

OFFICIAL MINUTES

JANUARY 5, 2015

The Regular Meeting of January 5, 2015, 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
Interim Borough Manager Joseph C. Scalise
Junior Council Person Meliton Gomez
Solicitor Marc Jonas

EXECUTIVE SESSION

President Spencer announced that Council held an Executive Session on December 15, 2014, at 5:30 p.m. at Borough Hall. The purpose of this meeting was to discuss personnel and legal matters.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, stated that no other municipality in Chester County has raised taxes and water, sewer and trash fees for five (5) straight years; in fact several municipalities have lowered their taxes this year. He encouraged Council to take this into consideration. Mr. Thomas feels that the citizens of the Borough are being taxed to death.

Ken Edwards, 412 Meredith Street, stated that he presented complaints to Council at a previous meeting regarding the deteriorating conditions of 414 Meredith Street. He said that he has been waiting for someone from the Borough to stop by and stated that nothing is being done. Mr. Edwards reported that a bird is now nesting in the eave of a window and there is a hole in the garage; he wants to know when these issues will be addressed.

PRESIDENT'S REPORT

President Spencer advised that he needs to attend another meeting this evening and will be shortly turning the gavel over to Vice President Maffei.

President Spencer referred to the house fire on East Linden Street on New Year's Eve and expressed kudos to the community for stepping up to the plate when people need help. He said that it is amazing how people show how much they care for others in need. As of

4:30 this afternoon, two (2) of the victims have been relocated. President Spencer stated not only was there a fire in the Borough that night but we had the Mushroom Drop during the same time period. He commended the Police Department, the Fire Company and the Public Works Department for being caring people in our community.

President Spencer announced that the Public Safety Committee will hold a Public Forum on Wednesday, January 14th, 7 p.m. The meeting will be held in the lower level of the Michael R. Walker Building, 101 East State Street.

President Spencer reminded the public to sign up for Swift Reach.

President Spencer announced that the Martin Luther King, Jr. CommUNITY Breakfast will be held on Monday, January 19th, 8 to 10 a.m., in the Red Clay Room. The food drive associated with this event is underway and will run through the 19th. Borough Hall is a drop off point for the food drive.

TRANSFER of the CHAIR

President Spencer transferred the Chair to Vice President Maffei at 7:10 p.m.

REPORTS

CODES DEPARTMENT

Russell Drumheller, Codes Enforcement Officer, reported the following activity in the Codes Department for the year 2014:

- Completed 2,835 inspections.
- Received 2,796 telephone calls into the office.
- Received 696 visitors to the office.
- Processed 504 permits – building/plumbing/electrical/mechanical.
- Completed 83 Resale Use and Occupancy Inspections.
- Appeared in District Court on 16 separate occasions regarding property maintenance issues.

PLANNING COMMISSION

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

- There was not a lot of activity in the last quarter of 2014.
- A larger project coming up is possible zoning changes for the old NVF site.
- Another major endeavor is the redevelopment of West State Street which would also involve zoning changes.

HISTORIC KENNETT SQUARE (HKS)

Mary Hutchins, Executive Director, reported the following:

- It was a great holiday season with some merchants reporting that 2014 was the same as 2013 and other reporting that it was significantly better.
- Downtown 109, located at 109 West State, will have their official opening this Friday.
- Nomadic Pies will be opening mid February at 132 West State Street. They will do baking and also be open for retail.
- Gearing up for the Winterfest to be held on February 28th. There are 300 tickets still available for regular fest.
- The Longwood Shuttle was sold out the last two (2) weeks.

Vice President Maffei questioned Ms. Hutchins on how she surveys the merchants.

Ms. Hutchins replied that she personally stops by and talks to the merchants.

HISTORICAL COMMISSION (HC)

Councilmember Sinclair, Chair of the Historical Commission, stated that the Commission had no permits to review so they did not meet in December. She advised that the 2014 Candlelight Holiday Home Tour was successful with 180 tickets being sold.

KENNETT AREA PARK AUTHORITY (KAPA)

Holly Tyson, Secretary of KAPA, highlighted her quarterly report with the following:

- In response to the Fall/Winter Appeal Letters, they have received \$12,213 in donations as of December 30, 2014.
- KAPA was awarded a DCNR grant to help fund the installation of a dog park and construct a safer entranceway to the Park.
- Board member Erin Talbert, Kennett Township, has moved and is no longer able to serve on the board; this leaves the board with one (1) vacancy.
- An Eagle Scout candidate is working on a project to create trail markers in the Park.
- KAPA is very pleased with the improved communications between Council and KAPA with the appointment of Vice President Maffei as the liaison.
- The Park plans to purchase buoys and other water safety equipment to be available to the public in case of an emergency
- She reviewed their calendar of events for 2014.

Councilmember Irwin questioned if Ms. Tyson had anything to report regarding the drowning in the Park in 2014.

In response, Ms. Tyson advised that KAPA has established a Safety Committee. In addition to the purchase of the buoys, they are looking into installing Emergency Call boxes in the Park.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

Claire Finrock, Program Director, reported the following:

- Winter Jr. Basketball League starts this Saturday.

- Registration is open for the Spring Programs.
- Registration is also open for the 2015 Summer Camp. The cost for the eight (8) week camp is \$780.
- The Kids Cross Country will be held on July 16th.
- The Kennett 55+ Games and BBQ will take place in June.
- KAPRB plans to install all new bleachers in Herb Pennock Park in 2015 and 2016.

Ms. Finrock thanked Council for their continued support.

CONSENT ITEMS

TABLING of MINUTES

It was moved by Vice President Maffei and seconded by Councilmember Taylor to table the following sets of minutes:

- November 17, 2014.
- November 25, 2014.
- December 1, 2014.

Motion carried unanimously.

BILLS

Vice President Maffei presented the bills to be paid on January 5, 2015, and the bills that were paid since the last meeting.

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

PUBLIC MEETING

INTERGOVERNMENTAL COOPERATION AGREEMENT between the BOROUGH of KENNETT SQUARE and KENNETT TOWNSHIP for 214 SOUTH MILL ROAD and 698 CYPRESS STREET, CANNERY ROW PROPERTIES, LP

The Solicitor advised that this ordinance authorizes the Borough to enter into an Intergovernmental Cooperation Agreement with Kennett Township. He added that the applicant will need permission and approvals by both municipalities when they go through the development process.

Vice President Maffei opened the Public Meeting at 7:26 p.m.

John Thomas, 406 South Broad Street, stated that he is all for development but said that we are going to have parking problems along with excessive traffic on Mill Road. He does not think Cypress Street can handle this amount of traffic and the Borough should not to have to improve their road to benefit the developer. The developer should put aside substantial monies to help with these problems.

Vice President Maffei closed the Public Meeting at 7:29 p.m.

**ORDINANCE NO. 916
INTERGOVERNMENTAL COOPERATION AGREEMENT between the
BOROUGH of KENNETT SQUARE and KENNETT TOWNSHIP for
214 SOUTH MILL ROAD and 698 CYPRESS STREET,
CANNERY ROW PROPERTIES, LP**

Vice President Maffei presented the ordinance, along with the agreement, authorizing the Borough to enter into an Intergovernmental Cooperation Agreement with Kennett Township for 214 South Mill Road and 698 Cypress Street, Cannery Row Properties, LP.

It was moved by Councilmember Bosley and seconded by Councilmember Irwin to adopt the ordinance and the accompanying agreement as presented.

The Solicitor advised that this agreement only pertains to zoning and that both municipalities have to be in agreement. The land development application will follow at a later date.

Councilmember Bosley questioned if the developer will need approvals by both municipalities.

The Solicitor replied yes.

Vice President Maffei stated that both of the parcels can be deed restricted from further development and that the restrictions could be a part of the land development approval process.

Councilmember Irwin questioned if this is a standard practice.

The Solicitor replied that it is not. He said this is something we would like to see but not all municipalities have such an assertive cooperation.

Motion carried unanimously.

The Ordinance was assign No. 916.

**BOARDS and COMMISSIONS
RE-APPOINTMENTS**

Vice President Maffei presented the following Borough residents for re-appointment to their respective Boards and Commissions as follows:

Historical Commission - five (5) year term; expires January, 2019
Katrina MacLeod, 119 West State Street, Apt. 2

Planning Commission - four (4) year term; expires January, 2018
Carol Krawczyk, 521 West State Street

Shade Tree Commission - three (3) year term; expires January 2017
Mary Hricik, 416 Hessian Drive

Vacancy Board - one (1) year term; expires on January, 2015
Enrico Avello, Jr., 200 North Mill Road

Zoning Hearing Board - three (3) year term; expires January 1, 2017
Mary Hricik, 416 Hessian Drive

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

AUTHORIZE AUCTION of PUBLIC WORKS VEHICLES and EQUIPMENT

Vice President Maffei presented the request from the Manager to auction off the following vehicles and equipment:

- 2001 Dodge Dakota Pickup.
- 1999 Ford F350 Utility Truck with Plow.
- 2002 GMC 8500 Dump Truck with Accessories
- The 12" Badger Brush Chipper.

The Manager advised that these vehicles and equipment have been replaced or are not currently being used. The bidding process will be done online through MuniBid. Past auctions through MuniBid have proven to show that the Borough receives higher bids than anticipated.

It was moved by Councilmember Taylor and seconded by Councilmember Irwin to approve the auction of these vehicles and equipment as presented. Motion carried unanimously.

VICE PRESIDENT'S REPORT

Vice President Maffei announced that there are vacancies on the following Boards and Commissions:

- Architectural Review Board – 1 (Architect)
- Civil Service Commission – 1 (Alternate).
- Historical Commission – 2.
- Landfill Authority – 1.
- Property Maintenance Appeals Board – 1.
- Shade Tree Commission – 1.
- UCC Appeals Board – 1.

In addition, Vice President announced that KAPA now has a vacancy for a Kennett Township resident.

Vice President Maffei noted that some of the Borough residents do double or triple duty and serve on more than one board. He advised that if you or you know someone that

may be interested in filling one of these vacancies to please contact Borough Hall. He encouraged those who are interested to attend the meetings of the boards listed above.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Councilmember Bosley complimented the Borough staff on the 2014 Winter Newsletter.

The Mayor stated that the Mushroom Drop was a great event. He walked through the entire event with Corporal Bell and reported that there were no incidents and no arrests. The event was well organized and well attended with the majority of people arriving around 11 p.m. Unfortunately the house fire on East Linden Street occurred during the same time. He advised that there was a lot of smoke and the firefighters worked hard to extinguish the blaze. In total there were nine (9) fire companies that responded with some of them being single engine responses.

Fire Chief Steven Melton thanked all the firefighters and companies that assisted with the fire. It took a lot of work to fight because of the house was a wooden framed structure.

Vice President Maffei asked Mr. Drumheller if the property Mr. Edwards was referring to is in violation.

Mr. Drumheller replied yes, it is in violation. He added that he will need the assistance of the Solicitor to address the matter because the property is in foreclosure.

ADJOURNMENT

It was moved by Councilmember Sinclair and seconded by Councilmember Plumley to adjourn the meeting at 7:43 p.m.

Karen L. Scherer

Karen L. Scherer
Secretary