -- there's enough --

9 BILL CLAPPER: There's enough --

10 MR. DOUGHERTY: -- offsets that it will
 11 be -- I can't -- I don't have a crystal ball,
 12 we're going to have three more hurricanes, you
 13 know, or something between now and then, but
 14 everything I can tell, I'm pretty close to
 15 numbers, I feel very confident that we will have
 16 a slight budget surplus by the end of the year.

17 BILL CLAPPER: I didn't hear you say,
 18 Dan, when you were talking about the EIA at 95
 19 percent --

20 MR. DOUGHERTY: EIT.

21 BILL CLAPPER: -- of the rev -- are you
 22 expecting more EIA monies between now and the end
 23 of the year?

24 MR. DOUGHERTY: Earned income tax, it's
 25 the earned income tax.

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1 BILL CLAPPER: And that gets in the
 2 fourth quarter or the first quarter of the
 3 following year.

4 MR. DOUGHERTY: It depends, I don't know
 5 how quickly it comes out of someone's paycheck,
 6 it's mechanics, but it -- there's -- it's always
 7 gonna roll from one quarter to the next.

8 BILL CLAPPER: Okay. Another question
 9 I have is, how did we treat the \$500,000 revenue
 10 from the lease account, was that income or is
 11 that going into a capital budget or how would you
 12 plan to handle that.

13 MR. DOUGHERTY: Well, it's not, it's an
 14 off-budget item, because obviously we didn't
 15 budget to get \$525,000, we didn't. We didn't
 16 necessarily say, sell that and get that money, so
 17 it's all budget and it goes into our capital
 18 account, capital reserve account.

19 BILL CLAPPER: That's reserve.

20 MR. DOUGHERTY: It's not factored into
 21 -- if we were just using that money to offset
 22 things, wouldn't be very nice. No, it's been put
 23 aside just like anything else. In effect,
 24 though, Bill, remember when I mentioned there's
 25 \$500,000 being thrown against the bond? Remember

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1 BILL CLAPPER: Right.

2 MR. DOUGHERTY: So they -- people get
 3 paid every week, two weeks, three weeks, et
 4 cetera, it comes out of their pay check and gets
 5 remitted to us continually.

6 BILL CLAPPER: That's what I didn't
 7 know, how -- is that not remitted like on a
 8 quarterly basis or is it --

9 MR. GRAY: Quarterly.

10 MR. DOUGHERTY: Quarterly, okay.

11 BILL CLAPPER: Quarterly basis, so we
 12 have one more quarter --

13 MR. DOUGHERTY: Yes.

14 BILL CLAPPER: -- of revenue to go?

15 MR. DOUGHERTY: And what happens --
 16 frankly, we're not supposed to do question and
 17 answers, but what happens also is when people get
 18 bonuses -- some of these pharmaceutical, some of
 19 them -- not to pick on the, but somebody gets a
 20 bonus, a \$2 million bonus, we get a half a point
 21 of that.

22 BILL CLAPPER: Right.

23 MR. DOUGHERTY: It's a big number, so
 24 that's what happens and bonuses are usually paid
 25 in the fourth quarter, often.

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1 how it was 1.78 million toward the bond, now it's
 2 one two two five?

3 BILL CLAPPER: Correct.

4 MR. DOUGHERTY: We sent -- we're going
 5 to send them \$500,000 effectively, you kind of
 6 could say that's where the money's coming from.

7 BILL CLAPPER: Okay.

8 MR. DOUGHERTY: I mean, basically to
 9 pay -- that's pretty, I think, prudent of a
 10 council to not just, you know, put a bunch of
 11 park benches with the \$500,000, we're paying down
 12 debt.

13 BILL CLAPPER: Okay. And then the same
 14 answer probably comes like the THA funding that
 15 comes out of the capital budget?

16 MR. DOUGHERTY: I don't know what that
 17 means?

18 MR. GRAY: THA Consulting is the firm
 19 that's doing the park -- the parking.

20 MR. DOUGHERTY: Oh.

21 BILL CLAPPER: That's a capital budget
 22 item.

23 MR. DOUGHERTY: We have not been billed
 24 yet, so I don't know. The answer is I don't
 25 know.

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1 MS. GERING: All right. Thank you --
 2 BILL CLAPPER: So that wouldn't be
 3 expense or --
 4 MS. GERING: Mr. Clapper, this is
 5 really a comment section, if you have any more
 6 questions, you can e-mail them to Pete and they
 7 can get an answer to you.
 8 BILL CLAPPER: Connie, I have a lot
 9 more questions, I always send them to Peter I
 10 just wanted to respond to what was presented here
 11 today.
 12 MR. DOUGHERTY: Thank you.
 13 MR. MEYER: Thank you.
 14 BILL CLAPPER: Okay. Thank you very
 15 much.
 16 MS. GERING: Any other public comments?
 17 Mr. Balderston, come one up.
 18 JOE BALDERSTON: I don't move as fast
 19 as I used to. Joe Balderston, 25 North Main
 20 Street. First I would like to address this
 21 comment business of yours. Years ago, New Hope
 22 Borough Council had what they call public
 23 participation. I'd like to suggest that borough
 24 council, they can go back to that. I just
 25 enjoyed Mr. Dougherty commenting to our other

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1 suggesting to you that you bring somebody in to
 2 improve the acoustics in here, with the sound
 3 deadening material. Is there any response to
 4 that?
 5 MS. GERING: Mr. Gray, I'm going to let
 6 you answer all these questions.
 7 MR. GRAY: Yes, we're looking into that
 8 as well. We're looking at options of what we can
 9 do for the building, this particular building for
 10 future of these meetings.
 11 JOE BALDERSTON: If you would like some
 12 input from me and some people, I could help you
 13 with that.
 14 I have a question in regards to our
 15 borough solicitor. It always seems to me when I
 16 attend some of these meetings, we have to hire
 17 other attorneys and I understand there's a
 18 lawsuit going on, which I'm not really clear
 19 about. And I think that we should be more open
 20 about that and let us all know what this lawsuit
 21 is about. And correct me if I'm wrong, did we go
 22 to Paoli to hire another law firm to represent
 23 the borough? I understand this lawsuit is going
 24 to trial in February, if it's taxpayers money
 25 that's paying these law firms, we should be able

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1 resident here. And I really think that's what
 2 New Hope is kind of about, taking part in things.
 3 We can't just stand up here and comment,
 4 especially a guy like me, 'cause I have a lot of
 5 questions. So I would really like you to
 6 seriously consider that changing that to public
 7 participation.
 8 Now, I'd like to ask you a question.
 9 Last month I asked about the roof situation -- or
 10 I brought to your attention that the roof on our
 11 wonderful borough hall needs attention. Can
 12 anybody comment on that? Has there been anything
 13 done with that?
 14 MS. GERING: Mr. Gray, would you like
 15 to respond?
 16 MR. GRAY: We have had some companies
 17 been out recently to examine the buildings, both
 18 buildings to assess the damage that's been
 19 occurring and we're waiting on responses at this
 20 time.
 21 JOE BALDERSTON: So you're waiting for
 22 feedback?
 23 MR. GRAY: That's correct.
 24 JOE BALDERSTON: Thank you, sir.
 25 Two months ago, I believe, I was

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1 to know what's going on. What -- are we hiding
 2 something? I don't like to use that term, but --
 3 MS. GERING: Mr. Balderston, I'm going
 4 to stop you right there. You're a very bright
 5 man and you've been around a long time and you
 6 sat on council. You know very well when there's
 7 a lawsuit going on, we're not going to sit here
 8 and comment.
 9 JOE BALDERSTON: You're not going to
 10 what?
 11 MS. GERING: You know very well that
 12 since we're in a lawsuit, we cannot comment. You
 13 were on council, you know how that operates.
 14 JOE BALDERSTON: Well, I kind of forget
 15 things too.
 16 MS. GERING: That's all right. I'm
 17 going to -- so, okay, you're going down your
 18 list.
 19 JOE BALDERSTON: Yeah.
 20 MS. GERING: Go ahead.
 21 JOE BALDERSTON: Thank you. So I won't
 22 go further with the attorney, I will take your --
 23 I respect your comment. Thank you. Are you
 24 allowed to discuss anything in regards to the
 25 existing on-grade parking lot that should be

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1 expanded and not a parking garage?
 2 MS. GERING: If you want to send
 3 something in, we'll put you on the -- Mr. --
 4 listen, Joe, you know we could be here till 11
 5 o'clock if we didn't have some con -- again, you
 6 were on council you know how that operates. So
 7 if you really want to --
 8 JOE BALDERSTON: And sat to 11 o'clock.
 9 MS. GERING: I know you did. So
 10 anyway, send it in and we can put you on a agenda
 11 be discussed, but the garage, which I know is
 12 your question, there's going to be another public
 13 meeting and when does it come about, you'll know
 14 about it.
 15 JOE BALDERSTON: So the answer is,
 16 we're not going to take any comments in that area
 17 tonight?
 18 MS. GERING: There really isn't
 19 anything tonight to discuss unfortunately.
 20 JOE BALDERSTON: Count me in on the
 21 agenda. And have you selected your date yet for
 22 the next meeting?
 23 MS. GERING: No, they haven't done that
 24 yet, they're still working on things.
 25 JOE BALDERSTON: Who's on that

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1 JOE BALDERSTON: Thank you very much,
 2 Peter.
 3 MS. GERING: Thank you.
 4 JOE BALDERSTON: I got one more.
 5 MS. GERING: Oh, you got one -- okay.
 6 JOE BALDERSTON: Please. Thank you for
 7 being patient. At what point the presentation
 8 that was made, at what point will we hear the
 9 feedback from the various members of the
 10 community in regards to the so called parking
 11 garage or expansion of the parking?
 12 MS. GERING: They're in the process of
 13 putting together a report and as soon as we're
 14 able to do that, we'll let you know.
 15 JOE BALDERSTON: Thank you.
 16 MS. GERING: You're very welcome.
 17 Any other public comments?
 18 Can I have a motion to adjourn?
 19 MR. MEYER: So moved.
 20 MS. McHUGH: Second.
 21 MS. GERING: Thank you, guys. Have a
 22 great evening.
 23 (Meeting concluded at 5:02 p.m.)
 24 ---
 25

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1 committee?
 2 MS. GERING: Mr. Meyer here is chair of
 3 it.
 4 JOE BALDERSTON: May I make one another
 5 -- maybe a couple more. May I make a suggestion
 6 that perhaps the next meeting for the proposed
 7 increase in parking, I don't like the parking
 8 garage, as you probably well know by now -- that
 9 perhaps you move that meeting to the firehouse?
 10 Where I expect that the next meeting you will
 11 have a larger attendance and they have a facility
 12 up there would seem to me that would be large
 13 enough to have chairs for some of the people that
 14 were stay longer through the meeting, I think.
 15 I'd like you to consider that.
 16 MR. MEYER: We're willing to consider
 17 it, quite frankly, it's not a decision that is up
 18 to me. A relocation of a -- the location of a
 19 meeting is something that has to be decided by
 20 council, but certainly happy to get the
 21 suggestion. It's not an altogether bad idea, it
 22 does involve our spending some money in order to
 23 be able to use the space, but that can also be
 24 done, given the nature of the budget report that
 25 I think we just got.

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1
 2
 3
 4 **CERTIFICATE**
 5
 6
 7
 8 I hereby certify that the proceedings
 9 are contained fully and accurately, to the best
 10 of my ability, in the notes taken by me at the
 11 meeting in the above matter; and that the
 12 foregoing is a true and correct transcript of the
 13 same.
 14
 15
 16
 17 **TARA WILSON, C.R.**
 18
 19
 20
 21
 22
 23
 24
 25

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