

OFFICIAL MINUTES February 16, 2021

The Regular Meeting of February 16, 2021, of Council for the Borough of Kennett Square was called to order at 7:00 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 President Mercomes to amend the agenda to remove the Kennett Area Community Services presentation; seconded by Councilmember Cramer.

The amended agenda carried unanimously.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street commented that the dump buried at Anson B. Nixon Park was an industrial dump with toxic components and he believes the land will continue to slide and cave in. Mr. Thomas strongly suggested that a ground study is needed and members of the KAPA Board and Council should be aware of the possible effects of the dump so that monies are not spent every few years on the same problem.

Doug Hayes, 611 Magnolia Court thanked the Borough for all of their help through the dedication process. He shared it has been a very smooth handoff and the Borough has done a great job managing the snow removal. He also commented there are a lot of rumors going around about the Victory fire and everyone is anxious to understand what happened and find some closure.

CONSENT ITEMS

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

- Approval of Minutes – February 1, 2021
- Approval of Bills
- Appointment of Russell Drumheller to HARB
- Reappointments to Boards and Commissions

REPORTS**PRESIDENT'S**

President Mercomes did not give a report.

PUBLIC SAFETY & INFRASTRUCTURE COMMITTEE (PS&I)

Mayor Fetick reported on three (3) issues discussed at the PS&I meeting. The first is that the Mayor and Public Works met with PennDOT to look at the crosswalk on State Street in front of the Friends home because we think it is inadequate; since it is a state road, PennDOT is in control of deciding on the appropriate signaling. He explained that Rob Moran, Director of Public Works, is putting together a proposal for overhead crossing lights which will likely come to Council in a month. The second issue Mayor Fetick shared was that Andrew Miller, the Managing Director of the Flash, attended the PS&I Committee meeting requesting to host outdoor events this spring and summer. Mayor Fetick and the Committee encouraged Mr. Miller to come to the next PS&I meeting with a proposal including specific information such as crowd control, social distancing, limiting the number of attendees, the location and timing of the events, etc. He explained that if this Committee can support the proposal, it would then be brought forward to Council. The third issue discussed at the PS&I meeting was regarding the Borough's snow removal ordinance and the need for an updated ordinance. Chief Holdsworth will work to update the ordinance and discuss it at the next PS&I meeting. Mayor Fetick noted that we also have to take action to restrict parking on D Street, as the vehicles parked there created a problem for the fire trucks to enter the Victory parking lot. He noted that thankfully on the evening of the fire, the parking lot was half empty because Victory Brewing Company was closed. He explained that the Borough could not take action on parking on D Street until after the roads were dedicated to the Borough, which happened towards the end of 2020. Mayor Fetick noted that this will be addressed at the next PS&I meeting and will be brought forward to Council for consideration of a no parking ordinance for vehicle safety.

KENNETT FIRE & EMS COMMISSION

Councilmember Cramer reported that at the last Commission meeting, (also attended by Mayor Fetick), they discussed finances which are in solid shape. He noted they had a brief discussion of Kennett Township's decision to use Longwood EMS as their sole provider of EMS services in the Township and he expects this to be an ongoing conversation. Councilmember Cramer also commented on the formation of a group tasked with assessing response time to fires to make sure all three (3) fire companies can respond timely and are supported appropriately.

POLICE DEPARTMENT

Chief Holdsworth submitted a written report that was included in the Council meeting packet. In addition, in reference to the Victory fire, he has been working with the Chester County Fire Marshal's Office, who is the lead investigator and we hope to have information to release within the next two weeks. Also, Chief Holdsworth shared the swearing in ceremony video of his newest full time police officer, Cole Burkhardt. He thanked the Civil Service Commission for their work on this process that began last January, and they have done a wonderful job getting us to this point of hiring Mr. Burkhardt.

FIRE COMPANY

Gina Puoci submitted a written report that was included in the Council packet.

BOROUGH MANAGER SEARCH COMMITTEE

Councilmember Doerfler reported that he sent Councilmembers the draft of the position profile brochure created by SGR and aside from any edits, they are ready to formally launch the position. He noted that if there are any additional edits from Council to let him know because he would like to see the position formally launched by the end of the week. Councilmember Doerfler also noted they received sample wording for the ad placement as well.

ACTION ITEMS**APPOINTMENTS TO AD HOC COMMITTEE FOR NONPROFIT ALLOCATIONS**

Councilmember Moore commented that she is following up on the discussion had at the November 19th meeting where it was recommended by the Finance Committee and Councilmember Cramer to appoint an ad hoc committee to examine how allocations are made to various nonprofits.

President Mercomes recommended Councilmembers Myers and Moore to serve on the ad hoc committee.

Councilmember Doerfler motioned to appoint Councilmembers Moore and Myers to the Ad Hoc Committee for Nonprofit Allocations; seconded by Councilmember Waterkotte.

PUBLIC COMMENTS

There were no public comments.

President Mercomes called for the vote.

The motion carried unanimously.

KAPA GRANT RESOLUTION

Richard Lyon explained that KAPA is applying for a grant from Chester County and would like the Borough's support via the official resolution of support. He shared that this grant will help with funding improvements to the area adjacent to the old Walnut Street entrance to the park. He noted that once they take the road out, there is a large area that is not in use and they would like to begin the remediation process and start replanting the area as habitat. He explained that this remediation project will be done in conjunction with the removal of the old entrance and the stream bank restoration project that is ongoing. Mr. Lyons states that KAPA is not asking for money to help with the grant, just for the Borough's support via resolution to file the grant application.

Councilmember Waterkotte motioned to approve the filing of the grant application and resolution for the KAPA grant; seconded by Councilmember Moore.

Councilmember Cramer amended the motion to approve the resolution titled Chester County Municipal Grant Support as presented; seconded by Councilmember Doerfler.

PUBLIC COMMENTS

There were no public comments.

Councilmember Waterkotte asked if Mr. Lyon could address Mr. Thomas' concerns about the soccer fields, what is underneath them and plans for soil testing.

Mr. Lyon shared that KAPA gave a presentation to the SECCRA Board and CEO and they responded with a Power Point to show us how the land had been used. He noted that one of the things SECCRA offered to do was to come out to the park and auger approximately 20 holes into the landfill to find the depth of coverage. He noted that at this time we do not know exactly how much coverage we have but SECCRA is willing to provide the services to try and determine that throughout the site and they raised no concerns about what KAPA is thinking of doing.

President Mercomes called for the vote.

The amended motion carried unanimously.

PROFESSIONAL SERVICES AGREEMENT – LONGWOOD GARDENS

Rob Moran, Director of Public Works explained that Longwood Gardens is considering various possibilities of partnering with East Marlborough or possibly the Borough to handle their growth and sewer needs. He noted that the professional services agreement allows the Borough to give Longwood access to our engineers working on our behalf, without the Borough incurring the expenditure.

Councilmember Doerfler motioned to approve the professional services agreement for Longwood Gardens; seconded by Councilmember Moore.

Councilmember Cramer commented that considering that Longwood Gardens might have a significant amount of sewage, the engineering would be in order to assess flow and the Borough's ability to take on additional capacity, and how that works in terms of the agreement with Kennett Township.

Mr. Moran commented that there is a lot of development going on throughout Kennett Township and we are taking a deep look at it all right now in order to develop of plan to try to accommodate the continued growth throughout the area.

Councilmember Cramer noted that he does not mind Longwood having access to our engineering services because it is necessary, and he would also like to commit the matter to the Public Safety and Infrastructure Committee to do some kind of projections of what we are looking at over the long haul.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, commented that years ago he met with New Garden and Kennett Townships and we were going to upgrade the sewer plant system. He noted that Borough resident taxes should not have to pay for it, the surrounding Townships should pay for the capacity upgrades to the sewer plant. He commented that the Borough owns the sewer plant and the infrastructure, we will run out of capacity if we do not do the upgrades and he sees no reason why the Borough should have to take on the cost.

President Mercomes called for the vote.

The motion carried unanimously.

PROFESSIONAL SERVICES AGREEMENT - LIBRARY

Rob Moran explained that he and Russell Drumheller, Director of Codes and Zoning Enforcement, have been to meetings with the Library and the complexity of the tie-ins on the sewer system has considerably increased. He stated that this agreement will allow the Library to use our engineers to accommodate their needs, without the Borough accruing the expenditures.

Councilmember Cramer motioned to approve the professional consultant services agreement as it relates to the Library with Chief Holdsworth signing for the Borough; seconded by Councilmember Moore.

PUBLIC COMMENTS

There were no public comments.

President Mercomes called for the vote.

The motion carried unanimously.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Chief Holdsworth complimented Mr. Moran and his crew for the phenomenal job they have done dealing the snowy and icy weather coming through.

President Mercomes also thanked Mr. Moran and his crew for making the streets safe during these storms.

Councilmember Myers thanked Chief Holdsworth for sending an officer around the snow emergency street route with a bull horn to remind people to move their cars.

ADJOURNMENT

There being no further business, President Mercomes adjourned the meeting at 7:53 p.m.

Rachel J. Berkowitz, Borough Secretary