

# OFFICIAL MINUTES

The Regular Meeting of November 2, 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. Darman*  
*Council Member J. Thomas*  
*Mayor L. Spencer, Jr.*  
*Manager B. Kucera*

## PUBLIC COMMENTS

Mr. Chip Plumley, 404 Meredith Street and member of the Planning Commission, stated that the Borough's Planning Commission now has a page on Facebook.

Mr. Plumley commented that his street is experiencing flooding during heavy rains. The water appears to be coming from Mulberry and Center Streets onto Meredith Street and at times has caused the water to rise to the bottom of vehicle doors. He asked if this problem could be addressed.

President Miller thanked Mr. Plumley for his comments.

## COMMITTEE REPORTS

### HISTORICAL COMMISSION

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

- The 2009 Holiday Home Tour will be December 13. Tickets will be for sale in six (6) area businesses. A discount will be offered for residents in the Kennett Square zip code.
- Their next meeting is November 11.
- Currently there are two (2) vacancies on the Commission.

President Miller thanked Mr. Maffei for his comments.

## **KENNETT AREA PARK and RECREATION BOARD (KAPRB)**

The KAPRB report was written only and included in the Council packet.

### **CONSENT ITEMS**

#### **MINUTES of OCTOBER 19, 2009**

President Miller presented the October 19, 2009 minutes for approval.

**It was moved by Council Member Thomas and seconded by Council Member Darman to approve the minutes as presented. Motion carried unanimously.**

### **BILLS**

President Miller presented the bills to be paid November 2, 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.**

## **KENNETT AREA PARK AUTHORITY (KAPA)**

President Miller introduced Ms. Pamela Carter, Chairman of KAPA.

Ms. Carter stated that the KAPA Board is grateful to the Borough for their support and highlighted her report for 2009 with the following:

- The opening of the new two and one half (2½) mile Activate Kennett Trail.
- The second year of operation for the 32-bed Community Garden.
- Second year of the free concert partnership with Historic Kennett Square, WXPB and Friends of Nixon Park.
- Installation of an additional trail for the Kennett Run.
- Cosmetic improvements to the playground equipment provided by members of the Longwood Rotary.
- The collapse of the septic field and evaluation of a potential solution.
- Participation in the plans for the proposed gateway project on State Street.

Other annual events in the park include the Family Fun Festival sponsored by State Representative Chris Ross, the Easter Egg Hunt and the Wednesday Night Concert Series.

Council Member Darman commented that the park is such a gem and thanked Ms. Carter and the KAPA Board.

The Mayor questioned what KAPA's response is to the public's request for basketball courts in the park.

Ms. Carter stated that because the park's operation is limited to daylight hours that it did not seem appropriate to install basketball courts. She added that the YMCA currently operates basketball courts on South Street which appear to sufficiently serve the Borough residents.

Council Member Thomas stated that he and Ms. Karen Scherer have discussed the possibility of holding a Native American Powwow in the park.

Ms. Carter stated that the KAPA Board is open to all suggested events.

President Miller thanked Ms. Carter for her report.

## **HISTORIC DISTRICT PLAQUES**

President Miller presented the request from the Historical Commission to purchase two (2) additional bronze Historic District plaques.

The Manager advised that the plaques would be installed on West Cypress Street at South Washington Street and East State Street near the intersection of Race Street. The Commission will pay for the plaques and have requested that the Public Works Department supply the labor and necessary concrete to install the plaques.

**It was moved by Council Member Thomas and seconded by Council Member Darman to approve the purchase and installation of the plaques as presented. Motion carried unanimously.**

## **PAYMENT NO. 3 SOUTH STREET PROJECT DOUG LAMB CONSTRUCTION, INC.**

President Miller presented the application for Payment No. 3 to Doug Lamb Construction, Inc. for the South Street Project.

The Manager advised that the full amount of Payment No. 3 is \$22,678.40 withholding the five percent (5%) total project retainage. This payment mainly represents costs associated with the installation of the remainder of the handicap ramps, sidewalk, grading and seeding.

**It was moved by Council Member Thomas and seconded by Council Member Pesce to approve the payment as presented. Motion carried unanimously.**

## **COMCAST FRANCHISE AGREEMENT**

President Miller presented the Comcast Franchise Agreement for approval.

The Manager advised that he and Council Member Darman worked with Mr. Kevin Broadhurst of Comcast of Pennsylvania, LLC on the proposed agreement which will commence on January 1, 2010. The 15-year agreement also includes a five percent (5%) franchise fee on total receipts and the Borough will receive a one-time \$5,000 grant from Comcast.

Mr. Broadhurst stated that the franchise agreements are now quite streamlined. He thanked Council for allowing Comcast to service the Borough.

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

## **OLD BUSINESS**

### **COACH DOUG MERRILL**

#### **RUN to the KEYS**

The Mayor advised that Coach Doug Merrill will be traveling through the Kennett Square area on Wednesday, November 4, 2009 in route to Key West, Florida. At 9:30 a.m., he will be joined by members of Kennett High School's Cross Country Team for part of the trek.

## **NEW BUSINESS**

### **WEST SOUTH STREET PROJECT**

The Mayor stated how proud he is of the completion of the West South Street Project. The installation of sidewalks has addressed a major public safety issue in this portion of the Borough. He has heard many positive comments from the public. The Mayor advised that the Ribbon Cutting Ceremony is at 4:30 p.m. on Friday, November 6, 2009 and invited the public to attend.

## **PUBLIC COMMENTS**

There were no public comments from the floor.

## **ADJOURNMENT**

**It was moved by Council Member Thomas and seconded by Council Member Pesce to adjourn the meeting at 6:55 pm. Motion carried unanimously.**

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Brant Kucera  
Borough Manager