

OFFICIAL MINUTES

The Regular Meeting of September 21, 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

PUBLIC COMMENTS

There were no public comments from the floor.

KENNETT SQUARE POLICE DEPARTMENT (KSPD)

Chief of Police, Edward Zunino, stated that the KSPD continues in the fight against drunk driving by having all officers trained and certified in impaired driver recognition. He thanked Sherriff Welch for proving four (4) deputies each day of the 2009 Mushroom Festival. The Chief reminded residents to keep their vehicles parked in the most secure area possible and always keep them locked. Valuables should never be in plain view and he reminded residents never to leave a vehicle running unattended or with the keys left inside, even momentarily.

The Chief added to his report the following incidents for August 2009:

- 106 Traffic Citations were issued.
- 71 Written Traffic Warnings.
- 16 Criminal Arrests.
- 2 DUI Arrest.
- Total number of calls was 673.

President Miller thanked the Chief for his report.

CONSENT ITEMS

MINUTES of SEPTEMBER 8, 2009

President Miller presented the September 8, 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 September 21, 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.

BAYARD TAYLOR MEMORIAL LIBRARY ANNUAL REPORT

President Miller introduced Ms. Donna Murray, Director of the Bayard Taylor Memorial Library.

Ms. Murray gave a brief report of the library consisting of the following:

- Borough residents make up 18% of their circulation and save approximately \$220,000 annually by using books from the library instead of buying them.
- Membership has increased by 3,000 in 2009.
- Ms. Barbara Cairns is a newly appointed board member.
- Students read over 18,000 books during the summer.
- They are prioritizing projects due to the economic downturn.
- There were no salary increases in 2009 with none planned for 2010.

President Miller thanked Ms. Murray for her report.

CLOSED LOOP SYSTEM

President Miller introduced Mr. Jason Snyder, Senior Engineer for Rettew.

Mr. Snyder gave a summary of the project. He stated that nine (9) intersections signals will be connected into the Closed Loop Signal System. Eight (8) signals will be replaced. The new signal at Cypress and Walnut Streets was installed in 2008 and will not be replaced however it will be connected into the system. The electronic equipment to interconnect and control the system will be installed in Borough Hall.

Mr. Snyder introduced Mr. Lonnie Young of Rettew.

Mr. Lonnie Young gave a presentation of the environmental issues involved with the project. He explained the Pennsylvania Department of Transportation (PennDOT) permitting and Rettew's investigation of potential impacts. Rettew investigated potential impacts to historic, cultural and environmental resources. Mr. Young explained that because the project is in a borough there were not many environmental impacts. The one (1) impact was associated with the Kennett Square Historic District. Rettew completed the necessary documentation and the Pennsylvania Historical and Museum Commission (PHMC) and PennDOT concluded that there are no negative impacts to the historic district and Rettew obtained clearance. One (1) request that PennDOT made was that the signals be black powder coated and the Borough agreed to this specification. Mr. Young stated that the purpose of tonight's presentation was to fulfill clearance obligations for the environmental permitting process.

Mr. Snyder stated that this project is in the preliminary design stage. The plans have been submitted to PennDOT for review. He commented that the incandescent lights would be converted to LED's, allowing for an annual energy savings of 60%. The signal poles will not be fluted or ornamental. PennDOT is paying for the pole and black powder coating. Mr. Snyder reiterated that the PennDOT permitting process is almost complete. Rettew is awaiting preliminary comments and will then submit the final Categorical Exclusion (CE). The project should be up for bidding in August of next year. The lowest responsible bidder will be awarded the project with construction expected to start in early 2011.

President Miller opened the presentation for questions from Borough Council and public comments.

Council Member Thomas questioned what this project is costing the Borough.

Mr. Snyder replied that he will find out the exact cost and email the information to the Manager.

Council Member Thomas asked for an explanation of the equipment to be installed at Borough Hall.

Mr. Snyder advised that an individual will be able to tweak and monitor the signals from Borough Hall. There will be switches in the control boxes at each individual signal and it will be evident if someone has tampered with the boxes. All the signals will be interconnected by wiring except the signal at Union and South Street, which will communicate via radio signal.

Council Member Thomas asked if the wiring will be new.

Mr. Snyder answered yes.

President Miller asked if they will be fiber optic.

Mr. Snyder answered yes.

A question was raised if it would be better for the Police Department to have the equipment.

Mr. Snyder replied that he did not recommend that. In case of an emergency, the police officers will be able to open each control boxes and operate the lights if, for an example, one (1) light needed to be put on flash.

Council Member Carozzo questioned if anything, such as battery back-up, could be installed for loss of power.

Mr. Snyder advised that a battery back-up would make the control boxes much larger which would impact the American Disability Act (ADA) standards. Because of the limited space and right-of-way the Borough requested that the control boxes mimic current conditions.

The Manager asked if the LED's iced over during the winter.

Mr. Snyder replied that he had never seen this as a problem in Pennsylvania.

Council Member Avello questioned the brightness.

Mr. Snyder advised that the LED's will be significantly brighter. The lights will slowly fade and the red and green lights will need to be replaced approximately every seven (7) to ten (10) years. The amber lights will last significantly longer. Incandescent lights require replacement every year. The Borough should see a three (3) to four (4) year return on their LED investment.

Council Member Pesce questioned if there will be a need for poles up and down State and Cypress Streets.

Mr. Snyder stated that his plans does not show conduit. He will review his plans and respond to the Manager tomorrow.

PUBLIC COMMENT S

Mr. Rudi Steinberger, 332 South Broad Street, questioned if this will help with the timing of the lights.

Mr. Snyder responded yes, there will be timing optimization of the lights. PennDOT has control over all of the signals in Pennsylvania and Rettew will submit timing options for their review

Mr. Ed Thomas, 825 Taylor Street, asked if there was a rough estimate of the cost for the Borough.

Mr. Snyder advised that he will be sending this information to the Manager. He noted that electrical savings would occur. In addition, there would be a decrease in pollution and an increase in efficiency. He stated that there are many benefits to the Closed Loop Signal System and that the increase in fuel efficiency and reduction

of time wasted is something that you cannot put a dollar value on. A computer model will show traffic patterns and effectiveness based on timing schemes. It will be able to show traffic patterns at peak hours. Optical sensors will notice cars at non-peak hours. PennDOT has the final determination but Rettew will make suggestions for their review.

Mr. Snyder thanked Chief Zunino for his assistance with this project.

President Miller thanked Mr. Snyder and Mr. Young for their presentation.

PENNSYLVANIA DEPARTMENT of TRANSPORTATION (PENNDOT) SYSTEMS ELECTRONIC ACCESS AGREEMENT

President Miller presented the PennDOT Electronic Access Agreement for approval.

The Manager advised that this pertains to the liquid fuel funds and will enable the Borough to submit the forms and reports electronically.

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

2010 MINIMUM MUNICIPAL OBLIGATION (MMO) for NON-UNIFORM PENSION PLAN

President Miller presented the MMO for the Pension Plan of the non-Uniform employees for the 2010 budget.

The Manager advised that the 2010 minimum obligation for non-uniform employees is \$108,405. This is covered by the State with no cost incurred by the Borough.

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

2010 MINIMUM MUNICIPAL OBLIGATION (MMO) for UNIFORM PENSION PLAN

President Miller presented the MMO for the Pension Plan of the uniform employees for the 2010 budget.

The Manger advised that the 2010 minimum obligation for uniform employees is \$20,945. This is covered by the State with no cost incurred by the Borough.

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

SPECIAL EVENT APPLICATION 2009 HOLIDAY HOME TOUR

President Miller presented the Special Event Application for the 2009 Holiday Home Tour to be held on December 13, 2009 from 4:00 to 8:00 p.m.

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

PAYMENT NO. 2 SOUTH STREET PROJECT DOUG LAMB CONSTRUCTION, INC.

President Miller presented the application for Payment No. 2 to Doug Lamb Construction, Inc. for the South Street Project.

The Manager advised that the amount of this payment is \$92,636.05 and mainly represents costs associated with sidewalk and apron installation and roadway reconstruction.

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

2009 – 2010 SALT BID SOUTHERN CHESTER COUNTY CO-OPERATIVE

President Miller presented the 2009 – 2010 Salt Bid for approval.

The Manager advised that this bid was obtained through the Municipal Cooperative of Southern Chester County. The lowest bidder was Eastern Salt Company at \$63.25 per ton.

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

**EXTENSION of SECURITY AGREEMENT
LEEVEVER/O'NEILL SUBDIVISION and LAND DEVELOPMENT (SDLD)
SOUTH WALNUT STREET**

President Miller presented a letter from Mr. David Leever and Mr. Thomas O'Neill requesting another 90 day extension on the Financial Security Agreement regarding their SDLD planned for South Walnut Street.

Council Member Thomas expressed his concern for the number of extensions granted for this SDLD and noted that the property is up for sale.

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

OLD BUSINESS

MUSHROOM FESTIVAL

Council Member Thomas commended Ms. Kathi Lafferty and all of the volunteers for making this year's Mushroom Festival such a successful event.

President Miller concurred.

PARKING FORUM

The Manager announced that the Parking Forum is tomorrow evening, September 22, here at the Red Clay Room. The meeting starts at 6:30 p.m.

HISTORIC EAST LINDEN PROJECT (H.E.L.P.) GALA

The Manager announced that the H.E.L.P. gala is September 26, from 4:00 to 8:00 p.m. The event will begin at 101 East State Street.

BUDGET UPDATES

The Manager advised that one of the changes in the upcoming budget is that the solid waste will be a separate fund. Another change is concerning the administrative salaries. Currently the wages of the Manager, Assistant to the Borough Manager and Finance Director are spread out over several funds. In the coming budget they will be a line item in the general fund.

The Manager also stated that there will be a freeze on wages for non-uniform personnel.

There was a discussion regarding the increase in employees without an increase in population.

NEW BUSINESS

HIV/AIDS COMMUNITY INTERFAITH SUMMIT

Council Member Cocks announced that the HIV/AIDS Community Interfaith Summit will be held on October 10, 2009 at Kennett Friends Meeting from 8:30 a.m. to 12:30 p.m.

PUBLIC COMMENTS

Ms. Charla Watson, 523 Magnolia Street, questioned if it is fair to exclude certain employees from the freeze on pay raises and stated that she had a problem with that. Those who are at the low end of the spectrum are going to suffer. She is also concerned that we have more employees than we have ever had on the road crew. Ms. Watson expressed her concern that we are losing money. She said she would like to see the holes in the roadways repaired.

President Miller thanked Ms. Watson for her comments.

Mr. Ed Thomas, 825 Taylor Street, stated that the Mushroom Festival went off without a hitch even though a truck had broken down and blocked a portion of Cypress Street. He expressed his concern of trucks still coming into the Borough and the increase of truck traffic with the expansions of Manfredi's and Country Fresh.

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 7:49 pm. Motion carried unanimously.

Brant Kucera
Borough Manager