

OFFICIAL MINUTES

FEBRUARY 26, 2014

A special meeting, Resident Forum, was held on February 26, 2014, 7:00 p.m., by Council for the Borough of Kennett Square. The meeting was held in the Red Clay Room of the Kennett Fire Company No. 1, 423 Dalmatian Street, Kennett Square, Pennsylvania with President Leon R. Spencer, Jr. in the Chair.

Present: *President Leon R. Spencer, Jr.*
Vice President Danilo P. Maffei
Councilmember Geoffrey R. Bosley
Councilmember Brett M. Irwin
Councilmember George P. Plumley, III
Councilmember D. Lynn Sinclair
Councilmember Patrick B. Taylor
Manager Brant Kucera
Mayor Matthew W. Fetick

STATEMENT of PURPOSE

President Spencer stated it was very encouraging to see so many residents take the time to attend this evening. He advised that the intent of this forum is to provide the public with information regarding concerns they have shared during the "Public Comments" segments of recent Council meetings by reporting on actions that have been taken and for dialog between Council and the public.

CITIZENS' CONCERNS

PET ORDINANCE

President Spencer referred to residents' complaints of chickens running loose in the Stenning Hills neighborhood. He referred to Borough Ordinance No. 884, which addresses pets and read aloud the definitions for Livestock, Owner, Pet, Run at Large and Service Animal according to the ordinance in addition to the violations and penalties.

President Spencer advised that according to the Codes Enforcement Officer there is no indication of chickens living in anyone's house. If this is untrue, he asked that the public report the address of any such residence.

John Thomas, 406 South Broad Street, stated that there is no way of knowing that chickens are living in someone else's house unless the Borough is permitted to enter a residence.

Robert Whiteside, 802 Wayne Avenue, stated that at a past meeting a resident reported that she witnessed chickens coming out of a residence.

John Thomas questioned if poultry is permitted in the Borough.

President Spencer replied yes but they must be contained and under the control of the owner.

Janet Wilson, 102 Scarlett Avenue, stated that she would like the Borough to adopt an ordinance banning chickens from the Borough.

Vice President Maffei stated that the ordinance as it stands prohibits livestock from running loose. Whether or not the public here this evening may want chickens banned from the Borough, Council will also need to hear from residents that prefer to keep chickens on their properties.

John Thomas stated that he believes that lot sizes in the Borough are too small to raise chickens.

Robert Whiteside stated that the noise from the chickens in the Borough disturbs him and feels that it should be unlawful to raise chickens in the Borough. In addition, it is unacceptable for owners to allow their dogs to relieve themselves in a neighbor's yard.

Don Quinn, 705 Wayne Avenue, stated that the chicken coop that is near his property appears to be dilapidated which makes it easy for the chickens to escape. The lot sizes are small and not conducive to raising chickens. He noted that he has been awakened in the past by a rooster crowing.

Chief of Police Edward Zunino stated that exotic animals were not a problem until a couple of years ago when a person was bitten by a snake. Perhaps it is time to address the public's concerns about chickens.

POLICING

PENNSYLVANIA MOTOR VEHICLE CODE

President Spencer stated another concern of the residents is that vehicles are parked too close to intersections, and are obstructing the sight line distance in addition to vehicles parking against the flow of traffic.

Chief Zunino advised that the PA Vehicle Codes states that vehicles must be parked at least 30 feet from a stop sign and 25 feet from a crosswalk, and that vehicles must park with the flow of traffic. Violation of these codes contribute to vehicle accidents and violators are issued parking tickets.

Vice President Maffei referred to a concern of Mr. Whiteside about vehicles parked in driveways blocking the sidewalk.

Chief Zunino stated that this is also a violation. The Police Department's initial response for a blocked sidewalk is to ask the owner to move the vehicle but if it continues to be a repetitive problem, then parking tickets are issued.

President Spencer stated that we need to consider if the Police may be issuing too many warnings and not enough tickets.

John Thomas stated that he witnesses a vehicle parked too close to the intersection of Magnolia and Garfield Streets every day.

Charla Watson, 523 Magnolia Street, stated that a lot of cars parked too close to the intersection in her side of town and vehicles that park in “no parking zones” need to be ticketed. She would like to have “dead” cars ticketed and towed. In addition, Ms. Watson stated that it causes hazardous conditions when cars parked along streets block cars that are parked in driveways and when vehicles park outside of the parking space brackets.

Don Wilson, 126 Scarlett Avenue, stated that parking on both sides of his street causes it to become one lane. He suggested that Scarlett Avenue be converted to a one-way street or eliminate parking on one side. Mr. Wilson stated that Scarlett Avenue is permitted parking only, Monday through Friday; however he would like it to be increased to 24 hours and 365 days per year.

Vice President Maffei and Fire Chief Steve Melton clarified that vehicles are not permitted to park in front of fire hydrants whether they are active or deactivated. He urged the residents to report violators to the Police Department.

Kathleen Tavoni, 615 Worrall Avenue, stated that she often finds it very difficult to cross Union and Broad Streets while driving the school bus because vehicles are parked too close to the intersections. She added that this is the same at Ridge Avenue and Union Street. She questioned why curbs are not painted to clearly mark the no parking zones at intersections.

Leslie Whiteside, 802 Wayne Avenue, agreed with Ms. Tavoni about cars parking on Ridge Avenue too close to Union Street. It makes it difficult entering and exiting Ridge. She shared her concern that vehicles constantly cross the center line on West South Street at NVF ball field due to vehicles parked along the roadway. In addition, Ms. Whiteside stated that she has seen people parking their vehicles on their lawns all summer long and she wants tickets to be issued in place of warnings.

Chief Zunino advised that the Police Department is generating a list of problem intersections that need to have the curbs painted yellow. Once completed, the painting will be handled through the Public Works Department.

GANG ACTIVITY UPDATE and GRAFFITI ABATEMENT

Chief Zunino advised that the Police Department is aware of gang members residing in the Borough and know who they are and where they live. Currently the department is seeing a lot of graffiti in the Borough compared to a few years ago. He noted that Officer Rosado has addressed these issues and continues to do so. Chief Zunino stated that the last gang related homicide in the Borough was in 2004; there is violence between gang members but it is now happening in deserted areas of the townships. This issue is something the Police Department stays on top of everyday.

Robert Whiteside commended the Chief and his Police Officers for addressing this issue. He added that it takes a community to resolve issues and not the Police Department or the Codes Department alone.

SECURITY of PERSONAL PROPERTY INCLUDING VEHICLES

Chief Zunino stated that the majority of the thefts from vehicles happen to unlocked vehicles; they do not see a lot of windows or locks being broken. This is a crime of opportunity and if a thief sees something of value in the vehicle then they will steal it. He urged the people to keep their vehicles locked and keep valuables out of out of sight by locking them in the trunk.

President Spencer told the public that they are all eyes to the community and to always report anything suspicious.

CODE ENFORCEMENT DEPARTMENT STRUCTURE

President Spencer advised that the Codes Enforcement officer, Russell Drumheller, will begin presenting monthly reports during the Council meetings.

Mr. Drumheller stated that the Assistant Codes Enforcement Officer, Tina Porter, conducts inspections on 1,200 rental and commercial properties on an annual basis and then must return to approximately 90% of those properties for re-inspections. Ester Perez works primarily in the office serving contractors and residents with permit applications, answering questions and addressing concerns. On occasion, she will accompany him to serve as a translator. All other activity such as plan reviews, resale inspections and updating ordinances are handled by him. He then gave examples of their daily and weekly work routine.

Vice President Maffei stated that there is a link to the schedule of annual inspections on the Borough's website.

President Spencer introduced and thanked the Borough Hall Receptionist Denise Rodriguez for attending this evening to serve as a translator.

John Thomas would like to see that a property be rated by tiers based in their successful inspections. They could be cut down on inspections to every two (2) or three (3) years if property owners are responsible.

President Spencer asked the Fire Chief Melton if smoke detectors play an important role in public safety.

The Fire Chief replied yes and added that the property loss due to fire in the Borough is very low due to the work of the Codes Department. He advised that they contact the Codes Department if they discover a code violation while responding to a call. Fire Chief Melton stated that Ms. Porter performs her job very well, as does everyone else in the Codes Department, and the Fire Department has a very good working relationship with the Codes Department.

Robert Whiteside asked Mr. Drumheller if the Codes Department is understaffed.

Mr. Drumheller stated yes; his department could use a part time inspector. In addition, he noted that the only way he can address a codes violation is to issue a citation and a majority of the citations proceed to District Court. He advised that he cannot physically go onto a property to remove vehicles and/or appliances.

Charla Watson stated that Codes Department could enforce the code more efficiently if ordinances were more stringent. She wants Council to discontinue having the businesses and realtors from driving our economics. Ms. Watson said that tables and chairs remain on the sidewalk all year long, even in the winter. She also complained about spillover from lighting and fence heights noting that the residents have the right to privacy in their own yards.

HOUSING

OCCUPANCY and ASSESSMENTS

President Spencer advised that the Borough follows the 2003 ICC International Property Maintenance Code.

Jane Bazzano, 807 South Mill Road, asked if it is true that Mr. Drumheller cannot just enter a residence when responding to a complaint.

Mr. Drumheller explained the process and stated that he must ask for permission to enter the premise; under the law, the occupants do not have to grant him permission to enter.

John Thomas stated that there is overcrowding in the Borough but by the time it is reported and Mr. Drumheller arrives at the property, the extra tenants are gone.

COMMUNITY PROVISIONS FOR YOUTH

President Spencer stated that there was a concern expressed about the lack of community provisions for youth and that we are not a “kid friendly town”. He asked for response on this topic.

Carol Krawczyk, 521 West State Street, stated that we do not have a place for kids and young adults to have “pick-up” games in the Borough.

COMMUNITY PROVISIONS FOR SENIORS

John Thomas would like to see more affordable homes for senior citizens and/or handicap individuals. There are not enough in the County as a whole and he would like to see ten percent (10%) of all new developments in the Borough address this.

Russell Drumheller stated that this is addressed under the Building Code with the minimum being five percent (5%).

Carol Krawczyk, 521 West State Street, reported that she and Joan Holliday have been co-chairs of the Intergen Coalition since 2007. They are finding that Chester County in general does not have provisions for senior housing. A survey they conducted a few years ago includes many comments from seniors on how difficult it is for the seniors to walk to the downtown due to the steep slopes. Plans to make this a walkable community should include the installation of benches along sidewalks in the sloped areas. She recommended working with the Senior Center to determine where to place the benches which could be purchased through donations. Ms. Krawczyk will provide President Spencer with a copy of the survey.

BLOCK CAPTAIN PROGRAM

Vice President Maffei stated that this is just in a planning idea stage. The idea came to him during the power outages a few weeks ago when he had no way to communicate with others when his cell phone died. Residents needed information on where to find housing and places to get warm. This would be very positive for our community and he will do a little feasibility testing to see if this program can be done on a more organized scale to make our town better and safer.

President Spencer instructed the residents to please contact Vice President Maffei if this are interested in being involved.

Leslie Whiteside stated that this is an excellent idea and believes the school could be involved.

Charla Watson asked who dropped the ball with our Emergency Management Plan during the power outage.

Mayor Fetick stated that we do have an Emergency Management Plan but we work in cooperation with the County. The leadership and direction during this emergency came from the County and that there were conference calls with the County everyday throughout this emergency.

COMMUNITY ACTIVITIES INCLUDING FESTIVALS

President Spencer advised that Council will be discussing this topic and will respond to the public in the near future on ways to address their concerns.

OTHER CONCERNS

Councilmember Bosley thanked the public for attending and reported that the Kennett Area Senior Center has a program in place to assist seniors who need help with snow removal.

Councilmember Taylor stated that he liked holding the forum noting that issues were raised that he did not think about before. He will try his best to help alleviate these issues.

Councilmember Bosley would like to hold this type of forum a couple of times a year.

Councilmember Sinclair agreed.

John Thomas advised that he received a 15 day shut off notice and thought it was his regular bill. He was surprised because he always pays them on time.

Denise Rodriquez explained that the current quarterly utility bills were mailed on December 30, 2013 and that payment was due on January 31, 2014. The notice that Mr. Thomas was referring to is a delinquent notice.

John Thomas thanked Council stating that this was a great meeting and would like to see it occur twice a year.

Janet Wilson stated that there are several homes on Scarlett Avenue that set out multiple trash cans and trash bags for collection. She would like to see a limitation on the number of ice cream trucks in the Borough; the constant music coming from the trucks becomes a nuisance. In addition, Ms. Wilson reported that snow is piled at the corners of intersections on Scarlett Avenue and children are forced to walk out in the street.

Kathleen Tavoni stated that Worrall Avenue desperately needs to be repaired; it becomes a lake when it rains. If it is not on the current list to be repaired then she would like to know when it will be placed on the list.

The Manager advised that there is a program in place with a rotating schedule for roads to be overlaid every 20 years; we have been able to catch up on this schedule over the past several years. He advised Ms. Tavoni that he will have the Director of Public Works to evaluate her street.

Charla Watson expressed her displeasure with how residents shovel snow from their sidewalks and she wondered why excessive snow was not hauled away from her section of the Borough. Ms. Watson reported that there is a serious skunk odor in the Borough and would like it to be addressed. She does not like seeing indoor furniture on porches. In addition, Ms. Watson shared her displeasure that the Borough appears to be becoming a watering hole and does not understand why we have so many beer/liquor fests in this town; we have too many liquor licenses and it needs to stop.

The Manager advised that the State issues liquor licenses to non-profits for fundraising events and that Historic Kennett Square holds six (6) a year.

Robert Whiteside thanked Vice President Maffei and Councilmembers Bosley and Taylor for coming to his neighborhood. He thanked Council for holding this meeting and he asked the public to be active in their community. Mr. Whiteside thanked Chief Zunino for the tremendous job he has been doing and thanked the Mayor for being active and responsive to the public. He urged the public to address issues with the Chief, Council and the Manager. In addition, Mr. Whiteside said that Mr. Drumheller can only be as good at his job as Council allows him to be. He thanked those in attendance and asked them to give Council a chance.

Don Wilson stated that this is the first time in 13 years that a meeting like this has been held. He thanked Council for holding this meeting noting that it was very constructive and informative.

PRESIDENT'S REPORT

President Spencer stated that Council is an elected group of taxpayers that make decisions not only for the public but for themselves as well and asked the public to please keep them apprised of what is going on in their neighborhoods and the Borough. In addition, he thanked Vice President Maffei and Councilmembers Bosley and Taylor for visiting Stenning Hills. President advised that he was unable to join them in Stenning Hills because he was attending a meeting regarding resident's concerns during the same time at Kennett Presbyterian Church.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

There were no comments or announcements.

ADJOURNMENT

President Spencer adjourned the meeting at 9:35 p.m.

Karen L. Scherer

Karen L. Scherer
Secretary