

OFFICIAL MINUTES MAY 16, 2016

The Regular Meeting of May 16, 2016, of Council for the Borough of Kennett Square was called to order 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 L. Cramer
Councilmember J. Douglas Doerfler
Councilmember LaToya M. Myers
Mayor Matthew W. Fetick
Manager Joseph C. Scalise

Absent: *Councilmember James Mallon*
Jr. Council Person Meliton Gomez

PUBLIC COMMENTS

Jeannie Jims, 548 Richards Road, thanked the Borough Manager for having the remedial work done on a few handicapped parking spaces in the Borough. She asked why the recent twinning agreement was not made readily available to the residents. She shared her opinion that the Borough does a very poor job of sharing such information with residents. Ms. Jims also asked why there is only an advisory committee on Latino affairs and not a committee for senior citizen affairs.

Lindsey Sweet, 317 Harvey Circle, Borough resident and immigration attorney, expressed her support of the Advisory Commission for Latino Affairs. This commission is a great way to bring things to the forefront with regards to the Latino residents.

John Thomas, 406 South Broad Street, applauded Ms. Sweet's work. He stated that he would like to see advisory commissions for the senior members of our Borough as well as poor residents.

Jim Dovidio, owner of Kennett Laundry, 130 East Maple Street, expressed his disappointment that the Borough recently converted the 12 metered parking spaces in the municipal lot at Broad and Maple Street into permit parking only. He advised that this creates a hardship for his customers and noted that the removal of the metered parking spaces will have a negative impact on his business. He asked Council to reconsider and convert the spaces back to metered parking.

2016 CERTIFICATES of APPRECIATION and HISTORIC PRESERVATION AWARD

President Maffei and the Mayor Fetick presented the 2016 Certificates of Appreciation for Historic Preservation to the following property owners:

- F. Patrick and Sylvia L. Mohan, 231 South Union Street.
- Anita D'Amico (204 North Union Street, LLC), 204 North Union Street.
- Andrew J. and Susan E. Froning, 308 Marshall Street.

The 2016 Historic Preservation Award was given to Robert and Debra Norris for the extraordinary renovation of their home located at 221 South Union Street.

REPORTS

CODES DEPARTMENT

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

- Completed 338 inspections.
- Received 283 telephone calls into the office.
- Received 153 visitors to the office.
- Completed nine (9) Resale Use and Occupancy Permits.
- Processed 26 permits – Building/Plumbing/Electrical/Mechanical.

FIRE COMPANY

Chief Christopher Plumley reported the following calls for the month of April, 2016:

- Fire Calls – 36 total.
- EMS Calls – 81 total, with 40 being in the Borough and 30 in Kennett Township.

The Chief advised that they expect delivery of the new truck in June. He also advised that Fire Company offers the service of filling pools.

POLICE DEPARTMENT

Corporal William Holdsworth reported the following offenses for the month of April, 2016:

- Actual Offenses – 48.
- Criminal Arrests – 16.
- DUI Arrests – 4.
- Traffic Citations – 87.
- Traffic Warnings – 50.
- Total Calls in April, 2016 – 773, compared to 650 in 2015.

- Total Calls Year-to-date – 2,785, compared to 2,430 in 2015.

CONSENT ITEMS

MINUTES of APRIL 29, 2016

President Maffei presented the minutes from April 29, 2016, for approval.

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

BILLS

President Maffei presented the bills to be paid May 16, 2016, and the bills that were paid since the last meeting.

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

RESOLUTION NO. 2016 – 15

ESTABLISHING ADVISORY COMMISSION on LATINO AFFAIRS

President Maffei presented to the resolution Establishing Advisory Commission on Latino Affairs.

Councilmember Cramer advised that this version was approved by the Public Communication Ad Hoc Committee.

It was moved by Councilmember Braffman and seconded by Councilmember Doerfler to approve the resolution as presented.

It was moved by Councilmember Cramer and seconded by Councilmember Braffman to amend the resolution by adding the words *“with pre-approval”* to the end of **Section 4, Compensation**, on page 2. Motion carried unanimously.

It was moved by Councilmember Braffman and seconded by Councilmember Myers to amend the resolution by adding the words *“as appointed”*, to **Section 7, Meetings and Procedures**, Sub-section b, to read: *“A majority of the Commissioners, as appointed, in attendance at any time shall constitute a quorum”*. Motion carried unanimously.

The resolution as amended was approved unanimously.

The resolution was assigned No. 2016-15.

HISTORICAL ARCHITECTURAL REVIEW BOARD (HARB) APPLICATION 360 CREAM STREET

Jeffrey Feit, Vice Chair of the HARB, presented the following HARB application to Council for approval:

- 360 Cream Street, 401 Birch, LLC – Cedar Shake Siding on Dormers, Siding on Refrigeration Building, Signage and Temporary Lighting and Fencing.

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

CLARIFICATION - TEMPORARY USE PERMIT 360 CREAM STREET, 401 BIRCH, LLC

The Manager advised that the scope of the Temporary Use Permit, Permit No. 01-16, 360 Cream Street, was to utilize an outside area entirely not to exceed 7,000 square feet for an outdoor beer garden. As the project progressed, the scope of the work has changed and a partial roof now covers a portion of the area.

Sandra Mulry, Project Manager with White Horse Solutions (401 Birch, LLC), owner of 360 Cream Street, stated that so many perceptions of the plan changed as they progressed which now includes a portion of the area being partially covered by a roof. In addition, food will be available via food trucks, and the Produce Place would like to sell produce at this location. She stated that these items were unknowns when they began this journey. It took three (3) months for the demolition and they planned that it would only take three (3) weeks. Ms. Mulry said this model has evolved and will continue to do so, however they are hoping to open in a couple of weeks.

President Maffei read aloud the Temporary Use Permit, No. 01-16. He stated that he supports the use of this property however all things must be in compliance with the Borough Code. President Maffei noted that although the use is temporary, the building is not.

Ms. Mulry stated that she completely understands why they must be in compliance and they are prepared to comply with all safety issues.

Councilmember Doerfler stated that it seems the picnic tables are partially inside.

Ms. Mulry replied that there is a 35 foot opening to that area.

President Maffei stated that a part of area is indoors with the other part being outdoors. He question the report from the engineer regarding the condition of the roof.

Ms. Mulry stated that their engineer has concerns of any snow accumulation on the roof.

President Maffei advised that Borough's Code Enforcement Officer is concerned about the condition of the roof and stated that we stand by our Code Enforcement Officer.

It was moved by Vice President Bosley and seconded by Councilmember Doerfler to reaffirm the Temporary Use Permit.

The Manager advised that with a partial roof, the portion under the roof is considered inside.

Ms. Mulry stated that the entire temporary use area is still less than 7,000 square feet.

Vice President Bosley withdrew his motion.

It was moved by Vice President Bosley and seconded by Councilmember Doerfler to clarify that the Temporary Use Permit No. 01-16 remains in effect with the addition of the testimony that non conditioned covered space is still considered to be outdoors; all other conditions of the Temporary Use Permit No. 01-16 remain in effect.

Councilmember Cramer asked the owner to please be aware of the consequences of drunk driving.

Motion carried unanimously.

PUBLIC COMMENTS – AGENDA ITEMS

Penny D'Ottavio, 516 East South Street, referred to Item #5 and expressed her concern about the noise level of the music at The Creamery.

John Thomas, 406 South Broad Street, referred to Item #3 and the enthusiasm about the Latino Affairs Commission. He commented that there was no talk about the other population such as senior citizens and poor residents; we need commissions for them as well.

Bob Norris, 221 South Union Street, referred to Item #3 and congratulated Council on reaching out to the Latino population by creating the Advisory Commission.

Jeannie Jims, 548 Richards Road, referred to Item #3 and stated that senior citizens also need an advisory commission.

Joe Mulry, 302 North Broad Street, referred to Item #5 and noted that it was reported in the newspapers that he is the investor and owner of The Creamery. He stated that this information is not true. He thanked Council for approving the temporary use permit.

PRESIDENT'S REPORT

President Maffei referred to Ms. D'Ottavio's comment and advised that any noise generated at The Creamery must comply with the laws as defined in the ordinances.

President Maffei stated that anyone who is interested in serving on the Advisory Commission for Latino Affairs should submit their letter of intent to the Borough Manager before the close of business on June 15, 2016.

President Maffei agreed with Mr. Thomas and Ms. Jims that our duties as Council is to represent all large segments of our population. He completely agrees that those who are impoverished and senior citizens need representation as well.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Councilmember Doerfler stated that his first concern about establishing the Advisory Commission for Latino Affairs is that other segments of our population also need representation. The Public Communications Ad Hoc Committee decided to start with the Latino population due to the cultural and language barrier; this is a proactive step by Council.

The Mayor advised Mr. Dovidio that he and the Borough Manager received his email. They are discussing parking options with regards to that particular municipal lot.

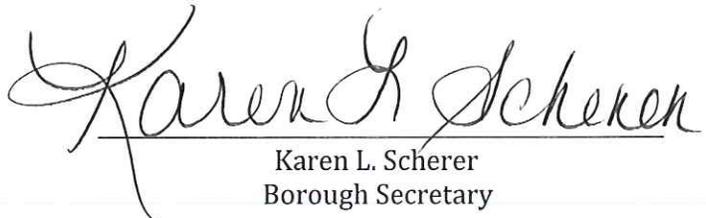
The Mayor advised Ms. Jims that a copy of the Twinning Agreement can be made available to her.

In reference to the Advisory Commission, the Mayor stated that it was the topic of the night and it does not mean that anyone else is not important or disenfranchised. In addition, he noted that the Intergen Coalition meets every month with regards to the needs of senior citizens.

The Manager gave an update on the Cypress Street Project noting that the trees are being delivered this week; the milling and paving will begin after the special event on May 22nd. He added that a ribbon cutting ceremony will be scheduled in the near future with County officials being invited.

ADJOURNMENT

It was moved by Vice President Bosley and seconded by Councilmember Braffman to adjourn the meeting at 8:12 p.m.



Karen L. Scherer
Borough Secretary