

OFFICIAL MINUTES

The Regular Meeting of July 6, 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. Thomas
Mayor L. Spencer, Jr.
Manager B. Kucera

MOMENT of SILENCE

President Miller announced the death of Mr. Bud Lambert, a former Parking Enforcement Officer with the Kennett Square Police Department and Korean War Veteran. A Moment of Silence was observed for the Lambert family.

RECOGNITION of KENNETT SQUARE BEAUTIFICATION COMMITTEE

The Mayor presented to the Kennett Square Beautification Committee a Certificate of Appreciation for their diligent work in beautifying the downtown area with the planting of the flower barrels and hanging baskets; and annuals, perennials and shrubbery at Borough Hall and the Police Department.

Ms. Joanne Donlick, Chairman of the Committee, thanked the Mayor and Council and stated that they will continue to work hard to enhance the beauty of the Borough.

SWEARING IN of PATROL OFFICER ANDREW D. MANKO

The Mayor swore in Mr. Andrew D. Manko as a full-time Patrol Officer with the Kennett Square Police Department.

The Mayor welcomed Mr. Manko to the Kennett Square Police Department.

Mr. Manko thanked the Mayor and Council.

PUBLIC COMMENTS

Ms. Tina Jernigan, 213 Meredith Street, stated that she moved to the Borough in May of this year and added that she recently received a ticket for parking along Filbert Alley. She expressed her frustration with the lack of parking in her block and noted that she may have not purchased the home if she knew in advance of the parking problem. Ms. Jernigan questioned if the no parking restriction on Filbert Alley could be lifted. She presented a petition containing signatures of Meredith Street residents supporting this request.

The Mayor advised that the reason for no parking on Filbert Alley is that when vehicles are parked along the roadway then there is not enough room for emergency equipment to pass through.

Ms. Susan Haines, 205 Meredith Street, offered some history to Ms. Jernigan's petition. She noted that she has resided in her home for over 20 years and it was early November 2008 when she noticed the no parking signs on Filbert Alley. Ms. Haines stated that residents on Meredith Street need easy, accessible parking but believes that limiting the parking to only the residents is not a viable solution due to the multiple activities and special events held at the church and school.

Council Member Thomas stated that there is nothing more frustrating than when you come with groceries and are unable to park in front of your home. He stated a solution would be to allow the residents to park on the alley until there was a space available on Meredith Street.

COMMITTEE REPORTS

HISTORIC KENNETT SQUARE

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

- 700 people attended the Farmers Market this past Friday.
- The Buy Fresh, Buy Local event will be held during the Farmers Market on July 17.
- The Murder Mystery Art Stroll will be held on August 7.
- Ashley Austin's will be opening in early August at 106 West State Street.
- A café will be opening soon at 109 South Broad Street.

President Miller thanked Ms. Hutchins for her report.

HISTORICAL COMMISSION

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

- The 2009 Town Tour was a great success with over 200 reservations.
- He thanked the citizens and volunteers who helped with the event.

2009 HISTORICAL PRESERVATION CERTIFICATES and AWARD

Mr. Maffei presented the 2009 Certificates of Recognition and Appreciation for historical preservation to the following:

- Collis and Catherine Townsend, "The William Voorhees House, 1914", 220 Lafayette Street.
- Patricia and Daniel Olenik, 215 South Broad Street.
- Marianne Dempsey and Stephanie Weber, 309 Marshall Street.
- Sally and Wayne Warren, 217 South Broad Street.
- Robert Messick and Sherry Albert, 105 North Lincoln Street.
- RRS Properties LLC, 126 South Walnut Street.

For the extraordinary renovation of the property located at 120 West Sickle Street, a property located in the Kennett Square National Register Historic District, the Kennett Square Historical Commission presented the sixth annual Historic Preservation Award to Ms. Tish and Mr. Eliot Dalton.

President Miller thanked Mr. Maffei for his report and congratulated the recipients of the awards.

ELM STREET PROJECT

Ms. Shannon Cortigine, Executive Director, Alliance for Better Housing, stated that they are now at the tail end of the operating grant and noted that the following items have been completed:

- 24 façade projects consisting of 22 owner occupied homes and two (2) rental units.
- 19 emergency home repairs.

She reported that the construction is complete on the two (2) new townhomes and encouraged Council and the Mayor to attend the Open House on July 9, 2009 from 3:00 to 5:00 pm. Ms. Cortigine stated that a new family to the neighborhood recently purchased 223 East Maple Street.

President Miller thanked Ms. Cortigine for her report.

KENNETT SQUARE POLICE DEPARTMENT (KSPD)

The Mayor announced that arrests were made in the recent residential burglary crime spree thanks to the diligent work of Patrol Officers Oscar Rosado and Christopher Wills.

He reported that Detective Jack Trevisan and his wife donated \$6,000 to the Police Department for the purchase of dress uniforms.

The Mayor encouraged everyone to look at their insurance policies and to be prudent about their responsibilities. He noted that a car was recently stolen and set on fire. This could be avoided if the owner would have locked his vehicle.

The Mayor advised that the Police Department now has a generator in operation through a grant from Senator Pileggi. He added that the Public Works Department did an outstanding job installing the pad.

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

- 106 Traffic Citations were issued.
- 85 Written Traffic Warnings.
- 35 Criminal Arrests.
- 7 DUI Arrests.
- Total number of calls was 652.

President Miller thanked the Mayor for his report.

CONSENT ITEMS

MINUTES of JUNE 15, 2009

President Miller presented the June 15, 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 July 6, 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 Carozzo to approve the bills as presented. Motion carried unanimously.

CREAMERY SITE PROPOSED REDEVELOPMENT

President Miller introduced Mr. David Holton of Ingerman Affordable Housing, Inc. Mr. Holton was accompanied by Mr. Jim Haley of Haley Donovan Architecture. President Miller advised that Mr. Holton is here to make only a preliminary presentation of the proposed redevelopment of the Creamery site and that Council is not required to act on this item at this time.

Mr. Holton distributed copies of some of their current sites and the proposed plan for the Creamery Site which contains a total of 61 units; 54 - one (1) bedroom and seven (7) - two (2) bedroom apartments. The existing building would remain with construction beginning in late 2010, with occupancy in early 2012. At least one (1) member of the household must be 62 or older and no member of the household can be under the age of 21.

Discussions ensued between Council, the Manager, the Mayor, Mr. Holton and Mr. Haley regarding the limited amount of parking spaces, effects of the close proximity to the railroad, zoning and energy efficiency among other items.

The Manager stated that if Council is comfortable with this proposed plan then Ingerman would need Council to adopt a resolution expressing support of this proposed project to be submitted with Ingerman's application for State tax credits.

Council Member Cocks advised that the plan was presented to the Intergen Coalition and each member was totally supportive of this project.

The Manager advised that the Planning Commission was in favor of this project.

President Miller expressed his support noting that Ingerman plans to renovate a sore site plus provide senior housing.

Mr. Holton agreed to look into the concerns expressed this evening and be in contact with the Borough Manager.

ARCHITECTURAL REVIEW BOARD (ARB) APPLICATION ASHLEY AUSTIN'S, 106 WEST STATE STREET, SIGNAGE

President Miller presented the ARB Application for signage at Ashley Austin's, 106 West State Street.

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

PAVING in PLACE BID AWARD SOUTHERN CHESTER COUNTY MUNICIPAL CO-OPERATIVE

President Miller presented the bid results for the 2009 Paving in Place Bid obtained through the Southern Chester County Municipal Cooperative.

The Manager advised that the lowest responsible bidder was Allen A. Myers, L. P. with a bid of \$81,960.00. The streets to be paved are the entire length of Wayne Avenue; and Worrall Avenue, from Lafayette Street to South Washington Street.

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

OLD BUSINESS

MARTIN LUTHER KING, JR COMMUNITY ADVOCATES

Council Member Cocks announced the following events being hosted by the Martin Luther King, Jr. CommUNITY Advocates:

- The movie "Crash" on July 11, 2009 from 1:00 – 4:00 pm.
- Kennett Square: Colors of a Nation, Exploring Race Relations on August 8, 2009 from 5:00 – 6:30 pm followed by a workshop on August 22 from 9:00 am to 1:00 pm.

She advised that the events are free of charge and will be held at the Kennett Area Senior Center, 427 South Walnut Street.

COUNCIL MEMBER OBLIGATION

Council Member Thomas said that he wants to clear the air stating that every time a Council Member asks a question about an idea or proposed project does not mean they are against it. He added that he is not against the YMCA or senior housing but is obligated to see that the project is done correctly.

DISMISSAL OF CIVIL ACTION NO. 07-3958

President Miller announced that a Federal Judge has dismissed the Civil Action No. 07-3958 filed in United States District Court; Albert J. McCarthy v. Jeffrey S. Darman and the Borough of Kennett Square and Marc D. Jonas, Esquire and Grace M. Deon, Esquire and Richard A. Pesce and Emidio J. Falini and Joseph M. Makowski and David B. Miller and Jerome E. Rhodes and John R. Thomas.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS

Mr. Luigi DiFilippo, 444 Birch Street, stated that dirt and debris accumulates along the side of Birch Street which prevents stormwater from flowing down to the creek. He questioned if this item could be addressed.

President Miller thanked Mr. DiFilippo for his comments.

The Manager stated that he will bring this item to the attention of the Public Works Department.

Ms. Shannon Cortigine, Alliance for Better Housing, stated that she supports the proposed Creamery Redevelopment but expressed concerns of past flooding along Birch Street and the possible need to evacuate a senior housing complex.

President Miller thanked Ms. Cortigine for her comments.

Ms. Charla Watson, 523 Magnolia Street, encouraged Council to let all proposed plans be taken to the proper committees before they are brought to Council. She referred to the Creamery redevelopment stating that the age limit would not apply to a caretaker that may reside with a senior resident. Ms. Watson added that parking is of the essence and questioned what exact services would be offered at this facility. She expressed her concern that this proposed housing does not pertain to those seniors with low annual incomes of only \$12,000.

President Miller thanked Ms. Watson for her comments.

Mr. Shannon Cortigine stated that she appreciated Ms. Watson's comments and noted that it is a complex formula that sets affordable housing and in Chester County, this is affordable housing.

President Miller thanked Ms. Cortigine for her comments.

ADJOURNMENT

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

Brant Kucera
Borough Manager