

OFFICIAL MINUTES October 19, 2020

The Regular Meeting of October 19, 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 Doerfler to approve the agenda as presented; seconded by Councilmember Moore.

President Mercomes called for the vote.

The motion carried unanimously.

CONSENT ITEMS

President Mercomes announced that the following Consent Items are deemed accepted with the approval of the agenda:

- Approval of Minutes – October 5, 2020
- Approval of Bills
- Salt Bid Award
- Grant Application for Police Officer Body Cameras
- Auction of Municipal Vehicles

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, shared that a few residents have called him with concerns about mushroom flies, particularly on Magnolia Street. He also suggested that we continue on with Zoom meetings, even when we begin meeting in person again.

Luke Zubrod, 331 South Union Street, commented that he would also like to see Zoom meetings continue in conjunction with the in-person Council meetings to help broaden the potential for public participation. He also updated Council on the Birch Inn project, which was endorsed by Council via Resolution in January. He explained they decided not to submit the application for the RACP grant due to COVID.

REPORTS

PRESIDENT'S

President Mercomes did not have a report.

MANAGER'S REPORT

Borough Manager Scalise submitted a written report that was included in the meeting packet. He shared that PECO will be doing a very large gas service line replacement project (approximately 60 replacements) in the Borough using six (6) crews over a couple of weeks. He noted the lines are scattered throughout the Borough and we will get information on the locations and a map posted on the Borough's website and Facebook page. The work is expected to begin in two (2) weeks. PECO will also reach out directly to their customers and the police will work with PECO if parking restrictions are needed. Borough Manager Scalise shared that the Borough will also be sending out a boilerplate letter required by the DEP to residents regarding an issue the DEP refers to as a "failure of treatment technique". He explained that a chlorine feed line entering our water pipes sprung a leak and although we have monitoring equipment in place, the leak was not caught in time, and some water went into the system without enough chlorine. Once the leak was found, the issue was resolved. Borough Manager Scalise explained this happened two (2) months ago, with no harmful effects, and although it has been taken care of, we are required to notify anyone who may have ingested this water; since we do not know who that might be, we are sending the letter to every water customer. He noted this information will also be posted to the website and Facebook.

FINANCE COMMITTEE

Councilmember Waterkotte reported that the Committee met this morning, Monday, October 19, 2020 at 9:00 a.m. He shared the Committee:

- Reviewed bills and monthly financials
- Discussed the Fire and EMS Regional Commission budget
- Discussed HKS and the issues concerning the MOU duties; Nate Echeverria has resigned and the role of HKS serving the entire community rather than focusing on State Street.
- Had an executive session to discuss a real estate matter and will meet again on Wednesday evening for another executive session on the same topic.

KENNETT FIRE and EMS REGIONAL COMMISSION

Councilmember Cramer reported that the Commission met and had a goal to increase each municipality's and fire company's budget by 15%, which was approved. But he explained that during the meeting, Kennett Township pushed very hard to recalculate how much each municipality should pay. He noted that now, in mid-October, we just learned that this recalculation will result in the Borough owing an additional \$100,000 which represents a real challenge to the Borough. Councilmember Cramer shared he

thinks this is an example of bad faith, as the Commission members all agreed with the 15% increase and he believes that a recalculation should be reconsidered over time, not at the last minute as we try to pass our budgets. He is additionally upset because the proposal from the Township said it was to be more even and fair, yet the Borough gives assistance to the Township in high numbers, which is unacceptable, as the assistance is an expense they are not carrying. Councilmember Cramer commented that the Township is avoiding approximately two (2) additional officers, at a cost of \$300,000 and we have no shared procedure. He stated that if the Township is going to use our police force, they should pay for it and they need a better plan if they are relying on fairness. Councilmember Cramer suggested we should push this into the new year. and explained that if we want to leave the Commission, we must give six (6) months' notice, per the contract.

President Mercomes noted this is very concerning and asked if this is something that is actionable.

Councilmember Cramer advised it may take a few weeks to work this out and he asked if Council has a sense of direction on this, but he does not have an action item in mind at this time.

Councilmember Doerfler noted that when the Commission started, the safety of our residents was the priority and one of the goals was a shared command. He commented that regionalism which started out positively is now turning bad and suggested we need to take some time and possibly pull out of the Commission.

Discussion continued regarding the situation and Borough Solicitor Crotty will speak with Borough Manager Scalise about the legalities of Commission's contract and the possibility of leaving the Commission.

Councilmember Cramer noted there is a meeting next Wednesday at which he can cast a vote. He suggested that if Council is in agreement, that we are not willing to approve the Commission budget and would like to push it forward into next year, he will vote in that way and have the discussion at the meeting.

Councilmember Myers shared that if it has to come to pulling out of the Commission, it sets the Borough back because we know that paid firefighters are coming. She shared her anger and frustration about this because this was all negotiated and we know what we have to offer with respect to our Police Department. She feels it is a really big deal that we are being put in this position after co much negotiation and we should postpone a calculation change to the new year so that we can a have a real conversation.

President Mercomes noted that Council has shown agreement with Councilmember Cramer's proposed vote for Wednesday's Commission meeting and suggested he come back to Council with the results of the meeting for further deliberation.

POLICE DEPARTMENT

Chief Holdsworth submitted a written report that was included in the Council meeting packet.

FIRE COMPANY

The Fire Company submitted a written report that was included in the Council meeting packet.

ACTION ITEMS**ADMINISTRATION****SKATEBOARD PARK PRESENTATION**

Jodi Davidson, a teacher at Kennett High School and mom of two (2) boys who skateboard, and Suzanne Schurr, a teacher at Octorara, a resident of the Borough and a mom of two (2) boys who skateboard, presented the idea of building a skate park in the community to provide a safe place for kids to ride skateboards, use rollerblades and/or scooters. Ms. Davison and Ms. Schurr noted the benefits of a skate park, in addition to a safe place for kids to skate and ride, are that police will not have to kick kids out of parking lots or private property for skating, the skate park will bring people into town to shop and dine while their kids are at the skate park; a skate park builds a strong sense of togetherness when kids skate/ride in one space together, and skate lessons and camps could be available for all levels to learn.

Ms. Davison and Ms. Schurr shared that what they need is a space to build a park, like Anson B. Nixon Park, money from the town and fundraising which they will set up, and they plan to create a committee. They shared that the potential builder of the skate park is called 5th Pocket Skate Parks, who is willing to help them with their next presentation if the Council and community members think it is a possibility to move forward with a skate park. They thanked Council and Mayor for listening to their ideas.

Councilmember Waterkotte shared he is in favor of a skate park, noting he was a skater as he grew up. He commented that particularly in this time of COVID, children are suffering, they are not in touch with friends and they need physical activity. Councilmember Waterkotte brought up the liability and costs to the Borough as something to look into and thanked Ms. Davidson and Ms. Schurr for their presentation.

Ms. Davison noted they are looking at Anson B. Nixon park as a possible location but asked for advice on any other locations they could possibly use in the Borough.

Councilmember Myers suggested connecting with the YMCA , as they are under new leadership and given they have been in that business before, they may be able to help in terms of direction. She noted that Anson B. Nixon Park depends partly on the Township.

Ms. Davidson noted the YMCA had a skate park in the past but charged a user fee and she does not feel we should charge kids to skate.

Councilmember Waterkotte suggested possibly something near Birch Street, and to reach out to the Square Roots Collective as a source of information.

Councilmember Moore suggested they consider land on the southern end of town because she feels there should be a park on the Victory end of town for kids.

Councilmember Cramer commented that we have a Capital Improvement Program for ideas that we may spend money on, which is where this project would go. He noted we have things like water main replacements and new paving on that list which are essential functions we invest in and although this skate park is a great idea, the ability of the Borough to extend funding into this is probably minimal. He suggested reaching out to Anson B. Nixon Park to see their interest level in the project, while the Borough is working with the Township on the park's infrastructure. Councilmember Cramer shared we are supportive, but we cannot be the major financier of this project.

Ms. Schurr commented that there are a lot of grants available and they expect to do a lot of local fundraising.

Borough Manager Scalise shared he is happy to work with Ms. Davison and Ms. Schurr.

President Mercomes commented that we all think this is a good idea, and we can endorse it.

Councilmember Doerfler noted he had no idea how many skateboarders there are in town until he started to work from home and he has talked to a number of residents who are supportive of this project.

PUBLIC COMMENTS

John Thomas commented that he is in support of this project. He suggested there are of grants out there and they should ask people and businesses to help. He suggested that one of the owners of NVF owns a field that he may be interested in donating and naming it after his wife.

RESIGNATIONS from STEPHANIE OYLER, HUMAN RELATIONS COMMISSION CHAIR and LIAM WARREN, BOROUGH REPRESENTATIVE to SECCRA

Borough Manager Scalise explained that we received the resignation from Stephanie Oyler on October 6th that she was stepping down from the Human Relations Commission and Liam Warren resigned from SECCRA because he has moved out of the Borough.

It was motioned by Councilmember Moore to accept the resignations from Stephanie Oyler from the Human Relations Commission and Liam Warren from SECCRA; seconded by Councilmember Myers.

Councilmember Doerfler thanked them both for their service to the community.

PUBLIC COMMENTS

There were no comments

President Mercomes called for the vote.

The motion carried unanimously.

APPOINTMENT of MARICELA ALLYON to ADVISORY COMMISSION ON LATINO AFFAIRS (ACOLA)

Kathleen Snyder, ACOLA member, shared she invited Ms. Allyon to join the Commission and noted she has never met a person who gives so much. She commented that Ms. Allyon has dedicated her life here in Kennett to the children and she has worked with her in several volunteer capacities. She is looking forward to working with on ACOLA.

Councilmember Zavala motioned to approve the appointment of Maricela Allyon to ACOLA; seconded by Councilmember Cramer.

Councilmember Zavala shared that Ms. Allyon will be a forceful advocate for the Hispanic community.

Councilmember Cramer commented that Ms. Allyon will be a strong addition to ACOLA. He drew attention to the Resolution and the functions of ACOLA and that Ms. Allyon will be an appointed member of ACOLA by this Council.

PUBLIC COMMENTS

There were no public comments.

President Mercomes called for the vote.

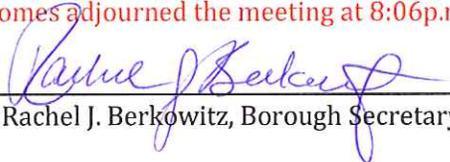
The motion carried unanimously.

COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

President Mercomes advised there will be an Executive Session after this Council meeting regarding potential real estate.

ADJOURNMENT

There being no further business, President Mercomes adjourned the meeting at 8:06p.m.



Rachel J. Berkowitz, Borough Secretary