

OFFICIAL MINUTES

FEBRUARY 2, 2015

The Regular Meeting of February 2, 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

INFORMATION MEETING and EXECUTIVE SESSION

President Spencer announced that Council held an Informational Meeting on Monday, January 26, 2015, at 5:45p.m. The meeting pertained to the Route 1 Corridor Study. Immediately following the Informational Meeting, Council convened in an Executive Session to discuss personnel and legal matters. Both meetings were held at Borough Hall, 120 Marshall Street.

EXECUTIVE SESSION

President Spencer announced that Council held an Executive Session on Monday, February 2, 2015, at 6:00 p.m. The meeting was held in Bayard Taylor Room of the Kennett Fire Company, 423 Dalmatian Street. The purpose of this meeting was to discuss legal matters.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, asked Council to consider meeting with the Planning Commission to go over the Commission's procedures. He does not want Council to expand the parking garage to benefit only one (1) company in the Borough especially since that company is not a locally-owned, it's an international company. Mr. Thomas said that the Borough needs to get a commitment from Genesis to expand the parking garage and that the garage cannot be expanded at the residents' expense.

Charla Watson, 523 Magnolia Street, stated that large corporations cannot dictate how the Borough does business. She reported that that street lights at Magnolia Place are too bright and the lighting is spilling into the homes in that portion of the Borough. She is concerned that the lights are bright that she will not be able to enjoy sitting on her porch this

summer. Ms. Watson said that she said spoke about this when the Council was considering the approval of the land development and now this excessive lighting has placed a hardship on the long time residents of the Borough.

REPORTS

CODES DEPARTMENT

Russell Drumheller, Codes Enforcement Officer, reported the following activity in the Codes Department for the month of January, 2015:

- Completed 106 inspections.
- Received 283 telephone calls into the office.
- Received 153 visitors to the office, mainly due to the submissions of registrations.
- Processed 76 permits – Building/Plumbing/Electrical/Mechanical.
- Completed four (4) Resale Use and Occupancy Inspections.
- Appeared in District Court once for Property Maintenance Code/Ordinance Violations.
- Spent a considerable amount of time trying to contact a representative for the property in the foreclosure process located on 414 Meredith Street. Mr. Drumheller thanked Borough Secretary Karen Scherer for locating the attorney representing the mortgage company for this property.
- To date, Ester Perez has completed 70 Residential Rental Permits and 60 Commercial Permits for 2015, and is continuing the process.

President Spencer questioned the status of the lighting at Magnolia Place.

Mr. Drumheller replied that he met with the developer last week and that three (3) different lighting options are being considered. He advised that the street lights across from Ms. Watson's home have been turned off.

HISTORIC KENNETT SQUARE (HKS)

On behalf of Mary Hutchins, Executive Director, the Borough Secretary advised that the HKS' 2015 Calendar of Events have been placed in the Dropbox for Council's review.

HISTORICAL COMMISSION (HC)

Councilmember Sinclair, Chair of the Historical Commission, reported the following from the January, 2015 meeting:

- There were no permits to review.
- Began planning for the 2015 Walking Tour.
- Reviewing the nominations for the Preservation Awards.

CONSENT ITEMS

MINUTES of NOVEMBER 25, 2014

MINUTES of DECEMBER 1, 2014

MINUTES of JANUARY 5, 2015

President Spencer presented minutes from November 25, 2014, December 1, 2014, and January 5, 2015.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to approve the three (3) sets of minutes with the following corrections:

- NOVEMBER 25, 2014 - page 1, WAIVER REQUESTS, 430 ASSOCIATES, 708 TERMINAL WAY, changing the beginning of the first sentence from "*President Spencer presented...*" to "*Vice President Maffei...*"
- DECEMBER 1, 2014 - page 4, ORDINANCE NO. 915, ESTABLISHING the 2015 BOROUGH TAX RATE and ADOPTION of the 2015 BUDGET, replacing the first sentence of paragraph 4 in its entirety with "*Councilmember Bosley stated that 15% of the one (1) mill tax increase is dedicated to the purchase of the new ladder truck and 85% is dedicated to maintaining the streets*".

Motion carried unanimously.

BILLS

President Spencer presented the bills to be paid on February 2, 2015, 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.

CENTER STREET PARKING – 100 BLOCK

The Manager presented two (2) possible scenarios for parking changes in the 100 block of Center Street and West State Street:

- 1) 13 permitted spaces and four (4) metered spaces on Center Street with no change on West State Street with the exception of possibly installing a Loading Zone on the south side of State.
- 2) 14 permitted spaces on West State Street with possibly installing a Loading Zone on the south side of State and 17 metered spaces on Center Street.

The Manager noted in either scenario, two (2) parking spaces along West State Street would have to be eliminated to install a crosswalk.

President Maffei and Councilmember Irwin shared their support of keeping blocks of parking uniformed – either all permitted or all metered.

The Mayor suggested changing some of the metered spaces on West Cypress Street to permitted spaces by making the complete 100 block of Center metered and then splitting the

current permitted spaces between West State and West Cypress streets. Two (2) of the metered spaces on Center, the West State Street end, would be shorter time limits.

A discussion ensued.

President Spencer advised that this topic will remain open for additional discussion at a later date.

MAGNOLIA PLACE AMENDMENT to FINAL SUBDIVISION LAND DEVELOPMENT (SDDL) SIDEWALKS

The Manager advised that the applicant, Michal Pia, Jr., is here to request an amendment to the Magnolia Place SDDL regarding the sidewalk requirements.

Mr. Pia stated that as part of the approved SDDL plan, 20% of all the total sidewalks in Magnolia Place are required to be decorative. With the installation of the handicap ramps in the area of the townhomes he thought it was best that the sidewalks be poured concrete and not decorative. In lieu of not installing decorative sidewalks in that location, he is proposing to install the decorative sidewalk in an alternative location – in front of the commercial building along West Cypress Street. Mr. Pia advised that the SDDL plan requires that a minimum of 2,184 square feet of decorative sidewalk be installed. The proposed installation of decorative sidewalk along West Cypress Street only amounts to 1,060 square feet. To fulfill the requirement of the remaining 1,124 square feet, Mr. Pia stated that he is willing to contribute the price difference between concrete sidewalk and decorative sidewalk of approximately \$3.50 per square foot for the remaining 1,124 square feet. This would allow the Borough to use these funds to place decorative sidewalk along portions of West Cypress Street where the Streetscape Project is proposed.

A photo of the sample brick was included in Item #3 of the Council packet.

Vice President Maffei asked if the design in front of the commercial building would be the same design as what we have proposed for the West Cypress Street project.

The Manager stated the sidewalk design for the West Cypress Street project has been selected and he would like Mr. Pia to copy our design.

Mr. Pia stated that he would be happy to mimic the sidewalk design that is proposed as part of the West Cypress Street Project.

President Spencer asked Mr. Drumheller where he stands on this matter.

Mr. Drumheller stated the sidewalks that were to be decorative within the townhome portion of the development have already been poured with concrete. He supports the Manager's idea to go with the "In Lieu Of" fee and continue the decorative sidewalk up West Cypress Street from Mr. Pia's property.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve the amendment to the Final SDDL as presented.

Mr. Drumheller advised that Mr. Pia will install the decorative sidewalk the length of his property on West Cypress Street to match the design of the Borough's West Cypress Street Project. Mr. Pia will contribute to the Borough the monetary value of the difference of concrete sidewalks and decorative sidewalks of the remaining 1,124 square feet of sidewalk required by the Final SLDL.

Vice President Maffei questioned for clarification if the sidewalk in front of Mr. Pia's commercial building will be the exact width and design as the sidewalks in the Borough's West Cypress Street Project.

The Manager replied that it will be the exact design but may not that exact width due to size of the area but the width is pretty close.

Motion carried unanimously.

PRESIDENT'S REPORT

President Spencer announced the upcoming events:

- Empty Bowls to benefit Kennett Area Community Service, there are two (2) separate seatings on Thursday, February 26th; lunch from 11:30 a.m. to 1:30 p.m. and dinner from 6:00 to 8:30 p.m.
- Annual Spring Clean Up is scheduled for April 18th, 9:00 a.m. to 3:00 p.m.
- The Library is coordinating the Free Shred Event for the same day as the Clean Up.

President Spencer advised that he is the point of contact for one of the teams surveying the area for homeless persons. Last Wednesday evening his team was assigned to survey West Grove and Avondale boroughs. He stated that it was very cold that night and it is very sad that people live in these conditions. President Spencer noted that it is very important that we, as a community, support the initiative to end homelessness in Chester County.

President Spencer noted that impending snow storms are perfect reasons to sign up for Swift Reach. You can register online or in person at Borough Hall; forms are available at the Secretary's desk.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Junior Council Person Gomez reported the following activity at Kennett High School:

- The pre-season for lacrosse is about to start.
- They just finished their mid-terms.
- Seminars will be held next week to educate students and parents on the statistics of illegal substance abuse and preventive measures.

ADJOURNMENT

It was moved by Councilmember Plumley and seconded by Councilmember Bosley to adjourn the meeting at 7:49 p.m.

Karen L. Scherer

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Secretary