

# OFFICIAL MINUTES

## MARCH 2, 2015

The Regular Meeting of March 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 Julie Von Spreckelsen*

### EXECUTIVE SESSION

President Spencer announced that Council held an Executive Session on Monday, March 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 personnel matters and the possible acquisition of real estate.

### PUBLIC COMMENTS

John Thomas, 406 South Broad Street, questioned the status the Borough Manager search.

### CONDITONAL USE HEARING CANNERY ROW PROPERTIES, LP

*The Solicitor opened the Conditional Use Hearing for Cannery Row Properties, LLC at 7:05 p.m.*

The hearing was conducted with Court Reporter Thomas Corcoran. A transcript of this public hearing is available from the Chester County Court Reporters' office for a period of seven (7) years.

*The Solicitor closed the Conditional Use Hearing at 7:20 p.m.*

*It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to approve application number 3875 of Cannery Row Properties, LP for a mixed-use RC Neighborhood Development including retail, office, restaurant, and apartments over the*

retail building. The approval is subject to the following conditions as presented by President Spencer:

1. Full compliance with the Borough Zoning Ordinance;
2. Strict compliance with the testimony and exhibits presented at the conditional use hearings;
3. Compliance with all comments contained in the Pennoni Associates, Inc. Conditional Use Plan Reviews #1, #2, and #3, dated November 14, 2014, January 8, 2015, and February 24, 2015 respectively;
4. Receipt of Land Development approval from the Borough; and
5. Receipt of Land Development approval from Kennett Township in accordance with the Intergovernmental Cooperation Agreement between Kennett Square Borough and Kennett Township.

Councilmember Plumley stated that he would abstain from voting on this item due to the fact that he was not present at the first Conditional Use Hearing.

Vice President Maffei stated that he would abstain from voting on this item due to the fact that he has a working relationship with Michael Pia, Jr.

The motion carried with a vote of 5 to 0 with Councilmember Plumley and Vice President Maffei abstaining.

## REPORTS

### CODES DEPARTMENT

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

- Completed 111 inspections.
- Received 241 telephone calls into the office.
- Received 81 visitors to the office.
- Processed 27 permits – Building/Plumbing/Electrical/Mechanical.
- Completed four (4) Resale Use and Occupancy Inspections.
- Ester Perez is still processing, recording and permitting all of the residential and commercial rental units. This month there were 212 Residential Rental Permits and 132 Commercial Permits.
- Three (3) Use and Occupancy Permits were issued for the mixed-use building at Magnolia Place, fourth floor.

Mr. Drumheller went over a few things that the Codes Department is in the process of doing to be proactive. They have mailed letters to all commercial landlords regarding safety measures. Tina Porter, the Assistant Codes Enforcement Officer, writes safety articles for the Borough newsletters and distributes fire and life safety issue pamphlets during her inspections. He noted that the Fire Company will also submit an article for the newsletter. In addition, Mr. Drumheller advised that he plans to contact Scout Leader Paola Rosas-Weed to involve the Boy Scouts in joint public safety effort.

## **HISTORIC KENNETT SQUARE (HKS)**

Mary Hutchins, Executive Director, reported the following:

- It was a cold but good Winterfest this past Saturday. She thanked the Public Works and Police Department for their help with this event.
- New businesses –
  - Nomadic Pies opened at 132 West State Street.
  - Houppette will be opening at 101 West State Street.
  - A home design store/gift shop plans to open at 123 East State Street.
- The March Art Stroll is this Friday and several of the shops are having special events.

Ms. Hutchins advised that she, the Manager and Lisa Moore of Kennett Township are working on a Vision Partnership Program Grant to hire a professional consultant to help plan for Economic Development for the Kennett Region. A goal of the plan will be to set priorities for where and how the region grows, including how to continue to revitalize the Borough as an urban center and at the same time protect our natural, rural and historic heritage.

If the grant is awarded there will need to be a Task Force identified to oversee the project; they plan to identify the already established HKS Economic Development Committee as the Task Force. Longwood Gardens has approached them and would also like to be involved in the planning and has offered to support the project both financially and provide a person to sit on the Task Force. The estimated cost of the study is \$60,000; \$35,000 will come from the County grant; and each municipality will be asked to contribute \$7,500 and Longwood and HKS will each contribute \$5,000.

Vice President Maffei asked if this study will include the impacts from an increase in the volume of businesses in the Borough and how they will affect our infrastructure, including parking.

Ms. Hutchins stated yes although that it would not be in detail.

Vice President Maffei stated that the draft copy is well written and that he would like the final application to include the details on the effects of the infrastructure.

Ms. Hutchins stated that she would present that request to the County.

President Spencer asked Ms. Hutchins the number of attendees at the WinterFest.

Ms. Hutchins replied approximately 1,000. She added that she spoke to Corporal Wills and he reported that there were no police incidents involving this event.

## **HISTORICAL COMMISSION (HC)**

Councilmember Sinclair, Chair of the Historical Commission, reported that the Commission did not meet in February so there is nothing to report.

## **CONSENT ITEMS**

### **MINUTES of FEBRUARY 2, 2015**

### **MINUTES of FEBRUARY 17, 2015**

President Spencer presented minutes from February 2, 2015, and February 16, 2015.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve the two (2) sets of minutes as presented. Motion carried unanimously.

## **BILLS**

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

## **BOARDS and COMMISSIONS**

### **APPOINTMENT**

President Spencer presented the appointment of Borough resident Antoinette Lyons as follows:

Historical Commission – five (5) year term; expires January, 2020

Antoinette Lyons, 121 South Young Avenue

Ms. Lyons advised that she has lived in the Borough since 2009 and recently purchased her home on South Young Avenue. Her previous home on South Union Street was on the Holiday Home Tour a couple of years ago. Ms. Lyons stated that wants to be involved in the community and would like to serve on the Historical Commission.

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

## **CONTRIBUTION**

### **KENNETT AREA SENIOR CENTER**

President Spencer presented the request from the Kennett Area Senior Center for a contribution from the Borough in the amount of \$4,000 for the year 2015.

The Manager advised the Senior Center had submitted a request for a contribution from the Borough through a letter in October, 2014, however the letter must have been lost. In January 2015, he received a call from the Senior Center questioning the Borough's decision regarding the funding. At that point, the Manager advised the Center that this item would have to be discussed during a Public Works/Finance Committee and then presented to Council.

Councilmember Sinclair questioned if the Borough normally gives the Center a contribution.

The Manager replied no; this is a new funding request.

**It was moved by Councilmember Bosley and seconded by Councilmember Taylor to approve the contribution as presented.**

Vice President Maffei advised that this item was discussed at the Public Works/Finance Committee last week. He stated that he is very supportive of the Borough contributing to the Center due to services provided by this organization; however a request for funding in October is much too late because we are near the end of our budget process. Vice President Maffei added that he is supportive of some type of contribution but he does not agree that \$4,000 is appropriate. The \$4,000 amounts to Borough's per capita rate of 66 cents however, New Garden Township's is only 22 cents and Kennett Township's is 33 cents.

Councilmember Plumley stated that he is in favor of contributing to the Center and questioned how it would be funded.

The Manager replied that we have the money within our overall budget.

Councilmember Bosley stated that he agrees with Vice President Maffei that the request was later than we would like but they did put in the request in October and it is not an error on the Center's part that the letter was lost.

President Spencer stated that the Center is fiscally challenged and we need to work cooperatively with them. He agreed that the letter was not received by the Borough at the preferred time but if we have a way of contributing to the Center then we should. He would like the Center to provide Council with a clear cut understanding on how the contribution will be used.

**The motion carried with a vote of 5 to 2 with Councilmember Plumley and Vice President Maffei voting no.**

## **SPECIAL EVENT APPLICATIONS**

**2015 HEALTHY KIDS DAY, APRIL 25<sup>th</sup>**

**2015 ART ON THE SQUARE AND PLANT SALE, APRIL 25<sup>th</sup>**

**2015 CINCO de MAYO FESTIVAL, May 3<sup>rd</sup>**

**2015 KENNETT RUN, May 16<sup>th</sup>**

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

- Healthy Kids Day, Saturday, April 25<sup>th</sup>, sponsored by the YMCA. The event will run from 10 a.m. to 2 p.m. and will be held in the 100 and 200 blocks of South Broad Street.
- Art on the Square and Plant Sale, Saturday, April 25<sup>th</sup>, sponsored by Kennett Square Restaurants and Merchants (KARMA). The event will run from 10 a.m. to 5 p.m. and will be held on the sidewalks throughout the downtown. The only street closing will be the 100 block of South Broad Street.
- Cinco de Mayo Festival to be held on Sunday, May 3<sup>rd</sup>, sponsored by Casa Guanajuato. The event will run from noon until 6 p.m. will be held in the 100 block of East State Street, 100 and 200 blocks of West State Street, Center

and Meredith Streets between State and Cypress Streets, and North Union Street between Cypress and Maple Streets.

- Kennett Run, to be held Saturday, May 16<sup>th</sup>, sponsored by Kennett Run Charities. The event will run from 9 a.m. to 1 p.m. The race begins in the 300 block of North Union Street, heads north out of the Borough and will end in Anson B. Nixon Park.

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

President Spencer asked Arturo Gomez-Rubio if this year's Cinco de Mayo Festival will continue to be geared towards education.

Mr. Gomez-Rubio replied yes.

President Spencer asked Mr. Gomez-Rubio if he has/will reach out to Cheyney University to have them participate in the event.

Mr. Gomez-Rubio replied yes.

Motion carried unanimously.

## **PRESIDENT'S REPORT**

President Spencer advised that delivery of the new Recycle Toters has been completed. If a resident did not receive one, they are to contact Karen Scherer, Borough Secretary.

President Spencer announced the upcoming events:

- Annual Spring Clean Up is scheduled for April 18<sup>th</sup>, 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 spoke with Bill Taylor regarding the Memorial Parade. The parade committee would like all residences along South Union and North Union streets to display the American Flag during the parade. If any residents do not have a flag, the committee will provide them with one. President Spencer stated that Mr. Taylor does a tremendous job planning this parade – one of the best in the country.

President Spencer announced that he attended the Empty Bowls Dinner last Thursday. There were 180 attendees at the lunch time seating and 320 at the dinner. The combined seatings generated \$39,000 in profit for Kennett Area Community Service, home of the Kennett Food Cupboard.

President Spencer reminded the public that we go into Daylight Savings Time on March 8<sup>th</sup>. Please remember to turn your clocks ahead one (1) hour before going to bed on Saturday night and added that this is the perfect opportunity to change the batteries in your smoke detectors.

President Spencer referred to John Thomas' question stating that the search for a borough manager continues and that Council is taking their time with due diligence throughout the process so that they will select the best person to fill this position.

## **COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS**

Junior Council Person Gomez reported the musical Oklahoma will be held at the Kennett High School this coming Thursday, Friday and Saturday at 7:30 p.m. The students have done an awesome job preparing for this and he invited the public to attend.

Vice President Maffei reflected back on the funding request from the Kennett Area Senior Center. The Borough contributes to Kennett Area Park Authority, Kennett Area Park and Recreation Board and the Library and these organizations give reports to Council during meetings on a regular basis. He would like to have the Center do the same.

President Spencer agreed and will reach out to the Center.

The Mayor gave an update on the Regional Police Study. As of the meeting held this past Saturday, the Borough, Kennett, New Garden and East Marlborough Townships, and Avondale and West Grove Boroughs have made a commitment to continue to work together to the next stage. London Britain Township is committed as well although they would have to place a referendum on the ballot to see if there is enough interest from their residents. There will be a couple more work sessions broken down into smaller groups and then public hearings would be held. The Mayor advised that before the study moves into the final stages, there are a few items on our "must have" list: Two (2) Police Officers on patrol in the Borough 24/7, no decrease in services, and a financial savings. We could possibly have a finalized plan by the end of the year.

## **ADJOURNMENT**

It was moved by Vice President Maffei and seconded by Councilmember Plumley to adjourn the meeting at 7:58 p.m.

*Karen L. Scherer*

Karen L. Scherer  
Secretary