

OFFICIAL MINUTES

MAY 20, 2013

The Regular Meeting of May 20, 2013 of Council for the Borough of Kennett Square was called to order at 7:00 p.m. in the Monroe Nute Room of the Kennett Fire Company Number 1, 301 Dalmatian Street, Kennett Square, Pennsylvania with President Danilo P. Maffei in the Chair. Roll Call followed the Pledge of Allegiance.

Present: *President Danilo P. Maffei*
 Vice President Leon R. Spencer, Jr.
 Councilmember Enrico H. Avello, Jr.
 Councilmember Geoffrey R. Bosley
 Councilmember George P. Plumley, III
 Councilmember D. Lynn Sinclair
 Councilmember F. Sean Walker
 Manager Brant Kucera
 Mayor Matthew W. Fetick

Absent: *N/A*

EXECUTIVE SESSION

President Maffei announced that the Executive Session which was scheduled to be held at 6:30 p.m. this evening was cancelled.

PUBLIC COMMENTS

Ms. Lauren Magee, 207 South Willow Street, expressed her concerned for the “We Buy Gold” business located at corner of South Willow and East Cypress Streets, especially after the business was robbed in March, 2013. She and her neighbors are not happy with this type of business located in a residential neighborhood and would like to see the business relocate closer to the commercial district in the Borough. If the business cannot be relocated then she would like to see the signage changed to be less drastic in color and size. Ms. Magee added that she is aware that this is a family-owned business and they have several other stores however all of them are located in business districts or strip malls.

Mr. Mitchell Brison, 205 South Willow Street, stated that he too is concerned about this type of business in his neighborhood. He noted that the top floor of this building is a family residence that includes several children. Mr. Brison said that he would be appreciative if something could be done to improve this situation.

CERTIFICATE of APPRECIATION

RICHARD A. PESCE

President Maffei presented a Certificate of Appreciation to Mr. Richard A. Pesce for his dedication in serving on the Borough's Civil Service Commission as well as Council. Mr. Pesce was appointed to the Commission on September 1, 1988 and served for 25 years until March 1, 2013. Mr. Pesce was appointed to Council on May 20, 2000 and was re-elected for two (2) consecutive terms. During his term on Council, Mr. Pesce was elected Vice President by his peers on January 6, 2006 and held this office until his departure on December 31, 2010.

Mr. Pesce thanked President Maffei, Council, the Manager and Mayor for the award. He also thanked those he worked with during his time on the commission including former councilmembers, mayors, borough secretaries, Solicitor Herb Rubenstein, Chief Zunino and the Police Department. Mr. Pesce noted that the duties of the Commission also include community efforts because the commission is assisted by citizen volunteers, the YMCA and Kennett High School during testing for police officers.

COUNCIL COMMITTEE REPORTS

PUBLIC SAFETY

Chief of Police Edward Zunino reported the following crime statistics for the month of April, 2013:

- Traffic Citations – 44.
- Written Traffic Warnings – 51.
- Criminal Arrests – 18.
- DUI Offenses – 2 (Waiting for test results).
- Total Calls – 663; the number as in April, 2012.

The Mayor announced that the Police Department will present service awards to the Police Officers and two (2) citizens on June 3rd at 6:00 p.m. The presentations will take place in the Red Clay Room prior to the Council meeting.

PUBLIC WORKS/FINANCE COMMITTEE

Councilmember Bosley reported the following for the month of April, 2013:

- The invoices were reviewed and spot checked.
- Grant Way - the pre-bid meeting was held for the improvements. The electrical work is moving along.
- Pre-construction meetings were held for both the Closed Loop and Walnut Street projects.
- Joe Scalise is in the process of meeting with the property owners regarding the construction of vehicular entrances to private properties within the West Cypress Street Project.
- Pump testing has been completed for the Yeatman Well Project.
- Discussed the EDU policy which has been sent to Council for their review.

- Discussed possible composting sites for Borough residents; two (2) possible locations are Anson B. Nixon Park and Grant Way.
- The Borough's debt margins and liabilities were also reviewed.

CONSENT ITEMS

MINUTES of MAY 6, 2013

President Maffei presented the May 6, 2013 minutes for approval.

It was moved by Councilmember Walker and seconded by Councilmember Plumley to approve the minutes as presented. Motion carried unanimously.

BILLS to be PAID MAY 20, 2013

President Maffei presented the bills to be paid May 20, 2013, and the bills that were paid since the last meeting for approval.

It was moved by Vice President Spencer and seconded by Councilmember Plumley to approve the bills as presented. Motion carried unanimously.

BID AWARD to AGPOINT CONSTRUCTION SERVICES IMPROVEMENTS to GRANT WAY - PUBLIC WORKS FACILITY

President Maffei presented the bid award for the improvements to Grant Way for the Public Works Facility to Agpoint Construction Services.

The Manager advised that the bid opening occurred on May 9, 2013. Five (5) bids were received with Agpoint Construction Services, a division of Paul Risk Associates, Inc. of Quarryville, Pennsylvania being the lowest \$334,275.13. This is the Base Bid only and does not include Alternate Bid, B1, Asphalt Driveway to Property North of Borough Maintenance Facility Property.

It was moved by Councilmember Bosley and seconded by Councilmember Walker to approve the Base Bid only as presented pending the contractor's Corporate Seal of the Bid Bond. Motion carried unanimously.

SPECIAL EVENT APPLICATION

DAD'S DAY SUMMER in the SQUARE, June 16th

President Maffei presented the following special event application for approval:

- Dad's Day Summer in the Square to be held on Sunday, June 16th from noon until 4:00 p.m. The event will be held in the brick walkway between the parking garage and East State Street.

The Manager advised that there are no street closures and no need for assistance from the Public Works and Police Departments.

It was moved by Vice President Spencer and seconded by Councilmember Avello to approve the application as presented.

**SET PUBLIC HEARING DATE
PROPOSED ORDINANCE AMENDING the
MUNICIPAL CODE of the BOROUGH of KENNETT SQUARE
CHAPTER 23, ZONING and
CHAPTER 18, SUBDIVISION and LAND DEVELOPMENT
DEFINITIONS**

President Maffei stated that the public hearing will be held at 7:00 p.m. on June 17th. The purpose of the public hearing is to discuss the proposed ordinance amending the Municipal Code of the Borough of Kennett Square, Chapter 23, Zoning and Chapter 18, Subdivision and Land Development, Definitions.

The Manager advised that the definitions are pertaining to different type of "Breweries" including "Brewpub", "Craft Brewery", "Microbrewery", "Nanobrewery", "Regional Brewery" and "Wine Bar/BYOF".

It was moved by Councilmember Walker and seconded by Councilmember Plumley to set the public hearing date as presented. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments from the floor.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Councilmember Walker questioned the zoning district for the "We Buy Gold" business and if it is outside of the ARB District.

The Manager advised that the property is the last one in the C-2 District and the business is a use by right. He added that we may want to revisit the zoning of that particular. The Manager confirmed that it lies outside of the ARB District.

Councilmember Walker stated that there is not much Council can do but to change zoning for future uses.

Vice President Spencer announced the Kennett High School Men's Track Team will be competing at the state level this weekend at Shippensburg College.

The Manager stated that the start of the construction for the West Cypress Street Project may be postponed until the spring of 2014. He noted that we have a lot on our plate at this time and do not want to rush the project in order to get the paving done before winter.

President Maffei stated that Mr. Joseph Scalise, Director of Public Works, is personally meeting with each individual property owner that will be affected by the construction of vehicle entrances and the scheduling of the meetings is taking longer than anticipated.

The Manager stated that he was approached by CATO for the use of Borough-owned land that could be available to plant a community garden. It would not only serve as a community garden but also as a teaching tool to educate residents to plant their own gardens. A portion of the land at the new Public Works facility on Grant Way is being considered.

The Manager said the Kennett Run this past weekend was successful and the number of runners was the same as last year even without the participation of Girls on the Run. There were approximately 1,500 runners with a total of 5,000 people in the park afterwards.

Councilmember Avello recommended that the Kennett Run have portable toilets located in close proximity of the starting line at their future events.

Councilmember Walker announced that the new playground is opened at Anson B Nixon Park noting that he participated in the construction. The Grand Opening will be held on Sunday, June 2nd at 1 p.m. with a rain date of June 9th.

Vice President Spencer added that students from the Technical College High School also participated in the construction.

ADJOURNMENT

It was moved by Councilmember Avello and seconded by Councilmember Sinclair to adjourn the meeting at 7:39 p.m. Motion carried unanimously.

Karen L. Scherer

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Secretary