

OFFICIAL MINUTES SEPTEMBER 21, 2015

The Regular Meeting of September 21, 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
Mayor Matthew W. Fetick
Borough Manager Joseph C. Scalise
Jr. Council Person Meliton Gomez

Absent: *Councilmember Patrick B. Taylor*

PUBLIC COMMENTS

Mr. John Thomas, 406 South Board Street, congratulated the Mushroom Festival Committee on another successful event this year. He noted that the cost of the wristbands for this year's Mushroom Festival was raised to \$3.00 and feels that \$1.00 of this should be given to the Borough to aid in the cost of maintaining our Mainstreet area. Mr. Thomas questioned if all of the parking enforcement laws are void during the festival because improperly parked vehicles caused sight distance problems at intersections throughout the Borough. Mr. Thomas expressed his concern of large dumps trucks traveling on the side streets such as D, Magnolia and Mulberry streets. He recommended that the Borough implement a truck permit program for trucks that need to travel on the side streets in town; this program should also include construction trucks.

Doug Doerfler, 315 South Union Street and candidate for Council, advised that Election Day is November 3rd and invited the public to attend the "Meet the Candidates" event to be held on October 1st, 7 p.m., at Philter Coffee. He stated that he supports the Borough's involvement in the Library Task Force and echoed the Mayor's words in the letter he addressed to Council in July, 2015.

Tony D'Ottavio, 515 East South Street, questioned if the noise ordinance is still being enforced. He complained of the loud noises generated by motorcycles, especially those participating in the Mushroom Festival Parade. Mr. D'Ottavio also shared his concern of loud music coming from vehicles in addition to a person renting rooms in his area of the neighborhood which is causing overcrowding.

Donna Murray, Director of the Library, referred to her meeting with the Mayor and per the Mayor's request, during the September, 2015 meeting of the Library Board, the Board voted in favor of allowing representation from each of the eight (8) municipalities on the Board, whether or not a municipality financially contributes to the Library; she stated that the Board welcomes the new members.

PUBLIC SAFETY

POLICE DEPARTMENT

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

- Traffic Citations – 69.
- Written Traffic Warnings – 27.
- Criminal Arrests – 30.
- DUI Arrests – 6
- Total Calls – 596.

He continued his report with the following statistics for the month of August, 2015:

- Traffic Citations – 48.
- Written Traffic Warnings – 48.
- Criminal Arrests – 25.
- DUI Arrests – 4.
- Total Calls – 611.

Corporal Bell advised that there were no incidents within the Mushroom Festival although there were a few parking issues and accidents. In response to Mr. D'Ottavio's comments, Corporal Bell advised that when the Police Department receives complaints of loud noises coming from vehicles that unfortunately the vehicles are gone by the time the Police arrive. He advised that he took note of Mr. D'Ottavio's concerns and will pass them along to the Patrol Officers.

President Spencer urged residents to report vehicles violating the noises ordinance to the Police Department and also report the license plate number.

The Mayor reported that during the eight (8) hour truck detail conducted in July, 2015 approximately 20 trucks were stopped and 18 inspections were performed. Out of those inspections, 13 drivers were issued citations and two (2) trucks were immediately placed out of service.

FIRE COMPANY

Fire Chief Christopher Plumley reported the following calls for the month of August, 2015:

- EMS Calls – 87 total calls with 35 being in the Borough, 37 in Kennett Township and the remaining 15 in other municipalities; 645 total calls year-to-date compared to 738 in 2014.
- Fire Calls – 26 total calls; 262 year-to-date compared to 302 in 2014.

The Fire Chief gave a summary of the difference of BLS (Basic Life Support) and ALS (Advance Life Support).

Councilmember Irwin questioned the necessity of the fire siren.

The Fire Chief advised that it is very necessary because the electronic devices (pagers) are not dependable 100 percent of the time. He noted that the siren has alerted him to fire calls when his pager did not activate. He advised that the Fire Company has been looking for a company that is able and willing to repair the siren.

Council and the Fire Chief discussed ways of operating the siren to alert residents for different types of emergency situations.

PUBLIC SAFETY COMMITTEE UPDATE

The Mayor advised that the Public Safety Committee did not meet last month however he noted that upcoming public meeting regarding the amendments to Chapter 11, Motor Vehicles and Traffic was a result of the discussions held during past committee meetings. The amendments include installation of a stop sign at Mulberry and Washington Streets, no parking along South Washington Street and snow emergency routes.

The Mayor referred to Mr. Thomas' statement regarding a follow-up meeting for the Mushroom Festival and advised him that a follow-up meeting is held each year. He also advised Mr. Thomas that he made notes of his other concerns.

PUBLIC WORKS and FINANCE COMMITTEE

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

- Reviewed invoices.
- Met with members of the Fire Department, Fire Chief Plumley and Gina Puoci. The new ladder truck has been ordered and they expect delivery in May, 2016.
- The purchase of a new engine truck is in the future and at some point, the purchase of a new ambulance.
- Long range plans for the Fire Company include having paid firefighters, especially during the day due to the volunteers' employment obligations.

He reported the following for the month of August, 2015:

- Reviewed invoices.
- The Borough will begin passing on a convenience fee to customers paying their utility bills, permits, etc. with a credit card.
- The Manager attended a TMAC meeting to research ways to get public transportation to the Borough.
- They discussed forming a streetscape ad hoc committee which is on tonight's agenda.

KENNETT AREA SENIOR CENTER (KASC)

Anita O'Connor, Director, gave a brief update of the programs available to their members and other local seniors including a driver education course, tax preparation, and Neighbors in Action. Neighbors in Action is a program that enables homebound residents to remain in their home with the help of volunteers. Through no fault of their own, KASC lost County funding but are determined to keep this program going. So far they have been able to raise \$14,000 towards the bare bones budget of \$47,000. They are restructuring the program and will continue to seek funding. Ms. O'Connor is very optimistic that the Neighbors in Action Program will continue.

PROPOSED EAGLE SCOUT PROJECT

Mark Haftl, Jr., member of Boy Scout Troop 24, gave a presentation of his proposed Eagle Scout Project. The project consists of relocating the cannon, "Old Ben Butler" and the time capsule from their current location at 120 North Broad Street to Borough Hall, 120 Marshall Street. Also included in this project is constructing a base for the cannon and the addition of a plaque containing the historical information about the cannon.

The Mayor thanked Mr. Haftl for selecting this as his Eagle Scout Project.

It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to approve this Eagle Scout Project as presented.

Karen Scherer, Borough Secretary, advised that she and Councilmember Sinclair had a preliminary meeting with Mr. Haftl. She advised that John Morris, the Streets Department Foreman, will be overseeing the placement location of the cannon and time capsule at Borough Hall.

Motion carried unanimously.

CONSENT ITEMS**MINUTES of AUGUST 3, 2015 and SEPTEMBER 8, 2015**

President Spencer presented the minutes from August 3, 2015 and September 8, 2015.

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

BILLS

President Spencer presented the bills to be paid on September 21, 2015, and the bills that were paid since the last meeting.

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

DISCUSSION ITEM**STREETSCAPES AD HOC COMMITTEE**

Councilmember Bosley advised that the idea of the Streetscapes Ad Hoc Committee originated for several reasons – requests to remove street trees, waiving of the sidewalk requirements and implementing in lieu of fee, and to make the Borough a more walkable community. The formation of this committee has been discussed at Public Works/Finance Committee meeting.

Vice President Maffei stated that street trees are an important in the Borough but the way we administer the program can be haphazard; the current laws do not allow for exceptions. The Ad Hoc Committee would be able to review and recommend updates of the Shade Tree Ordinance; they would also identify the areas in the Borough where we need sidewalks and the areas where sidewalks are not feasible.

Vice President Maffei and Councilmember Bosley suggested that the Ad Hoc Committee consist of councilmembers, residents, members of the Borough's Planning Commission, Public Safety Committee, Shade Tree Commission, Fire Company and Law Enforcement as well as the Chester County Planning Commission.

President Spencer stated that consistency is important and he has concern that some sidewalks are waived and others are not. He added that removing street trees is not desirable but for public safety reasons it makes it necessary.

Vice President Maffei advised that the Ad Hoc Committee would set out a plan of work that we need to do and assist with re-crafting the laws.

The Mayor stated that under the current laws, if a property owner wants to appeal a decision of the Shade Tree Commission they must do so through the Court of Common Pleas. He believes they should be able to appeal to Council.

President Spencer stated that it is the consensus of Council to move forward with the Streetscapes Ad Hoc Committee. He advised any persons interested in serving on this committee to please contact the Manager.

2016 MINIMUM MUNICIPAL OBLIGATION (MMO) for NON-UNIFORM EMPLOYEES

President Spencer presented the MMO for the Pension Plan of the non-uniform employees for the year 2016 for approval.

The Manager advised that the Borough is required by PA Act 205 to conduct this action annually. The Borough's contribution for 2016 will be \$124,814.

It was moved by Vice President Maffei and seconded by Councilmember Bosley to approve the 2016 MMO for non-uniform employees as presented. Motion carried unanimously

2016 MINIMUM MUNICIPAL OBLIGATION (MMO) for UNIFORM EMPLOYEES

President Spencer presented the MMO for the Pension Plan of the uniform employees for the year 2016 for approval.

The Manager advised that the Borough is required by PA Act 205 to conduct this action annually. The Borough's contribution for 2016 is \$125,729.

It was moved by Councilmember Bosley and seconded by Councilmember Sinclair to approve the 2016 MMO for uniform employees as presented. Motion carried unanimously.

RESOLUTION NO. 6-15 PENNDOT POTHOLE PATCHING AGREEMENT

The Manager advised that PennDOT had a tough time repairing the numerous potholes during the 2014/2105 winter season. PennDOT is now reaching out to the local municipalities to repair potholes on state roads within their municipalities. This agreement does not instruct the Borough to repair potholes on the state roads but having the agreement in place will allow PennDOT to quickly ask for the Borough's assistance when needed. The resolution is also required to authorize the signer of the agreement.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to approve the resolution and agreement as presented.

The Manager advised that these types of agreements with PennDOT are generally for five (5) years with an addendum done each year. The price for manual patching is \$342.84 per ton of material. He stated that he would like to try this for one (1) year.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to amend the original motion to include a period of one (1) year. Motion carried unanimously.

It was moved by Councilmember Sinclair and seconded by Councilmember Bosley to approve the amended motion for the resolution and agreement with PennDOT for Pothole Patching for a period of one (1) year. Motion carried unanimously.

LIBRARY TASK FORCE

The Mayor advised that the Library Task Force is something we have been talking about since July, 2015, and it was tied directly to representation on the Library Board. He in support of working with Kennett Township and East Marlborough Township on a Library Task Force to clear the air, heal the wounds and move forward. With this Task Force, the municipalities can stand side by side in 100% support of the Library as the Library begins their Capital Fund Campaign.

Councilmember Bosley stated that the Mayor's comments were very well said and he supports participating in the Task Force.

It was moved by Vice President Maffei and seconded by Councilmember Sinclair to participate in the Library Task Force with both Kennett and East Marlborough Townships.

President Spencer stated that he has opposed this concept for many reasons. He referred to his experience with the School Board, stating that it was the School Board's discretion to make decisions. He believes that a task force to deal with the Library should be done at the discretion of the Library Board. President Spencer noted that the Library Board has now made it possible for the Borough to have a voice on their board. In addition, he said that Council and the Mayor volunteer their time to do what they do because they care about the Borough; the people of the Library Board also do what they do because they care about the Library.

Motion carried unanimously.

PRESIDENT'S REPORT

President Spencer referred to Jr. Council Person Meliton Gomez' recent haircut and announced that Mr. Gomez had donated his hair to Locks of Love. Locks of Love is an organization that provides wigs at no cost to children that have permanently lost their hair due to health and medical reasons. President Spencer commended Jr. Council Person Gomez for doing this and stated that this is the kind of generous and caring young people we have in our community.

President Spencer announced that "Vive tu Vida! Get Up! Get Moving!" will be held this Saturday, September 26th at Anson B. Nixon Park, from 10 a.m. to 2 p.m., rain or shine.

President Spencer announced that in celebration of the Borough's involvement with the Energy Curtailment Specialists' Green Roots Initiative, 10 Jack Pine Trees will be planted in our honor in Tahoe National Forest. This initiative is in collaboration with the Arbor Day Foundation.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Jr. Council Gomez invited the public to attend the Kennett High School Homecoming Parade on Friday, October 2nd.

Jr. Council Gomez asked for prayers for the family in our community who lost their father in an automobile accident last week.

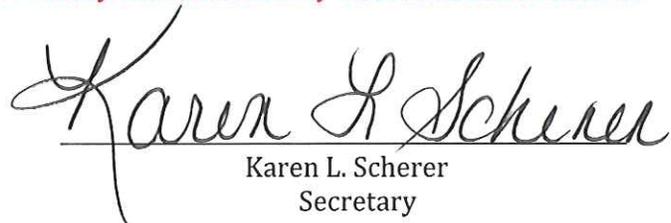
The Mayor announced that in recognition of October 2015 as National Domestic Violence Awareness Month, he will be presenting a proclamation at the next Council meeting.

The Manager advised that due to time restraints for advertising, the public meetings for the amendments to Chapter 11, Motor Vehicles and Traffic, will not be held until the October 19th Council meeting.

Vice President Maffei gave a brief report regarding the Kennett Area Park Authority (KAPA) and Anson B. Nixon Park. KAPA is currently working on their project that consists of a new entrance road and dog park. In addition, they have applied for a building grant through the Chester County Community Foundation. Vice President Maffei invited the public to attend "Rock the Park" to be held this Sunday in Anson B. Nixon Park, from 4 to 7 p.m. Entertainment provided by Love Seed Mama Jump and he will serve as the emcee. This fundraising event is for the reforestation of the Park.

ADJOURNMENT

It was moved by Councilmember Plumley and seconded by Vice President Maffei to adjourn the meeting at 8:21 p.m.



Karen L. Scherer
Secretary