

## OFFICIAL MINUTES FEBRUARY 5, 2018

The Regular Meeting of February 5, 2018, 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 President LaToya M. Myers in the Chair.

### ROLL CALL

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

*Mayor Matthew W. Fetick*  
*Borough Manager Joseph C. Scalise*  
*Solicitor Marc D. Jonas*

Absent: *Councilmember James Mallon*

### ADOPTION of AGENDA

*It was moved by Councilmember Doerfler and seconded by Councilmember Braffman to approve the agenda. Motion carried unanimously.*

### EXECUTIVE SESSION

President Myers announced that Council held an Executive Session at 6:30 p.m. on Monday, February 5, 2018. The session was held in the Conference Room of the Kennett Fire Co. No 1, 301 Dalmatian Street, Kennett Square, PA 19348. The purpose of this session was to discuss a legal matter – Holly Peters v. Borough of Kennett Square Shade Tree Commission and Borough of Kennett Square, Case Number 2016-10970-CS; to discuss a grievance pertaining to the Collective Bargaining Agreement of the Kennett Square Police Association; and, to discuss a Police Department personnel matter.

### PUBLIC COMMENTS

John Thomas, 406 South Broad Street, commented that he reviewed the bills and recommended that we know what we are spending when it comes to the Borough's credit card bill.

Charla Watson, 523 Magnolia Street, thanked President Myers for the new format for public comments saying that it creates a more relaxed atmosphere. She commented that all expenditures should go through a requisition process. Ms. Watson asked if the legal item of Holly Peters v. Borough of Kennett Square Shade Tree Commission will be on the agenda. She also commented that she is not happy with some of things she has seen in the Council meetings so far this year and noted her concern that we are sharing an economic development person with Kennett Township.

## **CONSENT ITEMS**

President Myers announced that the following Consent Items are deemed approved if there are no objections.

- Minutes of January 2, 2018.
- Minutes of January 16, 2018.
- Bills that were paid since the last Council meeting.

There were no objections.

## **REPORTS**

### **PRESIDENT'S**

No report at this time.

### **FINANCE COMMITTEE**

Councilmember Braffman, Chair of the Finance Committee, reported the following from the Committee's January 16<sup>th</sup> meeting:

- They discussed the Borough's fair share shortfall of \$55,000 to the Regional EMS and Fire Commission and brainstormed options for making up the difference.
- Reviewed the bills.
- Reviewed the financial - close to the final numbers for 2017.
- The reserves are quite substantial in the Water Fund so the Committee began to look at the possibility of a 15% reduction in consumer water fees for residents.
- The Sewer Fund will come under a lot of pressure this year due to the EPA mandated upgrade to our Wastewater Treatment Plant.

### **HISTORIC KENNETT SQUARE**

Mary Hutchins, Executive Director, reported the following highlights from her written report:

- Mrs. Robinson's Tea Room is moving to Dave Torelli's old shop on East State Street.
- A new shop, Clean Slate, will move into Mrs. Robinson's old space on North Union and plans to open May 2018. They will be offering handmade goods from around the world.
- Trail Creek Outfitters has signed a one (1) year lease for their current space on West State Street.
- A locally acclaimed chef, Scott Morozin, has bought La Madera. The restaurant is closed for a few weeks with plans to open soon as Verbena.
- Aimee Olexy, owner of Talula's Table, is scheduled to be featured on the Today Show in March.
- The Winter Farmers Market continues to meet until May.
- HKS has done an in-house refresh of their website which will launch tonight.

### **KENNETT AREA PARK and RECREATION BOARD (KAPRB)**

Suzanne Geouque, Business Manager, reported the following highlights from her written report:

- The Jr. Basketball League is currently in progress with over 300 children participating.
- KAPRB is now offering ski discount tickets as a member of the Pennsylvania Recreation and Park Society (PRPS). Once the ski season is over they will be able to offer discount tickets to parks.
- The Lacrosse Program is running right now with over 230 children registered; registration is still opened.
- Summer Camp registration is now open.

### **RESOLUTION NO. 2018-03**

#### **AUTHORIZE SIGNERS, BOROUGH BANK ACCOUNTS**

President Meyers presented for approval the resolution authorizing the signers on all Borough bank accounts.

The Borough Manager read aloud the resolution that authorizes the Borough Manager and Finance Director to open and close accounts and identifies the officers below as signatories on all bank accounts for the Borough:

- Joseph C. Scalise, Borough Manager.
- Lisa Ionata, Finance Director.
- LaToya M. Myers, Borough Council President.
- Wayne Braffman, Councilmember and Member of Finance Committee.
- Peter L. Waterkotte, Councilmember and Member of Finance Committee.

**It was moved by Vice President Cramer and seconded by Councilmember Doerfler to approve the resolution as presented. Motion carried unanimously.**

The resolution was assigned No. 2018-003.

## **BOARDS and COMMISSIONS**

### **CIVIL SERVICE COMMISSION – APPOINTMENT, ALTERNATE**

President Myers presented for approval the appointment of Sally Braffman as an Alternate Member of the Civil Service Commission.

The Borough Secretary advised that Ms. Braffman will fill the remainder of a term which expires January 1, 2021. This appointment will leave two (2) vacancies for alternate members on the Commission.

**It was moved by Vice President Cramer and seconded by Councilmember Waterkotte to appoint Ms. Braffman as presented. Motion carried unanimously.**

### **SWEARING IN**

Mayor Fetick swore in Sally Braffman as an Alternate Member of the Civil Service Commission.

### **REVOLVING LOAN FUND COMMITTEE**

President Myers presented for approval the following appointments to the Revolving Loan Fund Committee:

- Borough Manager (or designee) – Joseph Scalise.
- Council Member – to be determined.
- Main Street Business person at large - David B. Myers.
- Finance Director – Lisa Ionata.
- Resident – Lee Sausen.
- Resident – Alex Wilson.
- Historic Kennett Square Executive Director – Mary Hutchins.
- Business person at large – Luis Tovar.
- Economic Development Director – Nathaniel Echeverria.

**It was moved by Councilmember Braffman and seconded by Councilmember Doerfler to approve the appointments as presented. Motion carried unanimously.**

### **FINANCE COMMITTEE**

President Myers stated that a couple of meetings ago she appointed a resident to the Finance Committee however she is only permitted to appoint Councilmembers. To correct this matter, she presented for approval the appointment of Borough resident Geoffrey Bosley to the Finance Committee.

It was moved by Councilmember Braffman and seconded by Councilmember Waterkotte to approve the appointment as presented. Motion carried unanimously.

## **SETTLEMENT AGREEMENT**

### **HOLLY PETERS v. BOROUGH of KENNETT SQUARE SHADE TREE COMMISSION and BOROUGH of KENNETT SQUARE CASE NUMBER 2016-10970-CS**

The Solicitor advised this litigation was an appeal from a determination by the Borough's Shade Tree Commission regarding a damaged street tree on the property located at 109 South Broad Street. The property owner, Holly Peters, filed the appeal back in 2016. The matter has been listed for trial and the parties are in discussions to avoid going to court. He noted that under one of the exceptions to the Pennsylvania Sunshine Law, Borough Council has the right to keep discussions confidential regarding this matter.

It was moved by Vice President Cramer and seconded by Councilmember Doerfler to authorize our Borough Solicitor to pursue a settlement agreement to be approved by the court and Borough Council in the matter of Holly Peters v. Borough of Kennett Square Shade Tree Commission. Motion carried unanimously.

## **PUBLIC COMMENTS**

John Thomas commented that he hopes Council is able to settle with Holly Peters. He referred to the upgrade required at the Wastewater Treatment Plant stating that he would prefer that we invest in a long haul upgrade even if we have to borrow money.

Charla Watson commented that she hopes we have success with the Revolving Loan Fund and Council can make a good determination so we are not at a loss with the same vacant building in the downtown. She noted that she is not pleased that the resident who is serving on the Finance Committee is also a businessman.

## **PRESIDENT'S REPORT**

President Myers announced her appointment of Councilmember Braffman to the Revolving Loan Fund Committee.

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

There were no comments or announcements.

## **ADJOURNMENT**

There being no further business, President Myers adjourned the meeting at 7:50 p.m.



Karen L. Scherer  
Borough Secretary