

## **OFFICIAL MINUTES March 15, 2021**

The Regular Meeting of March 15, 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 Councilmember Doerfler to approve the Council meeting agenda; seconded by Councilmember Moore.*

*The motion carried unanimously.*

### **PUBLIC COMMENTS**

Carlos Rodriguez, 118 Race Street, commented that he has logged on for the first time to experience a Council meeting and he was welcomed by President Mercomes.

John Thomas, 406 South Broad Street, commented that over the weekend one of his tenants called the police about a fire in an enclosed pit with flames shooting up 4-5 feet high. Mr. Thomas requested that the Borough add something to an ordinance regarding backyard bonfires because it was very unsafe and way too windy for fires like that.

### **CONSENT ITEMS**

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

- Approval of Minutes – March 1, 2021
- Approval of Bills

## **PRESENTATION OF PROCLAMATIONS**

Mayor Fetick shared two proclamations honoring two organizations this evening. The first one is a resolution declaring April as Safe Digging Month which is part of the Pennsylvania 811 free opportunity for anybody that is doing any type of excavation work. If you provide three days of notice prior to doing any excavation work, the 811 team will come out to mark your underground utility lines. He noted that in 2020, Pennsylvania 811 responded to nearly 1 million requests for locating underground utilities and provided 6.6 million notifications. Mayor Fetick commented that it is a great service that is available for free to everyone in the Commonwealth, and Mayor Fetick will be sign the proclamation recognizing April as Safe Dig Month.

Mayor Fetick shared that the second proclamation of the evening is proclaiming April as Sexual Assault Awareness Month in the Borough of Kennett Square, sponsored by The Crime Victims Center of Chester County (CVCCC). The Mayor noted that Ms. Christine Zaccarelli, CEO of CVCCC, is here tonight to share and remind us about some of the services provided by the Crime Victims Center, and then specifically about the importance of sexual assault awareness.

Ms. Zaccarelli commented that the Crime Victims Center is very appreciative of the Borough of Kennett Square for their support of our organization. The CVCCC operates two (2) hotlines, one for sexual assault and one for general crimes that are staffed 24 hours a day and they have not closed during the pandemic. She shared their advocates are available 24-7 to assist victims and their families get to medical appointments, police interviews, etc. She noted that most of their prevention and educational programs have switched over to virtual platforms. Ms. Zaccarelli explained that volunteers will be hanging ribbons with informational cards on various trees and light poles to spread awareness in the Borough. She thanked Mayor Fetick and Council for their support.

Mayor Fetick thanked Ms. Zaccarelli and the CVCCC for providing services to Chester County for 47 years. He will send a copy of the signed proclamation to the CVCCC office.

## **PRESENTATION – REGIONAL TRAILS COMMITTEE CHRISTINA NORLAND, KENNETT TRAILS ALLIANCE**

Christina Noreland shared that the vision of the Regional Trails Committee is to bring our community together across the various municipalities including East Marlborough, Kennett, New Garden Townships and the Borough of Kennett Square and the goal is to ensure that when the residents of our communities go outside, they do not stop at the borders of our municipalities. Instead, they really look to enjoy all the different aspects our communities have to offer and we believe that a well-connected regional trail network is essential to bring our communities together. She noted that the Committee was formed early last year and includes representatives from each of the municipalities, the Chester County Planning Commission, Bike Kennett, the Kennett Trails Alliance and Friends of New Garden Trails. She commented that the Committee meets monthly with the goal to increase local connections and regional linkages to broader trail networks, including those that are being planned by the Chester County Planning Commission. She explained that we also want to maximize our ability to work together by coordinating our planning and how we prioritize regional trail links, improving our communication within the various municipalities, coordinating resources and making sure that we are developing trails efficiently, with consistency about how we think about these networks across the community. She also noted that the mandate is not to make decisions, but rather to provide recommendations to the municipalities on how we might work together to

accomplish these goals. Ms. Noreland presented maps of the municipalities that highlight current and proposed trails and explained how these maps can be made interactive on the website. The Borough of Kennett Square is central to many of the maps, as the Borough in many ways is the center of the larger community and many people want to connect in the Borough as well as to the surrounding areas. Ms. Noreland presented a Borough map that illustrates the projects that are currently happening in the Borough and in Kennett Township, including the Birch Street Streetscape project and the Magnolia Underpass, both in conjunction with Kennett Township through approved grant applications, and the Walnut Street sidewalk project. Ms. Noreland has put together a Regional Trails Committee website which includes information on the Committee and the priorities and in addition, we will hopefully work with the Chester County Planning Commission to create interactive GIS maps for the website.

Councilmember Moore asked if Ms. Noreland has suggestions as to who is the lead on the grant applications and asked if New Garden and Kennett Townships have started to file for grants.

Ms. Noreland explained that the Birch Street Streetscapes and Magnolia Underpass grant is pending and is a good model for future grant applications. She noted there have not been other applications for grants yet, but Kennett Township and New Garden Township are looking to collaborate on a Scarlett Avenue project to the left on South Street and both have done preliminary engineering and are prepared to go into grant applications together.

Councilmember Waterkotte commented that he thinks it is great to connect the Borough with the “outside world” and because he does a lot of hiking, he feels the website will be helpful and hopes the Borough can post the link to the website.

Councilmember Cramer shared that he has had great talks with Ms. Noreland, noting that now more than ever this is something to pay attention to so as not to duplicate efforts and keep costs low.

Councilmember Doerfler also commented that he has had conversations with Ms. Noreland about the trails and many of the things we hear is about traffic and safety issues and this is one way to get people to use other modes of transportation.

Councilmember Zavala also noted she has met with Ms. Noreland as well and commented that this is a great opportunity to do something that will benefit the vulnerable people in the community, people without access to transportation.

President Mercomes thanked Ms. Noreland for her presentation.

## **REPORTS**

### **PRESIDENT’S**

President Mercomes reported that she received a letter from a sophomore at Kennett High School who is interested in the Junior Council Person Program. She would like to revive this position for students who are interested and will further discuss this opportunity in April.

**INTERIM MANAGEMENT TEAM'S REPORT**

Chief William Holdsworth did not present a report.

**POLICE DEPARTMENT**

Chief William Holdsworth submitted a written report that was included in the Council packet. In addition, he commented that we continue to ask everybody to register their exterior surveillance systems that you may have at your residence and or your business with the police department. He explained that these systems have been invaluable during the investigations of thefts and suspects have been identified with the help of individual camera footage.

**FIRE COMPANY**

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

**PUBLIC SAFETY and INFRASTRUCTURE COMMITTEE**

Mayor Fetick reported that we are back to full service as far as our Truck Safety Enforcement plan with one full dedicated week per month on truck enforcement and safety, a very important program using our certified officer who is able to stop trucks for detailed inspections. He noted that at the April 7<sup>th</sup> Public Safety and Infrastructure Committee meeting we will be finalize a list of new parking restrictions and updates for Council to consider at their next Council meeting, to include restricted parking for sight distance, as well as the parking on D Street. He noted that most of our meeting was spent with Andrew Miller, the Managing Director of the Kennett Flash , whose request you will hear more about later this evening to host a limited outdoor music concert series at the parking garage. He explained this site was specifically recommended by Russell Drumheller and there was a unanimous recommendation from the Public Safety and Infrastructure Committee, which included the members plus codes, police, fire, and the emergency management coordinator, to approve the plan as presented.

**KENNETT FIRE and EMS COMMISSION**

Councilmember Cramer reported that he attended a very long meeting of the Commission with an outcome of significant events and he believes the Kennett Fire Company and the Commission are on a good track after the negotiated mutual aid agreement and he is hopeful for the outcomes. He asked that Councilmembers actively support both the Kennett Fire Company and the Commission's efforts. Councilmember Cramer introduced Kennett Fire Company's new Fire Chief, Tom Brady, elected as of April 1<sup>st</sup>, and he thanked outgoing Chief Mitchell for all of his dedication and years of service.

Chief-elect Tom Brady shared he is eager to get started in serving the Borough of Kennett Square and thanked Chief Mitchell for his years of service, noting that he will continue to work on the Kennett Fire Company team.

**HISTORIC KENNETT SQUARE (HKS)**

Bo Wright, Executive Director of HKS, shared an update on HKS as they continue to redefine their role and mission in the community. He shared that HKS intentionally creates programs and events that help Kennett Square become a more beautiful and welcoming community where all can belong and prosper. He

noted that in the past their efforts were focused on State Street and they have done our best over the last year to really branch out and have an impact across the Borough, benefiting the entire Borough and being more inclusive.

Councilmember Cramer commented that he thinks the direction HKS is moving in is great for Kennett Square.

Mr. Wright spoke of the TCDI Micro Transit Grant which follows along with the work of HKS, with the themes of equity and inclusion. He explained that last year the HKS Economic Development Director applied for a grant to study transit in the area and with both Nate Ecchiveria and Joe Scalise leaving their positions with the Borough, HKS has been managing the grant. He explained that with micro transit, we are looking at routes that are nimble and can include vans and small buses, that connect people from point A to point B, such as from New Garden Township (example: Giant) to Longwood (Example: Walmart), going through the Borough, so that no one has to walk along Route 1 to get to Walmart. It is about connecting non-driving residents to shopping, health care and entertainment. We want the best solutions to meet the needs of our non-driving, low-income residents, exploring new approaches and strategies to address current and future mobility demands. Mr. Wright noted the RFP was distributed nationwide and they received eight (8) competitive proposals. HKS is determining the best consultants to study the Kennett region and the chosen consultant will begin the public outreach process. He noted there is no plan to spend any Borough money on this study process. Mr. Wright commented that with more and more people moving to the area, this study will help in determining and providing for the needs of the low-income population.

## **BOROUGH MANAGER SEARCH COMMITTEE**

Councilmember Doerfler reported that the Borough Manager position was formally posted on March 11<sup>th</sup> nationwide on various media outlets and we will be setting up a structure for reviewing resumes and making them available to Councilmembers in conjunction with the screening process. He commented there will be much more to come in the next couple of weeks.

Councilmember Myers shared that the process took longer than was expected because SGR used publicly available information which was one-sided and she wanted to make sure that the story of the families that have been in Kennett Square for generations, and the immigrant families carries great importance as well. Councilmember Myers shared that her focus is to strike a balance in the way we represent the community and feels this is a good starting point. She asked that Councilmembers, and all of our partners, to try to be very intentional as we move forward in this process.

## **ACTION ITEMS**

### **Administration**

#### **ADVERTISE the AMENDMENT to the POLICE PENSION PLAN ORDINANCE**

Lisa Ionata, Director of Finance explained that as a result of wording used in the most recent negotiated (2020-2024) Collective Bargaining Agreement regarding early retirement, and in order to comply with both the agreement as well as Act 600, the Police Pension Ordinance needs to be amended. These amendments need to be advertised for at least seven (7) days prior to enactment. Legal Council has provided the suggested wording change and advertisement which has been reviewed and approved by management.

Councilmember Cramer motioned to approve the advertisement for the requested amendment to the Police Pension Plan; seconded by Councilmember Myers.

Councilmember Myers shared her appreciation for that we are taking the steps to clean up the ordinance so that it is easier in the next go around.

#### **PUBLIC COMMENTS**

There were no public comments.

President Mercomes called for the vote.

The motion carried unanimously.

#### **MUSHROOM FESTIVAL REQUEST**

Chief Holdsworth shared that the Mushroom Festival Committee is currently planning for a smaller scale event to possibly take place on Saturday, September 11<sup>th</sup> and Sunday September 12<sup>th</sup>, 2021. If permissible through state and local health restrictions, they would like permission to hold the event in the gated lot of the 600 S. Broad Street location, should the Borough own the property.

Councilmember Cramer motioned to give permission for the usage of 600 S. Broad Street for the Mushroom Festival event if permissible through state and local health restriction at the time of the proposed event and if the Borough owns the property; seconded by Councilmember Doerfler.

#### **PUBLIC COMMENTS**

John Thomas, 406 South Broad Street suggested that Council recognize Kathy Lafferty for all of the work she has put into the Mushroom Festival for over 20 years.

President Mercomes called for the vote.

The motion carried unanimously.

#### **KENNETT FLASH REQUEST FOR USE OF THE TOP FLOOR OF THE PARKING GARAGE**

Chief Holdsworth explained that the Kennett Flash has requested the use of the top floor of the parking garage to hold a series of concerts. The idea was discussed in detail with the Public Safety and Infrastructure Committee and as a result, the attached special event request permit application was submitted by the Andrew Miller, Managing Director of the Kennett Flash with contingencies ultimately relying on the current state and local health guidelines and restrictions as they pertain to gatherings.

Andrew Miller thanked everyone for having him speak this evening. He explained that the concerts will have no more than 100 people and he expects to have five (5) or six (6) events per month. He noted that if the concerts can be held on the garage, it will make financial sense, we will cover our costs and slowly ramp up to a more normal schedule in the Fall, when hopefully we can move inside again.

Councilmember Waterkotte thanked Mr. Miller for being proactive and responsible regarding his events and believes this is a fantastic use of the upper deck of the parking lot. He noted that in a town that is craving some fun, the Flash is offering the community a safe way to enjoy some music and one another's company.

President Mercomes asked if the Flash will check people's temperature as they enter and how that will work

Mr. Miller commented that they will check temperatures and if someone has a fever, we will offer them a refund, but they will not be able to enter the event so that we can do what is safe for the group.

Councilmember Myers stated that the temperature to look for is 100.4 and you turn them away. She noted this is a really cool concept, reminding her of the Beatles rooftop concert and she commented it could become a "thing" for Kennett Square.

**Councilmember Doerfler motioned to approve the Kennett Flash request to hold an outdoor concert series on the top floor of the parking garage as requested; seconded by Councilmember Myers.**

Councilmember Doerfler shared we had some great discussion with Mr. Miller at Public Safety and Infrastructure Committee meeting. He noted that the Committee walked through a number of what-if scenarios and he is very comfortable with this being a successful, safe event.

Mayor Fetick noted that Russell Drumheller was the person who facilitated the conversation about using the garage. He explained the Flash initially proposed using the alleyway, but we were concerned about emergency vehicle access, among other issues, and the Flash was willing to pivot to the garage solution. He commended the staff for looking at ways to use the parking garage and the upper deck to support this venture and the Flash for pivoting beyond their original plan to what we thought would be a better solution and ultimately a more successful event.

## **PUBLIC COMMENTS**

There were no comments.

President Mercomes called for the vote.

**The motion carried unanimously.**

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

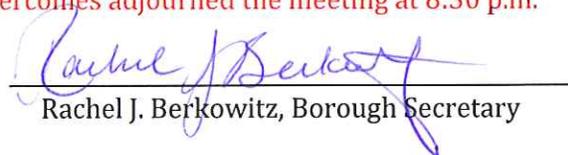
Councilmember Cramer commented that he had a proposal for Council that should be considered, possibly by resolution for things that need follow-up. He noted that things have come up tonight that we need to follow up on, like our revamping out fire ordinance and thanking Kathy Lafferty. He feels it is important that we document these things as a running list and then we are able to pass on the list to the next council. He commented that supporting this by resolution is a little more binding which will make people pay more attention.

Councilmember Waterkotte commented on that the backyard fires that Mr. Thomas spoke of, is another item to add to this list that Councilmember Cramer referred to, which can really help us.

President Mercomes stated that Council will meet for an executive session directly after this meeting. She thanked everyone for attending this evening's meeting and noted that the next Council meeting will take place on Monday, April 5, 2021 at 7:00 p.m.

### **ADJOURNMENT**

There being no further business, President Mercomes adjourned the meeting at 8:30 p.m.

  
Rachel J. Berkowitz, Borough Secretary