

OFFICIAL MINUTES MARCH 7, 2016

The Regular Meeting of March 7, 2016 of Council for the Borough of Kennett Square was called to at 7:00 p.m. in the Monroe Nute Room of the Kennett Fire Company No. 1, 301 Dalmatian Street, Kennett Square, Pennsylvania with President Danilo P. Maffei in the Chair.

ROLL CALL

Present: *President Danilo P. Maffei*
Vice President Geoffrey R. Bosley
Councilmember Wayne Braffman
Councilmember Ethan Cramer
Councilmember Douglas Doerfler
Councilmember James Mallon
Councilmember LaToya M. Myers
Manager Joseph C. Scalise
Solicitor Marc Jonas

Absent: *Mayor Matthew W. Fetick*
Jr. Council Person Meliton Gomez

EXECUTIVE SESSION

President Maffei announced that Council held an Executive Session at 6:15 p.m. this evening. The Session was held in the Monroe Nute Room of the Kennett Fire Company No. 1, 301 Dalmatian Street. The purpose of the session was to confer with the Borough Solicitor on potential legal issues.

PUBLIC COMMENTS

Jeannie Jims, 548 Richards Road, referred to the recent announcement from Kennett Township stating they are developing 42 acres into a park just one and a half (1½) miles east of the Borough and asked Council to rethink the plan to develop a park on the south side of the Borough. She does not support the Borough undertaking a \$300,000 general obligation bond to finance a park.

John Thomas, 406 South Broad Street, shared his concern of the impact the new developments in Kennett Township will have on traffic and our sewer plant. He added that we should maintain 100,000 gallons of sewer capacity in reserve.

Charla Watson, 623 Magnolia Street, stated that the elected officials should operate their meetings in accordance with Roberts Rules of Order and Council needs to treat all residents with equal time, respect and patience. She wants Council to revisit and evaluate the number of terms a person can serve on committees.

Carol Krawczyk, 501 West State Street, invited the public to attend the Kennett Area Regional Planning Commission on Tuesday, March 15th, 7:30 p.m. The meeting will be held in Borough Hall.

COMMITTEE REPORTS

CODES DEPARTMENT

On behalf of the Code Enforcement Officer Russell Drumheller, the Manager reported the following activity for February, 2016:

- Completed 113 inspections.
- Received 293 telephone calls into the office.
- Received 165 visitors to the office.
- Completed three (3) Resale Use and Occupancy Permits.
- Processed 46 permits – Building/Plumbing/Electrical/Mechanical.
- Ester Perez is still processing, recording and permitting all residential and commercial rental units – total of 1,273.
- Working on several possible ordinance amendments or additions – lot sizes and coverage, fence heights, signage and park and recreation in addition to proposed zoning changes for the old NVF site.

HISTORIC KENNETT SQUARE (HKS)

Ms. Mary Hutchins, Executive Director, highlighted her report with the following:

- The 2016 Winterfest was very successful.
- The second public meeting for the Economic Development Study will be held on Thursday, April 7th at 7 p.m. in the American Legion Hall.
- HKS Board of Directors continue to work with Bill Fontana from the PA Downtown Center on a business plan for the organization.
- Evening of the Arts is planned for April 1st. It will be held in the lower level of the Genesis HealthCare building.
- HKS helped the Mayor coordinate a meeting for representatives of arts and culture organizations to have an open discussion on working together as one unit to meet the space needs of the organizations.
- Meeting with representatives of Kennett Township and the Borough on creating a Kennett Area Heritage Tourism Program.
- Helping to coordinate a new HKS fundraising event on May 22nd – the Victory Block Party and Food Truck Festival.

CONSENT ITEMS

MINUTES of FEBRUARY 16, 2016

President Maffei presented the minutes from February 16, 2016, for approval.

It was moved by Councilmember Cramer and seconded by Councilmember Myers to approve the minutes as presented. Motion carried unanimously.

BILLS

President Maffei presented the bills to be paid March 7, 2016, and the bills that were paid since the last meeting.

It was moved by Vice President Bosley and seconded by Councilmember Doerfler to approve the bills as presented.

Councilmember Myers stated that she has not received reports that she had requested as a member of the Finance Committee.

It was moved by Councilmember Myers and seconded by Councilmember Braffman to table voting on the bills. The vote to table the payment of the bills carried with a vote of 5 to 2 with President Maffei and Councilmember Mallon voting no.

DISCUSSION ITEMS

BULK WATER SALES

Council held a discussion regarding the fees for bulk water sales.

Councilmember Braffman advised that at the request of Tony Talamonti, the Finance Committee evaluated the amount paid for water by the bulk water haulers compared to what Borough residents pay.

In order to make the bulk water sales more in line with residents, Council agreed to levy a \$25 monthly flat fee rate on bulk water sales in addition to the cost they pay for the water purchase.

President Maffei instructed the Manager to generate a resolution amending the 2016 Fee Schedule to include the \$25 Monthly Flat Rate for bulk water sales. The resolution will be presented to Council at their next meeting.

There was also discussion regarding the impact the water trucks have on our roadways.

President Maffei noted that the roadways used by the haulers in the Borough are made for heavy trucks.

REVOLVING LOAN FUND

The Manager advised that we have two (2) revolving loans and recently received a large payment on one (1) of these loans. He and Mary Hutchins, Executive Director of Historic Kennett Square (HKS), have been researching procedures on how to loan the money out to others. One option would be to have HKS oversee the application and lending process.

A discussion ensued regarding the members and qualifications of the application review board, conflict of interest, interest rate, loan terms and as well as considering other agencies to oversee the process.

Ms. Hutchins stated that she shared some of the concerns expressed by Council and noted that if HKS became involved, there should be an MOU between the Borough and HKS.

The Solicitor advised that HKS would provide recommendations to Council however Council would make the final decision on the applications.

President Maffei said it was a blessing to get this money from the State and now we need to work to establish a lending program.

PRESENTATION

REGIONAL STREET LIGHT PROCUREMENT PROGRAM

Randy Behmke, Director of Public Works, introduced John Schmid of Johnson Controls, Inc. (JCI). Mr. Schmid gave a presentation regarding the Regional Street Light Procurement Program (RSLPP).

Mr. Schmid advised that the program was developed through the Delaware Valley Regional Planning Commission and involves upgrading street lighting to LED lighting in 46 municipalities. The savings in electricity alone will pay for the cost of the upgrade. In order to move forward, Council will need to adopt a resolution appointing JCI to conduct the Investment Grade Audit. After the audit is conducted and should Council decide not to move forward with the RSLPP, then the Borough will be liable only for the cost associated for the audit, approximately \$10,000.

RESOLUTION - TABLED

REGIONAL STREET LIGHT PROCUREMENT PROGRAM

JOHNSON CONTROLS, INC. (JCI)

President Maffei presented the resolution for Johnson Controls, Inc. (JCI) to conduct the Investment Grade Audit.

It was moved by Vice President Bosley and seconded by Councilmember Doerfler to adopt the resolution as presented.

A discussion ensued regarding the cost of the audit.

President Maffei instructed the Manager to research the budget for funds to cover the cost of the audit.

It was moved by Vice President Bosley and seconded by Councilmember Doerfler to table this item until the next Council meeting to give the Manager time to investigate the funding source to cover the cost of the audit. Motion carried unanimously.

BOARDS and COMMISSIONS

APPOINTMENT to SHADE TREE COMMISSION

President Maffei presented the following appointment to the Boards and Commissions:

- Shade Tree Commission
Robert Schleuter, 621 South Broad Street

The Secretary advised that this will fill the vacancy generated by the resignation of Peter Davis who no longer resides in the Borough. Mr. Schleuter will fulfill the remainder of that term which will expire January 1, 2017.

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

RESOLUTION NO. 2016-8

APPOINTMENT of TWO (2) DELEGATES

CHESTER COUNTY TAX COLLECTION COMMITTEE

President Maffei presented the resolution appointing Joseph Scalise, Borough Manager, as the Primary Voting Delegate and Kathy Holliday, Finance Director/Treasurer, as the First Alternate Voting Delegate on the Chester County Tax Collection Committee.

It was moved by Councilmember Doerfler and seconded by Vice President Bosley to adopt the resolution as presented. Motion carried unanimously.

The resolution was assigned No. 2016-8.

RESOLUTION NO. 2016-9

2016 DISPOSITION of MUNICIPAL RECORDS

President Maffei presented the resolution authorizing disposition of the municipal records for 2016.

The Secretary advised that the disposition is in accordance with the Municipal Records Manual published by the Pennsylvania Historical and Museum Commission.

It was moved by Councilmember Bosley and seconded by Councilmember Mallon to adopt the resolution as presented. Motion carried unanimously.

The resolution was assigned No. 2016-9.

**AUTHORIZE ADVERTISEMENT
AMENDMENTS to KENNETT SQUARE BOROUGH CODE
CHAPTER 11, MOTOR VEHICLES and TRAFFIC
SNOW EMERGENCY/WINTER WARNING**

President Maffei presented the advertisement to hold the public meeting on April 4, 2016 at 7 p.m., for the proposed ordinance amending Chapter 11, Motor Vehicles and Traffic.

The Manager advised that Council approved an ordinance that added a new winter warning however there is a need to tweak the language to clarify when a warning is declared. Also, clarification is needed on the specific sections of the roads that parking is prohibited.

It was moved by Councilmember Cramer and seconded by Councilmember Doerfler to authorize the advertisement as presented.

The Secretary advised that the date for the public meeting has been set for April 4, 2016, 7 p.m.

It was moved by Councilmember Cramer and seconded by Councilmember Doerfler to amended motion by adding the date of the public hearing as April 4, 2016. The motion as amended carried unanimously.

**AUTHORIZE ADVERTISEMENT
AMENDMENTS to KENNETT SQUARE BOROUGH CODE
CHAPTER 11, MOTOR VEHICLES and TRAFFIC
LONG TERM PARKING**

President Maffei presented the advertisement to hold a public meeting on for the proposed ordinance amending Chapter 11, Motor Vehicles and Traffic.

The Manager advised this was done to maximize the use of underutilized parking areas and the need to address a shortage of parking for the Library staff and Franklin Center.

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

FREE PARKING INTERNATIONAL HAPPINESS DAY, MARCH 18th

Sandra Borrer, on behalf of the Kennett Area YMCA, presented a request to Council to provide free parking on Friday, March 18th, International Happiness Day. She advised that she and her team would provide and place yellow bags with happy faces on the parking meters.

It was moved by Councilmember Mallon and seconded by Councilmember Doerfler to approve the request as presented.

A discussion ensued regarding the Borough's loss of revenue, approximately \$500. Vice President Bosley stated that he thinks paying for parking is not necessarily a bad thing.

Councilmember Mallon stated we are trying to run the town as a business how he finds the idea whimsical and supports doing it this year.

Councilmember Cramer advised that the Carter Community, as well as other organizations, pay for Borough services incurred by their special events; it is the right thing to do.

Ms. Borrer advised that this project has a zero budget project.

The motion did not carry with a vote of 1 to 6 with President Maffei, Vice President Bosley and Councilmembers Braffman, Cramer, Myers and Doerfler voting no.

SPECIAL EVENT APPLICATIONS HEALTHY KIDS DAY, APRIL 30th CINCO de MAYO FESTIVAL, MAY 1st

President Maffei presented the following two (2) special event applications:

- Healthy Kids Day, Saturday, April 30th, 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.
- Cinco de Mayo Festival to be held on Sunday, May 1st, sponsored by Casa Guanajuato. The event will run from noon until 6 p.m. and 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.

It was moved by Vice President Bosley and seconded by Councilmember Mallon to approve the special event applications as presented. Motion carried unanimously.

PRESIDENT REPORT

No report for this evening.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

None.

ADJOURNMENT

It was moved by Councilmember Myers and seconded by Councilmember Mallon to adjourn the meeting at 8:57 p.m.



Karen L. Scherer
Borough Secretary