

OFFICIAL MINUTES May 18, 2020

The Regular Meeting of May 18, 2020, 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
Borough Manager Joseph C. Scalise

ADOPTION of AGENDA

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

Councilmember Zavala commented that although we do not need to amend the agenda for this, she is concerned about the re-draft of the housing proposal, noting that she thought there would be an Executive Session with an update. She suggested that Borough Solicitor Crotty review and align the proposal to the priorities and feels it is not necessary to form a task force.

President Mercomes confirmed that Councilmember Zavala does not feel a need to create a task force regarding the housing proposal and called for the vote on the agenda.

The motion carried unanimously.

PUBLIC COMMENTS

Lee Mikles, owner of Grain Craft bar and Kitchen at 108 West State Street, suggested the closure of State Street from Friday through Sunday night to allow for outside dining and shopping.

John Thomas, 406 South Broad Street, commented that he has heard from residents who feel that Borough Council is not being responsive to the community and are not sharing information on what is happening in the Borough. He suggested writing an article in the newspaper each week.

REPORTS

PRESIDENT'S

President Mercomes reported that Councilmember Cramer will now be serving on the Finance Committee.

MANAGER'S REPORT

Borough Manager Scalise provided a written report that was included in the Council meeting packet. In addition, he noted the garage expansion project has resumed and is three (3) to four (4) weeks from completion. He noted that the Waste Water Treatment Plant is also close to completion. Borough Manager Scalise shared that the Public Works Department has returned to full crews with staggered shifts using personal protective equipment. He advised that the administrative office will remain closed until at least June 4, 2020 and he is waiting on further information from the Governor. Borough Manager Scalise advised we have been notified that PennDOT will be replacing the bridge on Sate Street just west of Mill Road beginning in the middle of June and will be closing State Street; you will be seeing detour signs going up. He noted we will be mailing a large postcard to Borough residents to help get information out regarding changes in Borough processes, where and how Council meetings are being held, where to find information on COVID-19 and information from the Police Department, both in English and Spanish.

FINANCE COMMITTEE

Councilmember Waterkotte shared that the Finance Committee met on May 11, 2020. He welcomed Councilmember Cramer to the Committee and noted the following:

- Reviewed bills, monthly financials and how the pandemic is affecting the budget;
- We have approximately \$280,000 in missed revenue from fines, EIT, taxes, etc., due to the pandemic shut-down;
- Discussed how each Department can cut back, saving approximately \$25,000;
- Received the draft Audit; the target fund balance for 2021 was met at the end of 2019;
- Parking Fund is down approximately \$80,000 due to the pandemic shut-down;
- Discussed the impact of the pandemic, what is known and unknown;
- Reports on EIT and how it might be affected;
- Sewer plant nitrogen project is close to completion.
- Held and Executive Session on possible legal matters.

PUBLIC SAFETY & INFRASTRUCTURE COMMITTEE

Mayor Fetick reported the Committee discussed two (2) items at the end of this agenda and will talk more about them later in the meeting. He noted that with the bridge closure on State Street, the truck traffic will reduce because you will not be able to get to New Garden from the Borough and shared that PennDOT will install the signage to divert the traffic. He advised that the Traffic Study on South Union Street warranted a 25 mile per hour speed limit and the signs will be changed by PennDOT.

KENNETT FIRE & EMS REGIONAL COMMISSION

Councilmember Cramer reported that the Commission met on May 11, 2020 and they learned much about what our fire and EMS crews are going through during the pandemic. He advised they discussed the possibility of Kennett Township becoming the fiscal agent for the Commission, noting that he is not sure he is in favor of that, and a proposal would come to Borough Council first. He thanked the Mayor for his hard work in assisting the Commission.

Mayor Fetick shared that he was able to assist in securing Personal Protective Equipment (PPE) grants for Longwood Fire Company of approximately \$300,000 and Kennett Township was able to secure a grant in the amount of approximately \$76,000. He noted the Fire and EMS companies need our support as their revenue is down due to call volumes being lower, while insurance reimbursements are behind.

PERSONNEL COMMITTEE

Councilmember Doerfler reported the Committee met on May 7, 2020 and are working to finalize the Borough Manager's performance evaluation, both the document and the process, and will bring it forward to Council as soon as possible. In regard to COVID-19, they discussed the Borough's furlough policy and whether decisions should be made at the Council or Staff level. The Committee is in favor of it being a policy that the Borough Manager drives and that Council should not get involved in the daily running of the staff; this will be brought forward with an official recommendation to Council.

MUNICIPAL RELATIONS COMMITTEE

Councilmember Zavala advised that the Committee has not met and noted she is unsure of the future of the Committee. She suggested that her time may be better spent serving on the Fire and EMS Commission.

POLICE DEPARTMENT

Chief Holdsworth provided a written report that was included in the Council meeting packet. In addition, he shared that it is National Police Week and expressed his gratitude to the entire Police Department for the wonderful job they do on a daily basis.

FIRE COMPANY

Chief Mitchell submitted a written report that included in the Council meeting packet. In addition, Gina Puoci shared that the Fire Department was able to secure \$73,000 in PPE grants.

HISTORIC KENNETT SQUARE (HKS)

Bo Wright, Executive Director of HKS shared that during these past few months they have been working to get critical information out to the business owners and the community. He noted that Nate Echeverria has done a great job of connecting business owners in the community with State and County funding sources. Mr. Wright noted they supported the Kennett Strong gift card

program to support small businesses in the community. He advised that going forward, HKS will be help with funding sources and more information will be forthcoming. He noted that as businesses adapt to a new normal, HKS will do what they can to support our local businesses, as with the Third Thursdays.

DISCUSSION ITEMS

MINUTES – APRIL 20 and 21, 2020

President Mercomes asked for Council comments or corrections for the minutes and hearing none, noted this item will be moved this to Consent Items for tomorrow night.

CONSIDER APPROVAL OF BILLS

President Mercomes asked for Council comments on the bills.

Councilmember Myers advised that to be more specific about her ask of the Finance Committee to be able to view the back-up documentation for bills, she would like to see the actual invoices for each charge in the packet and that the information should be available to all Councilmembers. She also noted she is not comfortable moving this to Consent Items for tomorrow night until this has been resolved.

PUBLIC COMMENTS

There were no public comments.

Borough Manager Scalise confirmed that Councilmember Myers would like to see every individual invoice for each bill paid. He noted that it is not our usual practice to scan in every bill, instead, we typically take requests and pull the invoices for what is requested and share them that way.

Councilmember Myers advised again that she would like to see all of the back-up documentation for the bills, including all invoices, considering that we have move to remote meetings, noting that this practice is now common as many businesses have moved to remote meetings.

Borough Manager Scalise noted it would be hundreds of invoices that would need to be scanned. He explained that the Finance Committee has never reviewed every single invoice, instead, they have had all of the invoices at the meeting so that Committee members could request the invoice for any item.

Councilmember Myers agreed that from her experience on the Finance Committee, that process is true, and she is willing to start with that as a first step. She suggested that going forward, she would like to look at further digitizing the process.

Councilmember Waterkotte commented that if any Councilmember would like to see an invoice, they should request it and will be sent to you.

Councilmember Cramer suggested that we should discuss this further and work through a process.

President Mercomes noted that the bills will be moved to the Action Items for further discussion.

COUNCIL MEETING SCHEDULE

Councilmember Moore opened the discussion noting that she would like to come to an agreement on the Council meeting schedule going forward. She advised that we have talked about the difficulties that Councilmembers may have with a new schedule, as well as with public attendance. Councilmember Moore suggested looking at the two (2) sides of this issue with the first being the format (the first meeting being a working meeting and the second a voting meeting) and the second side being the scheduling. She shared that as a Council we are only required to have one meeting per month, while we have two meetings. She hoped the working session would provide more time for discussion and give Councilmembers the opportunity to think about their vote at the next meeting.

President Mercomes commented that the new format gave everyone time to delve into and discuss the issues in an intelligent manor without having the urgency of voting right away.

Councilmember Waterkotte commented that from the format perspective, we just saw a version of that, with discussion regarding the bills as Councilmember Cramer offered to discuss the issue after this meeting but before the vote tomorrow night to come to an agreement. He noted that as for the schedule, the Tuesday night meeting may not work, but maybe there is another day in the same week that could work.

Councilmember Zavala shared her discomfort with a change in the meeting schedule due to her work travel schedule. She also shared she feels the former schedule works better for planning. She does not think in the long run this new schedule and format will be sustainable.

Councilmember Doerfler noted that he likes the more relaxed discussion atmosphere in the working session and waiting to vote in the next meeting.

Councilmember Cramer suggested there will be a long pause in between meetings and if you need anything done, you have to wait a whole month to get on to the agenda. He also feels we will have two (2) agendas of discussion and believes we operate most efficiently using Roberts Rules of Order, noting the importance of a strong meeting structure.

Councilmember Myers advised that her position on this has not shifted, noting that any two (2) days of the week would be very challenging for her due to her other commitments. She also shared she is uncomfortable waiting for a month in between voting and believes we can get more done by having two (2) business meetings with voting, rather than having two discussion meetings over one (1) agenda. From an efficiency perspective, she believes this new format is less efficient, especially when things pick back up.

Borough Manager Scalise shared that we have to make sure we schedule committee meetings in timely conjunction with Council Meetings so that Committees fit into the new structure efficiently.

Discussion continued on this issue with various options for scheduling meetings, versus keeping the old meeting schedule and format (first and third Mondays of the month).

PUBLIC COMMENTS

Andrew Froning, 308 Marshall Street, commented that serving on two (2) Commissions, he has experienced times when he has had to get reports for the Council meeting within a tight timeframe due to the scheduling of meetings. He also noted that having two (2) meetings regarding

the same topic is not a good idea and the scheduling complicates the lives of your volunteer committee members.

President Mercomes advised that this issue will be moved to the Action Items for further discussion.

HISTORIC KENNETT SQUARE (HKS) – SPECIAL EVENT APPLICATION – THIRD THURSDAYS

Bo Wright, Executive Director of HKS, shared that the Third Thursdays is an event we have done in the past and we have submitted this application looking to the future for these events in case there is the potential to hold them, as they think it can really benefit businesses. He noted that they will follow the guidance of the State, County and Health Department if we are able to hold the events.

PUBLIC COMMENTS

There were no public comments.

Councilmember Doerfler noted the Third Thursdays are great events, but we need to be certain that we know who will take responsibility and accountability for the guidance from the Governor.

Mr. Wright noted that HKS is responsible for any amendments to the application, should they be necessary. He also noted that Third Thursdays will fit in with the Mayor's ideas as well.

Councilmember Cramer commented there are conflicts within the Borough, some people like the Third Thursday events and some do not. He believes that the interests of various residents who are concerned about traffic should be heard and understood.

President Mercomes asked Council for any further comment. Seeing none, she noted that this item will be moved to the Action Items for tomorrow night.

POLICE COLLECTIVE BARGAINING AGREEMENT (CBA)

Borough Manager Scalise shared that we received notice from the Borough Solicitor that they ironed out the items left out of the heart and lung policy and have made a recommendation to ratify the CBA. The Kennett Square Police Association is in agreement and will give us their signed copy shortly.

Borough Solicitor Crotty commented that the essentials follow with the MOU signed in December.

Councilmember Cramer shared his appreciation for everyone who participated in this process, especially Mayor Fetick's and Chief Holdsworth's efforts on the CBA. He noted it is important for everyone to understand how important these agreements are to the workers.

PUBLIC COMMENTS

There were no public comments.

President Mercomes asked Council for any further comment. She noted the CBA will be moved to the Consent Items for tomorrow night.

RESOLUTION WELCOMING REFUGEES

Borough Manager Scalise explained that this Resolution was one of the priority items sent to us by Mr. Tovar via the Advisory Commission on Latino Affairs (ACOLA).

Councilmember Cramer shared that the Borough is safe haven for refugees, that we are open to all newcomers, people who are coming to build better lives for themselves. He honored Ed Zunino who supported this effort and shared his thanks to ACOLA for bringing this Resolution forward.

Councilmember Waterkotte thanked Mr. Tovar for all of his efforts, noting that people do care and have compassion for refugees, they are a big part of our community and there is no reason not to embrace this as a community.

Councilmember Doerfler agreed with the related comments and is happy to see this move forward.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

RESOLUTION IN SUPPORT OF THE CHESTER WATER AUTHORITY (CWA)

Borough Manager Scalise advised that the Borough purchases 200,000 gallons of water per day from the CWA and the sale could have significant impact on the Borough. He explained that the city of Chester was given the idea that if they sell the assets of the CWA, it will help the city out of their financial distress. While this issue is in court, the CWA is looking for support from the population it serves. He noted that Aqua's rates are almost double the rates of the CWA and that our cost of \$260,000 per year could rise up to \$500,000 per year if it is acquired by Aqua. He shared the CWA is known for the high quality of its water. He explained that Board of the CWA is made up of board members from Chester and Delaware counties and the city of Chester.

Mayor Fetick shared he has been following this issue and noted the city of Chester is in receivership being monitored by DCED, as appointed by the Governor and it is their recommendation for the city to sell the CWA, even though it is a sustainable and profitable Authority. Mayor Fetick advised that the CWA has a service office in Kennett with bilingual staff and their water is gravity-fed from the Octorara Reservoir to

the Borough without any pumps, which is why the cost is low. He noted the CWA has the lowest cost per gallon of any company in the area and they maintain a very high-quality system. The Mayor also shared that the CWA itself does not want to be sold. He noted that Aqua is a publicly traded, for profit company and the concern regarding public access to the reservoir is very real issue.

Councilmember Cramer shared that a Water Authority is an agency under Commonwealth law and this is a very complicated issue with the city of Chester. He recommended that Councilmembers take a close look at the issues when considering their vote.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Action Items for tomorrow night.

ADVERTISEMENT TO AMEND CHAPTER 23-65 to INCREASE PARKING RELIEF DISTANCE

Borough Manager Scalise explained that with the expansion of the parking garage nearly complete, staff would like to evaluate the requirements in Chapter 23-65 to ensure the proper use of the garage to support economic development. He suggested sending the ordinance to the Planning Commission for a recommendation of changes.

PUBLIC COMMENTS

Andrew Froning commented that as a member of the Planning Commission, he would like to know the source of the current numbers and distance requirements.

Councilmembers Myers commented that this is another piece of the parking issue in the Borough and she is not comfortable moving forward with anything about parking until a parking study is completed. She recommended at that time we can consider changes to the ordinance. Councilmember Myers further noted she does not think the Planning Commission or staff should put more time towards this until we find money for a parking study. She advised the action item should be to authorize a parking study.

President Mercomes noted that this item will be moved to the Action Items for tomorrow night for further conversation.

NEW DATE for BOROUGH CLEAN UP DAYS – JUNE 20th and 21st

Borough Manager Scalise explained that with so many residents using their time at home cleaning up, we have received requests for a clean up day since we had to cancel the one planned for March. The

new proposal is for the event to take place from 8 a.m. to 4:00 p.m. on Saturday and Sunday, June 20 and 21, 2020 at 500 Grant Way and noted that the company we normally use is available with the dumpsters. Borough Manager Scalise explained we would have cars line up and be directed by an employee to a particular dumpster to unload; we would take tires, appliances, etc. if they can be brought to the site and equipment will be available to lift heavy items into the dumpsters. Borough Manager Scalise anticipates this to cost \$4,000.00, which is \$2,000.00 less than the normal cleanup day in years past.

Councilmember Waterkotte suggested this is a great idea because people are home working on their houses and garages and since this is under the budget of what it normally costs, he sees no reason not to hold the clean up days as long as we can abide by all of the safety rules in place.

Councilmember Cramer commented that the Borough clean up day has a long history that began with one dumpster, but noted our reality is that we will not be able to provide all of the services we have in prior years. He shared his belief that we have to choose to do what is most important in a fiscally responsive way, considering the current financial climate.

Councilmember Doerfler noted that it is good to hear the cost will be less, but is concerned that we will still be social distancing. He questioned the possible need for scheduling times for people to arrive.

Borough Manager Scalise explained we will have eight (8) to ten (10) dumpsters and will send cars to separate dumpsters in a staggered manner so that people will never be close to each other.

Councilmember Myers asked for the source of the cost savings and Borough Manager Scalise explained it will come from having less staff involved, noting there are usually a total of 13 staff members working the event placed at the various dumpster sites.

Councilmember Moore asked Borough Manager Scalise if he would want to hold the event if we are still in the Red phase and he explained that the County hopes to move into the Yellow phase on June 4, 2020.

Councilmember Myers advised we cannot have this event if we are still in the Red phase, nor can other events be held.

Councilmembers Doerfler and Waterkotte agreed, noting that if we move into the Yellow phase, we can move forward with the event.

PUBLIC COMMENTS

Andrew Froning asked where traffic will be staged because South Street could become a problem.

Borough Manager Scalise advised there is quite a large area of driveway space at Grant Way and we have other areas to use as well.

President Mercomes noted that this item will be moved to the Action Items for tomorrow night.

ROAD MATERIALS BID AWARD

Borough Manager Scalise noted that the Chester County Co-Op, which we have been a part of for 20 years, bid on three (3) separate agreements; stone, black top and line painting. The apparent low bidders are New Enterprise Stone & Lime Co. (\$10,484.00), Allan Myers DBA Independence (\$4,643.80) Construction and Alpha Space Control, Inc. (\$16,800.70) respectively.

Councilmember Cramer asked what municipalities belong to the Co-Op.

Borough Manager Scalise noted the partners in the Co-Op are Pocopson, Avondale, New Garden, London Grove, West Grove, Est Marlborough and Pennsbury.

PUBLIC COMMENTS

Clara Saxton asked if there is an option to use a less slippery line paint, and Borough Manager Scalise explained the yes, there are options.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

518 RICHARDS ROAD SIDEWALK WAIVER REQUEST

Russel Drumheller, Code Enforcement Officer, explained that the applicant (LapTimes LLC) for 518 Richards Road is requesting one (1) sidewalk waiver from the Borough's SDDL Ordinance to put in three (3) foot sidewalks to match the neighborhood, rather than the four (4) foot sidewalks required. He advised that the Planning Commission voted to approve this waiver at their May 13th meeting.

Councilmember Cramer commented that this was discussed at the Planning Commission and knowing that sidewalks are a priority, he suggested moving it to the Consent items for tomorrow night.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

518 RICHARDS ROAD FINAL APPROVAL

Russel Drumheller, Code Enforcement Officer explained that during the May 13, 2020 meeting of the Planning commission, they recommended Final Approval of the proposed plans dated December 23, 2019 (revised 4-30-2020) and plotted date February 2020 as drawn by DL Howel Associates. He noted Final Approval can only be given if the sidewalk waiver is approved.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

KENNETT LIBRARY WAIVER REQUEST

Russel Drumheller, Code enforcement Officer explained that the Kennett Library is requesting two (2) waivers from the Borough's SALDO Ordinance and suggested that the waivers should be granted because this is only a lot consolidation. He noted the staff are in favor of granting the waivers.

Councilmember Cramer shared that he was at the Planning Commission meeting when this was discussed and suggested this be moved to the Consent Items for tomorrow night.

PUBLIC COMMENTS

Andrew Froning agreed with Councilmember Cramer and the staff to approve the waivers.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

KENNETT LIBRARY FINAL LOT CONSOLIDATION

Russel Drumheller, Code Enforcement Officer advised that during the most recent meeting of planning commission, they recommended Final Approval of the proposed lot consolidation plans, provided the two (2) waivers are granted.

Councilmember Cramer shared that the Library has a steep slope issue that was pointed out at the Planning Commission meeting.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

HISTORIC ARCHITECTURE REVIEW BOARD (HARB) APPLICATIONS

Andrew Froning, Chair of the HARB explained there are three (3) applications which are all recommended to receive Certificates of Appropriateness. He noted that 315 West State Street is a simple signage change; 120 North Union Street is restoring a front porch to the house; and 210 South Broad Street, known as the Westminster House, is a renovation project, including partial demolition. He shared that the

applicant for 210 South Broad Street is the perfect example of the best way to work with HARB because they came to us early with their plans, considering it is such a historic building.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Consent Items for tomorrow night.

COMMUNITY RELIEF FUND AGREEMENT with TRUE ACCESS CAPITAL

Borough Manager Scalise noted that the Revolving Loan Fund Committee (RLF) has been working to provide a program for local businesses to aid in the recovery process. He explained we are restricted by the program guidelines issued by the Pennsylvania Department of Community and Economic Development (DCED) and shared that the current program has not changed much since the presentation was made last month to Council. He further explained the agreement would provide up to \$500,000 of Revolving Loan Fund (RLF) money in a zero percent interest loan for 12 months with a max of \$10,000; after 12 months the borrower can make low interest payments to pay off for a three (3) year term or pay it off in full and advised that interest would only be added to pay for administration of the loan; the initial administrative costs can be taken from the loan amount; and there is a scorecard included in the agreement that developed by the RLF Committee. He also advised that the Borough Solicitor has reviewed and approved the document.

Councilmember Myers asked how the maximum loan of \$10,000 was developed, as she knows businesses are really suffering and that might not be enough money to help these businesses.

Borough Manager Scalise explained that they discussed in the RLF Committee whether \$10,000 would be a sufficient maximum and the Committee felt that with the other Main Street programs available to lend money, it would be a sufficient maximum. He also noted that we need to be careful and understand these loans carry high risk, as some businesses may not succeed.

Councilmember Myers suggested raising the amount maximum to \$20,000 so that it can have a bigger impact and Borough Manager Scalise noted he is open to any number.

Councilmember Cramer asked how this program fits in with the original micro-lending program and how this will all fit together with the source documents for the program.

Borough Solicitor Crotty explained that the money comes from a couple different sources for a bucket of capital including grants from 2012 and as money was paid back, it went directly into the fund which is all folded into this grant agreement. He noted that we have the regulatory rights to issue this money, but we are also sending the agreement to the DCED for additional confirmation.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Action Items for tomorrow night.

POP UP BLOCK PARTIES

Mayor Fetick shared that it was discussed in the Public Safety and Infrastructure Committee from residents who want to ensure they can be outside and not just confined to the sidewalk. He shared we are looking for a way to close off a street, (except to Police and Fire for emergencies), and give kids a chance to spread out a little more since the playgrounds are closed. He explained it would only be possible for a few streets at a time and on Saturdays and Sundays. He added that residents would pick up a safety kit which would include instructions on social distancing and a set of road closure cones and signs, with Chief Holdsworth acting as the point person. Mayor Fetick noted this program could last through the Red and Yellow phases of re-opening and suggested Council delegate the authority to the Chief to manage.

Councilmember Myers asked if we are encouraging children to break social distancing rules and who would monitor social distancing. She noted that masks should definitely be encouraged.

Mayor Fetick noted the safety kit the resident would pick up would include all of the guidelines and best practices for social distancing and the residents would have to self-monitor and do the right thing.

Councilmember Waterkotte shared that if we give out good guidelines, it could be successful and will also help to calm traffic.

Councilmember Cramer suggested using this as an educational opportunity and residents handing out the flyers would need to wear gloves and masks to model the appropriate behavior.

Chief Holdsworth commented that we would require a minimum of five (5) residents on the block to agree to the street closure and only side streets would be considered, we will not close off a busy street. He noted that all of the safety and health guidelines, including the use of masks, will be in the material.

Councilmember Doerfler shared he is in favor of the concept but raised concerns about the rising number of COVID-19 cases in the Borough, therefore we will have to provide very good guidelines.

Discussion continued regarding the possibilities and issues surround this possibility.

Mayor Fetick noted that the motion for tomorrow night would be to authorize Chief Holdsworth to give temporary closures to non-essential traffic during the red and yellow phases of re-opening.

PUBLIC COMMENTS

There were no public comments.

President Mercomes noted that this item will be moved to the Action Items for tomorrow night.

BUSINESS REVITALIZATION

Mayor Fetick noted that the Boroughs of Phoenixville and West Chester are looking to close their main streets to make pedestrian malls for businesses and restaurants to be more accessible. He shared that we believe it is critical that we do the same thing by closing State Street to traffic so that restaurants can

have outside dining and retail businesses can have sidewalk sales., once permitted by the State and County. He noted that once restaurants are able to open for inside dining, they will be limited to 30 percent occupancy, which is hardly sustainable for a business.

He proposed four (4) evenings to expand restaurant occupancy outside under the guidance of HKS and the Health Department and explained we would only close State Street from Broad to Center Streets and would keep a ten (10) foot emergency lane open. The Mayor advised that if we do not give the restaurants enough days of outdoor dining opportunities, it will not be worth the effort. He suggested closing State Street from 5 p.m. to 9 or 10 p.m. on Thursday night, on Friday closing the street at 2 p.m., early enough for the Farmers Market to move back to State Street which helps bring foot traffic to other stores and restaurants; and the street would remain closed through Sunday evening. He noted that dining would be by reservation only, with the idea of giving restaurants more capacity. Mayor Fetick advised that it is critical to have guidelines from the Health Department before this can happen and it could not begin until we move into the Yellow phase.

Councilmember Waterkotte noted that if we limit the street closure to just one night, we may have people coming from all over the area trying to come into the Borough, but if we open it up for four (4) nights it gives more people the opportunity get a reservation and spreads out the crowding issue. He suggested we have to help our local businesses re-open and be successful in a safe way.

Councilmember Zavala shared that her biggest concern is for the community's safety, noting the cases of COVID-19 are rising in the Borough. She also shared that by doing this we are creating a division between the State Street business and the other businesses in the Borough. She noted that we have to offer help to more than just the State Street businesses.

Councilmember Myers asked if we know what the Yellow Zone actually means and how long the State Street closures will continue.

Mayor Fetick noted that the State Street closure could only happen once the County has moved into the Yellow phase when inside dining is permitted and the Health Department gives the go-ahead. He suggested we try the idea out for 60 days to see if it works and if restaurants are benefiting by reaching better occupancy levels.

Councilmember Moore asked if we could limit the number of people coming by only allowing in those with reservations.

Mayor Fetick noted that we want to make sure to include all main street businesses. He suggested creating waiting lines in certain areas to enter certain stores.

Councilmember Moore asked about how to address the many businesses that are not located on State Street and considerations for them.

Mayor Fetick explained it is difficult to come up with an idea that will work for every business, but we can send a letter out to all businesses to see how we can work to assist them in their reopening plans.

Councilmember Zavala asked about the businesses across from the high school and if we are setting ourselves up for lawsuits by not including them in this type of opportunity.

Borough Solicitor Crotty advised that it does not sound like what is proposed would leave us open to lawsuits.

Councilmember Cramer commented that we have spent a lot of time talking about State Street businesses, but the LatinX businesses have seen very little help. He shared we have no idea of their needs, they go in and out of business easily and we should even out where we invest. Councilmember Cramer shared his belief that this is a town divided and we need to work to unify into one community.

Councilmember Zavala asked how this information is disseminated to businesses.

Mayor Fetick shared that the information has not been given yet, as the idea has not been approved by Council. Mayor Fetick noted that he will put a motion together for tomorrow night, understanding that this is easier to coordinate for State Street businesses and will work on language that would include all Borough businesses being offered reopening opportunities. He also suggested the motion should include how to get the word out the businesses.

PUBLIC COMMENTS

Lee Mickles noted that he is very well-versed in health safety rules which are paramount and we would love the opportunity.

Sandra Mulry commented there are a lot guidelines dictated by the Health Department, including dining by reservation only, no walk-in dining permitted, groups limited to four (4) people, and only two (2) people at a time will be permitted in shops.

Luis Tovar noted that restaurants will not be able to provide bathroom access.

Bob Norris, 221 South Union Street, commented it is a fantastic idea that helps the entire community.

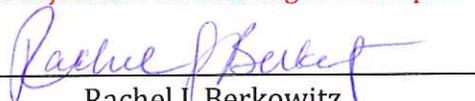
President Mercomes noted that this item will be moved to the Action Items for tomorrow night.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

Councilmember Myers shared that municipal bonds are strong right now a requested our Advisor come to Council meeting on June 1st.

ADJOURNMENT

There being no further business, President Mercomes adjourned the meeting at 10:00 p.m.



Rachel J. Berkowitz
Borough Secretary