

OFFICIAL MINUTES

The Regular Meeting of July 20, 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
Mayor L. Spencer, Jr.
Manager B. Kucera

EXECUTIVE SESSION

President Miller announced that Council will hold an Executive Session immediately following tonight's meeting. The purpose of this meeting is to discuss the possible acquisition of real estate.

PUBLIC COMMENTS

Ms. Prissy Roberts, 233 North Union Street, expressed her concerns regarding the low age requirement of 21 for the proposed senior housing at the Creamery site. She noted that a senior citizen must be at least 62 years of age to reside in the Luther House or Kendall/Crosslands.

CONSENT ITEMS

BILLS

President Miller presented the bills to be paid July 20, 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.

CLOVER DEVELOPMENT PROPOSED SUB-DIVISION AND LAND DEVELOPMENT (SDDL)

President Miller advised that Clover Development has requested to address Council on the revisions to the original plan for their proposed SDDL. The proposed plan is for the development of a property in the 400 block of East State Street and East Maple Street within the C2 and R3 zoning districts and consists of a 15-unit apartment building and accompanying parking spaces.

Mr. Vince Mancini, attorney for Clover Development, advised that a floodplain study was done and the buildings have been moved up, the parking lot was moved forward and the steep slopes were reduced. There is a piece of the sewer main that would still be covered by asphalt.

Mr. Dennis O'Neill, MacCombie Consulting Engineers and Surveyors, Inc. made comments to Council regarding the floodplain and flooding history of the property.

Mr. David Pryce, current owner of the property, advised that he spoke with Ms. Mabel Thompson, the owner of the property during the time of the 2003 flood. Ms. Thompson told Mr. Pryce that the reason her travel trailer and boat became lodged in the bridge was because they were not tethered.

A discussion ensued between Council, the Manager, Mr. Mancini, Mr. Holton and Mr. Russell Drumheller, Codes Enforcement Officer, regarding the floodplain, flooding concerns, variances, right-of-ways and the appearance of the gateway among other items.

President Miller stated that there are a lot of issues that Clover would need to present to the Zoning Hearing Board.

Mr. Mancini stated that it is his understanding that Council is not interested in this type of development and that he will pull his applications. He extended his best wishes for whatever project Council would support for this property.

President Miller thanked Mr. Holton, Mr. O'Neill and Mr. Pryce.

RESIDENTIAL PERMIT PARKING – MARSHALL STREET

President Miller stated that this is only a discussion item that was generated by Council Member Carozzo's concerns of the lack of residential parking on Marshall Street.

The Manager advised that the Director of Public Works did a study which revealed that all but three (3) properties on Marshall Street have off street parking.

Council Member Carozzo stated that as far as he is concerned, every property owner has the right to park in front of their home. He added that this is the same type of problem on Meredith Street in the vicinity of the church.

A discussion ensued.

President Miller stated that these type of concerns are not limited to just Marshall Street and would like to hear from the residents throughout the Borough who share the same concerns about residential parking. He recommended that a special meeting be held for the sole purpose of discussing parking issues and concerns.

The Manager stated that he will speak to the area businesses whose employees may be parking on Marshall Street and then report back to Council.

RESOLUTION NO. 3-09

TAX COLLECTION COMMITTEE (TCC) DELEGATE APPOINTMENT

President Miller presented a resolution appointing delegates to the Tax Collection Committee (TCC). The TCC is established under Act 32, Collection of Earned Income Tax Collections. The primary delegate is Mr. Brant Kucera, Borough Manager and the first alternate is Ms. Kathy Holliday, Finance Director.

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

The Resolution was assigned No. 3-09

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:

- Kennett Square: Colors of a Nation, Exploring Race Relations on August 8, 2009 from 5:00 – 6:30 pm
- A workshop on August 22 from 9:00 a.m. to 1:00 p.m.

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

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS

Ms. Leslie Whiteside, 802 Wayne Avenue, stated that she is a little surprised that the parking problems raised by Council Member Carozzo are being addressed

and asked that the same consideration be given to her neighborhood. Ms. Whiteside asked that their past requests for the Borough to address parking concerns in Stenning Hills not be ignored and swept under the rug.

The Manager stated that he can look into their concerns with the direction from Council. The Manager advised that the proposed R-2 parking amendments that were presented to Council earlier this year were not favorably supported by the public so Council did not move forward with them. There was also concern to the legality of the amendments.

The Mayor advised that if the implementation of the proposed parking amendments is a legal matter then the public needs to be informed of this.

President Miller thanked Ms. Whiteside for her comments.

Mr. Ed Thomas, 825 Taylor Street, stated that two (2) weeks after his last car was stolen attempts were made to steal his present car. He noted that he lives in the house where he was raised and this is the first time something like this has happened. Mr. Thomas commented that Taylor Street is very dark and the street needs to be repaired. He told Council that they need to address the amount of tractor-trailers traveling through the Borough and asked if the ban of oversize trailers on Union Street is being enforced.

The Manager advised that Phillips Mushrooms pays a waiver to Penn DOT to use this road.

Mr. Thomas asked if they know if the Borough line goes through the Pia property.

The Manager advised that Mill Road is completely in the Borough and extends to the railroad tracks.

President Miller thanked Mr. Thomas for his comments.

ADJOURNMENT

It was moved by Council Member Thomas and seconded by Council Member Carozzo to adjourn the meeting at 7:40 pm. Motion carried unanimously.

Brant Kucera
Borough Manager