

OFFICIAL MINUTES MARCH 5, 2018

The Regular Meeting of March 5, 2018, of Council for the Borough of Kennett Square was called to order at 7:00 p.m. in the Kennett/Pennsbury Room of the Genesis HealthCare building, 101 East State 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 James Mallon
Councilmember Brenda Mercomes
Councilmember Peter L. Waterkotte

Mayor Matthew W. Fetick
Borough Manager Joseph C. Scalise

ADOPTION of AGENDA

It was moved by Councilmember Cramer and seconded by Councilmember Doerfler 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, March 5, 2018. The session was held in the Conference Room of the Kennett Square Police Station, 115 North Broad Street, Kennett Square, PA 19348. The purpose of this session to discuss a grievance pertaining to the Collective Bargaining Agreement of the Kennett Square Police Association.

PUBLIC COMMENTS

John Thomas, 406 South Broad Street, commented about a recent newspaper article regarding the parking garage project starting in 2018 and reiterated that he does not want the citizens to pay for parking for a private entity. He also expressed his concern that the old Borough Hall will be torn down.

Aline Frank, 111 East Sickle Street and member of the School Board, expressed her support of The Creamery which has been very helpful to the students by offering a family venue after school activities, especially graduation. Ms. Frank commented about the funding for the School Resource Officer and asked for annual contributions from the Borough.

Clara Saxton 120 West Linden Street and member of the Historical Architectural Review Board (HARB), spoke regarding the purpose of the HARB and the procedures they follow.

Jessica Casson, 545 Hazel Avenue, commented on the resolution regarding gun safety measures and questioned the authority of Borough Council adopting this resolution without feedback from the residents. She believes the items highlighted in the resolution are already being addressed and asked Council not to send it to our legislators on behalf of the residents.

Tony D'Ottavio, 516 East South Street, thanked the Borough for their timely response when he lost of two (2) trees during the recent storm.

CONSENT ITEMS

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

- Minutes of February 20, 2018.
- Bills that were paid since the last Council meeting.

There were no objections.

REPORTS

PRESIDENT'S

No report at this time.

ECONOMIC DEVELOPMENT

Nathaniel Echeverria, Economic Development Director, highlighted his report with what he has been working on during his first few months such as outreach, top priorities, and the Revolving Loan Fund.

FINANCE COMMITTEE

Councilmember Braffman, Chair of the Finance Committee, reported the following from the Committee's March 5th meeting:

- Lisa Ionata, Treasurer, discovered that two (2) transfers were not made in 2016. The adjustments were made with no change in dollars.
- They also discussed ways to fund the shortfall of the Borough's contributions to the Fire and Regional EMS Commission. Suggestions included making only 3 of the 4 payments in 2018 with the 4th payment a day late in 2019. In addition, do not conduct the citizen survey that was budgeted for 2018.
- The Committee continues to discuss the possibility of lowering the water rates.

HISTORIC KENNETT SQUARE

This was a written report only which was included in the Council packet.

PUBLIC SAFETY and INFRASTRUCTURE COMMITTEE

The Mayor reported the following highlights:

- The State has committed for two (2) of our officers to be trained in truck certification this June.
- The Delaware Valley Regional Planning Commission will be conducting a truck traffic study in 2018.
- The reconstruction of the intersection of Newark Road and Baltimore Pike is a high priority to help with truck traffic which is now more than half funded.
- The North Union Gateway is another big issue however the engineering costs nearly double the cost of the project. It will require relief from PennDOT to reduce these costs.
- The first actuated pedestrian signal will be installed on West State Street once the weather breaks.

RESOLUTION NO. 2018-04

URGING STATE and FEDERAL LAWMAKERS to ENACT STRONGER PROTECTIONS AGAINST GUN VIOLENCE.

It was moved by Councilmember Braffman and seconded by Councilmember Waterkotte to approve the resolution urging State and Federal lawmakers to enact stronger protections against gun violence as presented and transmit the adopted resolution to the elected officials listed in the resolution.

Councilmember Braffman gave a history of why he and the Mayor co-authored this resolution. He expressed his strong support of the resolution stating that thoughts and prayers will not bring back the victims in mass shooting in Parkland, Florida and will not protect our children.

The Mayor commented that this is a difficult topic to discuss and we do make resolutions on nationwide things. He stated that he is personally responsible for the public's safety and although he does not know what laws should be, he can agree on the eight (8) points listed in the resolution. He added that this resolution does not take away anyone's rights under the Second Amendment.

Councilmember Waterkotte, President Cramer, Councilmembers Mercomes, Mallon and Doerfler expressed their support of this resolution.

PUBLIC INPUT

John Thomas, 406 South Broad Street, commented that he is against gun violence however he does not support this resolution nor Council speaking on his behalf. He shared his thoughts of those responsible for the violence and recommended that Council show their support by a petition.

Charla Watson, 523 Magnolia Street, commented that she does not like guns however she does respect people's right to own them. She said it is very important that the minimum age to purchase a gun be higher. Ms. Watson added that teachers are the first line of defense and wants to know what the plan is when there is an emergency. She believes the public needs to hear about suspensions and expulsions of students from school and what is being done to follow-up on these students.

Ron Turner, 226 Meredith Street, expressed his support of the resolution and referred to the two (2) Kennett Square Police Officers that were murdered due to gun violence.

Motion carried unanimously.

The resolution was assigned No. 2018-04.

RESOLUTION NO. 2018-05 MUNICIPAL RELATIONS COMMITTEE

President Myers presented for approval the resolution establishing the Municipal Relations Committee.

Councilmember Doerfler gave a background of the resolution stating that the goal is to make for more effective and stronger communications with the Borough's voters, residents, other constituents, and the various boards and commissions.

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

Councilmembers Braffman, Cramer, Waterkotte, and Mercomes expressed their support of this resolution.

Councilmember Braffman advised that this committee will also include a member of the public.

PUBLIC INPUT

Clara Saxton, 120 West Linden Street, read aloud her statement supporting this resolution noting that Kennett Square is constantly looking for ways to communicate and the Municipal Relations Committee is the right move forward.

Motion carried unanimously.

The resolution was assigned No. 2018-05.

**RESOLUTION NO. 2018-06
DISPOSITION of MUNICIPAL RECORDS**

President Myers presented for approval the resolution approving the disposition of municipal records.

The Borough Secretary advised that this will be done on April 28th during the Community Shred Event and in accordance with the Municipal Records Manual.

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

PUBLIC INPUT

None

The resolution was assigned No. 2018-06.

**HISTORICAL ARCHITECTURAL REVIEW BOARD (HARB) APPLICATION
CERTIFICATE of APPROPRIATENESS
421 SOUTH BROAD STREET**

President Myers presented for approval the following HARB application:

- 421 South Broad Street – Fence.

Clara Saxton, HARB Secretary, gave a description of the application and advised the HARB, by a unanimous vote, recommended the Certificate of Appropriateness (COA) be issued.

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

PUBLIC INPUT

Charla Watson commented that this fence is not allowed because it is six (6) foot high and on corner properties.

The Borough Manager advised that Council is approving the style and material and issuing the COA, the owner still needs to apply for all necessary permits.

Motion carried unanimously.

**SPECIAL EVENT APPLICATION
KENNETT RUN, MAY 19TH**

President Myers presented for approval the special event application for the Kennett Run to be held on Saturday, May 19^h, from 9 a.m. to noon.

It was moved by Councilmember Mallon and seconded by Councilmember Braffman to approve the special event application as presented.

PUBLIC INPUT

Jessica Casson, 545 Hazel Avenue, commented that although they are notified about this event, it is a huge inconvenience for residents in her area of town.

Motioned carried unanimously.

APPOINTMENT and ENGAGEMENTS

HISTORICAL ARCHITECTURAL REVIEW BOARD (HARB)

President Myers presented for approval the appointment of Katie Kolb to the HARB.

The Borough Secretary advised that this appointment will fill a term which will expire January 1, 2019 at which time Council can consider her reappointment to the normal three (3) year term.

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

RESIGNATION of CURRENT BOROUGH SOLICITOR MARC JONAS

President Myers presented for acceptance the resignation of Marc Jonas as the Borough Solicitor, effective February 28, 2018.

It was moved by Councilmember Braffman and seconded Vice President Cramer to accept the resignation as presented. Motion carried unanimously.

INTERIM BOROUGH SOLICITOR

WILLIAM GALLAGHER, MacELREE HARVEY

President Myers presented for approval the appointment of William Gallagher of MacElree Harvey as the Interim Borough Solicitor.

The Borough Manager advised that when Mr. Gallagher is not available Charles Gerbron will serve in his capacity.

It was moved by Councilmember Braffman and seconded 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
DOCKET NO. 2016-10970**

President Myers presented the settlement agreement between the Borough of Kennett Square Shade Tree Commission, Borough of Kennett Square and Holly Peters regarding Docket No. 2016-10970.

The Borough Manger advised that this agreement has been signed by Ms. Peters and was approved and signed by the Shade Tree Commission. After Council's approval, the agreement will be sent to the court for approval.

It was moved by Councilmember Braffman and seconded by Councilmember Doerfler to approve the settlement agreement as presented.

Vice President Cramer complemented the work of the Shade Tree Commission.

Motion carried unanimously.

**SIDE AGREEMENT of the
COLLECTIVE BARGAINING AGREEMENT (CBA)**

President Myers presented for approval the Side Agreement to the Collective Bargaining Agreement (CBA).

The Borough Manager advised that this Side Agreement puts into more detail the entitlement of Vacations/Pool Days and Paid Sick Leave in the CBA.

It was moved by Councilmember Mallon and seconded by Councilmember Waterkotte to approve the settlement agreement as presented. 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.

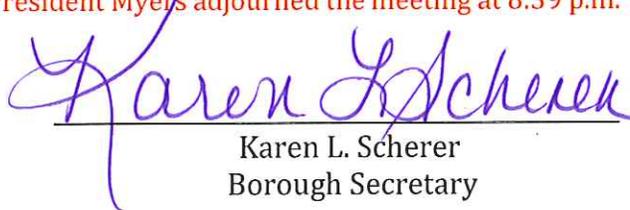
COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS

The Borough Manager announced that the Annual Spring Cleanup and Community Shred Event are scheduled for Saturday, April 28th. We are also looking into having electronic collections as well.

Vice President Cramer announced the groundbreaking ceremony at Cannery Row at 9:30 tomorrow morning.

ADJOURNMENT

There being no further business, President Myers adjourned the meeting at 8:39 p.m.



Karen L. Scherer
Borough Secretary