

OFFICIAL MINUTES OCTOBER 6, 2014

The Regular Meeting of October 6, 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 D. Lynn Sinclair
Councilmember Patrick B. Taylor
Manager Brant Kucera

Absent: *Councilmember George P. Plumley, III*
Mayor Matthew W. Fetick

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, stated that he hopes the Borough has learned something from the recent water main break noting that he, nor his tenants, received a notice for the Boil Water Advisory nor that the advisory was lifted. Mr. Thomas told the Manager that he was sorry to see him leave and shared his concern that his departure is during the budget process. Mr. Thomas would like to see the numbers for the 2015 Budget be kept the same as 2014 until a new Borough Manager is hired.

Charla Watson, 523 Magnolia Street, stated her concern that two (2) elected officials are not in attendance this evening. She shared her concern that the houses in Magnolia Place are too close to the intersections at Magnolia and Washington Street, and Mulberry and Washington Street, and the mixed use building is too close to Cypress Street. Ms. Watson wants to see trees being planted in the development. She said that the alleys are not wide enough for two way traffic and the street lights are too bright and close together and will glare into her home. Ms. Watson stated that her Borough utility bill is increasing and is almost as high as her mortgage. In conclusion, she said there are too many alcohol related events in town and we need to stop blocking off the streets for this type of nonsense.

Tony Talamonti, 584 East Cypress Street, expressed his concern that the Borough was exposed to a disaster when the water system was completely shut down during the water main break. Mr. Talamonti questioned if the Borough has an Emergency Management Plan and Coordinator.

The Manager replied that the Borough has a plan and that John Morris is the Emergency Management Coordinator.

Mr. Talamonti said that he does not know what we would have done if there was a fire in town during the time the water service was depleted. He also remarked that we need

to stop holding venues in town while the taxes keep going up. Mr. Talamonti wants to see the citizens benefit from these events.

REPORTS

CODES DEPARTMENT

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

- Completed 267 inspections.
- Received 232 telephone calls into the office.
- Received 92 visitors to the office.
- Processed 41 permits – building/plumbing/electrical/mechanical.
- Completed six (6) Resale Use and Occupancy Inspections.
- Issued three (3) chicken coop requirement notices.

PLANNING COMMISSION

Russell Drumheller, Codes Enforcement Officer, reported the following activity for the Planning Commission:

- Completed review of the proposed lighting changes in the alleys at Magnolia Place.
- Completed review of Land Development application for a new home on Linden Circle.
- Started review of Land Development application for a proposed project on Terminal Way.
- Reviewed the changes to the Poultry and Fowl Ordinance that were adopted.
- Reviewed the proposed changes to the Fair Housing Standards Ordinance. The Public Hearing is scheduled for November 3rd.

President Spencer asked Mr. Drumheller how involved he is with the Magnolia Place project.

Mr. Drumheller replied that he spends two (2) to four (4) hours on the project each day.

HISTORIC KENNETT SQUARE (HKS)

Mary Hutchins, Executive Director, reported the following:

- HKS is gearing up for the Brewfest this weekend. Tickets have been sold out since September 18th. The Meet the Makers event coincides with the Farmers Market this Friday.
- A new business, No. 109, a woman's boutique, will open in early December at 109 West State Street.
- Currently working on the holiday issue of FIG due out early November.
- HKS is actively working with KARMA on the Halloween and Holiday Parades.

- Brant and she met with representatives from Longwood Gardens last week to discuss the possibility of running a shuttle between the Gardens and Kennett Square during the holiday season. This could be a win-win situation for both; the Gardens would be able to divert vehicles to the downtown and we gain an audience to shop and dine in the downtown. If we cannot work out all the details for this year, it is something we can work on for next year.

HISTORICAL COMMISSION (HC)

Councilmember Sinclair, Chair of the Historical Commission, reported the following from the September 2014 meeting:

- The Commission, Architectural Review Board and Vice President Maffei discussed the matter of the proposed joint Historical Architectural Review Board to bring the Borough into State compliance.
- The Commission reviewed and approved a building permit for the carriage house at 221 South Union Street.

KENNETT AREA PARK AUTHORITY (KAPA)

Richard Lyon, Chair of KAPA, highlighted his quarterly report with the following:

- In August, the park saw its first fatality with the tragic drowning of Raziel Mireles-Castaneda. They have been working with the required agencies and investigators and the incident has been ruled an accidental drowning. The Board will be planting a tree in the young man's memory.
- The 4th annual Viva tu Vida! Was held in September. There were approximately 2,000 visitors in the Park that day.
- KAPA was a recipient of a grant from the Kennett Run Charities; the grant money will be used to remove trees around the race finish site.
- The fall/winter donation appeal letters are in preparation for mailing.
- The eight (8) week Concert Series was a successful event.
- The repairs to the Millrace Dam were completed last week and water is now flowing into the ponds.
- KAPA has chosen the original manufacturer to install the new swing bridge.
- The Southern Chester County Soccer Association received a grant to purchase four (4) temporary lights for the Tino Leto Fields. KAPA will be able to borrow these lights when needed for concerts or special events.
- Exploring the possibility of holding a fundraising concert in the Park in 2015.
- A Boy Scout is currently working on creating trail markers in the Park as his Eagle Scout project.

President Spencer and Councilmember Sinclair presented questions regarding the accidental drowning in the Park.

Wendy Walker, KAPA Board Member, replied that KAPA is not in the position to answer questions or comment regarding this matter until their attorney authorizes them to do so.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

Claire Finrock, Program Director, thanked the Borough Manager for his service to the Borough and KAPRB. She continued with her report of the following:

- Joe Meola has stepped down as Chairman of KAPRB although he will remain a member of the Board. Kevin Garris, previously the Vice Chairman, is now the new Chairman. The position of Vice Chairman will remain vacant until nominations for officers occur in January, 2015.
- The fields at Pennock Park have grub damage and are currently being treated by Windview Athletics.
- New electronic scoreboards were installed at the Park this summer. They plan to install eight (8) new sets of bleachers in the next year or so.
- They were awarded a \$2,000 grant from the Kennett Square Rotary which helped to fund the new scoreboards. Grant applications have been submitted to PA DCNR, Longwood Foundation, Kennett Run Charities and PECO Green Region Program.
- Summer Camp was very successful with over 100 children registered.
- Two (2) new programs this year include the Summer Field Hockey and Summer Volleyball Clinics. Other annual events and programs included the Summer Basketball Clinic, Kennett 55+ Games and BBQ, Kids Cross Country Race, Mushroom Festival 5K Run and Walk. Upcoming fall programs include the Volleyball Clinic, the new Blue Demons Field Hockey Program, Blue Demons Lacrosse and Jr. Basketball League.

CONSENT ITEMS

MINUTES of SEPTEMBER 2, 2014

President Spencer presented the minutes from September 2, 2014.

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

MINUTES of SEPTEMBER 15, 2014

President Spencer presented the minutes from August 4, 2014.

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

BILLS

President Spencer presented the bills to be paid on October 6, 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.

AMENDMENT to AGENDA

2014 - 2018 CAPITAL IMPROVEMENT PROGRAM (CIP)

President Spencer advised that the 2014 – 2018 CIP has been moved from an “Action Item” on the agenda to a “Discussion Item”. This item will be for discussion only this evening and will be brought before Council at the October 20th meeting for consideration.

PRESENTATION of the 2013 AUDIT/ COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Mr. Don Pierce of Maillie, Falconiero and Company, LLP presented the Borough’s Audit/Comprehensive Annual Financial Report (CAFR) for the year ending December 31, 2013.

Mr. Pierce referred to page eight (8) showing the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ending December 31, 2012. This award was presented to the Borough by the Government Finance Officers Associations (GFOA). This report was submitted again for the 2013 budget.

Mr. Pierce stated that the basic financial statement for the fiscal year ending December 31, 2013, was prepared under the U. S. General Accounting Principles and his firm has presented the Borough with a clean accounting statement. He continued his PowerPoint presentation with a summary of the 92 page audit.

Mr. Pierce thanked management for their cooperation and assistance with the preparation of the audit.

Vice President Maffei questioned the length of time and staff required to complete the audit.

Mr. Pierce responded that their firm begins gathering information in November/December of the budget year. During March and April of the following year, his staff performs field work at Borough Hall for about two (2) weeks. The draft audit is completed in May with the final draft being submitted to the State by June 30th and if warranted the submission date can be extended to July 31st with the State’s approval. In addition to Mr. Pierce, a manager and two (2) other employees work on the audit.

2014 – 2018 CAPITAL IMPROVEMENT PLAN (CIP)

The Manager gave a summary of the key components to the proposed 2014 – 2018 CIP as follows:

- Closed Loop Traffic Signals.
- West Cypress Street Reconstruction.
- Birch Street.
- Washington Street/Engineering.
- Water Meter Replacement Program.
- South Street Pump Station.
- Ultra-Violet (UV) Disinfection System Replacement at the Wastewater Treatment Plant (WWTP).

- Parking Garage Expansion.
- New Financial Software Package.
- Chipper – this item was already purchased and 90 percent of the cost was funded by a grant from PA DEP.
- Color copier/printer.
- Ladder truck for the Fire Company – the Borough’s share is \$600,000.

The Manager advised that this is a total of \$10.1 million worth of projects within the next five (5) years. The CIP is an important document in good planning and will be brought back to Council in two (2) weeks to consider for adoption.

SPECIAL EVENT APPLICATIONS

HALLOWEEN PARADE, OCTOBER 26th

HOLIDAY PARADE and TREE LIGHTING, NOVEMBER 28th

HORSE DRAWN CARRIAGE RIDES, DECEMBER 7th, 14th, 21st and 28th

MIDNIGHT in the SQUARE, December 31st – JANUARY 1st

President Spencer resented the following four (4) special event applications:

- Halloween Parade, Sunday, October 26th from 3:00 p.m. to 6:00 p.m. The parade begins at Lafayette and West State Street, proceeds east on State Street and ends in the 100 block of South Broad Street.
- Holiday Parade and Tree Lighting, Friday, November 28th from 6:15 p.m. to 9:00 p.m. The parade will begin at the corner of Lafayette and West State Street, proceeds east on State Street and ends in the 100 block of South Broad Street.
- Horse Drawn Carriage Rides, Sunday, December 7th, 14th, 21st and 28th, from noon until 3:00 p.m. The rides begin in the 100 block of East State Street, proceed west to Lincoln Street, north on Lincoln Street, east on Linden Street to North Broad Street, then south to State Street and returning to the 100 block of East State Street.
- Midnight in the Square, from Wednesday, December 31st, 9:00 p.m. to Thursday, January 1st, 1:00 a.m. This involves the closure of State Street from Broad to Center Street and Union Street from Linden to Cypress Street.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to approve the four (4) special event applications as presented.

President Spencer commended the Public Works and Police Departments for their efforts to make last year’s Midnight in the Square such a successful event.

Vice President advised that non-perishable food items will be collected again during the Midnight in the Square event. The items collected are given to the Kennett Food Cupboard.

Motion carried unanimously.

**ARCHITECTURAL REVIEW BOARD (ARB) APPLICATIONS
109 WEST STATE STREET**

President Spencer presented the following ARB application:

- 109 West State Street – New Façade Millwork, Awning and Painting.

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

148 WEST STATE STREET

President Spencer presented the following two (2) ARB applications:

- 148 West State Street – Exterior Millwork and Awning along Center Street.
- 148 West State Street – New Window Signage along West State Street.

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

Councilmember Bosley stated that he would abstain from action on these items because he is employed by the property owner.

The motion carried with a vote of 5 to 0 with Councilmember Bosley abstaining.

120 SOUTH BROAD STREET

President Spencer presented the following ARB application:

- 120 South Broad Street – New Additional Signage.

It was moved by Councilmember Sinclair and seconded by Councilmember Taylor to approve the application as presented.

Councilmember Bosley stated that he would abstain from action on this item because he is employed by the property owner.

The motion carried with a vote of 5 to 0 with Councilmember Bosley abstaining.

**PROFESSIONAL SERVICES AGREEMENT
PETER S. MARSHALL and ASSOCIATES**

President Spencer presented the Professional Service Agreement with Peter S. Marshall and Associates.

The Manager proposed that the Council retain Mr. Marshall's firm to conduct the search for a new Borough Manager. The Manager advised that the base amount for Mr. Marshall's services is \$8,300 and noted that this is a very good price for this type of service.

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

PRESIDENT'S REPORT

President Spencer continued to remind the public to sign up for the emergency notification service known as Swift Reach. In the event of an emergency, Swift Reach is the most reasonable way to contact residents.

President Spencer advised that the County's last Household Hazardous Waste collection event for 2014 will be held on October 11th from 9:00 a.m. to 3:00 p.m., at the Government Service Center, 601 Westtown Road, West Chester.

He announced that Boy Scout Troop 53 will hold a Flag Retirement Service on November 9th. If anyone has a flag that needs to be disposed of, please drop it off at Borough Hall and we will see that it is included in this service.

President Spencer stated we would have been able to cover a fire emergency during the recent water main break. The Kennett Fire Company has three (3) fire trucks that contain at least 5,000 gallons of water and they also have mutual aid agreements in place with multiple fire companies in the area.

President Spencer noted that many of the special events held in the Borough benefit the members of our community. Although the sponsors of these events may not be paying for the venue, monies raised during these events are given to charity organizations within our community.

President Spencer instructed Council that if they are sick, to please stay home and not attend the meeting.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

The Manager referred to an article on the latest issue of Borough News regarding taxes and economic measures. A ten year study shows that low taxes actually encourage people to leave a community. He added that we want to maintain the level of services that our residents expect and we should be very proud of our accomplishments. He encouraged Council to keep this mind as they move forward with planning the budget.

The Manager submitted his official resignation letter to President Spencer and the members of Council. His resignation is effective October 31, 2014. That Manager stated that he has truly enjoyed his six (6) years here and has fond feelings of Council, staff and the residents. The Manager noted that Kennett Square has the most professional and courteous staff out of all the municipalities is has worked for and thanked Council for allowing him the privilege to work for the Borough.

Vice President Maffei thanked Mr. Kucera for his hard work and dedication noting that he always had the best interest of the Borough in mind. The fact that we have a dedicated staff and hard working staff is a tribute to Mr. Kucera's efforts. Council will enter the search process very seriously and will take their time to find the right person and by using Mr. Marshall as our search executive we can accomplish this.

President Spencer concurred with Vice President Maffei's comments and commended Mr. Kucera for his service.

ADJOURNMENT

It was moved by Vice President Maffei and seconded by Councilmember Bosley to adjourn the meeting at 8:35 p.m.

Karen L. Scherer

Karen L. Scherer
Secretary

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