

## **OFFICIAL MINUTES February 1, 2021**

The Regular Meeting of February 1, 2021, of Council for the Borough of Kennett Square was called to order at 7:15 p.m. via Zoom Video Conference with President Mercomes in the Chair.

### **ROLL CALL**

Present: *President Brenda Mercomes*  
*Councilmember Ethan L. Cramer*  
*Councilmember J. Douglas Doerfler*  
*Councilmember Rosa Moore*  
*Councilmember LaToya Myers*  
*Councilmember Peter L. Waterkotte*  
*Councilmember Mayra Zavala*

*Mayor Matthew W. Fetick*  
*Interim Borough Management Team – Chief William Holdsworth*

### **ADOPTION of AGENDA**

*It was moved by Councilmember Doerfler to approve the agenda; seconded by Councilmember Waterkotte.*

*The motion carried unanimously.*

### **PUBLIC COMMENTS**

There were no public comments.

### **CONSENT ITEMS**

The following Consent Items are deemed accepted with the approval of the agenda:

- Approval of Minutes – January 19, 2021
- Approval of Bills

### **REPORTS**

#### **PRESIDENT'S**

President Mercomes commented that if not for virtual meetings needed due to COVID-19, this Council meeting would have been cancelled due to the snow. She acknowledged and commended the Kennett Fire Company and all of the fire companies and first responders who assisted with the Magnolia Apartment fire this past Monday evening. She also thanked the Mayor for keeping everyone informed and posting to Facebook during the fire. She shared that a resident suggested the Borough update the disaster/evacuation plan which she believes was last updated in 2013. She noted that Chief Holdsworth would cover the topic during his report.

Councilman Cramer shared that he appreciated President Mercomes comments and noted additionally that an issue occurred where there was a difficulty getting a piece of fire company apparatus onto D Street because vehicles were parked on the street. He pointed out that we had done this work and decided that upon dedication, D Street should not have parking allowed on one side of the street. He commented that while he is thankful that no one was hurt in this disaster, he knows we are incredibly lucky that no one was hurt. Councilmember Cramer noted that we need to have better governmental follow through and accountability. He also shared that the Fire Company understands that we recognize that parking on the street was a problem during the event and we will fix the problem.

### **MANAGER'S REPORT**

Chief Holdsworth reported that the Borough does have a Emergency Operation Plan which was last updated in 2018. He shared that he would like to see the plan reviewed annually so that it is as up to date as it can be and going forward it will be on a task list for the next Manager. Chief Holdsworth explained that the County Emergency Plan was activated and they were present during this catastrophe. He also noted that parking on D Street will be addressed as soon as possible.

### **FINANCE COMMITTEE**

Councilmember Waterkotte reported that the Committee met this morning, Monday, February 1, 2021 at 9:00 a.m. He shared the Committee:

- Reviewed bills and monthly financials;
- Discussed an EDU waiver request for the KAU Little League for water hook-up;
- Reviewed proposed changes to the reserve fund policy; and
- Reviewed the Township's sewer billing.

Councilmember Cramer commented that the budget looks good, which he feels is remarkable and is due to the resilience of our community. He noted that the Committee discussed the first quarter of the new year when we have money going out, but money has not come in yet. Councilmember Cramer explained that they plan to add money to a particular reserve account that is then dedicated to the issue of the first quarter needs. He noted that the Committee has worked very hard to increase the level of accountability and he commended the Finance Director, Lisa Ionata for the great job she is doing.

Councilmember Cramer also spoke about the request for a water hook-up at the Little League field on South Street and waiving the EDU fees. He feels this is a situation where we could dedicate funds in lieu of open space because this is a recreation plan. He noted that the Committee will bring forward a recommendation for Council to consider. He noted the Committee also discussed the request from Anson B. Nixon Park and shared that the Committee, pending review, will propose that Council approve money to be set aside for a study to make sure KAPA's plan, which includes some agricultural land and tree plantings, will not cause trouble breaking through the protective layers that keep the underground dump from leaching into groundwater.

### **HISTORIC KENNETT SQUARE (HKS)**

Bo Wright, Executive Director of HKS, shared that Restaurant Week is March 1<sup>st</sup> - March 7<sup>th</sup> and he is encouraging people to support them. He noted it will be very different this year, given that the restaurants are at 50% capacity but it is another opportunity to support the restaurants, merchants and consumer

facing businesses. Mr. Wright commented that although this has been a time of trial, over the last ten (10) months, the Borough has seen nine (9) new consumer facing businesses open, which is certainly something to celebrate. Mr. Wright commented that HKS is encouraging and helping some businesses apply for the PPP loans and grants to support them. Lastly, he explained that HKS distributed the final round of funds from the Small Business Response Fund, just shy of \$10,000 was distributed to the restaurants.

## **BOROUGH MANAGER SEARCH COMMITTEE**

Councilmember Doerfler reported that he spoke with SGR after the last council meeting and they still had a few stakeholder interviews they wanted to complete to get as much information on the front end as possible, and the goal was to have those completed last week. He shared that SGR also needed pictures of Kennett Square for the position profile brochure, and thanks to Mr. Wright and Ms. Claire Murray from HKS, we had a good selection of photos of the Borough, not just about State Street. Councilmember Doerfler commented that the profile brochure should be complete and he will follow up with SGR.

## **ACTION ITEMS**

### **Administration**

#### **SATISFACTION of LIEN – 700 CYPRESS STREET**

Russell Drumheller explained that at the last meeting Council directed Borough Solicitor Crotty to contact the property owner at 700 Cypress Street to discuss a possible settlement and what you have before you is the settlement that Mr. Crotty negotiated with the owner 700 Cypress Street.

Borough Solicitor Crotty provided a summary explaining that there are three (3) liens dating back to 2000, 2005 and 2008 that have been sitting dormant for all these years. He noted that this settlement will resolve all three liens and the Borough will receive \$12,000, while the total aggregate amount is just a little bit shy of \$17,000. He stated that we will get the money in hand and not have to spend it on consultants and further legal fees.

**Councilmember Waterkotte motioned to accept the satisfaction of the liens; seconded by Councilmember Moore.**

## **PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

**The motion carried unanimously.**

## **PARKING GARAGE PLAQUE**

Mr. Drumheller explained that this proposed plaque relates back to when we proposed to tear down the old Borough building. He noted that one of the requirements of the HARB committee at that time was that a memorial plaque be installed on the side of the building. He explained that the vote tonight is whether

to approve the verbiage and rendering of the 24 X 18 plaque and the associated cost. Mr. Drumheller explained that the Director of Public Works, Rob Moran, brought the plaque to the last HARB meeting for approval, which was granted. He noted that this is the last part of the project that needed completion for the release of about \$290,000.

Councilmember Cramer motioned to approve the parking garage plaque; seconded by Councilmember Myers.

#### **PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

The motion carried unanimously.

#### **HISTORIC ARCHITECTURE REVIEW BOARD (HARB)**

Andrew Froning, HARB Chair, reported there were five (5) applications that HARB recommended to receive Certificates of Appropriateness (COA). The first is for changes to the front façade of 217-219 E. State Street. Unfortunately, this application was not on this agenda, but due to time constraints, Mr. Froning noted it would be helpful to move on the application, as HARB has recommended issuing the COA. The second property is a new garage at 118 W. Sickle Street which is well designed and recommended for the COA. The next property is 308 Marshall Street, for the demolition of additions and the replacement of one cohesive addition, also, recommended to receive the COA. The last two (2) applications were for new signage at 314 State Street and 100 Sycamore Alley, and both were recommended to receive their COA.

Councilmember Cramer noted that since the 217-219 E. State Street application was not on the agenda, we will need an amendment.

Councilmember Cramer motioned to amend the agenda to include 217-219 E. State Street as eligible for a vote to approve a COA for modifications; seconded by Councilmember Doerfler.

The motion carried unanimously.

President Mercomes called for the vote on the slate of five (5) HARB applications.

Councilmember Cramer motioned to approve the COAs for the amended slate of five (5) HARB applications; seconded by Councilmember Zavala.

Councilmember Cramer made the point that he would much rather see the documentation for a Certificate of Appropriateness but shared that we have lot of trust in our HARB and he is confident that they have done their work well. Councilmember Cramer noted that this is an exception rather than the rule in the effort to keep business moving forward.

#### **PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

**The motion carried unanimously.**

### **Kennett Area Park Authority (KAPA)**

#### **APPOINTMENT of MARIA DZIEMBOWSKA to KAPA**

Richard Lyon, Chair of KAPA, introduced Maria Dziembowska. He explained that Janice Taylor, a past board president, has recently retired from our Board Emeritus, and Pam Carter, who was also a past KAPA president and Borough resident is going to join the Board Emeritus. Mr. Lyon noted that leaves KAPA with an open position. He shared that he met Maria during her involvement with a biking event in the park and thought that she would be a wonderful contributor to the park in this community, especially with the soccer field project and in developing programming and partnerships.

Ms. Maria Dziembowska shared that she has lived in Kennett Square for just over two (2) years and is originally from Delaware County. She likes Chester County because there is much more open space. She would like to be a part of KAPA and support the park because of her personal and professional experience that is at the intersection of people and nature. She commented that the park is a really great example of two things coming together, with the various amenities at the park from tennis and basketball courts, to the dog park, trails, and the soccer fields, a stream restoration project, as well as a lot of open space. She feels the park is a great example of how open space can both function as a natural environment supporting bird and plant species and also help to create opportunities for people to get outside, which is even more needed now with COVID. Ms. Dziembowska noted that one of the silver linings of COVID is that people are taking to the outdoors spaces and she has seen Nixon Park parking lots full, even on gray, overcast days. She shared her excitement to have the opportunity to get involved with the park, to highlight existing projects that have been implemented and help the community better understand what the park has to offer.

Councilmember Doerfler thanked Ms. Dziembowska for her willingness to serve.

**Councilmember Waterkotte motioned to approve the appointment of Maria Dziembowska to KAPA; seconded by Councilmember Doerfler.**

#### **PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

**The motion carried unanimously.**

#### **KAPA RESIGNATIONS – PAM CARTER (to JOIN BOARD EMERITUS) and JANICE TAYLOR**

Richard Lyon, Chair of KAPA, shared that Janice Taylor is stepping step down from the Board Emeritus and Pam Carter is stepping down from the Board and was asked to join the Board Emeritus, so that we can keep her institutional knowledge close at hand. He noted this allows us to bring on, Maria as a new Board member. He commented that Ms. Taylor will be available for us and is a wonderful resource.

Councilmember Moore motioned to accept the resignations of Pam Clark and Janice Taylor from KAPA; seconded by Councilmember Doerfler.

**PUBLIC COMMENTS**

There were no public comments.

The motion carried unanimously.

Councilmember Myers shared that Pam Carter and KAPA were synonymous during her growing up years in the Borough and she really appreciates her dedication to the park and the community. She shared her sadness that Ms. Carter will not have the same role, but thinks it is wise that KAPA sees the value of ensuring that Ms. Carter's institutional knowledge will remain available to KAPA.

Councilmember Cramer stated that he would like to make sure we have crossed all our "t's" and dotted our "i's" and would formally move to approve Pam Carter's Board Emeritus status as well.

Councilmember Cramer motioned to approve Pam Carter's move to KAPA Board Emeritus status; seconded by Councilmember Waterkotte.

**PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

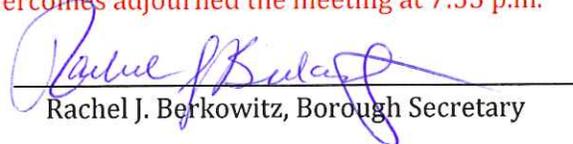
The motion carried unanimously.

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

Rachel Berkowitz, Borough Secretary, shared that Borough trash and recycling pickup is delayed to Wednesday due to the snow. She noted the message is on Facebook and the Borough's website and recommended that residents share the information with their friends and neighbors.

**ADJOURNMENT**

There being no further business, President Mercomes adjourned the meeting at 7:55 p.m.

  
Rachel J. Berkowitz, Borough Secretary