

OFFICIAL MINUTES

SEPTEMBER 15, 2014

The Regular Meeting of September 15, 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
Manager Brant Kucera

Absent: *Mayor Matthew W. Fetick*

EXECUTIVE SESSION

President Spencer announced that Council held an Executive Session at 6:30 p.m. this evening. The purpose of this meeting was to discuss personnel matters.

WATER MAIN BREAK UPDATE

The Manager gave an update on the water main break that occurred approximately 7:00 p.m. on Saturday, September 13, 2014. At 2:50 a.m. on Sunday, a Boil Water Advisory was issued. This was done by using Reverse 911 through the County and distributing flyers door to door. Work continued around the clock until the pipe was replaced at 10:00 p.m. on Sunday. At approximately 11:00 p.m. on Sunday, water service slowly began to be restored. Nine (9) water samples are being tested for bacteria and another set will be tested tomorrow. It takes 18 hours to incubate each set of samples and if both come back negative, then the Boil Water Advisory will be lifted on Wednesday morning.

Vice President Maffei asked if the Public Works Department can speculate the cause of the break.

The Manager replied the primary cause is still being investigated.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, stated that there was a serious vehicle accident at the intersection of Mulberry and South Union Street. He commended the emergency personnel for their quick response and tremendous service. Mr. Thomas recommended that the sight distance be evaluated at this intersection. In regards to the

Boil Water Advisory, he stated that he did not receive a reverse 911 call or a flyer and he knows of three (3) other residents that did not receive notification. Mr. Thomas expressed his concern that residents could have ingested contaminated water.

Shannon Bullock, 801 Wayne Avenue, stated that she is looking for archives of Borough Council minutes for 2013 and was unable to locate them on the Borough's website. She expressed concern that messages from the Reverse 911 System are not bilingual. Ms. Bullock asked if the last stop sign installed in the Borough was in 2008.

Tony Talamonti, 584 East Cypress Street, stated that he did not receive the Boil Water Advisory notice and questioned why the break could not be isolated and that the water service had to be shut off to the entire Borough.

PUBLIC SAFETY

POLICE DEPARTMENT

Corporal Wills reported the following statistics for the month of July 2014:

- Traffic Citations – 83.
- Written Traffic Warnings – 69.
- Criminal Arrests – 20.
- DUI Arrests – 4.
- Total Calls – 688, compared to 643 in July 2014.

He continued his report with the following statistics for August 2014:

- Traffic Citations – 66.
- Written Traffic Warnings – 50.
- Criminal Arrests – 19.
- DUI Arrests – 3.
- Total Calls – 649, compared to 634 in August 2014.

FIRE COMPANY

Deputy Fire Chief Bruce Mitchell reported the following statistics for July 2014:

- Ambulance Calls – 92.
- Fire Calls – 37.

He continued his report with the following statistics for August 2014:

- Ambulance Calls – 80.
- Fire Calls – 228.

PUBLIC WORKS/FINANCE COMMITTEE

Councilmember Bosley reported the following from the Committee's meeting in July 2014:

- Reviewed and spot checked invoices.
- Reviewed the 2015 Budget schedule and Debt Service.
- Policy and Procedures reviewed and evaluated.
- Received addition grant funding to replace the water main during the West Cypress Street Project.
- Closed Loop is at a standstill while waiting for the signal poles; the poles are due the last week in October.
- Yeatman Well – the building has been installed and the well should be online in early October.
- The repaving has been completed at Grant Way.
- Pursuing changes with trash and recycling collection. Through the grant the Borough was awarded by PA DEP, we will be purchasing larger recycling containers and we are considering offering two (2) different sizes of trash totes with a reduced rate for the smaller tote. Letters will be sent to residents near the end of the year.

CONSENT ITEMS

BILLS

President Spencer presented the bills to be paid on September 15, 2014 and the bills that were paid since the last meeting.

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

BOARDS and COMMISSIONS

NEW APPOINTMENTS to HISTORICAL COMMISSION

President Spencer presented the following Borough residents for appointment to the Historical Commission:

- John Borden, 802 Taylor Street; this appointment will fill an ongoing vacancy and will expire January 1, 2019.
- Katrina MacLeod, 119 West State Street, Apt. #2; this appointment will fill the remainder of vacancy and will expire January 1, 2015, at which time Council can re-appoint her for the standard five (5) year term.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to approve these appointments as presented.

Ms. Macleod stated that she is glad to be a part of the town and serve on the Commission.

Mr. Borden stated that he is looking forward to serving on the Commission.

Motion carried unanimously.

2015 MINIMUM MUNICIPAL OBLIGATION (MMO) for NON-UNIFORM EMPLOYEES

President Spencer presented the MMO for the Pension Plan of the non-uniform employees for the year 2015 for approval.

The Manager advised that the Borough is required by PA Act 205 to conduct this action annually. The Borough's contribution for 2015 is \$127,399. State aid will offset some of this cost.

It was moved by Councilmember Sinclair and seconded by Councilmember Bosley to approve the 2015 MMO for non-uniform employees as presented. Motion carried unanimously

2015 MINIMUM MUNICIPAL OBLIGATION (MMO) for UNIFORM EMPLOYEES

President Spencer presented the MMO for the Pension Plan of the uniform employees for the year 2015 for approval.

The Manager advised that the Borough is required by PA Act 205 to conduct this action annually. The Borough's contribution for 2015 is \$120,291. State aid will offset some of this cost.

It was moved by Councilmember Irwin and seconded by Councilmember Bosley to approve the 2015 MMO for uniform employees as presented. Motion carried unanimously.

RESOLUTION NO. 4-14 PENNDOT WINTER TRAFFIC SERVICES AGREEMENT

President Spencer presented the resolution and the PennDOT Winter Services Agreement for the entire length of Route 82 within the Borough.

The Manager advised that this is a five (5) year agreement from 2014 through the winter of 2018-2019.

It was moved by Councilmember Sinclair and seconded by Councilmember Taylor to adopt the resolution and approve the agreement as presented.

Councilmember Bosley questioned if we would continue to maintain Route 82 without this PennDOT agreement.

The Manager replied yes we would.

Motion carried unanimously.

PAYMENT APPLICATION NO. 6

KENNETT SQUARE SIGNAL SYSTEM - CLOSED LOOP PROJECT

President Spencer presented Payment Application No. 6 to Lenni Electric for the Kennett Square Signal System – Closed Loop Project.

The Manager advised that Payment No. 6 is in the amount of \$66,412.76 which is mainly for traffic signal supports and conduit. This payment will be submitted to PennDOT for reimbursement. The Manager noted that the total amount requested to date, including this application, is \$503,394.96 which is approximately 33% of the total \$1,538,377.47 approved in the contract.

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

RESOLUTION NO. 5-14

GRANT APPLICATION to the

GREEN REGION PROGRAM/PECO OPEN SPACE PROGRAM

HERB PENNOCK WALKING TRAIL PROJECT

President Spencer presented the resolution supporting the submission of a grant application for \$10,000 to the Green Region Program/PECO Open Space Program. The application is for the Playground Enhancement Plan which is another phase of the Herb Pennock Park Renovation Project.

The Manager advised that this is a pass through grant; the Borough is applying for this grant on behalf of Kennett Area Park and Recreation Board (KAPRB).

It was moved by Councilmember Sinclair and seconded by Councilmember Bosley to adopt this resolution as presented. Motion carried unanimously.

PRESIDENT'S REPORT

President Spencer thanked John Thomas for his service at the accident scene today. He also thanked the Public Works Department, the many volunteers and Chief Albert McCarthy, Kennett Township, for their assistance during the water main break. Chief McCarthy filled in for our own Police Officers while they were involved in an arrest.

He noted that one of the best ways to notify residents of urgent matters is through the Swift 911 Emergency Notification Service but only a few people have registered. He encouraged all residents to sign up at Borough Hall or through the Borough's website. Forms are also available this evening from Karen Scherer, Borough Secretary. President Spencer added that Council will be discussing making this a mandatory requirement.

President Spencer announced that Kennett Square High School's Homecoming is this Friday and will begin with a parade starting at 6:15 p.m. The parade will kick off at the High School, travel up Broad Street, and left on Mulberry Street and then left on South Union Street to return to the High School.

President Spencer announced that Council will hold a Public Hearing on Monday, October 20th at 7 p.m. The purpose of the hearing is to consider a proposed ordinance amending the Kennett Square Borough Code, Chapter 23, Zoning, by adding provisions permitting group homes by right in residential districts and providing provisions for reasonable accommodations for persons with disabilities.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

President Spencer apologized on the behalf of the Mayor who was unable to attend tonight's meeting.

In response to Ms. Bullock's comments, the Manager advised Ms. Bullock that the 2013 minutes are available for review at Borough Hall or she can contact the Borough Secretary via email to obtain copies. He stated that we typically send out notifications bilingually but due the timeliness and urgency of getting out the Boil Water Advisory there was no one available to translate the notification so it was only administered in English. He pointed out that we have two (2) very able employees at Borough Hall who are bilingual and can answer any questions. In addition, any updates will be in both English and Spanish. The Manager advised that stop signs were installed at only one (1) intersection since 2008; the intersection was Magnolia and Garfield Streets and the signs were installed under the order of Chief of Police due to a sight distant issue.

The Manager advised residents that Borough Hall staff will be more than happy to enter their information for Swift reach. He pointed out that for the last three (3) years information regarding signing for Swift Reach has been published in each issue of the Borough newsletter. He welcomed Council to adopt a mandate that every Borough resident sign up for Swift Reach.

With regards to Mr. Thomas' concerns about potential contamination to the water, the Manager stated that there is nothing to indicate any contamination but whenever water service is interrupted and you do not have positive pressure, you have to issue a Boil Water Advisory. There should be no public health threat risk whatsoever because the Boil Water Advisory was issued before there was no positive pressure. The Manager assured Mr. Thomas and the public that at no point in time during this incident was our water system at risk for contamination.

Regarding Mr. Talamonti's comment about why there was no water throughout the entire Borough, the Manager pointed out that the water leak could not be isolated because the valves would not turn off the water. In order to stop the flow of water, the entire system had to be drained. During the repair, a new valve was installed so this issue will not happen again at this main. He noted that it is in the Capital Plan to locate and exercise the valves within the water system to avoid this type of issue in the future.

The Manager announced that there was a County grant that awarded portable generators for operating traffic lights during power outages. The Borough received nine (9) generators through this grant and we now have a generator for each traffic light in the Borough.

The Manager stated that we applied for a CFA grant to extend the water main on West South Street down to the Wastewater Treatment Plant. This would allow commercial water haulers to fill at the plant without having to come into the Borough. We asked for

\$127,000 but were only awarded \$60,000. We are now looking into working with the State to figure out if we could install plastic piping to lower the cost. If the cost cannot be lowered to \$60,000 then we will have to decide whether we want to accept the funding.

ADJOURNMENT

It was moved by Councilmember Plumley and seconded by Councilmember Sinclair to adjourn the meeting at 7:55 p.m.

Karen L. Scherer

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Secretary