

OFFICIAL MINUTES FEBRUARY 19, 2019

The Regular Meeting of February 19, 2019, 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 Vice President Ethan L. Cramer in the Chair.

ROLL CALL

Present: *Vice President Ethan L. Cramer*
Councilmember Wayne Braffman
Councilmember J. Douglas Doerfler
Councilmember James Mallon
Councilmember Brenda Mercomes
Councilmember LaToya M. Myers
Councilmember Peter L. Waterkotte

Mayor Matthew W. Fetick

Absent: *Borough Manager Joseph C. Scalise*

ADOPTION of AGENDA

It was moved by Councilmember Braffman to approve the agenda; seconded by Councilmember Waterkotte. Motion carried unanimously.

PUBLIC COMMENTS

Charla Watson, 523 Magnolia Street, expressed her concern for the residents of Lafayette Court Apartments that were forced to be evaluated back in December because of a significant rent increase and questioned if help was made available for them to relocate. She referred to the economic plan and stated that it was not devised by the residents nor is it advantageous to them and many of the resident are opposed to it.

John Thomas, 406 South Broad Street, commented that he is very disappointed as to what is going to happen tonight with regards to the elections. He referred to West Chester and stated that their Borough Manager, Mike Perrone, was able to find significant savings in each of their departments and put that money back into in their budget. Mr. Thomas stated we need to be prepared for a catastrophe with a goal of \$10 million in our reserve funds.

Stuart Davies, 610 Magnolia Court, commented that his family moved here to be closer to their church and the Y. He feels Council will be able to come up with a solution regarding the dedication of Magnolia Place.

Ashley Greaves, 619 Magnolia Court, commented she was excited to move here and be in a community where she can walk. She expressed her concern about the dedication regarding Magnolia Place and hopes Council will come to a solution.

OFFICE of PRESIDENT of BOROUGH COUNCIL

Councilmember Braffman put into context the duties and responsibilities of president. He noted that under Borough Code, the president is not given any special rights. One duty that is clearly defined is running the meetings and another is the signing documents on behalf of Borough Council.

Vice President Cramer asked for nominations for the position of President of Borough Council.

Councilmember Mallon nominated Councilmember Doerfler to serve as President of Borough Council.

With no further nominations, Vice President Cramer closed the nominations.

By a unanimous vote, Council elected Councilmember Doerfler to serve as President.

Vice President Cramer declared that Councilmember Doerfler has been elected to serve as President of Borough Council.

TRANSFER of the CHAIR

Vice President Cramer transferred the chair to Councilmember Doerfler to preside over the meeting.

Councilmember Doerfler stated that he accepts the responsibilities of serving as President and thanked Councilmember Myers for past service in this role.

ACCEPTANCE of ETHAN L. CRAMER'S RESIGNATION as BOROUGH COUNCIL VICE PRESIDENT

It was moved by Vice President Cramer for Borough Council to accept his resignation as Vice President of Council; seconded by Councilmember Braffman.

Mr. Cramer echoed the comments made by Ms. Myers during the last meeting by stating he cannot and will not follow the rules set forth in the resolution governing public comment as adopted by Borough Council.

Motion carried unanimously.

OFFICE of VICE PRESIDENT of BOROUGH COUNCIL

President Doerfler requested nominations for the position of Vice President of Borough Council.

Councilmember Mallon nominated Councilmember Waterkotte to serve as Vice President.

With no further nominations, President Doerfler closed the nominations.

By a unanimous vote, Council elected Councilmember Waterkotte to serve as Vice President of Council.

President Doerfler declared that Councilmember Waterkotte has been elected to serve as Vice President of Borough Council.

CONSENT ITEMS

President Doerfler announced that the following Consent Items are deemed accepted by the approval of the agenda:

- Minutes of February 4, 2019.
- Bills that were paid since the last Council meeting.
- Special Event Applications -
 - Cinco de Mayo Festival, May 5th.
 - Kennett Run, May 11th.

REPORTS**PRESIDENT'S**

There was no report.

PERSONNEL COMMITTEE

Councilmember Mercomes, Chair of the Personnel Committee, advised that their monthly meetings have moved to the first Thursday. The Committee continues to work on the Borough Manager's job description and evaluation; these documents should be completed at their next meeting on March 7th. The Committee also continues to work on the Collective Bargaining Agreement with the assistance of Chris Gerber.

PUBLIC SAFETY and INFRASTRUCTURE COMMITTEE

Mayor Fetick gave the following update from the Public Safety and Infrastructure Committee meeting on February 6th:

- He is planning to hold a couple evening meetings during the 2nd and 3rd quarter of 2019 to make it more convenient for residents to attend.

- The Committee is aware the new pedestrian signal on West State Street does not operate as well as they hoped so they are planning to have hash marks and signage painted on the road surface.
- DVRPC has undertaken a way finding project to address truck traffic which continues to be a big concern.
- At their next meeting, the Committee will be discussing the possibility of applying for a CRP grant for Birch Street infrastructure.

The Mayor announced that he is hosting a town hall meeting regarding emergency medical services on March 6th, 7 to 9 p.m. in the Red Clay Room. Director Dylan Ferguson, PA Department of Health, Emergency Medical Services, will be the guest presenter.

POLICE DEPARTMENT

Chief William Holdsworth submitted a written report which was included in the Council packet.

FIRE COMPANY

Chief Christopher Plumley reported the following activity for the month of January 2019:

- Total Fire Calls – 26; 13 were in the Borough.
- Total EMS Calls – 104; 52 were in the Borough.

KENNETT FIRE and EMS REGIONAL COMMISSION

Councilmember Cramer advised that their last meeting was cancelled due to weather. He advised that Deputy Chief Melton will now be representing the Kennett Fire Company.

Mayor Fetick advised the members of the Commission are invited to attend the Town Hall Meeting on March 6th and he's working on facilitating another meeting between the Commissioners and the state as a follow-up.

WAIVER REQUEST

STORMWATER MANAGEMENT, 120 NORTH BROAD STREET KENNETT SQUARE PARKING GARAGE EXPANSION

President Doerfler presented the waiver request to the stormwater management for 120 North Broad Street, the Kennett Square Parking Garage Expansion.

In the absence of the Borough Manager, Ken Hoffman from Gilmore and Associates was present and gave details of the request. The Borough is requesting a waiver to its own Stormwater Management Ordinance, Section 24-22 (a), post-construction peak flow rates from any regulated activity shall not exceed the pre-development peak flow rates as shown for each of the design storms specified in table 24-22.1. The waiver requested is to simply match or not exceed the pre-development 2-year storm peak rate instead of the 50% reduction of the 2-year storm per the table. Gilmore is proposing two (2) stormwater management facilities – one is

going to be detention bed underneath the floor of garage and the other is an infiltration bed outside the garage footprint.

Mr. Hoffman and Ross Bickhart, Civil Engineer with Gilmore and Associates, entertained questions from Council.

Mr. Hoffman advised if the waiver is not granted, the additional cost to the project would be in the range of \$40,000 to \$50,000.

Mr. Bickhart advised that with approval of the waiver, the design of the stormwater runoff for the parking garage expansion will be no worse than it is today; it will actually be better.

Mr. Hoffman noted that the existing garage does not have a stormwater management plan.

It was moved by Councilmember Cramer to grant the waiver as specified; seconded by Councilmember Braffman.

A discussion ensued among Council regarding the waiver request and the possibility of the Borough doing another project to offset stormwater runoff somewhere else in the Borough.

Mr. Bickhart advised that the design of the plan reduces the runoff onto Maple and Linden Streets by 50%. The area that drains on to Broad Street would be 95% and matches what currently exists.

Councilmember Myers commented that \$50,000 does not seem to be cost prohibited to her in order to meet requirements and not have precedence.

President Doerfler commented that unlike a developer, the Borough has a little more flexibility to do some type of stormwater management project elsewhere in the Borough.

It was moved by Councilmember Cramer to amend the motion to grant the waiver and suggest, in a non-binding fashion, that the Borough Manager seek to use an equivalent amount of money of the savings in the 2020 Budget to invest in stormwater runoff remediation elsewhere in the Borough; seconded by Councilmember Mallon. Amendment to the motion passed unanimously.

PUBLIC COMMENTS

John Thomas suggested we fix the stormwater drainage on Broad Street during construction or increase the drainage on Maple Street.

Ed Dougherty, 712 Mason Avenue, commented that he lives in a house that constantly has water damage due to 2-year storms and suggested the problem be fixed because it may affect surrounding properties.

Charla Watson questioned where the stormwater drain is on Maple Street. She feels that the most impacted area would be on Broad and Linden Streets and the problem should be fixed.

Peter Thomas, 630 Magnolia Court, commented that the runoff on Broad Street will only be reduced by 95% and agrees with Councilmember Myers' comment that fixing the problem is not cost prohibited.

Clara Saxton, 120 West Linden Street, expressed her support of correcting the problem in this area and not somewhere else in the Borough. She also questioned if the runoff water is going to go where we want it to go once we put it underground.

Myra Miller, 301 Scarlett Avenue and member of the Planning Commission, commented that the Planning Commission supports granting this waiver because the proposed stormwater management plan is an improvement over what is there now.

The motion as amended carried with a vote of 6 to 1 with Councilmember Myers voting no.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Mayor Fetick reminded the public of the town hall meeting on March 6th.

Councilmember Braffman disclosed that on February 6th, he met with Mike Bontrager to talk about sustainable housing for the homeless.

President Doerfler announced the open enrollment period to request a smaller trash toter ends on February 28th and instructed the public to contact the Borough Secretary if they are interested.

ADJOURNMENT

There being no further business, President Doerfler adjourned the meeting at 8:18 p.m.



Karen L. Scherer
Borough Secretary