

OFFICIAL MINUTES

APRIL 7, 2014

The Regular Meeting of April 7, 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

Mr. John Thomas, 406 South Broad Street, shared his protest that the second "Public Comments" has been removed from the agenda.

CONDITIONAL OFFER of EMPLOYMENT JEREMIAH D. BOYER, FULL TIME POLICE OFFICER

President Spencer presented the Conditional Offer of Employment for Jeremiah D. Boyer as a full time Police Officer with the Kennett Square Police Department. He advised that Mr. Boyer has passed the required Physical and Psychological Medical Examinations as well as the Polygraph Examination.

It was moved by Vice President Maffei and seconded by Councilmember Taylor to approve the offer as presented.

President Spencer stated that he would abstain from voting on this item due to the fact that he is related to Mr. Boyer.

Motioned carried with a vote of 6 to 0 with President Spencer abstaining.

SWEARING IN of JEREMIAH D. BOYER

The Mayor stated that full time employment for police officers falls under the Civil Service Commission and is conducted through a testing process that generates a Certified List. Mr. Boyer placed number one on that list.

Chief of Police Edward Zunino gave a brief biography of Mr. Boyer noting that he has been a current part time officer in the Kennett Square Police Department since 2013.

The Mayor swore in Police Officer Jeremiah D. Boyer as a full time Police Officer with the Kennett Square Police Department.

PUBLIC HEARING

AMENDMENTS to BOROUGH of KENNETT SQUARE MUNICIPAL CODE REPEALING CHAPTER 24, STORMWATER MANAGEMENT ORDINANCE ADDING a NEW CHAPTER 24, STORMWATER MANAGEMENT ORDINANCE

Julie Von Spreckelsen, Esquire, Eastburn and Gray, PC opened the public hearing at 7:10 p.m.

The hearing was conducted by Court Reporter Mark Haggerty and a transcript of this public hearing is available from the Chester County Court Reporters' Office for a period of seven (7) years.

Julie Von Spreckelsen, Esquire, Eastburn and Gray, PC closed the public hearing at 7:20 p.m.

PROPOSED ORDINANCE

AMENDMENTS to BOROUGH of KENNETT SQUARE MUNICIPAL CODE REPEALING CHAPTER 24, STORMWATER MANAGEMENT ORDINANCE ADDING a NEW CHAPTER 24, STORMWATER MANAGEMENT ORDINANCE

President Spencer presented the ordinance amending the Municipal Code of the Borough of Kennett Square, Chapter 24, Stormwater Management Ordinance in its entirety, and by adding a new Chapter 24, Stormwater Management Ordinance consistent with the Chester County-wide Act 167 model ordinance.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to adopt the ordinance as presented. Motion carried with a vote of 6 to 1 with Councilmember Plumley voting no.

PURCHASE of NETWORK SERVER

President Spencer presented the request from Kathy Holliday, Finance Director, to purchase a network server for Borough Hall.

The Manager advised that the current server is very low on free storage space and must be replaced. The total cost for the new equipment is \$9,950.47 paid over a period of three (3) years through a lease purchase agreement. The annual payment will be \$3,641.08 with a \$1.00 buyout at the end. The Manager stated that purchasing this equipment now will not interfere with the purchase of new software in 2015.

It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to approve the purchase as presented.

Vice President Maffei advised that this purchase was discussed at the last Public Works/Finance Committee meeting and the committee supports the lease purchase financing plan.

Councilmember Sinclair questioned if there is any resale value for the old server.

The Manager stated that he would look into the matter.

Motioned carried unanimously.

SPECIAL EVENT APPLICATIONS

2014 MEMORIAL DAY PARADE, MAY 26th

2014 KAY GOOD KIDS TRIATHLON, JULY 13th

2014 BREWFEST, OCTOBER 11th

President Spencer presented the following three (3) special event applications:

- The Memorial Day Parade, Monday, May 26th, sponsored by Historic Kennett Square. The parade will kick-off at 10:00 a.m. from the Kennett High School and proceed north on Union Street, east on Cypress Street, north on Broad Street, west on State Street and then north on Union Street ending at Union Hill Cemetery. The Memorial Ceremony will immediately follow the end of the parade.
- The KAY Good Kids Triathlon, Sunday, July 13th, from 7:30 to 9:30 a.m. This event is sponsored by the YMCA of the Brandywine Valley and will involve the closing of Birch Street, a portion of South Broad and South Walnut Streets.
- The Kennett Brewfest, Saturday, October 11th, from noon to 6:00 p.m. This event is sponsored by Historic Kennett Square and will be held in the parking lot of 600 South Broad Street on Saturday, October 11th, noon to 6:00 p.m.

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

REPORTS

CODES DEPARTMENT

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

- Inspections completed - 165.
- Telephone calls into the office - 208.
- Visitors to the office - 49.
- Completed plan reviews for three (3) new homes.
- Continuing to review the plans and code assessment for the new four (4) story mixed use building.

- Processed a total of 121 permits and registrations consisting of building, plumbing, electrical and mechanical permits, and residential rental and commercial registrations.
- Completed four (4) Resale Use and Occupancy Inspections.
- Mr. Drumheller attended District Court for Property Maintenance Code violations and met with a total of seven (7) landlords/tenants/property owners to review complaints.
- Continue to work on proposed ordinances for the Fair Housing Act and the property maintenance amendments, poultry and fowl, and indoor furniture located outside.

PLANNING COMMISSION

Russell Drumheller, member of the Planning Commission, highlighted his report with the following:

- Completed the review of the SDDL application for the Manuel property located at 533 East South Street and the SD application for the Saxton-Nicol property located at 213 South Willow Street.
- Reviewed the Property Maintenance Code regarding indoor furniture being located outside.
- Reviewed the proposed Stormwater Ordinance required by the County.
- Reviewed the proposed Act 167 Historical Ordinance changes.
- Upcoming projects include zoning changes at the former NVF site and regulations to Poultry and Fowl.

HISTORIC KENNETT SQUARE (HKS)

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

- The new fundraising event, Evening of the Arts held on April 14th, exceeded all expectations with more than 1,000 people in attendance throughout the evening. The 31 artists sold over \$12,000 of art of which HKS receives 30%. HKS looks forward to making this an annual event.
- The Economic Development Committee continues to work on the Economic Development Plan. Currently they are drafting a survey for the merchants and consumers and gathering up to date demographic information.
- Working with property owners to find new tenants for the Mystique and Cenzia spaces. She's talking to restaurateurs who are looking to open a new restaurant in Kennett Square.
- Working with committee for the Cinco de Mayo Festival to market and promote the event with the new theme "arts, culture and education".
- Working with Bill Taylor on the Memorial Parade; currently looking for sponsors.

The Mayor complimented Ms. Hutchins on the success of the Evening of the Arts.

Councilmember Irwin questioned if there is interest in the empty spaces, Mystique and Cenzia.

Ms. Hutchins replied that there has been interest but nothing firm.

Vice President Maffei questioned when the Kennett Brewing Company will be opening.

Ms. Hutchins replied that at this time there is not set opening date. She advised that the brewing company has received their federal license but there is work that remains to be done to the building.

Councilmember Sinclair asked if there has been interest in the old firehouse property.

Ms. Hutchins stated that people have looked at the property but no offers have been made.

HISTORICAL COMMISSION (HC)

Councilmember Sinclair, Chair, reported the commission review and approved one (1) building permit for window replacements at 111 Magnolia Street. The vinyl replacement windows will match the configuration of existing window panes.

KENNETT AREA PARK AUTHORITY (KAPA)

Richard Lyon, Chair, highlighted his report with the following:

- Created and completed a new reservation application, process and procedure. More details are available on their website. He thanked Ester Perez for her continued assistance in handling many reservations at Borough Hall
- Their Master Plan has been completed; copies are available in the library, borough and township buildings.
- KAPA is working closely with the Borough on the removal of the Public Works Facility from Anson B. Nixon Park.
- The KAPA Board is grateful to the greater Kennett Square community for their outpouring of community volunteer service at the park.
- In February 2014, KAPA appointed Cathy Burkett as the new Treasurer; he thanked outgoing Treasurer Deb Shenk for her hard work and assistance in making the transition seamless.
- KAPA welcomes Kennett Township representative Holly Tyson to the board.
- The severe winter weather resulted in the necessity to close the park vehicle entrance for safety reasons. They are looking into how to address snow removal for next winter.
- The 2014 Summer Concert Series begins June 25th and will be held every Wednesday evening through August 13th.
- The Annual Trout Rodeo is scheduled for Saturday, May 4th. This event is a cooperative effort of KAPA and the Red Clay Valley Association.

President Spencer questioned if there was significant winter damage to the park.

Mr. Lyon replied no. He offered to tour the park with the councilmembers.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

This was a written report that was included in the Council packet.

CONSENT ITEMS

MINUTES of MARCH 3, 2014

MINUTES of MARCH 17, 2014

President Spencer presented minutes from March 3, 2014, and March 17, 2014.

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

BILLS

President Spencer presented the bills to be paid on April 7, 2014, and the bills that were paid since the last meeting.

Councilmember Bosley stated that there is a discrepancy in the total sum of all of the Eastburn and Gray bills.

It was moved by Councilmember Bosley and seconded by Vice President Maffei to approve the bills contingent upon the Manager determining the exact total amount of the Eastburn and Gray bills and reporting his findings to Council via email. Motion carried unanimously.

PRESIDENT'S REPORT

President Spencer advised that he attended the meeting at the County regarding homelessness. He was a little disappointed at the low turnout but noted that he received valuable information with regards to agencies that are available to serve those in need. President Spencer will pass this information on to the Borough Secretary Karen Scherer to be posted on the Borough's website.

President Spencer advised that he attended the meeting at the Kennett Friends Meeting House sponsored by Kennett Area Community Service (KACS) on the same topic. This meeting was well attended including various churches and law enforcement agencies with Corporal Chris Wills representing the Kennett Square Police Department. KACS is looking into the homelessness situation very seriously to make sure services are readily available to address these types of situations. He commented that it is nice to live in a community that cares about the welfare of others.

President Spencer advised that this year's Cinco de Mayo Festival will be held on Sunday, May 4th, noon to 5 p.m. He is very pleased that part of the festival's agenda focuses on education opportunities available in our area. Several universities and colleges will be represented.

President Spencer announced that Kennett and Unionville High School Marching Bands have come together to form KUBA and will be performing in the Rose Bowl Parade. He extended his congratulations to both bands on this great opportunity.

President Spencer advised that Council and the community as a whole have been invited to a free tour of the Underground Railroad on April 27th. These tours were started by their former president, the late Mary Dugan. Participants are to meet at the Brandywine Valley Conference and Visitors Center on Greenwood Road at 2 p.m.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

The Manager stated that it took him five (5) years to agree to a Borough Facebook Page. Claire Murray of Historic Kennett Square generated the page and is keeping it updated.

The Manager advised that he is working on ideas for the site of the old firehouse. The site is not indicative of our downtown and it has been an issue for many years. He will be presenting his ideas to Council in the next few months.

President Spencer encouraged the public to visit the Borough's website noting that there is valuable information available including the Council agenda which is posted on the Friday before the meeting.

ADJOURNMENT

It was moved by Vice President Maffei and seconded by Councilmember Taylor to adjourn the meeting at 7:48 p.m.

Karen L. Scherer

Karen L. Scherer
Secretary