

OFFICIAL MINUTES

MARCH 3, 2014

The Regular Meeting of March 3, 2014 of Council for the Borough of Kennett Square was called to order at 7:00 p.m. 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
Mayor Matthew W. Fetick
Manager Brant Kucera
Julie Von Spreckelsen, Esquire, Borough Solicitor

PUBLIC COMMENTS

Liz White, 302 South Broad Street, expressed her total support of the proposed Historic Architectural Review Board (HARB) ordinance and thanked Council for considering it.

Ann Einstein, owner of 119 East Linden Street, stated that she read through the latest draft of the proposed HARB ordinance and is not in favor Council adopting it. Ms. Einstein advised that she recently completed renovating her property and the project would have taken her a lot more time if she would have to follow the proposed ordinance. She believes this ordinance is a draconian reach of government.

Carol Krawczyk, 502 West State Street, expressed her support of the proposed HARB ordinance. She added that she is very appreciative of the work done by the Historical Commission for their support of this ordinance.

Albert McCarthy, 219 South Broad Street, stated that he supports the proposed HARB ordinance and recommended that the ordinance be adopted in its present state.

COMMITTEE REPORTS

CODES DEPARTMENT

Russell Drumheller, Codes Enforcement Officer, reported the following activity in the Codes Department for the month of February 2014:

- Inspection completed - 62.
- Telephone calls into the office - 139.
- Visitors to the office - 32.

- Completed 5 plan reviews.
- Processed a total of 305 permits and registrations. This consisted of building, plumbing, electrical and mechanical permits, and residential rental and commercial registrations.
- Overcrowding complaints investigated – 2.
- Mr. Drumheller attended District Court for Property Maintenance Code violations, met with a total of ten (10) landlords/tenants/property owners to review complaints and, attended four (4) evening meetings.

HISTORIC KENNETT SQUARE (HKS)

Ms. Mary Hutchins, Executive Director, reported the following:

- The second annual Winterfest was held two (2) weeks ago and was a successful event for HKS. She thanked the Public Works and Police Departments for their assistance.
- There is a First Friday Art Stroll this coming Friday in addition to the Winter Farmers Market.
- HKS is working on the first annual Evening of the Arts to be held on April 4th.
- Cenzia is closing for personal reasons. Ms. Hutchins is working with the owner of the building to find a new tenant.
- Sweet Christine's is closing its downtown location and moving to Route 1.
- The Economic Development Committee is revising the Economic Development Plan that was created back in 2007.
- The HKS Marketing Committee will conduct a communications audit on March 11th.
- The "warm weather" Farmers Market will open Friday, May 2nd.

The Manager advised that although Sweet Christine's is closing their store on West State Street, their manufacturing site is being expanded and will remain in the Borough. The new location is 216 Birch Street.

HISTORICAL COMMISSION (HC)

Councilmember Sinclair advised that the HC's report for February 2014 was included with the report January 2014 presented during the Council meeting on February 18, 2014.

CONSENT ITEMS

MINUTES of FEBRUARY 18, 2014

President Spencer presented the February 18, 2014 minutes.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve the minutes with the addition of the word "not" in the first sentence under President's Report to read as follows:

President Spencer stated that during "Public Comments", Council is often chastised that they are not addressing residents' concerns.

Motion carried unanimously.

BILLS

President Spencer presented the bills to be paid on March 3, 2014 and the bills that were paid since the last meeting.

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

SPECIAL EVENT APPLICATION

KENNETT RUN, MAY 17th

President Spencer presented the special event applications for the Kennett Run, to be held Saturday, May 17th, 9 a.m. to 1 p.m.; the race begins in the 300 block of North Union Street. The race will head north out of the Borough and end in Anson B. Nixon Park.

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

2014 ROAD MATERIALS BID AWARDS through the MUNICIPAL COOPERATIVE of SOUTHERN CHESTER COUNTY

President Spencer presented the 2014 Road Materials Bid Award through the Municipal Cooperative of Southern Chester County.

It was moved by Vice President Maffei and seconded by Councilmember Plumley to approve the bid awards as presented.

The Manager advised that the 2014 bids were awarded as follows:

- Fuel – Superior Plus Energy Services.
- Line Painting – Alpha Space Control Co., Inc.
- Stone – New Enterprise Stone and Lime Co., Inc. DBA Martin Limestone, Inc.
- Black Top – Highway Materials, Inc.
- Road Oil – AMS.
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Vice President Maffei questioned if the line painting bid included the cost for the painting specific curbs yellow.

The Manager replied no; that cost will be paid out of the Public Works budget with the labor being addressed through community service.

Councilmember Bosley questioned if it's premature to determine what impact this winter's weather will have on the Public Works budget.

The Manager replied yes stating that we will need to wait for the warmer weather to determine the impact.

Motion carried unanimously.

PUBLIC PRESENTATION

PROPOSED HISTORIC DISTRICT ORDINANCE, ACT 167 COMPLIANCE

Vice President Maffei gave a summary of timeline for this project.

Ray Ott of Ray Ott and Associates gave a PowerPoint presentation of the new proposed Historic District Ordinance and map and noted the revisions to the original proposed ordinance.

President Spencer advised that a question and answer period with the public will not take place at this time. Only Council will present questions this evening and he urged the public to contact a councilmember if they have questions or concerns. The public will be able to comment during the public hearing tentatively scheduled for April 21st.

A discussion ensued regarding the language, in-kind replacement materials, design, and emergency repairs.

President Spencer directed Council to read the proposed ordinance thoroughly prior to the public hearing and encouraged them to ask questions.

Vice President Maffei advised that he would be available immediately following tonight's meeting to address any questions or concerns from the public.

PRESIDENT'S REPORT

President Spencer advised that the Resident Forum held on February 26th was very well attended and that Council looks forward to holding another one this fall.

The YMCA will be holding a fundraising event, Good Kids Dinner, this Thursday, March 5th, at Deerfield in Newark, Delaware. There are many programs in our community that generously addresses the needs of others, such as the family that recently lost their home to a fire a couple of weeks ago. Good Kids is one of these programs that have a positive impact on our community. In 2012, the Good Kids Campaign awarded \$586,000 to subsidize and directly fund programs for over 340 low income families. The programs include swimming lessons, day camp, before and after school care, sports leagues and individual and family YMCA memberships. President Spencer wished them the best with this year's campaign.

President Spencer stated that the Kennett Run Charities, sponsor of the Kennett Run, is another generous charity in our community. They fund such programs as the Adult Care of Chester County – Kennett Site, Domestic Violence Center, adult and family literacy programs through the Bayard Taylor Memorial Library and the Chester County Intermediate Unit to name a few. The Kennett Run Charities also assisted a family in New Garden Township that lost their home in a fire last spring. We are fortunate to have so many charitable organizations within our community.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

The Manager advised that we received a message from the Chester County Emergency Operations Center instructing us to submit municipal expenses for this winter's maintenance for potential reimbursement. We have identified \$27,700 in potential reimbursements and understand that the County has met the threshold for PEMA. We are now waiting to hear if the State has met the threshold and hopefully we will see a great deal of our winter maintenance costs reimbursed but there are not guarantees.

ADJOURNMENT

It was moved by Councilmember Plumley and seconded by Councilmember Taylor to adjourn the meeting at 8:11 p.m.

Karen L. Scherer

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Secretary