

OFFICIAL MINUTES

The Regular Meeting of May 4, 2009 of Kennett Square Borough Council was called to order at 6:30 p.m. in the Red Clay Room of the Kennett Fire Company No. 1, 423 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 J. Cocks
Council Member J. Darman
Council Member J. Thomas
Mayor L. Spencer, Jr.
Manager B. Kucera

MAYORAL COMMENT

The Mayor stated that he wanted to clear the air about the cancellation of the Cinco de Mayo Festival. He noted that the Borough was in contact with both the Chester County Health Department and the sponsors of the event. The Mayor stated that the Borough was advised by the Health Department that large gatherings have a greater potential for transmitting the Swine Flu (Influenza A H1N1) virus. The cancellation had no reflection on ethnicity and the only basis for the cancellation was for concern for public health. The Mayor stated that he believes that this whole matter will be resolved and recommended that Council meet with the Cinco de Mayo Festival committee so the festival can be re-scheduled for a future date this year.

PUBLIC COMMENTS

There were no public comments from the floor.

COMMITTEE REPORTS

HISTORIC KENNETT SQUARE

Ms. Mary Hutchins, Executive Director, reported the following:

- The Art Stroll was held May 1 and, despite the weather, was well attended.
- Renovations are underway in The Center for a new women's accessory store.

- Talula's Table is working on their new restaurant at the corner of State and Union Streets.
- The Main Street Festival is still scheduled for the weekend of May 15, 16, and 17, 2009 with the Kennett Run on May 16.
- The Memorial Day Parade is May 25.
- Historic Kennett Square will hold a fundraising event at the Kennett Flash on May 22.
- The Kennett Flash has brought approximately 4,000 visitors to the Borough since their opening in January.

President Miller thanked Ms. Hutchins for her report.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

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

- She thanked the Mushroom Festival for awarding KAPRB a \$1,500 grant.
- She's working on another grant for assisting with the lighting.
- Registration is now full for the summer camp.
- KAPRB will join forces with Will2Win Athletics to offer additional programs.
- She thanked all of the businesses that sponsored the banners at Pennock Park.
- They are developing a brochure highlighting their programs.
- They are looking forward to working with the School District regarding the use of the Yeatman Field.

President Miller thanked Ms. Finrock for her report.

ELM STREET PROJECT

Ms. Shannon Cortigine, H.E.L.P. Neighborhood Manager, highlighted her report with the following:

- Construction is progressing on the two (2) new townhomes with a sales contract for one (1).
- The closing for 223 East Maple is scheduled to occur before the end of May.
- PA Downtown Center completed an on-site assessment at the end of March. She is expecting to receive a favorable assessment.
- Emergency home repairs and façade improvements are active again and all repairs will be completed by June 30, 2009.
- The Case Manager continues to host financial workshops.

President Miller thanked Ms. Cortigine for her report.

KENNETT SQUARE POLICE DEPARTMENT (KSPD)

The Mayor advised that a DUI checkpoint was recently held at Mill Road and Cypress Street generating two (2) arrests. The KSPD will continue additional checkpoints throughout the Borough at unspecified locations.

The Mayor added to his report the following incidents for April 2009:

- 89 Traffic Citations.
- 70 Written Traffic Warnings.
- 27 Criminal Arrests.
- 7 DUI Arrest.
- Total number of calls in April 2009 was 620.

President Miller thanked the Mayor for his report.

SPECIAL RECOGNITION of PATROLMAN OSCAR ROSADO

The Mayor presented to Patrolman Oscar Rosado two (2) certificates in recognition of his DUI enforcement. Patrolman Rosado made the Police Department's highest number of DUI arrests in 2008.

The first certificate was from Mothers Against Drunk Drivers (MADD) of Southeastern PA. The second was from Congressman Joe Pitts in recognition of Patrolman Rosado's Cookies for Cops Award.

The Mayor also recognized Patrolmen Kenneth Rongaus and Jason Francart for their DUI Arrests.

CONSENT ITEMS

MINUTES of APRIL 20, 2009

President Miller presented the April 20, 2009 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 to be paid May 4, 2009 and 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.

METRO PCS LEASE

President Miller presented the Metro PCS Lease for approval.

The Manager advised that the lease is for the mounting of communication equipment on the Borough's water tower on Maple Street. The rent is \$2,000 per month and shall increase by three percent (3%) each year. The initial term is for five (5) years with the option to extend four (4) additional terms of five (5) years each. The Manager added that the Borough is the Sublessor and Kennett Area Park Authority (KAPA) is the Prime Lessor. The rent will be divided equally between the Borough and KAPA. KAPA will consider the lease at their next Board Meeting in May.

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

SOUTH STREET SIDEWALKS BID AWARD DOUG LAMB CONSTRUCTION, INC.

President Miller presented the bid for the construction of sidewalks along East South Street for approval.

The Manager advised that the bid opening was April 24, 2009 with six (6) bids being submitted. Doug Lamb Construction, Inc. of Elizabethtown, PA was the lowest responsible bidder with a total base bid of \$179,995.00. The Borough's portion of the project is \$58,333.33. The Manager advised that another contracting company was the lowest bidder however problems arose in their bid package. Arro Engineering and the Borough Solicitor, Mr. Marc Jonas, recommended that the bid be awarded to Doug Lamb Construction, Inc.

This project area is along West South Street from Lafayette Street to the Borough line and involves the installation of new sidewalks and ADA ramps on the north side of the street along with conduit for future streetscape lighting. ADA ramps will also be installed on the south side of the street. Some street trees will need to be removed and ten (10) new street trees will be planted.

It was moved by Council Member Thomas and seconded by Council Member Cocks to approve the bid to Doug Lamb Construction, Inc. as presented. Motion carried unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

ANTI-RACIST CRIMINAL JUSTICE SURVEY

Council Member Cocks, a member of the Martin Luther King Advocates, announced that an Anti-Racist Criminal Justice Survey will be in the next Borough newsletter. She encouraged everyone to complete and submit the survey. The survey is also available on the Advocates website, www.MLKingadvocates.com.

CANCELLATION of SPECIAL EVENTS

Council Member Darman referred to the recent cancellation of the Cinco de Mayo Festival noting that making decisions can be difficult. He stated that with the number of upcoming events scheduled in the Borough, additional decision making regarding cancellations of special events may be encountered. Council Member Darman requested that all Council Members be included in this decision making process.

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 7:11 pm. Motion carried unanimously.

Brant Kucera
Borough Manager