

OFFICIAL MINUTES

The Regular Meeting of January 5, 2009 of Kennett Square Borough Council was called to order at 6:30 p.m. in the Monroe Nute Room of the Kennett Fire Company No. 1, 301 Dalmatian Street, Kennett Square, Pennsylvania with President David B. Miller in the Chair. Roll Call followed the Pledge of Allegiance. Present were:

President D. Miller
Council Member R. Pesce
Council Member E. Avello, Jr.
Council Member W. Carozzo
Council Member J. Cocks
Council Member J. Darman
Council Member J. Thomas
Mayor L. Spencer, Jr.
Manager B. Kucera

PUBLIC COMMENTS

Ms. Shannon Cortigine, Alliance for Better Housing, asked if she could receive a list of the Boards and Commissions vacancies in order to advise the members of the Elm Street Project.

EXECUTIVE SESSION

President Miller announced that there will be an Executive Session immediately following this evening's Council meeting to discuss the lawsuit of Pflumm Contractors v. the Borough of Kennett Square, Chester County C.C.P. No. 08-08419

COMMITTEE REPORTS

HISTORICAL COMMISSION

Mr. Dan Maffei, Chairman, stated that the 2008 Holiday Home Tour was a tremendous success. He thanked the employees of Borough Hall, the Public Works Department and the Police Department for their assistance.

He added to his written report that the Historical Commission will begin their 2009 Preservation Lecture Series on January 15. The series will be held at Borough Hall on the third Thursday of each month through May.

President Miller thanked Mr. Maffei for his comments.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

Ms. Claire Finrock, Program Director, highlighted her report with the following:

- The new fence on the upper field is almost complete.
- Donations were received from New Garden Township and Needham Mushrooms.
- The Junior Basketball League begins January 6.
- Registration for the adult softball leagues will begin soon.
- Open Gym, a new program, will be held on Tuesday nights at Kennett Middle School.

President Miller thanked Ms. Finrock for her report.

ELM STREET PROJECT

Ms. Shannon Cortigine, Executive Director of Alliance for Better Housing, stated that the construction is well underway on the new East Maple Street houses. The Alliance also acquired the Walls' property located on East Maple Street which will be renovated and then sold to an eligible buyer.

President Miller thanked Ms. Cortigine for her report.

KENNETT SQUARE POLICE DEPARTMENT (KSPD)

The Mayor reminded the public to report suspicious persons and incidents to the Police. He announced that Patrolman Jason McGhee has resigned from the Police Department effective January 20, 2009. Patrolman McGhee has taken a position with the West Goshen Police Department. The Mayor stated that Patrolman McGhee is an exceptional officer and will be missed.

The Mayor added to his report the following incidents for December 2008:

- 64 Traffic Citations were issued.
- 55 Written Traffic Warnings.
- 22 Criminal Arrests.
- 0 DUI Arrests.
- Total of 571 calls.
- Total of calls in December 2007 was 598.

President Miller thanked the Mayor for his report.

CONSENT ITEMS

MINUTES of DECEMBER 8, 2008

President Miller presented the December 8, 2008 minutes for approval.

It was moved by Council Member Thomas and seconded by Council Member Cocks to approve the minutes as presented. Motion carried unanimously.

BILLS

President Miller presented the bills that were paid since the last meeting for approval.

It was moved by Council Member Thomas and seconded by Council Member Cocks to approve the bills as presented. Motion carried unanimously.

RESIGNATION of PATROL OFFICER JASON McGHEE CHARGING the CIVIL SERVICE COMMISSION to CONDUCT ENTRY LEVEL TESTING

President Miller stated that with the resignation of Patrol Officer Jason McGhee there will be a vacancy of a full time Patrol Officer in the Police Department.

It was moved by Council Member Thomas and seconded by Council Member Carozzo to charge the Civil Service Commission to begin the process of Entry Level Testing to create an Eligibility List. Motion carried unanimously.

SPECIAL EVENT APPLICATION HEALTHY KIDS DAY

APRIL 18, 2009

President Miller presented the Special Event Application for Healthy Kids Day to be held on April 18, 2009.

Mr. Thomas Gallagher, Kennett Area YMCA, advised that the event will be held in the 200 and 300 blocks of South Broad Street from 10 am to 2 pm.

It was moved by Council Member Thomas and seconded by Council Member Cocks to approve the Special Event Application as presented. Motion carried unanimously.

USE of UNDEVELOPED AREA at HERB PENNCOCK PARK

President Miller presented a proposal from the Kennett Unionville Titans Youth Football and Cheerleading to develop and use the undeveloped area of Pennock Park.

Ms. Claire Finrock, Program Director of KAPRB, advised that this area would be used for scrimmages, practices and training. She added that KAPRB supports this proposal and Kennett Township has approved it. She, on behalf of the Titans, is presenting the proposal to Council for their approval.

It was moved by Council Member Cocks and seconded by Council Member Carozzo to approve the proposal as presented contingent upon the Borough being provided with Certificate of Insurances from KAPRB and the Titans. Motion carried unanimously.

RESOLUTION NO. 1-09

H2O PA WATER SUPPLY GRANT APPLICATION

President Miller presented a Resolution authorizing the filing of an application for funding for H2O PA Water Supply from the Commonwealth Financing Authority.

The Manager advised that this \$500,000 grant application would be for the Yeatman Well repairs, improvements and expansion.

It was moved by Council Member Thomas and seconded by Council Member Darman to approve the resolution as presented. Motion carried unanimously.

The Resolution was assigned No. 1-09

**RESOLUTION NO. 2-09 and
PENNDOT CASTING AGREEMENT**

President Miller presented the PennDOT Casting Resolution and Agreement.

The Manager advised that the agreement contains language that allows the Borough to have set prices for utility (manholes, valve boxes, etc.) adjustments in PennDOT projects for the next three (3) years.

It was moved by Council Member Darman and seconded by Council Member Cocks to approve the Resolution and Agreement as presented. Motion carried unanimously.

**PAYMENT NO. 3 - HIGGINS ELECTRIC
TRAFFIC LIGHT at EAST CYPRESS STREET and
SOUTH WALNUT STREET**

President Miller presented the request for Payment No. 3 to Higgins Electric for the installation of the traffic light at the intersection of East Cypress and South Walnut Streets.

The Manager advised that Payment No. 3, in the amount of \$10,165.80, is the final payment. This amount represents the costs associated with the ten percent (10%) retainage minus \$1,000 to be held over the winter until the striping can be reapplied in the areas which did not adhere correctly.

It was moved by Council Member Thomas and seconded by Council Member Carozzo to approve the payment as presented. Motion carried unanimously.

APPOINTMENTS to POLICE PENSION BOARD

President Miller stated that there are two (2) appointments that need to be made to the Police Pension Board.

There was a discussion as to whether these appointments need to be members of Council. This question will be presented to Ms. Kathy Holliday, the Finance Director.

Council agreed to table this item until next meeting.

BOARDS and COMMISSIONS REAPPOINTMENTS

President Miller presented two (2) re-appointments to the Boards and Commissions as follows:

Planning Commission –

Mr. George Plumley, III; this four (4) year term would expire January 1, 2013.

Zoning Hearing Board –

Ms. Mary Hricik; this three (3) year term would expire January 1, 2012.

It was moved by Council Member Thomas and seconded by Council Member Cocks to approve the Re-appointments as presented. Motion carried unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

AQUA AMERICA

Council Member Thomas stated that he has spoken a few times with a representative of Aqua America. He noted that Aqua America purchased West Chester's water system a few years ago.

A discussion ensued.

Council agreed for the Manager to arrange for Aqua America to make a presentation to Council.

OPEN RECORDS PERSON

Council agreed that the Manager appoints the person responsible for Open Records.

PROFESSIONAL SERVICES

The Manager stated that he would like to look into possible alternatives for the Borough's professional services.

Council agreed for the Manager to research alternatives.

PUBLIC COMMENTS

There were no public comments from the floor.

ADJOURNMENT

It was moved by Council Member Thomas and seconded by Council Member Cocks to adjourn the meeting at 7:13 pm. Motion carried unanimously.

Brant Kucera
Borough Manager