

OFFICIAL MINUTES

The Regular Meeting of June 1, 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 W. Carozzo
Council Member J. Cocks
Council Member J. Darman
Council Member J. Thomas
Manager B. Kucera

MEET and GREET the BOROUGH MANAGER

President Miller announced that the Borough Manager, along with the Department Heads, will hold a "Meet and Greet" event from 6:00 to 8:00 PM on Tuesday, June 16, 2009. This event will be held at the Kennett Flash and is an opportunity for the citizens and business owners to meet the Borough Manager and staff to obtain information and ask questions.

PUBLIC COMMENTS

Mr. Doug Stirling, 706 Meredith Street, questioned if street lights will be installed along the property at the corner of South Union Street and Scarlett Avenue. He noted that the bases were installed several years ago. Mr. Stirling stated that the main reason for his comments is that as the pastor of the Kennett Square Bible Methodist Church, 500 East Cypress Street, he received a letter from the Codes Department advising that if the church does not pay a \$100 fee, then their license will be revoked. He stated that the church does not have a license and it is this first time the church has received this type of letter. He referred to the Borough Code stating that the ordinances were written for rental units and is being extended for churches. He recommended that the ordinance be amended to include churches.

The Manager stated that churches fall under commercial construction and are included in the commercial category.

President Miller thanked Mr. Stirling for his comments.

Ms. Myra Miller, 301 Scarlett Avenue, questioned why the Council meetings are now being held in the Red Clay Room noting that it would be more cost effective for the Fire Company to hold the meetings in the Monroe Nute Room.

The Manager advised that the meetings were relocated to the Red Clay Room due to the increased number of people attending.

President Miller thanked Ms. Miller for her comments.

COMMITTEE REPORTS

HISTORIC KENNETT SQUARE

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

- Historic Kennett Square was awarded a \$10,000 grant for marketing by the Chester County Conference and Visitor's Bureau.
- She thanked Mr. Bill Taylor and all the volunteers for the wonderful Memorial Day Parade. This year's parade appeared to be the highest attended with approximately 15,000 spectators.
- The 2009 Farmers Market is a great success.
- Ms. Ashley White will be opening a women's accessory shop at 106 West State Street.
- The hanging flower baskets have been installed and she thanked the Beautification Committee for planting the barrels.

President Miller thanked Ms. Hutchins for her report.

HISTORICAL COMMISSION

Mr. Dan Maffei, Chairman, highlighted his report with the following:

- The Commission reviewed and had no objections to two (2) applications.
- The Town Walk for the Borough will be June 25 with the primary focus of properties on East Linden, East State and South Union Streets.
- The 2009 Holiday Home Tour is December 13.

President Miller thanked Mr. Maffei for his comment.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

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

- They are near the end of the spring programs.

- The Adult Softball League is underway and will continue for the next couple of months.
- The Kids Cross Country race will be July 30.
- The 5K race will be held again during Mushroom Festival.
- She thanked Genesis for their \$2,000 donation for Pennock Park.

President Miller thanked Ms. Finfrock for her report.

ELM STREET PROJECT

Ms. Shannon Cortigine, Executive Director, Alliance for Better Housing, submitted a written report which was included in the Council packet.

CONSENT ITEMS

MINUTES of MAY 18, 2009

President Miller presented the May 18, 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 June 1, 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 Darman to approve the bills as presented. Motion carried unanimously.

AQUA AMERICA PRESENTATION

President Miller introduced Mr. Keith Gabage of Aqua America.

Mr. Gabage stated that he is the Senior Director, Corporate Development and has been with the company for 30 years. He gave a presentation of Aqua America's history and current business status of their water and wastewater municipal services within Pennsylvania which operate under Aqua America's largest subsidiary, Aqua Pennsylvania.

Mr. Gabage entertained questions by Council and the Manager.

President Miller thanked Mr. Gabage for his presentation.

APPOINTMENT TO BOARDS and COMMISSIONS SHADE TREE COMMISSION

President Miller presented a letter of interest to serve on the Shade Tree Commission from Ms. Mary Hricik, 416 Hessian Drive. This is a three (3) year term which expires January 1, 2012.

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

SPECIAL EVENT APPLICATION MUSHROOM FESTIVAL

President Miller presented the Special Event Application for the 2009 Mushroom Festival. The event is scheduled for September 12 and 13.

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

CONCERN of DOGS at SPECIAL EVENTS

Council Member Carozzo questioned if dogs, with the exception of service dogs, could be prohibited during the Mushroom Festival.

The Chief stated that the Borough Code allows for dogs to be present within the Borough as long as they are under control of their owners.

There was discussion regarding the legality of being able to prohibit dogs at one particular event.

President Miller suggested that this item should be presented to the Borough Solicitor.

ARCHITECTURAL REVIEW BOARD APPLICATIONS

President Miller presented two (2) ARB Applications as follows:

205 South Union – façade painting
106 West State – façade painting

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

LETTER OPPOSING SENATE BILL 850

President Miller presented a letter addressed to Senator Dominic Pileggi expressing the Borough's opposition to Senate Bill 850.

Ms. Mary Hutchins advised that the Senate Bill 850 is the proposed 2009 – 2010 State budget. The budget eliminates the funding for the Department of Community and Economic Development's New Communities Main Street Program which in turn helps fund the Borough's Main Street and Elm Street Programs.

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

PARKING RELIEF 120 EAST STATE STREET

President Miller presented a request for relief of parking for 120 East State Street. The building is owned by Mr. John and Ms. Yvonne McFadden. Their plan is to restore the structure to be used as a restaurant/lounge.

It was moved by Council Member Darman and seconded by Council Member Cocks to approve the parking relief as presented.

Council Member Thomas stated that he is all for new businesses opening in the Borough. He would approve this as long as the employees of the restaurant purchase parking permits.

Council Member Darman stated that he supports the relief noting that this building was under the same use in the past plus the \$500,000 revolving loan from the State was awarded for the restoration of this building.

The Manager advised that when the Borough did the parking garage study back in the winter it revealed many empty parking spaces on a daily basis. He suggested that some of the parking meters in the garage be eliminated and it be mandated that business owners lease these spaces for long term parking.

Council Member Cocks stated that she supports the waiver noting that this building is in the historic district and it needs to be restored.

Council Member Avello questioned if the applicant could appeal if Council voted against the waiver.

The Manager stated yes and noted that the requirement for one (1) parking space for every four (4) patrons is an impossible task.

Motion to grant the relief from parking was carried unanimously.

OLD BUSINESS

PARKING for MERCHANTS and EMPLOYEES

It was moved by Council Member Thomas and seconded by Council Member Avello that the Parking Committee immediately research parking options for the merchants and their employees.

The Manager advised that if this item is important to Council then he will follow their direction.

Motion carried unanimously.

NEW BUSINESS

BOROUGH MAP

Council Member Thomas stated that we should have a map that contains the complete Borough along with the right-of-ways. We need to know exactly where our boundaries are when making decisions.

It was moved by Council Member Thomas and seconded by Council Member Carozzo to charge the Manager to conduct research in order to generate a definite map that contains the corporate boundaries of the Borough and all right-of-ways.

A discussion ensued.

Motion carried unanimously.

PUBLIC COMMENTS

Mr. Don Sloat, 304 Ridge Avenue, thanked those responsible for PennDOT fixing the potholes on South Union Street. He expressed his concern that the green lenses on the traffic lights are not very bright on East Cypress Street at Broad Street noting that he knows this from experience by being recently involved in a traffic accident at this location.

The Manager advised that the traffic lights at this intersection will be replaced as part of the Closed Loop System to be installed within the next two (2) years.

ADJOURNMENT

It was moved by Council Member Thomas and seconded by Council Member Carozzo to adjourn the meeting at 8:02 pm. Motion carried unanimously.

Brant Kucera
Borough Manager