

OFFICIAL MINUTES

APRIL 20, 2015

The Regular Meeting of April 20, 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, 301 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
Borough Manager Joseph C. Scalise
Solicitor Julie Von Spreckelsen
Junior Council Person Meliton Gomez

EXECUTIVE SESSION

President Spencer announced that Council did not hold an Executive Session at 6:30 p.m. today as scheduled. They will however hold an Executive Session immediately following tonight's Council meeting, Monday, April 20, 2015. The meeting will be held in the Bayard Taylor Room of the Kennett Fire Company, 423 Dalmatian Street. The purpose of this meeting was to personnel matters. .

AGENDA AMENDMENT

President Spencer announced that the following item has been removed from the tonight's agenda: *Reconsideration of the Sidewalk Amendment to the SDDL, Magnolia Place, West Cypress Street.*

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, stated that it is unacceptable that the proposed land development of 176-apartment complex on the west end of State Street does not include commercial businesses on the first floor. He would rather see a developer purchase the current apartment complexes on Center and Race Streets as well as Parkside Apartments and Scarlett Manor and rehabilitate them. Mr. Thomas added that developments this size will hold up traffic, produce more police call; it is only human nature to have problems with a large complex. He also expressed his concern that new apartment complexes built today will become tomorrow's affordable housing. Mr. Thomas would like to see the commercial businesses in the downtown extend farther down West State Street.

Charla Watson, 523 Magnolia Street, expressed her concern about the large white lines placed on Mill Road at Cypress Streets stating that they defeat the flow of traffic onto Cypress Street. Now that Victory has opened for business, she said that there is not appropriate parking which conflicts with our ordinances. Ms. Watson has noticed residents of Parkside Apartments parking along Cypress Street; renters should not be parking outside of the complex. It is up to the owners/developers to provide enough parking. Ms. Watson stated that we need diversity in our town and encouraged Council to bring decent businesses into the Borough. Ms. Watson said that she would like Council to a second "Public Comments" segment at the end of Council meetings.

APPOINTMENT of BOROUGH MANAGER JOSEPH C. SCALISE

President Spencer advised that since the departure of our previous Borough Manager, Council contracted with Peter Marshall to do a detailed search for a new Borough Manager. Council received 49 applications and it turns out that the best candidate is our current Interim Borough Manager, Joseph Scalise. He is a "homegrown" individual who has been employed by the Borough for 20 years.

It was moved by Vice President Maffei and Councilmember Bosley to appoint Joseph C. Scalise to the position of Borough Manager effective April 20, 2015.

The Mayor stated that this was a council decision and he thanked Council for allowing him to participate in the search process. He noted that the communication between the Police Department and Mr. Scalise has been excellent during his time as Interim Borough Manager. The Mayor added that Mr. Scalise is an incredible individual who works very hard for the Borough and he is looking forward to working with him.

The Borough Secretary called the roll of votes for Joseph C. Scalise to be appointed Borough Manager. Councilmembers Sinclair, Taylor, Plumley, Irwin and Bosley, President Spencer and Vice President Maffei voted yes. Motion carried unanimously.

PUBLIC SAFETY POLICE DEPARTMENT

On behalf of Chief Edward Zunino, Corporal Richard Bell reported the following statistics for the month of March, 2015:

- Traffic Citations – 106.
- Written Traffic Warnings – 36.
- Criminal Arrests – 22.
- DUI Arrests – 5.
- Total Calls – 618, compared to 605 in March, 2014.
- Year-to-date Call – 1,780, compared to 1,826 in 2014.

FIRE COMPANY

Fire Chief Christopher Plumley reported that there were 27 fire calls for the month of March, 2015. Due to a computer glitch, he was not able to report the EMS call.

The Fire Chief reported that the Fire Company will meet with manufactures by the first week in May regarding the purchase in of the new fire truck. He noted that 175 people participated in the fundraiser at Victory Brewing which netted the Fire Company \$7,500. They were also awarded a \$5,500 grant from the Mushroom Festival.

PUBLIC SAFETY COMMITTEE UPDATE

The Mayor gave a brief summary of the following items the Public Safety Committee is working on:

- North Union Gateway – Possible installation of traffic calming measures.
- Parking changes in the vicinity of Liberty Place.
- Need for Sidewalks – East State Street in the vicinity of the YMCA and other areas throughout town.
- Snow Emergency Routes – Possibility of making two (2) separate levels.
- Magnolia Place – Lighting and parking on D Street.
- Street Trimming – Needs to be addressed in the downtown. There is concern that ladder truck will not be able to access buildings in the event of an emergency.

PUBLIC WORKS and FINANCE COMMITTEE

Councilmember Bosley reported the following for the month of February, 2015:

- Invoices were reviewed and spot checked.
- West Cypress Street – This item will be discussed later this evening.
- The wells are progressing but we are not where we want to be.
- The Closed Loop is moving along.
- Capital Projects that are on the books but have not been completed yet. The Committee is in the process of updating the Capital Project Schedule.

CONSENT ITEMS

BILLS

President Spencer presented the bills to be paid on April 20, 2015, and the bills 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.

MINUTES of MARCH 16, 2015

President Spencer presented minutes from March 16, 2015.

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

PROPOSED CHAPTER 25, HISTORIC DISTRICT ORDINANCE

Vice President Maffei advised that the Architectural Review Board (ARB) and the Historical Commission (HC), led by him and Council Sinclair, revisited the Historic Preservation Ordinance. They discussed the feedback from the residents and Council as well as consulting with the Pennsylvania Historic and Museum Commission and the Borough Solicitor. The intent of the ordinance remains the same and the heart of reconstruction of the ordinance is that any project such changes to a roof, window or door would not need to come to the Historic Architectural Review Board (HARB) for approval. Highlights of the ordinance include:

- The Historic District would remain one (1) zone.
- The District consists of approximately one-third (1/3) of the middle of town.
- It is less burdensome for the homeowners.
- The ARB and the HC would be disbanded and a seven (7) member HARB would be created consisting of a registered architect, licensed real estate broker, the Building Inspector and four (4) persons with demonstrated interest, knowledge, ability, experience, or expertise in restoration, historic rehabilitation, or neighborhood conservation or revitalization who have interest in the preservation of the Historic District.

Vice President Maffei advised that the complete proposed ordinance is available of the Borough's website.

Vice President Maffei and the Solicitor answered questions from Council.

The Solicitor advised that the public meeting regarding this ordinance is scheduled to be held on May 18th, at 7 p.m. At this time, Council needs to authorize the advertisement.

President urged Council to thoroughly review the ordinance prior to the public meeting. He then asked for a motion to authorize the advertisement.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to authorize the advertisement for the public meeting for the Proposed Chapter 25, Historic District Ordinance. Motioned carried unanimously.

WAIVER REQUEST of PARKING REQUIREMENTS 406 WEST STATE STREET, PETRO PROPERTIES, LLC

President Spencer presented the request for relief from the parking requirements from John Petro, Petro Properties, LLC, for apartments at 406 West State Street.

The Manager advised that the owner is planning to build two (2) apartments on the top of the existing garage which is accessible from Lafayette Street. The owner will pay the In-lieu of Parking Fee of \$460 per space.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to grant the parking relief as requested. The motion carried with a vote of 6 to 1 with Councilmember Plumley voting no.

BID AWARD POLICE VEHICLE, 2008 DODGE CRUISER

President Spencer presented the bid award for the 2008 Dodge Cruiser.

The Manager advised that the vehicle was placed for bid through the MUNICIBID Auction and the highest bid was for \$2,050 by Zach Lamb of Silver Spring, Maryland.

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

BID REJECTION WEST CYPRESS STREET GATEWAY PROJECT

The Manager advised that the West Cypress Street Gateway Project bid opening was Monday, April 13, 2015. The lone bidder was SJM Construction Company, Inc. with a base bid of \$1,358,046.70. The budget estimate prepared by Meliora Design estimated the project at approximately \$1,100,000.00. The Manager recommended that the bid be rejected and we begin the bidding process over.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to reject the bid and begin the bidding process over for the West Cypress Street Gateway Project as recommended by the Manager. Motion carried unanimously.

2015 ROAD MATERIALS BID AWARDS, FUEL and LINE PAINTING, through the MUNICIPAL COOPERATIVE of SOUTHERN CHESTER COUNTY

President Spencer presented the 2015 Road Materials Bid Award, Fuel and Line Painting, through the Municipal Cooperative of Southern Chester County.

The Manager advised that the 2015 bids were awarded as follows:

- Fuel – Superior Plus Energy Services.
- Line Painting – Alpha Space Control Co., Inc.
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It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to approve the bids as presented. Motion carried unanimously.

PRESIDENT'S REPORT

President Spencer announced that the County will host a Household Hazardous Waste (HHW) Collection Event on Saturday, April 25th, at Octorara High School in Atglen. The event will run from 9 a.m. to 3 p.m. Please note that the County is not collecting electronics at their HHW Events in 2015. Also, you must have proof residency.

Events that will take place in the Borough include the YMCA Healthy Kids Day, and the Art on the Square and 49th Annual Plant Sale to be held on Saturday, May 25th, and Cinco de Mayo Festival on Sunday, May 3rd.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Vice President Maffei, referring to the appointment of Mr. Scalise as Borough Manager, stated that he is very pleased that we have the right man in that chair. He congratulated Council on performing a professional search. He added that the competition was stiff and Council took into consideration many factors with Mr. Scalise being the best candidate for the job.

Councilmember Irwin and Bosley concurred.

Junior Council Person Gomez congratulated the Carter Community Neighborhood for their successful clean-up day. He thanked everyone who participated.

The Manger announced that a Public Open House regarding the Baltimore Pike Complete Street Plan will be held on Thursday, April 30th, from 4 to 7 p.m. It will be held West Grove Community Room, 117 Rosehill Avenue, West Grove.

ADJOURNMENT

It was moved by Vice President Maffei and seconded by Councilmember Plumley to adjourn the meeting at 8:10 p.m.

Karen L. Scherer

Karen L. Scherer
Secretary

EXECUTIVE SESSION

Council convened into Executive Session.