

OFFICIAL MINUTES OCTOBER 19, 2015

The Regular Meeting of October 19, 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
Borough Manager Joseph C. Scalise
Jr. Council Person Meliton Gomez

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, thanked and commended Borough resident Robert Whiteside for helping Horace Brown receive his medals from WWII. He would like to see the same thing happen for any other veterans in the Borough that have not received their medals. In addition, Mr. Thomas stated that it his understanding that two (2) members of Council no longer reside in the Borough; if this is true, then they can no longer serve on Borough Council.

Tony Talamonti, 584 East Cypress Street, questioned why temporary signs keep appearing in the landscaped island at the intersection of East Cypress and Walnut Streets. He stated that when he took care of this island for over 20 years, he would take down any signs that were placed there.

Wayne Braffman, 472 East South Street, commended and thanked Chief Zunino and the Kennett Square Police Department for the actions taken to address a complaint that was posted on Facebook last week regarding bicyclists running the stop sign at East South and Walnut Streets. Mr. Braffman reported that Patrol Officer Boyer stopped by his home by 10:30 the next morning.

PUBLIC SAFETY

POLICE DEPARTMENT

Chief Edward Zunino reported the following statistics for the month of September, 2015:

- Traffic Citations – 48.
- Written Traffic Warnings –32.
- Criminal Arrests – 2.
- DUI Arrests –17
- Total Calls – 644, compared to 642 in September, 2014.
- Total Calls Year-to-date – 5,474, compared to 5,668 in 2014.

President Spencer asked Chief Zunino if there were any incidents at this year's Brewfest.

Chief Zunino replied no.

FIRE COMPANY

The Secretary advised that Fire Chief Christopher Plumley was not able to attend tonight's meeting; a written report will be sent to Council.

PUBLIC SAFETY COMMITTEE UPDATE

The Mayor advised that the Public Safety Committee coincidentally had met the next morning, Wednesday, after the bicyclist complaint was posted on Facebook last week. During the meeting the complaint was discussed and Chief Zunino was sending an officer to investigate. Another item being addressed by the Committee is the revision to Borough's Snow Emergency Route to include the banning of parking on certain streets in the event of inclement winter weather such as just a coating of snow and/or ice.

The Mayor noted that the Committee had received a request to install a handicap parking space directly in front of the Library along East State Street. He advised that this cannot be done lawfully because a handicap passenger exiting a parked vehicle at this location would do so into an active lane of traffic. He noted that there is a handicap parking space in the municipal parking lot behind the Library in close proximity to the U.S. mailboxes.

PUBLIC WORKS and FINANCE COMMITTEE

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

- Reviewed and spot checked invoices.
- The Yeatman Well has some issues which are being addressed.
- The installation of the water line on Cypress Street is about done. The curbs and sidewalks will be installed this year; the paving will be done late this year or early spring, 2016.
- The Manager and Finance Director continue to work on the proposed 2016 budget.
- The Committee worked on the Capital Improvement Program (CIP) by ranking the projects according to priority.

- They were joined by the Mayor regarding the Police Department. He and Chief Zunino are considering changing some of roles within the department which includes the addition of a Sergeant. Through grant funding, we receive all but 20% reimbursement for the School Resource Officer. The department is considering the purchase of portable scales; this may be done by partnering with Kennett Township. They are also working on a vehicle replacement plan.

CARTER DEVELOPMENT CORPORATION (CDC) PRESENTATION

Chief Edward Zunino advised that he is a member of the Carter Development Corporation (CDC) Board. He shared his history of patrolling the neighborhood through the years. Past criminal incidents in this neighborhood included a large number of people fighting in the streets and Police Department's vehicles being stoned. Chief Zunino stated that all of that has changed. The residents' care for their neighborhood outweighs their fear and you can now safely walk the streets in this neighborhood where you couldn't before. The National Night Out is hosted annually by this neighborhood which is very gratifying to the children. He concluded that this is a very caring neighborhood.

LaToya Myers, 331 East Linden Street, stated that she wants the residents to continue to work hard to maintain the safety they now have in their neighborhood. She advised that there were 53 disorderly conduct incidents in 2009 and in 2013 there were only three (3); the fear no longer is a barrier for the residents. Ms. Myers stated that their Annual Block Party invites people to come out of their homes and become involved in the community. She added that they want the success that they have experienced and their investment in their children to continue. Their Study Buddies Program is their largest project at this time and it takes funding to keep the program going.

President Spencer stated that we have every reason to be inspired by the progress of the CDC community; they are absolutely stellar.

Ms. Myers stated that the CDC plans to continue to apply for grant funding to maintain the success of their community. To do so, they are requesting a resolution from Council expressing the Borough's support of the CDC.

It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to authorize generating a resolution which expresses Council's support of the CDC. Motion carried unanimously.

CONSENT ITEMS

MINUTES of OCTOBER 5, 2015

President Spencer presented the minutes from October 5, 2015.

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

BILLS

President Spencer presented the bills to be paid on October 19, 2015, and the bills that were paid since the last meeting.

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

PUBLIC MEETING**AMENDMENTS to the KENNETT SQUARE BOROUGH CODE****CHAPTER 11, MOTOR VEHICLES and TRAFFIC****ARTICLE III, STOPPING, STANDING and PARKING GENERALLY, and****ARTICLE V, THROUGH HIGHWAYS, etc.**

President Spencer advised that the purpose of this public meeting is to discuss the proposed ordinance amending the Kennett Square Borough Code, Chapter 11, Motor Vehicles and Traffic, Article III, Stopping, Standing and Parking Generally, Division 3, Regulations Applicable to Certain Streets; and amending Chapter 11, Motor Vehicles and Traffic, Article V, Through Highways etc., Division 2, Stop Intersections.

The Manager advised that this went through the Public Safety Committee. It adds a stop sign on West Mulberry Street at South Washington Street, and eliminates parking on the west side of South Washington Streets from Cypress to Mulberry. There is a significant amount of traffic on this street which makes it impossible for emergency vehicles to travel this roadway with vehicles parked on both sides.

President Spencer questioned if the camper parked on West Mulberry can be moved noting that it creates a sight distance problem.

The Manager replied that according to our ordinance it is parked illegally and we can order it to be removed.

Councilmember Bosley stated that he is very excited about these much needed amendments.

Vice President Maffei asked how many parking spaces will be eliminated with the changes.

The Manager replied 10 to 15 spaces.

Councilmember Plumley stated that he is in favor of these amendments and noted that the camper is an issue however he does not approve of the stop sign being installed before the ordinance was adopted.

President Spencer opened the public meeting at 7:36 p.m.

John Thomas, 406 South Broad Street, stated that he agrees 100 percent with these amendments and asked if they have an effect on any other parts of the Borough.

The Manager advised that the amendments only pertain to the streets and intersections as described in the ordinance.

President Spencer closed the public meeting at 7:36 p.m.

**ORDINANCE NO. 921
AMENDMENTS to the KENNETT SQUARE BOROUGH CODE
CHAPTER 11, MOTOR VEHICLES and TRAFFIC
ARTICLE III, STOPPING, STANDING and PARKING GENERALLY, and
ARTICLE V, THROUGH HIGHWAYS, etc.**

President Spencer presented the ordinance amending the Kennett Square Borough Code, Chapter 11, Motor Vehicles and Traffic, Article III, Stopping, Standing and Parking Generally, Division 3, Regulations Applicable to Certain Streets; and amending Chapter 11, Motor Vehicles and Traffic, Article V, Through Highways etc., Division 2, Stop Intersections.

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

**PUBLIC MEETING
AMENDMENTS to the KENNETT SQUARE BOROUGH CODE
CHAPTER 11, MOTOR VEHICLES and TRAFFIC
ARTICLE VI, SNOW EMERGENCY ROUTES**

President Spencer advised that the purpose of this public meeting is to discuss the proposed ordinance amending the Kennett Square Borough Code, Chapter 11, Motor Vehicles and Traffic, Article VI, Snow Emergency Routes.

The Manager advised that the amendment was generated by the Public Safety Committee to include a Winter Warning Route which includes portions of East Linden, North Willow and South Walnut Streets.

President Spencer opened the public meeting at 7:40 p.m.

There were no public comments from the floor.

President Spencer closed the public meeting at 7:41 p.m.

ORDINANCE NO. 922
AMENDMENTS to the KENNETT SQUARE BOROUGH CODE
CHAPTER 11, MOTOR VEHICLES and TRAFFIC
ARTICLE VI, SNOW EMERGENCY ROUTES

President Spencer presented the ordinance amending the Kennett Square Borough Code, Chapter 11, Motor Vehicles and Traffic, Article VI, Snow Emergency Routes.

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

BOARDS and COMMISSIONS
HISTORICAL ARCHITECTURAL REVIEW BOARD – ORIGINAL MEMBERS

President Spencer presented the following appointments to the Historical Architectural Review Board (HARB) as follows:

- John Rosecrans, Architect, term expires January 1, 2023.
- Clara Saxton, Realtor, term expires January 1, 2022.
- Russell Drumheller, Building Inspector, term expires January 1, 2021.
- Stephen Conyers, resident, term expires January 1, 2020.
- Jeffrey Feit, resident, term expires January 1, 2019.
- Andrew Froning, resident, term expires January 1, 2018.
- Matt Wilhelm, resident, term expires January 1, 2017.

Vice President Maffei advised that these appointments to the new HARB are per the new Historic District Ordinance which was adopted by Council in May, 2015. He noted that the appointments could not be made until the State approved the ordinance, which they did on September 11, 2015.

Vice President Maffei announced that there will be training session during the HARB's first meeting on November 4th. He noted that per the ordinance, all members are required to obtain a certain number of hours of training each year.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve these appointments as presented.

Councilmember Plumley advised that he is not against the appointees but will be voting no because he does not like the HARB.

Motion carried with a vote of 6 to 1 with Councilmember Plumley voting no.

SPECIAL EVENT APPLICATION**MIDNIGHT in the SQUARE, DECEMBER 31ST – JANUARY 1ST**

President Spencer presented the special event application for Midnight in the Square sponsored by the Mushroom Festival. The event runs from Thursday, December 31st, 9:00 p.m. to Friday, January 1st, 1:00 a.m. This involves the closures of State Street from Broad to Center Street and Union Street from Linden to Cypress Street.

Kathi Lafferty, Mushroom Festival Coordinator, advised that there are a few changes with this year's application. They plan to move the band closer to Cypress Street, include a short laser light show, and have a heated tent.

Vice President Maffei asked if the street closures are the same.

Ms. Lafferty replied yes however they want to close the streets at 5 p.m.

President Spencer questioned how the security will be handled at the wine and beer tent.

Ms. Lafferty advised that they have hired Signal 88.

Jr. Council Person Gomez questioned if High School students could volunteer.

Ms. Lafferty replied yes and noted that they could possibly assist with the activities for children at the Youth Garage.

The Mayor stated that Chief Zunino should have final approval of the application.

Councilmember Sinclair expressed her concern that if events ends at 1 a.m. instead of midnight it will force the employees of the Public Works and Police Departments to work until 3 a.m. until clean up is complete.

Councilmember Plumley asked if we receive many complaints about the noise from this event in the past.

The Mayor replied no. He added that there were no arrests at the 2014 event.

Vice President Maffei stated that this is a remarkable event and he does want to discourage the approval of the application at this time however, he believes that the approval should be contingent upon the final approval of the Chief of Police and the Manager.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve the application contingent upon the final approval from the Chief of Police and the Manager. Motion carried unanimously.

**AUTHORIZE ADVERTISEMENT
AMENDMENTS to KENNETT SQUARE BOROUGH CODE
CHAPTER 23, ZONING, REPEAL MAIN STREET OVERLAY DISTRICT (MSD)**

President Spencer presented the advertisement request to hold the public hearing on November 16th, 7 p.m., for the proposed ordinance amending Chapter 23, Zoning, Repeal Main Street Overlay District (MSD).

The Manager advised that this is only authorization of the advertisement. We need to appeal a particular section of the Zoning Ordinance that conflicts with the new Historic District Ordinance.

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

PRESIDENT'S REPORT

President Spencer announced that there are openings for Borough residents to serve on the Library Board, the Library Task Force and the Streetscapes Ad Hoc Committee. Interested residents should send their resumes and letters of interest to the Manager.

He also announced that the Halloween Parade will be held this Sunday, October 25th. The parade kicks off at 3 p.m. from the intersection of State and Lafayette Streets then proceeds east on State Street to Broad Street.

Trick or Trick will be held on Saturday, October 31st, from 6 to 8p.m.

President Spencer announced that the Borough has partnered with Kennett and New Gardens Townships to hold a residential electronics collection and document shred event on Saturday, December 5th, from 9 a.m. to 1 p.m. This event will be held at the Kennett High School. Residents must be ready to provide proof of residency, i.e. driver's license.

President Spencer advised that the November 16th Council meeting will be held in the Kennett/Pennsbury Room, Genesis HealthCare building, 101 East State Street.

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

Councilmember Plumley advised that over the weekends "for sale" signs pop-up throughout town for real estate that is not located within the Borough.

**INTENT to RESIGN
COUNCILMEMBER TAYLOR**

Councilmember Taylor announced that he is resigning from Borough Council, effective tomorrow, October 20, 2015. He advised that he and his wife have purchased a home outside of the Borough.

President Spencer advised that he had received Councilmember Taylor's letter of resignation. President Spencer told Councilmember Taylor that he is a highly reputable person and wished him much success.

**NEW DIRECTOR of PUBLIC WORKS
RANDY BEHMKE**

The Manager introduced and welcomed the new Director of Public Works, Randy Behmke.

ADJOURNMENT

It was moved by Councilmember Plumley and seconded by Councilmember Bosley to adjourn the meeting at 8:04 p.m.


Karen L. Scherer
Secretary