

NEW HOPE BOROUGH COUNCIL
BUCKS COUNTY, PENNSYLVANIA

NOVEMBER COUNCIL WORKSHOP

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

MONDAY, NOVEMBER 1, 2021
COMMENCING AT 4:03 P.M.

BOARD MEMBERS PRESENT:

CONNIE GERING, President
DANIEL DOUGHERTY, Vice President
LOUISE FEDER
LAURIE McHUGH
KEN MAISEL
PETER MEYER

ALSO PRESENT:

MAYOR LAURENCE D. KELLER
PETER GRAY, Borough Manager
MICHELE FOUNTAIN, Borough Engineer
CHRISTINA SZABO, Borough Treasurer

EDWARD T. McKENNA
OFFICIAL COURT REPORTER
267-902-2970

1 NEW HOPE BOROUGH COUNCIL WORKSHOP 2
2 PRESIDENT GERING: I'd like to call the
3 meeting to order. Just for everybody's information ,
4 this is a work session . We do not vote on this .
5 MR. GRAY: Can you pause for one minute ?
6 I have to --
7 PRESIDENT GERING: Sorry .
8 MR. GRAY: That's all right.
9 PRESIDENT GERING: All right. Thank
10 you , everybody. Again , as I was saying , this is a work
11 session . This is not a session where we vote. We are
12 live streaming on Owl tonight . So we're not able to
13 use our microphones , so we can speak .
14 So whoever comes up here to be a
15 speaker , please speak loudly , so everybody can hear
16 you .
17 So with that, Pete , if you can take a
18 roll call ?
19 MR. GRAY: Mr. Dougherty?
20 MR. DOUGHERTY: Here .
21 MR. GRAY: Ms. Rettig?
22 Ms. Feder?
23 MS. FEDER: Here .
24 MR. GRAY: Ms. McHugh?
25 Ms. McHugh indicated she's running a few

1 NEW HOPE BOROUGH COUNCIL WORKSHOP
2 minutes late.
3 Mr. Maisel?
4 MR. MAISEL: Here.
5 MR. GRAY: Mr. Meyer?
6 MR. MEYER: Here.
7 MR. GRAY: Mayor Keller?
8 MAYOR KELLER: Here.
9 MR. GRAY: And Ms. Gering?
10 PRESIDENT GERING: Here.
11 MR. GRAY: Also present tonight or this
12 afternoon is Ms. Fountain, borough engineer, and
13 Ms. Szabo, borough treasurer, and myself.
14 Thank you.
15 PRESIDENT GERING: Thank you.
16 First on the agenda is 49 Sugan Road for
17 a sketch plan.
18 Who's representing?
19 Hi. Come on up.
20 MS. MCGOWAN: Thank you. How should I
21 set up here?
22 PRESIDENT GERING: Is that your easel?
23 MS. MCGOWAN: It is.
24 PRESIDENT GERING: Can you bring it up?
25 That would be spectacular.

3 1 NEW HOPE BOROUGH COUNCIL WORKSHOP 4
2 When you're speaking, take your mask
3 off, so everybody can hear you.
4 MS. MCGOWAN: Thank you very much,
5 council members. My name is Kellie McGowan,
6 representing the applicant.
7 This is Jeff Beavan from Bohler
8 Engineering. We've prepared the sketch plan that we're
9 asking for you to review this evening.
10 If I may just hand you a packet of
11 materials that we put together that I think may help us
12 work through the proposal?
13 MR. DOUGHERTY: Excuse me. Is that new
14 material? Is that stuff that's in our --
15 MS. MCGOWAN: It is -- no, it is new
16 material.
17 MR. DOUGHERTY: Yeah, we prefer not to
18 be just fire plugged with new information.
19 MS. MCGOWAN: That's fine.
20 MR. DOUGHERTY: Thank you.
21 MS. MCGOWAN: So this, as you know, is
22 the location of Sugan Road. This is a sketch plan of
23 the location for a piece of property that is owned
24 by -- currently owned by the fire department.
25 PRESIDENT GERING: Take your mask off.

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 Sorry. There you go.
3 MS. MCGOWAN: No problem.
4 So this is actually the location. You
5 can see, if I may turn this around for you, the aerial
6 to give you an orientation. It's a property you're
7 likely familiar with, actually on the Solebury Township
8 New Hope Borough border.
9 So you'll see that at the end of Sugan
10 Road. As you can tell from the aerial, and if I may
11 point you, it's in the general location of the
12 McDonald's, the gas station, that intersection at the
13 Wawa, coming up north, then you hit the site, which is
14 right here.
15 There's an electrical right-of-way, and
16 as I mentioned before, this is fire company property.
17 You'll see the fire company's property across the
18 street.
19 It is an undersized property. It's
20 zoned HC Highway Commercial. So the proposed use,
21 which is a former restaurant, is permitted by special
22 exception in the HC Zoning District. We have prepared
23 for you a sketch plan. This shows how the proposed use
24 will lay out on the property.
25 One of the things I mentioned before,

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 irregular in shape, which makes this development
3 slightly more difficult, as I said, for those uses.
4 In fact, one of the variances that would
5 be necessary is to permit an undersized restaurant,
6 where your ordinance actually has a requirement that a
7 restaurant be of 2,000 square feet with 11 seats. So
8 this proposal, obviously, would not meet those
9 requirements.
10 But I think that that variance request
11 actually underscores what we're trying to accomplish on
12 this site, which is a productive use on what is
13 otherwise an undersized site and a more difficult site
14 to put to that productive use.
15 Mr. Keith McMillen from the fire
16 department is here this evening. Mr. Joe Young, who's
17 a representative of the buyer, is also here, in the
18 event that you have questions for either of those
19 parties.
20 I would be happy to go through the CKS
21 letter at this time, now that you've had an opportunity
22 to take a look at the plan, and answer any high-level
23 questions that you may have with the use.
24 PRESIDENT GERING: I'm going to start
25 with one. Looking at your plan, the entrance and exit

5 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 and one of the things that's critical to this property
3 is the fact that it's undersized in the HC Zoning
4 District, which makes it difficult to develop for those
5 types of commercial uses.
6 What you see on the plan there is
7 actually a proposed Dunkin location that is drive-up,
8 pick-up only. There is no interior space devoted for
9 customer use. It is a prototype. My client has
10 referred to it as a Fotomat prototype.
11 It is just over 1,000 square feet, 1,086
12 square feet, one-story building, and has the
13 accessibility throughout the site with the vehicles.
14 We are also proposing outdoor -- some eight seats
15 outdoor, which is a permitted accessory use for the
16 restaurant, as well as a walk-up window.
17 What you see in front of you has been
18 reviewed by CKS, and by your zoning officer, requested
19 sketch plan review. We do know and understand that
20 zoning relief would be required to facilitate this
21 plan, and that is, in part, because of the -- as I
22 noted before, the physical constraints of this
23 property.
24 It's undersized. It has insufficient
25 lot frontage, and as you can see, it's slightly

7 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 to the facility is right off of 202.
3 MS. MCGOWAN: So, Jeff.
4 Off of Sugan Road, that's correct. The
5 property only has frontage on Sugan Road.
6 PRESIDENT GERING: Right. So that's a
7 little concerning, the flow of traffic. So how are you
8 going to do this? Are you going to have a traffic
9 study done or what were you planning on doing?
10 MS. MCGOWAN: So one of the comments in
11 the CKS review letter is that a traffic study is
12 required for the development, and that is as required
13 for any commercial development in New Hope Borough. So
14 that would be one of your requirements.
15 In connection with that traffic study,
16 we would show you existing flows, as you know, on Sugan
17 Road, and on surrounding intersections, surrounding
18 roads, as well as the traffic that would be proposed to
19 be generated by this probation.
20 One of the interesting things, you know,
21 as I mentioned about this operation, is that it is an
22 operation that does not have individuals parking for an
23 extended period of time in large measure, that it is a
24 circulating in-and-out type of use that is going to,
25 you know, obviously, then, you know, show a larger

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 turnaround and having those spurts of traffic.
3 But, yes, to answer your question
4 succinctly, a traffic study is required for the
5 development.
6 PRESIDENT GERING: So my other question
7 is, there are no sidewalks on that side, and the
8 concern is -- we're very familiar with this property,
9 because it was supposed to be part of a Wawa
10 development a few years back.
11 MS. MCGOWAN: Okay.
12 PRESIDENT GERING: We have a high school
13 close by. A lot of the students utilize Dunkin Donuts.
14 They either go into town. You can visualize them
15 coming there. So I guess the concern is, from a safety
16 standpoint, how are you going to deal with the flow of
17 young teenagers coming up?
18 There's no sidewalk on the shopping
19 center side. There's none where your property is. How
20 are you going to deal with people crossing over and
21 safety walks?
22 MS. MCGOWAN: So, Jeff, if I'm looking
23 at the aerial correctly -- I'm going to ask Jeff Beavan
24 to step in to show the location of the existing
25 sidewalk, both on Sugan Road, and also on the adjacent

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 street would actually be worse news, because that would
3 tend to drive the children up that side of the street
4 to have them run across the center of this, and
5 basically jaywalk across to get to the Dunkin Donuts.
6 So the sidewalk on the other side of
7 Sugan, that really is the shopping center, and it
8 stops, I believe, about 100 feet before being parallel
9 to -- there's no sidewalk in front of the firehouse, et
10 cetera.
11 So our concern is, obviously, with
12 putting sidewalks on the other side of Sugan. Am I
13 missing something here? I mean, there's no sidewalks
14 in order for the school children to get to that store,
15 which would be an attractive hazard for them.
16 They would have to basically -- and even
17 crossing in front of the McDonald's, which the driveway
18 that goes into the shopping center on that other side
19 of the street, that is actually not that safe, because
20 cars are coming from all directions to go in and out of
21 that parking lot on Sugan, and also all directions
22 going in and out of that McDonald's. So that's our --
23 PRESIDENT GERING: That's correct.
24 MR. BEAVAN: Understood.
25 MS. MCGOWAN: So what I hear you are

9 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP* 10
2 road.
3 MR. BEAVAN: So there's an existing
4 sidewalk --
5 PRESIDENT GERING: Please take your mask
6 off when you speak. Thank you.
7 MR. BEAVAN: So there's an existing
8 sidewalk along the northern side of Sugan Road.
9 PRESIDENT GERING: Correct.
10 MR. BEAVAN: West Bridge Street, and
11 then crossings at Bridge Street, Sugan Road and 202
12 intersection as well.
13 PRESIDENT GERING: So how are you going
14 to deal --
15 MR. DOUGHERTY: There's no sidewalks at
16 all on the sidewalk of Sugan from 179 down up to 202.
17 There are no sidewalks from the Lukoil, to the VCA cat
18 hospital, to the professional -- there might be a
19 sliver in front of the professional office.
20 PRESIDENT GERING: No, there's not.
21 MR. DOUGHERTY: No? There's no
22 sidewalks for what has to be 300 --
23 MR. MEYER: The entire stretch.
24 MR. DOUGHERTY: The entire stretch. So
25 the only -- the sidewalks on the other side of the

11 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP* 12
2 saying is that a pedestrian -- in addition to a traffic
3 study, a pedestrian study to --
4 MR. DOUGHERTY: Well, the existing
5 pedestrian study would just figure out that there
6 aren't people walking on the sidewalk on that side,
7 because there's no sidewalk.
8 What we would have to determine is,
9 based on the number of people who you expect would tend
10 use this shop, which we suspect, based on the closeness
11 to our elementary and high school, the New
12 Hope-Solebury school, that there's going to be a lot of
13 kids rolling up there to get stuff.
14 MS. MCGOWAN: Right.
15 MR. DOUGHERTY: And there's no safe --
16 there is no safe way for even an adult to traverse the
17 street with eyes in the back of their head. So it's a
18 very dangerous process that we're observing, just at
19 first blush.
20 MS. MCGOWAN: Okay.
21 MR. DOUGHERTY: Putting an attractive
22 hazard like that near a school is problematic to say
23 the least without a sidewalk from 179 all the way up to
24 the Dunkin Donuts.
25 MS. FEDER: I'd like to chime in, too.

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 It's actually not from the high school. There's a
3 reason why the sidewalk on the other side of Sugas is
4 so heavily used, because you have a number of housing
5 developments on the other side of 202.
6 And often there are kids who ride their
7 bikes or walk down to the shopping center or the Wawa,
8 whatever, and a pedestrian walk-up window -- you would
9 then be intending, for those who are riding their bikes
10 or walking, which I can understand, given this
11 undersized lot -- and the Dunkin Donuts needs to be
12 undersized as well, but I'm confused how a pedestrian
13 would safely get to the site, unless you get out of the
14 car and walked over to it.
15 MR. MEYER: Just understand please that
16 the questions that we're raising now are not new.
17 These are questions which we raised when we had the
18 conversations with Wawa over exactly the same issue, so
19 that it is not something that -- I mean, at that point,
20 I was chairman of that committee. It came up multiple
21 times. We were discussing their ability to potentially
22 get cooperation from the other property owners to run
23 that sidewalk, et cetera.
24 MS. McGOWAN: I was going to ask that.
25 MR. MEYER: So this is something that is

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 council actually feel just as strongly that that can't
3 create a problem, where there's a fire situation, and
4 there's a traffic jam there going in and out of the
5 Wawa at 7 o'clock in the morning to get coffee.
6 Now, I know you mentioned that there
7 might be some representatives of the fire company here.
8 My understanding is this building is now owned by the
9 fire company.
10 MS. McGOWAN: Yes, it is.
11 MR. DOUGHERTY: So I would imagine, I
12 would hope that the same exact level of ardor as to the
13 need for safety of that intersection will apply, and
14 that even though now the fire department is actually
15 going to be selling this building in order to make this
16 happen, and we're going make sure it does stay that
17 way.
18 So we're going to basically doublecheck
19 everything that was agreed to in the Wawa situation,
20 that those same constraints are applied to the Dunkin
21 Donuts at 7 o'clock in the morning that might have 30
22 cars parked in front of it.
23 MS. McGOWAN: You anticipated my
24 question, which was whether a resolution was reached in
25 connection with that development, although it didn't go

13 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 a very, very serious concern to us. It's been a
3 lasting concern with regard to the development of those
4 properties.
5 MS. McGOWAN: Understood. We will go
6 back and we will take a look at exactly what that
7 looked like.
8 MR. DOUGHERTY: Then back to our
9 previous, we spent a tremendous amount of effort on
10 this subject matter before, when it was going to be a
11 Wawa.
12 MS. McGOWAN: Okay.
13 MR. DOUGHERTY: So we're familiar with
14 the site. How is that? Sorry.
15 At the time, a great deal of effort went
16 into the concept that the fire department, which is
17 directly across the street, at the time had
18 requirements where there would be a way to suppress and
19 stop all traffic in and out of the Wawa during alarm
20 situations.
21 Now, it's not my forte to understand all
22 of this material, okay, but I do know that that was a
23 major, major a thing that had to be hurdled, that had
24 to be satisfied at the time, and we -- since that fire
25 department protects all the homes in New Hope, we on

15 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 through, that council was satisfied with on the issue
3 of the circulation.
4 MR. MEYER: It's a legitimate question,
5 but, in fact, they terminated discussions; therefore,
6 there was no report ever provided to council as a
7 whole.
8 MS. McGOWAN: Understood. So we will go
9 back and revisit what was done at the time. That just
10 makes sense.
11 PRESIDENT GERING: Yes, Ken.
12 MR. MAISEL: I have a question, yeah.
13 PRESIDENT GERING: You got to speak up.
14 MR. MAISEL: At first, it appeared that
15 it was just a drive-through, and then there was further
16 discussion that there's going to be a -- there would be
17 two windows there, one where somebody can walk up and
18 where somebody can drive. How does that work?
19 And, initially, when it was just a
20 drive-through, it didn't seem logical that you would
21 need parking, but now you have -- you're talking about
22 parking, because there are going to be seating
23 arrangements out there as well. So how does that all
24 reconcile itself?
25 MS. McGOWAN: So let me start at the

2 beginning. The ideal programming is the drive-through
3 with the walk-up window. Okay. That's the ideal
4 programming. The walk-up window is either in front, at
5 the side. There's flexibility there. There's
6 flexibility in terms of how that works.

7 The drive-through itself has two
8 windows, the order window and the pick-up window, and
9 that is a fairly fixed situation, you know, on this
10 type of building.

11 The outdoor seating, again, is not a
12 requirement. It's an amenity for the use. Again, it
13 works in connection with that walk-up, generally,
14 because you don't have the customer for this type of
15 use is a customer who's onto 202, going to work or that
16 type of thing.

17 They're not coming to this type of
18 Dunkin Donuts to sit down outside for an hour with
19 their coffee. That's just not what this generates. So
20 that's really, you know, connected to that.

21 With respect to the parking, again, it's
22 that same type of situation, which is that you don't
23 have those individuals who are parking. If you're
24 there in a vehicle, I don't know how many times out of
25 ten, but you are not parking to walk. Unfortunately,

2 Dunkin Donuts and sit outside, how would you deal with
3 that? You can't control the amount of people that are
4 going to come there and need parking there.

5 MS. MCGOWAN: No. It tends to be
6 self-controlling, because, you know, the type of Dunkin
7 this is, obviously, you also know you have one, you
8 know, in your downtown as well. People understand the
9 parking situation. They understand the parking
10 situation. If they, you know, want to take a crowd of
11 people and meet at Dunkin, they're not going to go to
12 this type of prototype, with exceptions, obviously.

13 MR. MAISEL: Yeah, I think your
14 supposition -- all these suppositions are just that. I
15 mean, it's logical, what you're suggesting, but, you
16 know, I have no basis for knowing that, and,
17 historically, I don't know how many of these are in the
18 country. There could be thousands of them that are
19 similarly designed for this kind of use. That would be
20 helpful to understand how that works, you know, and has
21 worked elsewhere.

22 PRESIDENT GERING: I'm going to add to
23 Ken there. The other thing we have, across the street
24 you have a 55-and-over complex.

25 MS. MCGOWAN: Uh-huh.

2 people just stay in their cars. They're going through
3 the window, so to the pick-up window.

4 With respect to the parking though,
5 parking is required under your ordinance. So the
6 requirements for the parking, and we went through this
7 a bit with your engineer, are based upon -- for forming
8 a restaurant are based upon the internal area devoted
9 to patron use, right. You know this.

10 So here we actually have a building that
11 doesn't have any area devoted to patron use. It's
12 either a drive-through or a walk-up only. The parking
13 is required for outdoor space. So if those seats
14 exist, that would generate parking. It's also required
15 for employees, and there would be four employees.

16 So we've shown here six spaces,
17 including ADA that is compliant with the ordinance for
18 both the employees and to provide those seats. So
19 that's how the parking works, both in terms of what
20 it's anticipated to be used for, as well as how it's
21 going to resolve or satisfy, I should say, the zoning
22 requirements, but this is -- don't get us wrong, this
23 is a drive-through.

24 MR. MAISEL: If there's suddenly five or
25 six people just say, come on, let's go over and meet at

2 PRESIDENT GERING: And a lot of them go
3 either to McDonald's, and I can see them coming there.
4 So I think that needs to be taken into consideration,
5 that they might gather out there, because you've got
6 outdoor seating.

7 MS. MCGOWAN: Good.

8 MR. DOUGHERTY: Have there been ideas
9 placed -- I'm sorry. Are there ideas surrounding the
10 hours of operation?

11 MS. MCGOWAN: So the hours of operation,
12 yes, we have had discussions. The hours of operation
13 came actually in the context of the drive-through
14 initially, because your ordinance has a limitation on a
15 drive-through that it's 10:00 a.m. to 9:00 p.m.

16 So, obviously, with a Dunkin, the
17 10:00 a.m. limitation for this site doesn't work, so --

18 MR. DOUGHERTY: So you would be asking
19 for a variance?

20 MS. MCGOWAN: We would need relief in
21 order to open the drive-through at --

22 MR. DOUGHERTY: What you need is a
23 variance?

24 MS. MCGOWAN: That's correct, a
25 variance, yes, and I can take you through the list of

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 variances.
3 MR. DOUGHERTY: I think that they're
4 summarized.
5 MS. McGOWAN: Good. Good.
6 PRESIDENT GERING: But what time would
7 the drive-through open?
8 MS. McGOWAN: 6:00 a.m.
9 Am I correct?
10 MR. YOUNG: 5:00 a.m.
11 MS. McGOWAN: 5:00 a.m.
12 MR. DOUGHERTY: So 5:00 a.m. until at
13 nighttime. Is the 9 o'clock p.m. part --
14 MR. YOUNG: Yeah, that's more than
15 enough.
16 MR. DOUGHERTY: So 5:00 a.m., which
17 means that operations start there at 4:00 a.m. These
18 doughnuts just magically occur.
19 PRESIDENT GERING: The gentleman
20 speaking, can you identify yourself please?
21 MR. YOUNG: Hi. My name is Joe Young.
22 I'm the owner and operator of the Dunkin in town
23 currently.
24 PRESIDENT GERING: Thank you.
25 MR. DOUGHERTY: So the 5:00 a.m. start

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 MS. McGOWAN: Yes.
3 PRESIDENT GERING: Any other questions
4 from council?
5 The only comment I'll make, in the
6 future, if you have additional information, make sure
7 it's submitted ahead of time.
8 MS. McGOWAN: I would be happy to.
9 PRESIDENT GERING: All right. Thank
10 you. All right. Thank you.
11 MS. McGOWAN: Thank you very much for
12 your time.
13 All right. 44 Main Street.
14 Ralph.
15 MR. COHEN: Ready?
16 PRESIDENT GERING: You're the attorney
17 on record. If you could identify yourself for the
18 court stenographer? Go ahead.
19 MR. COHEN: Gladly. My name is Paul
20 Cohen with Curtin & Heefner. I'm here representing the
21 applicant. The applicant, by name, is 44 Main Street,
22 LLC. My client, Danny Popkin, is in the room as well.
23 I'm going to have him just address you monetarily, very
24 briefly.
25 I am presenting this application, and

21 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 time means, I would imagine, 3:30 start to opening?
3 MS. McGOWAN: It's actually more like
4 approximately 20 minutes ahead of time.
5 MR. DOUGHERTY: Really?
6 MS. McGOWAN: So more likely 4:30, 4:40.
7 MR. DOUGHERTY: Okay. So 3:30 or so the
8 activity will start?
9 MS. McGOWAN: 4:30.
10 MR. DOUGHERTY: I'm sorry. 4:30, so
11 activity will start to happen there.
12 MS. McGOWAN: Correct.
13 MR. DOUGHERTY: Okay. And we are -- I
14 mean, one of the things that we always have to be
15 cognizant of is that that area, while it's zoned
16 commercial, we just never know. We just never know.
17 Once that becomes something whereby people -- there's
18 lights and signs and everything else, and across the
19 street we have approximately 130 residents at the New
20 Hope Manor. I think that's about right. 130 of our
21 constituents would be sort of right in there.
22 I don't know what time the McDonald's
23 opens, but my sense is they don't open at 5:00 a.m. So
24 it's something we would have to talk about at a later
25 date, but thank you.

23 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
1 learning from your prior applicant. I do have some
2 photographs, but I'm not going to get into those,
3 unless you ask. They were not provided in advance.
4 This application concerns the property
5 at 44 South Main Street. These plans were submitted
6 with the application. This is the building housing
7 Farley's Bookshop and the soap company on the corner of
8 Ferry Street and Main Street.
9 The applicant is proposing major
10 renovations and repairs of this historic building. I
11 believe it dates back to 1738 is the original -- 1748
12 is the original building. As you can imagine, the
13 building is in significant disrepair. In fact, there's
14 been a violation notice issued against the owners of
15 the building due to that deteriorating condition.
16 That's currently on hold, pending the sale of the
17 property.
18 But my client really is looking to put a
19 fair amount of investment into this building, to
20 restore it, to improve it. Among those improvements,
21 we see mechanicals and other systems moved out of the
22 floodplain.
23 It would see the elimination of
24 recently -- a late year. I'm not exactly sure when it

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 was installed, but, essentially, a trailer on the rear
3 of the building replaced with a new structure that
4 would be elevated out of the floodplain, elimination of
5 things like window air conditioning units on the
6 property or on the building, some oddly positioned
7 storm water management downspouts, things like that.
8 So it really would be a significant
9 improvement to the building. There are no significant
10 changes proposed to the historic structure, other than
11 improvements; however, what the applicant is proposing
12 is that the single-story addition in the rear of the
13 structure, which, again, can be identified or referred
14 to as a trailer at this point in time, would be
15 replaced with a two-story structure.
16 It would be elevated out of the
17 floodplain. So its top level would be in line with the
18 third story of the existing structure. That would
19 house an additional two residential units.
20 So this property is currently used for
21 retail and as a dwelling in combination with business.
22 It currently has four dwelling units in the original
23 structure. The applicant is proposing to expand that,
24 increase the number of dwelling units to seven total
25 units.

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 but my business I run is called Modern Recycled Spaces.
3 We specialize in adaptive reuse in old historic
4 buildings. We're based in Mercer County, New Jersey.
5 We do a lot of old factory buildings there. I happen
6 to live in Solebury, near Dilly's.
7 My family has been part of the
8 Lambertville community since the '30s. My family owned
9 York Luggage. So I know this area quite well, and I've
10 always loved Farley's Bookstore. And so my passion is
11 really to bring that back to its historical greatness
12 that I think it always was. I think it's going to be a
13 lot better, restoring the facade and restoring the uses
14 itself.
15 So that's really my passion, to bring
16 that back, and as you know, it's quite costly. I think
17 we can explain what we feel we need to do to make it a
18 sustainable project.
19 PRESIDENT GERING: Thank you.
20 MR. POPKIN: Thank you.
21 MR. FEY: Ralph Fey, F-e-y, Ralph Fey
22 Architects. So Conner Trask is also with me. Conner
23 and I will attempt to flip the pages at the same time.
24 I think that Paul pretty much said
25 everything I wanted to say. So I'm just going to say

25 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 They would be keeping the two retail
3 spaces that are the main structure. One space that is
4 currently occupied by Farley's Bookstore would be
5 lessened in size, due to the elimination of the ground
6 level rear addition, but those -- both of those retail
7 supposes would remain.
8 The existing dwelling units would be --
9 would remain, would be a little bit repositioned, and
10 then, as I mentioned, the addition would allow for
11 three additional dwelling units on the property.
12 Essentially, the applicant is seeking to
13 make these additional improvements to help support the
14 significant improvements that would be made to the
15 property.
16 So I'm happy to take questions. Before
17 that, if I may, I do just want to introduce my client,
18 Danny Popkin, who may be known to borough council.
19 I've asked him to speak very briefly. He'll introduce
20 himself, and then I'm going to ask Ralph Fey to just
21 describe some of the issues with the existing building,
22 and to walk you through the proposed improvement.
23 MR. POPKIN: Daniel Popkin, P-o-p-k-i-n.
24 Thank you, everybody.
25 Yeah, so some of you may know me or not,

27 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 it again in a little more detail.
3 The building has been cited for a series
4 of violations. They have to do with the structure,
5 integrity of the building, roof, roof overhangs, water
6 management, and if you read through it, they are the
7 same types of items that we saw as problems with the
8 building when we were asked to evaluate it, along with
9 the structural engineer team.
10 It is in the floodplain. As you know,
11 it's just behind the Playhouse Inn, which having done
12 that project a few years ago, was seven and a half feet
13 in the floodplain. So I don't know the exact height of
14 the floodplain. We have not done our flood cert, but I
15 believe it's in the neighborhood of four to five feet
16 of the Farley's Bookstore.
17 It is a fabulous historic building, not
18 only because it has been a bookstore, but because it
19 was built in 1848 -- sorry -- 1748, and the south
20 addition was 1830s.
21 We have identified several problems with
22 the building because of it being in the floodplain.
23 One of which is all the mechanicals are in the
24 basement, as well as the electrical is in the basement,
25 and the basement is full of a dirt floor, and has a lot

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 of temporary columns to hold things up. So it's pretty
3 important that the structure of the building, as well
4 as the deficiencies listed are addressed.
5 PRESIDENT GERING: Ralph, so we don't
6 sit here all night, we know that's what happens. The
7 building is very old. Why don't you talk about the
8 additions --
9 MR. FEY: Sure.
10 PRESIDENT GERING: -- you're putting in
11 and the new structures?
12 MR. FEY: Sure. So the footprint on the
13 right side here is existing floodplain. The stone
14 building is the front building. The wood building that
15 sits on piers is the back building, and this is showing
16 the current parking, and we have a proposal to lift the
17 back of the building up out of the flood plain, the wood
18 building, reconstruct it, and then dry flood-proof the
19 front stone building by putting gates around the
20 openings during the time of a flood event and moving
21 the mechanicals up.
22 So existing site plan, new site plan
23 allowing additional parking underneath the building
24 that would be raised in the back. The conceptual
25 drawing is that red outline here is historical

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 over. Different counties and municipalities have
3 different sort of HARB foundations, if you will. I
4 just don't know if the number, just saying -- just it's
5 starting to grate on me to just say that that's
6 non-historic because we want to tear it down.
7 MR. FEY: It looks like --
8 MR. DOUGHERTY: Because it's got siding
9 on it, it's not -- you know, it doesn't look as quaint
10 as other things in town, but I just don't know if
11 non-historic -- I think just framing it constantly as
12 non-historic, I don't buy into that. I'm going to let
13 you know that, okay?
14 MR. FEY: Okay.
15 MR. DOUGHERTY: All right.
16 PRESIDENT GERING: And I'm going to add
17 onto this.
18 MR. DOUGHERTY: The addition.
19 PRESIDENT GERING: Your addition is
20 massive that you're putting in there. This building is
21 located in the heart of our downtown historic business
22 district. You've got the Playhouse there. You've got
23 Stella's, and now you're putting in a compound with
24 housing in there, right smack in town.
25 So I don't know -- you know, and then

29 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 building. The blue is the non-historic building. We
3 have photos, if you want to come back to them, and show
4 you the quality of these buildings. This building here
5 would be the apartments on the upper floors and upper
6 floors.
7 MR. MEYER: Stop for a moment. That is
8 the existing you just showed us?
9 MR. FEY: Yeah, historic existing,
10 non-historic existing.
11 MR. DOUGHERTY: Excuse me. I know how
12 this is being frame, frankly, but the use of the word
13 non-historic, is that a definition?
14 PRESIDENT GERING: Take the mask off.
15 MR. DOUGHERTY: I'm sorry. Is that
16 defined someplace here, Ralph, that because it's an
17 addition to a 250-year-old building -- how old is the
18 addition, Ralph?
19 MR. FEY: It appears to be '50s or '60s.
20 MR. DOUGHERTY: Okay. But is there in
21 HARB something that says that it's not historic if it's
22 not at least some X number of years?
23 MR. FEY: Fifty years is the line we
24 usually use in HARB for buildings that --
25 MR. DOUGHERTY: HARB varies across all

31 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 your new addition is going to have a terrace on the
3 roof. So do you want to talk about how you're going to
4 do all of this with the terrace, with the Playhouse
5 there downtown? You've got the Logan Inn across the
6 street.
7 MR. FEY: Sure.
8 PRESIDENT GERING: My opinion, it's an
9 overwhelming, ambitious project. It's too big and too
10 many apartments for the historic district.
11 MR. DOUGHERTY: And to pile on a little
12 bit, I understand that we were -- it was framed and
13 told to us, I think by Mr. Cohen, that there are four
14 existing rental units there. I believe that was the
15 number.
16 He's over there. Four, I think there's
17 four. I don't know if those four are even legal as
18 they stand.
19 MR. COHEN: They are.
20 MR. DOUGHERTY: They are? It's zoned
21 for four?
22 MR. COHEN: No, it's an existing
23 nonconformity.
24 MR. DOUGHERTY: It's an existing
25 nonconformity for four, but, in fact, if someone were

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 to come to us today and say they want to put four in
3 there, they would have a problem.
4 **MR. COHEN:** Correct.
5 **MR. DOUGHERTY:** Because it would be a
6 nonconformity.
7 **MR. COHEN:** It's a nonconformity, yes.
8 **MR. DOUGHERTY:** So it's going to be an
9 extra three on top of our four that are nonconforming
10 to make seven. It sounds like you want seven units.
11 I just want to -- the framing of this,
12 again, is, oh, it's only three more apartments. It's
13 seven apartments, and four wouldn't get approved today,
14 without significant variances, which we would not be in
15 favor of. I can tell you, I wouldn't be in favor of,
16 but just so some of the framing here of the words --
17 **MR. MEYER:** Yeah, can I add to the
18 subject of framing? I'm sorry. Can I add to the
19 subject of framing?
20 I heard reference at one point in your
21 presentation to the thing in the back as a trailer,
22 quote, unquote. Then I hear reference to the wood en
23 structure in the back. What is in the back? Because
24 right now I have absolutely no idea, and would have no
25 idea unless I went back there and trespassed and

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 The building has been there 250 years.
3 It has four residential units in it. It's pretty big
4 for the lot as it is, as far as permeability and every
5 other thing. It would not get approved the size that
6 it is, and yet we're saying because it's old, and the
7 basement, and just there's a recurring theme is if you
8 can buy a building, and it's not been taken care of for
9 25 or 30 years, you get to tear it down, and I think
10 this is getting kind of old.
11 **MR. COHEN:** That's -- if I may, just to
12 clarify, the residences are not in the addition in the
13 rear of the building. The residences that currently
14 exist are in the original structure. The rear
15 addition, if that's what we're calling it, contains
16 some additional footage for the bookstore --
17 **MR. DOUGHERTY:** Okay.
18 **MR. COHEN:** -- and some of the storage
19 space that's currently there right now.
20 **MR. DOUGHERTY:** Thank you.
21 **MS. McHUGH:** Are you sure? You're
22 telling me nobody lives in that trailer?
23 **MR. FEY:** No, it's storage and office
24 and bookstore. We actually have --
25 **MS. McHUGH:** It's hard to believe, but

33 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 looked.
3 So let's get this clear. What is it
4 that we have there now that you're talking about taking
5 down?
6 **MR. FEY:** Sure.
7 **MR. MEYER:** Let's get this clear,
8 because --
9 **MR. FEY:** Sure.
10 **MR. DOUGHERTY:** Because, frankly, if
11 it's residential units that we have -- that are
12 existing structures that are with -- what's the phrase,
13 Mr. Cohen? They're --
14 **MS. McHUGH:** Nonconforming.
15 **MR. DOUGHERTY:** They're nonconforming,
16 then just because they're not -- in other words, the
17 concept that I'm going to buy something, and suddenly
18 find out that there's posts in the basement, that the
19 utilities are in the basement, and this is a flood
20 zone, therefore, I'm going to tear parts of it out,
21 therefore, I move all the utilities upstairs, because
22 the building has been there 250 years, and, suddenly,
23 those are reasons to tear down additions that also --
24 that are residences, and also build three more
25 residences, all of this is just conflated facts.

35 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 okay.
3 **MR. FEY:** I believe the plans are in
4 your package.
5 **MR. DOUGHERTY:** So there's four
6 residences. There are four legally, by exception,
7 residences on the second and third floors above the
8 bookstore and the --
9 **MR. COHEN:** Correct.
10 **MR. DOUGHERTY:** So there's four
11 apartments there.
12 **MR. COHEN:** Yes.
13 **MR. DOUGHERTY:** And they're in use?
14 **MR. COHEN:** There are -- just to
15 clarify, on the second level, there are two apartments,
16 and there is also some space that is used as office
17 space to support the bookstore.
18 **MR. DOUGHERTY:** Okay.
19 **MR. COHEN:** On the third level, there
20 are two apartments.
21 **MR. DOUGHERTY:** So there's four
22 apartments. Are they all in use --
23 **MR. COHEN:** I don't know if --
24 **MR. FEY:** Yes.
25 **MR. COHEN:** Yes, they are.

34

36

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 MR. DOUGHERTY: Okay.
3 MR. COHEN: And just to clarify --
4 MR. DOUGHERTY: So then I'm going to
5 take up what I said. Then the issue that it is
6 expanding the foot -- it's improving the retail space,
7 it sounds like, and why would that then behoove us to
8 allow or say that it makes sense to build a massive
9 addition back there with three more units in order to
10 make the thing financially viable?
11 MR. COHEN: Well, that leads to a large
12 part of this. This is an old building that needs a lot
13 of work to restore it. Anybody can go out there now --
14 I brought with us copies of the notice of the
15 violation. You may have that from the property file
16 itself. Somebody can go out and spend \$10,000,
17 \$20,000, get some Stucco and paint, and try to patch up
18 the building.
19 MR. DOUGHERTY: No.
20 MR. COHEN: That's not what we're
21 looking to do.
22 MR. DOUGHERTY: Got you.
23 MR. COHEN: We're talking, and Ralph can
24 be more specific about it, approximately a million
25 dollars just to bring this building up to code, to get

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 therefore, in order to make that happen, we need to be
3 able to jam another 4,000 square foot of apartments in
4 the most historic section. That's --
5 MR. COHEN: I don't agree with the
6 representation that we're trying to make this fabulous.
7 We are trying to restore this building to its original
8 splendor, but we're also trying to save the building.
9 As Ralph described -- and we
10 have pictures of it, but he can describe it in more
11 detail. There are wooden posts propped up in the
12 basement trying to hold this building up. We have got
13 air conditioning units on the outside windows, which
14 I'm sure nobody really wants on this building --
15 MR. DOUGHERTY: But those are not
16 reasons -- those are not rationales or justifications
17 for council to, because there are window units --
18 MR. COHEN: No, I'm not focusing on --
19 MR. DOUGHERTY: Those are not
20 rationalizations or justifications for council to
21 approve massive additions.
22 MR. COHEN: I'm not focusing on window
23 units. I'm mentioning them, among a variety of other
24 issues, not the least of which is all of the
25 mechanicals for this property are in the basement,

37 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 the mechanicals out of the floodplain and improve this
3 building.
4 MR. DOUGHERTY: Okay.
5 MR. COHEN: And you're not going to be
6 able to do that unless it makes sense, financially, to
7 be perfectly blunt about it.
8 MR. DOUGHERTY: So by that argument,
9 Mr. Cohen, we probably have 20 buildings that have
10 deferred maintenance issues here in the borough.
11 MR. COHEN: Uh-huh.
12 MR. DOUGHERTY: Easily.
13 MR. COHEN: Uh-huh.
14 MR. DOUGHERTY: Every one of which goes
15 through a home inspection and says, there's deferred
16 maintenance, and not only -- maybe it will cost
17 \$200,000 to bring them up to code, but to make them
18 fabulous, it's going to cost a million; therefore, I
19 need to be able to build three apartments in the back
20 yard.
21 That's the rationale that I'm hearing,
22 is that it might cost 100, \$200,000 to improve the --
23 to bring the -- to move the utilities, to do this type
24 of stuff, but we don't want to do that. We want to
25 make it fabulous, so we're going to do it great, and,

39 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 which is in the floodplain.
3 And if we were to invest in removing
4 that, first of all, where do they go without some
5 addition, without some improvements to be able to store
6 those mechanicals outside of the floodplain? But,
7 also, we are talking about a significant amount of
8 costs here, and you talk about --
9 PRESIDENT GERING: I'm going to stop
10 you. This is going on. The fact is, it's buyer be
11 aware. This is a massive, oversized project in the
12 downtown historic district. I think if the buyer wants
13 to buy, he's going to have to do something more modest
14 with this building that's going to fit the profile of
15 the downtown and not be this massive project. I mean,
16 I don't know how everyone else on council feels. I
17 think it's too ambitious.
18 MS. McHUGH: You're taking away the
19 retail. You're doubling the parking space, and then
20 you're halving, or, actually, it's a quarter of what
21 the bookstore is. So you're just really making an
22 apartment building with a small little retail space on
23 the bottom --
24 MR. COHEN: Part of the issue with that
25 is --

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 MS. MCGOWAN: -- in Downtown New Hope.
3 MR. COHEN: Understood. Part of the
4 issue with that is that the rear portion of the retail
5 that's there now is in the floodplain.
6 And, obviously, we can't do anything
7 with the original structure. We can't lift -- I think
8 we would all agree, we can't lift Farley's Bookstore
9 and that whole original structure out of the
10 floodplain.
11 But that rear addition, which I
12 understand that, and we would, of course, present more
13 information, and can provide more information about the
14 history of that rear addition, but that is something
15 that we see as being feasible to remove and lift that
16 out of the floodplain.
17 So that's why we would be losing that
18 space on the retail, because the first level, the first
19 floor ground level would not be occupied, so that we
20 can get it out of the floodplain.
21 PRESIDENT GERING: When was the last
22 time that flooded?
23 MR. DOUGHERTY: Yes. That's was going
24 to be --
25 MR. COHEN: Pardon?

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 place of that sort of shack in the back that Farley's
3 currently uses for storage, and be able to park
4 underneath that, and then have two floors above it. So
5 it's literally moving that floor up one level, and
6 putting a second one on top of it.
7 MR. DOUGHERTY: We understand that. We
8 are not -- the Parry Mansion is in the floodplain. Its
9 utilities, its heaters, its hot water heater are in the
10 floodplain. They are in the basement of the Parry
11 Mansion.
12 The Parry Mansion can't come before this
13 council and say that we would want -- the historical
14 society that owns the Parry Mansion cannot say, in
15 order to make this right, we intend to build three
16 townhouses in the back yard, because we need to make
17 money enough to move our utilities out of the basement
18 because they're in the floodplain, and, also, there's
19 deferred maintenance throughout the Parry Mansion that
20 needs to be addressed.
21 And that's basically the argument that's
22 being made here, is that in order to move the
23 utilities, and make the -- make this, we need to build
24 three more apartments, and the Parry Mansion is in the
25 floodplain.

41 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 PRESIDENT GERING: When was the last
3 time it flooded? I know you keep talking about the
4 floodplain, but when was the last time that piece of
5 property actually flooded?
6 MR. DOUGHERTY: And what floodplain is
7 it in? Is it the 100-year-floodplain?
8 MR. COHEN: Yes.
9 MR. DOUGHERTY: So it's been there for
10 250 years or so. How many --
11 MR. POPKIN: If I may, I own Canal
12 Studios in Lambertville, which has Rojo's Roastery,
13 Liberty Hall Pizza. That also hasn't flooded in 100
14 years, and two months ago, I took in five feet of
15 water, and wiped out 30 tenants. I'm in the middle of
16 dealing with that right now. I've owned that building
17 for 30 years, labor of love.
18 So I think what we proposed is, whether
19 it's a trailer or shack of an addition -- and I agree,
20 it's certainly an older addition. 50 years old is
21 still old, but it's not 250 years old. The rear
22 addition that sits on a couple of pilings, which
23 prevents parking, prevents the water to go into that
24 area when we do have a flood.
25 The idea there is to put parking in

43 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 There's probably 100 -- not 100.
3 There's many, many houses along the river that are in
4 the floodplain, and they're not all going to be
5 permitted to build three apartments in their back yard
6 so that they can get enough money to move the utilities
7 out of the basement and make --
8 MR. COHEN: I understand. If I may,
9 since this is -- the whole point here is for us to
10 present this plan to council and get your feedback.
11 Clearly, I've gotten your feedback on this proposal.
12 MR. MEYER: Can I add to the feedback?
13 MR. MAISEL: Let's let him finish.
14 PRESIDENT GERING: All right. Let him
15 finish.
16 MR. COHEN: What I would like to ask
17 for, while we're here and have that opportunity, with
18 the understanding -- and, again, I'm asking you to make
19 an assumption here, and, clearly, from the response,
20 it's a bold assumption. A lot of what I'm asking you
21 for, that the addition in the rear does not have any
22 historic value. And, again, I understand we don't have
23 that information here.
24 But if that's the case, if we can
25 establish that, and we were able to propose a plan that

42

44

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 would allow that addition to be removed, and something
3 back there to be elevated, would that be something that
4 council --
5 **MR. DOUGHERTY:** The only --
6 **MR. COHEN:** -- might be receptive to, if
7 it was not -- let's say instead of two stories above
8 that elevation, if it was only one?
9 **MR. DOUGHERTY:** Okay.
10 **MR. COHEN:** Is that something that would
11 be --
12 **MR. DOUGHERTY:** This is a work session,
13 and any such opinion that we would have to be able to
14 give you along those lines, we collectively would have
15 to vote on. You've gotten a lot of individual
16 feedback. That's what you can get out of a work
17 session.
18 **MR. COHEN:** That's all I'm looking for.
19 **MR. DOUGHERTY:** But we can't say, oh,
20 maybe if it's only two units, and it's only two
21 stories, and there's no roof deck, and there's no hot
22 tub up there, we might be okay with that.
23 No, we can't collectively give you some
24 feedback that you can then come back and say, I heard
25 you, and this is what I've done. We have given you

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 Peter, and then I'd like to make a comment.
3 **PRESIDENT GERING:** Go ahead, Peter.
4 **MR. MEYER:** All right. When you're
5 focusing on the back of this property, I've looked at
6 the sketches that you provided to us. What are
7 currently flat windows in the front are bowing out now
8 or is that not an accurate description of what's there
9 now?
10 **MR. FEY:** No, so we are planning on
11 making no changes to the existing building, just the --
12 **MR. MEYER:** Okay. I just wanted to
13 clarify, because I having trouble reading, I believe,
14 with the label which piece is which on that particular
15 point. Thank you very much.
16 **PRESIDENT GERING:** All right, Ken.
17 **MR. MEYER:** I just wanted to clarify
18 that. Thank you.
19 **PRESIDENT GERING:** Ken.
20 **MR. MAISEL:** Yeah. I mean, this is,
21 like, an emotionally charged, you know, situation, as
22 you can see. It's a philosophical thing. It's a
23 historical thing. It's what we experienced.
24 There's so many things that this
25 council, and I'm speaking for council, but I'm speaking

45 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 feedback on what you presented.
3 **MR. COHEN:** Understood, and I'm not
4 asking for collective feedback. I'm asking -- Connie
5 has expressed her concerns about this. Would something
6 that was, say, one story instead of two --
7 **MR. DOUGHERTY:** I'm trying to tell you
8 it would not be reliable.
9 **MR. COHEN:** Pardon?
10 **MR. DOUGHERTY:** In other words, if
11 Connie came and said, I think one or if I say one and a
12 half, I don't think that's reliable. It's not
13 something that your clients would want to go off --
14 **MR. COHEN:** Absolutely not, and we would
15 probably --
16 **MR. DOUGHERTY:** -- with new one and a
17 half story plans.
18 **MR. COHEN:** I understand that, and we
19 might come back to you with a revised sketch plan, but
20 I'm trying to see if anything that we could propose on
21 this property would be of interest to council, or if
22 you would be as much in opposition to something that
23 might be a little bit less than what we're proposing
24 today.
25 **MR. MAISEL:** I'm going to defer to

47 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 for myself, that we have seen that, you know, speak to
3 the economics of things, that, you know, just
4 everything is, like, out of control in a way.
5 So it's understandable what the
6 intention is going to be. My feeling would be that
7 some consideration, other than what you're proposing
8 here, could certainly be presented to council that
9 might be more viable, but to suggest that if it was
10 only one apartment or two or the size of them, but I
11 think I would love to see that building improved, and
12 be, you know, restored in a meaningful way.
13 And I'm familiar with some of the work
14 that the applicant has -- who's looking at this
15 property, and I've seen, you know, the kind of work
16 that can be done. So I think that it would be my
17 feeling that go back to the drawing board, in light of
18 everything that you've heard, with no promises and
19 absolute expectations, but I think we would be
20 open-minded to listening to something else. I mean,
21 that would be --
22 **MS. McHUGH:** Yeah. It's downtown New
23 Hope. You can't take the retail away from it. You
24 can't just make it an apartment building.
25 **MR. POPKIN:** Just to be clear, the

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 retail that's there now will remain exactly the same.
3 The only difference is the way of Farley's, there's
4 this really long storage area, that you walk way in the
5 back that has this older or newer section, and that's
6 being eliminated or lifted, so to speak.
7 Even if that was retail, you would have
8 to lift it to get it out of the floodplain, and to stop
9 this condition of standing on some cinderblocks. I
10 mean, it's literally like a shack that was just erected
11 there, I guess.
12 MR. MEYER: The reality is that the
13 retail premises that currently rely on that storage in
14 order to be in business will no longer have that
15 storage. De facto, that is a decrease in the square
16 footage available for the retail establishment, unless
17 there is specific space equivalent to what you're
18 eliminating provided to the retail premises, and that's
19 not clear to me that's there. If it is there, that
20 needs to be thoroughly clarified of what's going on.
21 MR. POPKIN: We can show that on the
22 next plan. That's a fair assumption.
23 MS. FEDER: May I? I have just a
24 question. Thank you for the presentation also.
25 So the office for Farley's upstairs, is

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 But the bookstore dropping down to 1,600
3 square feet without an office is basically a very, very
4 small store. It's not a bookstore, that's for sure, at
5 1,600 square feet.
6 So I'm not saying what should be in
7 there, but from 5,000 down to 2,500, to Laurie's point,
8 in the center of town, in the center of the commercial
9 district, in one way or the other, those missing 2,500
10 square feet are going and getting allocated to take the
11 apartments from 2,500 square feet to 6,500 square feet,
12 plus outdoor space and everything else. So it's not
13 just a matter of moving some walls here. The amount of
14 retail space is being cutting by 50 percent.
15 MR. POPKIN: One of the reasons --
16 MR. DOUGHERTY: So I think that there
17 was kind of an allusion that they would sort of be
18 still stores. There's going to be a 975 foot store and
19 a 1,600 square foot store.
20 MR. POPKIN: So the store remains the
21 same size. It's a very active, successful store. But
22 Farley's, you're right, the back of Farley's, I've been
23 in there. Really, no one wonders back there, because
24 back there literally is just sort of an old storage
25 area that no one goes into, and they're not in great

49 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 that eliminated in the apartment plan?
3 MR. FEY: Yeah, we were going to take
4 the office space that it is on the second floor above
5 this corner here, and add it to the apartment that's
6 already there.
7 MR. DOUGHERTY: So this is your chart.
8 Square footage totals here -- there it is, the one on
9 the bottom right. Just doing quick math here,
10 currently, there's 5,000 square foot of retail.
11 There's retail, plus bookstore. I guess the soap place
12 is 974 and the bookstore is 4,065.
13 You add those up, you get about 5,039 or
14 some number like that. In the new state of affairs,
15 you would be at 2,587. So the amount of retail space
16 would be getting cut in half, and that's not even
17 including, I guess, the loss of the office upstairs,
18 correct?
19 MR. FEY: Yes.
20 MR. DOUGHERTY: So I find it -- now, to
21 Peter's comment, I guess the soap store currently has
22 virtually no storage, because they're 974 office -- I'm
23 sorry -- retail operations is about as small as a
24 retail can be, if it has a powder room of any sort, and
25 any kind of office space.

51 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 repair.
3 I'm not suggesting the retail store
4 doesn't need storage, but I think the old days of
5 having half of your retail be storage and half for the
6 public on the street is not here anymore. So but I
7 agree there has to be some storage capabilities for
8 that retail. That's something we're willing to look at
9 next time. I think we can address that. They're fair
10 comments.
11 MR. MEYER: The Borough of New Hope
12 depends on its tourism for its revenue on many
13 different levels. One of the things that this council
14 has been trying to do is to preserve retail in the
15 center of town, so that we can continue to attract
16 those tourists.
17 The numbers that Dan just pointed out
18 are clearly indicative of the fact the project involves
19 massive switching from retail to residential. I am
20 going to grant you that the residential may get you
21 more per square foot, et cetera, et cetera, depending
22 on how you configure it, but the reality is that we are
23 trying to preserve commercial, and that's something
24 that we have been very concerned about. If you go back
25 to Paul's request for feedback, please keep that in

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 mind.
3 **MR. COHEN:** Thank you.
4 **PRESIDENT GERING:** Any other comments
5 from council?
6 **All right. Thank you.**
7 **MR. POPKIN:** Thank you very much.
8 **PRESIDENT GERING:** All right. Next on
9 the agenda is the 2022 proposed budget review.
10 **MR. DOUGHERTY:** Well, should we --
11 **PRESIDENT GERING:** Pete.
12 **MR. GRAY:** Certainly. Thank you.
13 Ms. Szabo and I have presented the
14 proposed 2022 budget for your consideration today. The
15 proposed budget provides funding to borough residents
16 with no increase in real estate taxes. The proposed
17 millage rate will remain the same for year 2022.
18 In the general fund, the general millage
19 rate of 8.08 will remain the same for the year 2022 as
20 it was in the last three years. The proposed budget
21 or, I'm sorry, the proposed general fund expenditures
22 totals \$4,612,000 for 2022. Real estate taxes proposed
23 to support the general fund total \$508,000.
24 Some of the highlights of the non-tax
25 fund, which include the highway aid and capital

53

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 projects fund, include an overlay project in the
3 borough, just above \$68,000, a purchase of a new public
4 works truck for spreading salt for 43,000, and updates
5 to the visitor store center in the amount of just over
6 34,000.
7 Today, we are presenting the proposed
8 budget to you. What we would like to do at the
9 November 16th council meeting is request authorization
10 to advertise and a review of the budget. We will
11 propose the budget in the -- we'll put that in the
12 newspaper for December 1st, and then it will also be on
13 public review and display from December 1st until
14 December 15th, with a proposed adoption of the 2022
15 budget tax and millage rate on December 21st.
16 **PRESIDENT GERING:** Thank you.
17 **Any questions from council?**
18 **Anyone from the public have a question?**
19 **Yes, Mr. Clapper. Come on up. Again,**
20 **identify yourself and take your mask off, please.**
21 **MR. CLAPPER:** My name is Bill Clapper.
22 **I'm here on behalf of New Hope Speaks.**
23 **What is the total amount of the revenue**
24 **and expense budget for '22 that's proposed at this**
25 **point?**

54

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 **MR. GRAY:** Overall?
3 **MR. CLAPPER:** Yes.
4 **MS. SZABO:** I only have the base of the
5 fund.
6 **MR. GRAY:** Yeah, we don't have the total
7 amount. We have it based on each individual.
8 **MR. CLAPPER:** I'm sorry, Peter?
9 **MR. GRAY:** We don't have the total
10 amount. We have based it on each individual fund.
11 **MR. CLAPPER:** Okay. But you will be
12 posting that?
13 **MR. GRAY:** Eventually, yes.
14 **MR. CLAPPER:** Okay. And what was the
15 date to post that? I'm sorry.
16 **MR. GRAY:** December 1st.
17 **MR. CLAPPER:** December 1st. Thank you.
18 I would also like to say, as we have
19 asked council on repeated occasions in the past, that
20 the correct budget this year or the budget for 2022 be
21 presented and adopted on a monthly basis, as opposed to
22 a single annual basis. I hope you reconsider that for
23 this coming year.
24 **PRESIDENT GERING:** Mr. Clapper, I'm
25 going to stop you there. No other town does that. So

55

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 we're not going to make changes. No other
3 municipalities do that.
4 **MR. MEYER:** Have you ever heard of the
5 Government Accounting Standards Board?
6 **MR. DOUGHERTY:** Can I speed to this?
7 **PRESIDENT GERING:** Okay. Go ahead.
8 **MR. DOUGHERTY:** So, Mr. Clapper, with
9 all due respect --
10 **MR. CLAPPER:** Yes.
11 **MR. DOUGHERTY:** Our budget is roughly
12 \$4.2 million revenue, roughly, you know. Now, there
13 are probably 50 sources of revenue, okay, and there's
14 probably about 100 types of expenses that comprise
15 those figures. Some big, some are small. Now, this
16 was described in gory detail back in May, but I'll try
17 to do it off the top of my head.
18 We budget on an annual basis for each
19 and every revenue of these 50 revenue items how much we
20 expect is going to come in that year on a revenue
21 basis, and we budget, based on prior experience, as
22 well as expectations of changes or plans that might be
23 in place or environmental changes out there these 100
24 or so expense items.
25 **And they're arrived at basically by**

56

2 looking at the prior three years of the expense revenue
3 or expense by item, and then making judgment calls as
4 to what the -- what will the environment look like next
5 year for each of those items. Each and every item is
6 done that way.

7 We, along with every municipality, every
8 borough in the State of Pennsylvania do exactly that.
9 You're asking, instead of -- so, for example, let's
10 suppose there's \$12,000 going to be spent on some item,
11 and those items usually will come in 500, 500, 500,
12 500, 1,000, 1,000, 15, 15, 15, 15, 500, 500, and it
13 comes to 12,000. We know that it comes to 12,000.

14 For us to take that expense item, that
15 \$12,000 expense item, and bifurcate it into 12 monthly
16 installments, and line it up and have 100 rows of
17 expenses, 100 rows of times 12 months, a grid with
18 1,200 columns, 1,200 items on it, that -- just so that
19 we could say in March, oh, look, we're at \$150, that's
20 good, rather than saying, we're at \$150 of a \$1,200
21 budget, look. Well, that looks like we're below
22 budget.

23 We know that these things go up and
24 down. All it would do is create a situation where no
25 one -- where you would be spending a tremendous amount

2 you -- we are. We know if things are running hot or
3 cold. We know because we look at the previous years,
4 and we know that we can tell.

5 We look at large items, but just
6 simply -- we are not going to be able to do monthly
7 budgeting of income and expenses. No one does that, no
8 one. If you go out and find another municipality, like
9 local, okay, that you might find -- I don't know.
10 Maybe you might.

11 We have a \$4 million budget. Find
12 comparable cities, comparable size groups. Okay. You
13 might find New York City might do it. They have a
14 \$4 billion budget. The Philadelphia of City of might
15 do it, but I guarantee you they are not looking at it
16 constantly either.

17 We're looking at our budget constantly,
18 and expenses constantly, and our revenue constantly,
19 and making sure that they're on track, but to put it in
20 monthly slots like that, you're not going to get any
21 benefit out of it, because, frankly -- I'll just give
22 you an example.

23 People get paid weekly, Bill, right?
24 Let's say you get paid weekly. Do you know that
25 there's 52 weeks in a year, right? Most people think

2 of time. No -- this is analyzed, because it's not how
3 anyone does it. No one does it, no one, no one, no one
4 with a \$4 million budget does what you're asking, no
5 one.

6 And why? We would actually have to go
7 out and spend another \$1 00,000 to hire a financial
8 analyst to create this work. Then every single time a
9 month was off, it's like, oh, it came in at \$75, what's
10 going on?

11 We would have to -- that person would
12 have to dig through the invoices. Oh, you know what
13 happened, they didn't send the bill to us until the
14 31st, and it got approved the next month. So we only
15 paid two months of it so far, and, therefore, it looks
16 like we're okay, but it's okay.

17 No one does that. Absolutely no one
18 does that. I know you have been asking for us to do
19 monthly budgeting for six months. I respect it. I
20 understand why you want -- you would like that, but no
21 one does it, because the benefit of it, the cost of
22 doing it far outweighs any kind of benefit.

23 I don't think anybody up here and our
24 staff -- I think that everyone up here and our staff is
25 on this budget like a wet -- like a cheap wet suit. If

2 there's four paydays in a month turns, but it's not.
3 It turns out, even biweekly there's two months in every
4 year, Bill, two months every year where there's three
5 paychecks, okay?

6 So are we to then take the million
7 dollars or so in payroll costs, and split it up 83,000
8 for 12 months, and then January happens to be a
9 three-paycheck month, and instead of making \$3,000
10 being spent, \$125,000 is spent, because three paychecks
11 were paid that month?

12 I think what you would ask us to do is
13 stare at the calender and count how may checks are in
14 the three paycheck months are going to occur, and make
15 sure we put the 125 in that month, and 82 in this
16 month, and do -- we would actually have to hire another
17 whole day accountant, and it still wouldn't do a good
18 job.

19 That's as best as I can explain it,
20 Bill. It's not that we don't want to do it. It's just
21 it wouldn't add any value, and it would cost a lot of
22 money and a lot of time. That's it.

23 MR. CLAPPER: Well, I certainly do
24 appreciate your response. May I disagree with you on
25 certain of those bases? There are municipalities and

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 businesses who have a \$4 million budget.
3 PRESIDENT GERING: Excuse me. This is a
4 municipality. We operate differently than a business .
5 You have separate --
6 MR. CLAPPER: I'm sorry. I understand
7 the difference. I've checked with other organizations
8 around and talked with them. I will find you one, if
9 you would like.
10 MR. DOUGHERTY: Find me --
11 MR. CLAPPER: But that's not the issue.
12 MR. DOUGHERTY: You can call Doylestown,
13 call Solebury, call Yardley Borough. Call them all up
14 and ask them, do they take their budget, and allocate
15 the revenue and expenses bi-monthly, and report out
16 upon it.
17 Actually, go on Yardley's website, Bill,
18 and look at their minutes from their public meetings,
19 and find out how much information is being distributed
20 at their monthly meetings or on their website as to how
21 their monthly revenue and expenses are tracking against
22 their annual budget, and if you find that everybody
23 else is doing this, and we're not, please come back and
24 talk to us.
25 MR. CLAPPER: I understand. I hear what

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 better job at basically relating information that you
3 feel comfortable. That is separate than monthly
4 expensing and monthly revenue.
5 MR. CLAPPER: Well, that might be a
6 month that --
7 MR. DOUGHERTY: Leaps and bounds -- leaps
8 and bounds over the last 18 months, I believe, in
9 pushing out information, far more information than we
10 have previously. We still have a ways to go. We're
11 learning how to do that, and we are committed to
12 continuing to expand the amount of information that we
13 can distill down and share.
14 There's no doubt you have every right to
15 ask for more information, and we should give you more
16 information, and we're trying to do that. So it's not
17 that they are -- the best example I can give you is if
18 we're budgeting 900,000 for parking revenue, for
19 kiosks, for us to look back at the last five years and
20 figure out how much came in in January, versus
21 February, versus March.
22 I guarantee you, January and February
23 and March of next year, based on what happens with the
24 weather two weeks, it will be dramatically different,
25 and everybody will be saying, oh, my goodness, we're

61 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 you're saying.
3 MR. DOUGHERTY: Okay.
4 MR. CLAPPER: I understand loud and
5 clear. I understand your position. I want you to also
6 understand our position as New Hope Speaks, that we
7 don't have the feel for the budget or the expenses that
8 you do.
9 I find it quite risky that the budget
10 management would be in the hands or the minds of
11 individuals, as opposed to a procedure, and that's
12 where I'm coming from. It's not at all a question of
13 the management of the budget, please, let's put that
14 aside, but the transparency of what the budget tells
15 us.
16 I've managed a company for many years.
17 One time our revenue was far below \$4 million, but we,
18 indeed, did manage on a monthly basis. And now that
19 was a business, and I appreciate there is a difference.
20 But I would also look at it from the residents' point
21 of view, that looking at it from the outside to the
22 council is that it's very difficult for us to
23 understand the budget.
24 MR. DOUGHERTY: And that is
25 understandable, and something that we need to do a

63 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 under budget, when the budget is 900,000.
3 So we also can't just put \$75,000 in
4 each month. That also doesn't -- that doesn't get you
5 any closer, by the way. So I hear you. I think
6 that --
7 MR. CLAPPER: Okay.
8 MR. DOUGHERTY: -- we can do a better
9 job at giving you quarterly updates and that sort of
10 thing, so.
11 MR. CLAPPER: Well, I appreciate that.
12 That is the bottom line. It is not the management, it
13 is the communication about the budget.
14 MR. DOUGHERTY: Thank you.
15 MR. CLAPPER: So thank you. Thank you.
16 PRESIDENT GERING: All right. Any other
17 public comments?
18 MR. CLAPPER: I have one more, if I
19 would --
20 PRESIDENT GERING: Well, why am I not
21 surprised?
22 MR. CLAPPER: Thank you. Bill Clapper,
23 New Hope Speaks.
24 I had submitted a proposal at the last
25 meeting to evaluate a virtual meeting process for our

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 borough, and how we might improve it. I propose that
3 I -- I think everyone has a copy of the proposal.
4 I propose that we make that a committee
5 of residents and council members, and I wanted to see
6 what the status of that might be.
7 PRESIDENT GERING: There is no status
8 right now. We are testing out the Owl system that you
9 recommended would be virtual. This is our second
10 meeting to see how it goes. I, as a council person,
11 I'm going to tell you, it's terrible, the fact that the
12 council people and the people in the audience can't
13 hear the audience here.
14 So I think before we move on and do
15 anything different, we got to see how things are
16 working out. That's just me speaking, and for us to
17 set up another committee for council people to work on,
18 right now everybody on this council sits on
19 subcommittees.
20 Dan is on finance, as I am and Tina.
21 Laurie does the parking committee. Peter is on the
22 parking facilities. We have got Louise and Kenny are
23 working on how to reduce HARB for us, so it's a simpler
24 process.
25 So everybody on this board, even though

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 addressing.
3 PRESIDENT GERING: Well, that's not
4 going to help us with the Owl. Okay. So I think part
5 of the problem is the investment we would have to make
6 in this room, because of the acoustics, whether it's
7 the TVs, the microphones, whatever sound system. So we
8 have to see how this works out. My guess is it could
9 cost us another \$100,000 in investments.
10 UNIDENTIFIED SPEAKER: No.
11 PRESIDENT GERING: Hold on. Because,
12 yeah, so by the time -- what we have here is an old
13 system. Everything would have to be replaced.
14 So let's say it's even \$50,000. So it's
15 got to be analyzed before we jump in and make such a
16 big commitment to see how things are working out and so
17 forth. So that's what my comment to you is. So we're
18 going to try this out for a couple of meetings, and
19 let's see how we make out, and then we can have that
20 conversation.
21 MR. CLAPPER: But you don't need this
22 sound system if you have --
23 PRESIDENT GERING: Excuse me. Yes, we
24 do, because we can't hear you.
25 MR. MEYER: We can't hear Ken.

65 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 you see us sitting here, put hours and hours in the
3 week. So for us to do one more committee, we're going
4 to have to see how this works out right now before we
5 jump up and put another board together. So that's my
6 comment to you.
7 MR. CLAPPER: I appreciate that. I hear
8 what you're saying. I would comment that I believe
9 that the test is not fully maximizing the capability of
10 the Owl, plus the Zoom system.
11 From our research that we did and
12 presented to the council several months ago, this room
13 is much too large for the single Owl unit. The
14 capability of the Owl unit is to hook two together, and
15 it needs to be elevated at the same level as the
16 council, so that it provides much clearer feedback to
17 the council and the people in the back here.
18 This is too low. I have spoken with the
19 Owl people subsequent to the last meeting, and
20 confirmed that that's what they would recommend.
21 PRESIDENT GERING: I don't think the
22 problem was the people watching the video at home. The
23 problem we're having here is the people in the audience
24 and the council members --
25 MR. CLAPPER: Well, that's what I'm

67 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 MR. CLAPPER: If this Owl unit, if you
3 had two of them placed in the proper position, you
4 would get that feedback.
5 PRESIDENT GERING: Oh, I beg your
6 pardon. No, you wouldn't.
7 MR. CLAPPER: Why don't we try that?
8 Let's get two units and try it.
9 MS. McHUGH: Well, we don't even have
10 the heater on yet or the AC system on. So right now
11 it's been quiet.
12 MR. CLAPPER: We can solve that problem.
13 MS. McHUGH: I can't hear the Mayor. So
14 we have to go back to using these.
15 UNIDENTIFIED SPEAKER: He didn't say
16 anything.
17 MR. CLAPPER: We can solve that problem.
18 Can you hear me? We can solve that problem. I know
19 how to solve it. Why don't we get two units and do
20 that?
21 MS. McHUGH: Why don't we use the one
22 unit with these on and see what happens?
23 PRESIDENT GERING: Matt, can you turn
24 the microphones on to see how we make out, since they
25 seem to think it's going to work right?

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 UNIDENTIFIED SPEAKER: Well, not today.
3 PRESIDENT GERING: We don't want to do
4 it today?
5 UNIDENTIFIED SPEAKER: No.
6 PRESIDENT GERING: All right. We'll
7 test it another time.
8 MR. CLAPPER: You have to have two
9 units, too.
10 PRESIDENT GERING: I'm going to rush
11 you, because they're coming in to get this room ready
12 for the election tomorrow, but I --
13 MR. DOUGHERTY: Don't forget to vote.
14 PRESIDENT GERING: Yeah, don't forget to
15 vote tomorrow.
16 All right. Thank you, Mr. Clapper.
17 Anyone else? All right. Can I have a
18 motion -- we don't have a motion. Meeting adjourned.
19 Come on up.
20 All right. Go ahead.
21 MR. DOUGHERTY: I have a hard stop. I
22 have a hard stop. I'm leaving. I have to leave.
23 Thank you.
24 (Mr. Dougherty was excused.)
25 ---

1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 PRESIDENT GERING: Not yet. As soon as
3 we do, we'll let you know.
4 MR. BALDERSTON: Thank you.
5 PRESIDENT GERING: All right. Meeting
6 is adjourned.
7 Thank you, everybody.
8 (At 5:19 p.m., proceedings were
9 concluded.)
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69 1 *NEW HOPE BOROUGH COUNCIL WORKSHOP*
2 MR. BALDERSTON: That's fine. Joe
3 Balderston.
4 First, I appreciate everything that each
5 and every one of you members do up there. I know what
6 it's like to put in many, many hours to our community,
7 as I, unfortunately, don't have the capability of doing
8 that all through this journey. So I really do
9 appreciate the time and the effort and you listening to
10 us.
11 Very quickly, acoustics, has there been
12 any follow-up on what I suggested two months ago,
13 also, have we got any followup yet on the roof that's
14 going to be on this building?
15 PRESIDENT GERING: The repairs, how is
16 that coming?
17 MR. GRAY: Yeah, we did get quotes. Our
18 public works director has secured them. So we're
19 looking at them now, and repairs to the roof, and the
20 administrative building as well. So we're looking into
21 them to see what we can do.
22 MR. BALDERSTON: Thank you.
23 PRESIDENT GERING: All right.
24 MR. BALDERSTON: And do you have a
25 schedule yet for the ongoing proposed parking?

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3 C E R T I F I C A T E
4
5 I hereby certify that the proceedings
6 and evidence are contained fully and accurately in the
7 notes taken by me in the above cause and that this is a
8 correct transcript of the same.
9
10 EDWARD T. McKENNA
11 Court Reporter
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