

OFFICIAL MINUTES

The Regular Meeting of November 16, 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
Vice-President 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

PUBLIC COMMENTS

Ms. Charla Watson, 523 Magnolia Street, stated that she was misquoted in the Daily Local News article regarding the Kennett Area Park Authority's (KAPA) decision not to install basketball courts in Anson B. Nixon Park. Ms. Watson stated that she is not racist and represents all people and that no one understands equal rights more than her. She added that we want to urge children to play outside and is upset that KAPA stated that they will not install basketball courts.

Ms. Leslie Whiteside, 802 Wayne Avenue, stated that she knows that the article in today's newspaper was not from Council and hopes that the mentality in the article is something that Council does not share. Ms. Whiteside questioned what the next step is to encourage KAPA to implement the basketball courts.

A discussion ensued among Council, the Mayor and Ms. Whiteside regarding basketball courts in Anson B. Nixon Park.

KENNETT SQUARE POLICE DEPARTMENT (KSPD)

The Mayor stated that training continues in the KSPD with Detective Trevisan and Patrol Officers Oscar Rosado and Sarah London receiving training on Investigations into Child Sexual Assaults. This training was sponsored by the Chester County District Attorney's Office and the Chester County Police Chiefs Association.

The Mayor reported that three (3) residential break-ins occurred in October and reminded the public to lock their residences. Two (2) Honda vehicles were stolen one (1) night apart on November 10 and 11.

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

- 97 Traffic Citations were issued.
- 68 Written Traffic Warnings.
- 12 Criminal Arrests.
- 8 DUI Arrest.
- Total number of calls was 615.

President Miller thanked the Mayor for his report.

PUBLIC HEARING PROPOSED AMENDMENTS to CHAPTER 4 PROPERTY MAINTENANCE CODE

President Miller advised that this public hearing is for the proposed amendments to the Borough of Kennett Square Code, Chapter 4, Buildings and Plumbing.

President Miller opened the public hearing at 6:55 p.m.

The hearing was conducted with a stenographer and a transcript of this public hearing is available from the Chester County Court Reporters' office for a period of seven years.

President Miller closed the public hearing at 7:15 p.m.

It was moved by Council Member Thomas and seconded by Council Member Carozzo to approve the Property Maintenance Ordinance as presented.

A discussion ensued among Council regarding the comparison of the current Property Maintenance to the proposed changes.

Mr. Russell Drumheller, Codes Enforcement Officer, agreed to send to Council both versions and will highlight the proposed changes.

It was moved by Council Member Darman and seconded by Council Member Thomas to continue this public hearing until the Council meeting on December 7, 2009. Motion carried unanimously.

PUBLIC HEARING
PROPOSED AMENDMENTS to the ZONING ORDINANCE
PROVIDING for the RC NEIGHBORHOOD DEVELOPMENT

President Miller advised that this public hearing is for the proposed amendments to the Borough of Kennett Square Zoning Ordinance by providing for the RC Neighborhood Development (RCND).

President Miller opened the Public Hearing 7:15 p.m.

The hearing was conducted with a stenographer and a transcript of this public hearing is available from the Chester County Court Reporters' office for a period of seven years.

President Miller closed the Public Hearing at 7:58 p.m.

ORDINANCE NO. 879
AMENDMENTS to the ZONING ORDINANCE
PROVIDING for the RC NEIGHBORHOOD DEVELOPMENT

President Miller presented the ordinance amending the Borough of Kennett Square Zoning Ordinance by providing for the RC Neighborhood Development (RCND) for approval.

It was moved by Council Member Darman and seconded by Council Member Cocks to approve the ordinance amending the Borough of Kennett Square Zoning Ordinance by providing for the RC Neighborhood Development (RCND) as presented. Motion carried with a 5 to 2 vote with Council Members Thomas and Carozzo voting no.

The Ordinance was assigned number 879.

CONSENT ITEMS
MINUTES of NOVEMBER 2, 2009

President Miller presented the November 2, 2009 minutes for approval.

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

BILLS

President Miller presented the bills to be paid November 16, 2009 and the bills since the last meeting.

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

PRESENTATION of the PROPOSED 2010 BUDGET

The Manager thanked Ms. Kathy Holliday, Finance Director, for her hard work on the proposed 2010 budget. He continued with the presentation consisting of the following highlights:

- Balanced Budget.
- Wages of all non-uniformed employees have been frozen.
- All capital outlay in the General Fund has been removed except for one (1) new squad car.
- Administrative staff fully accounted for in General Fund.
- Public Works reduced by 1.25 full-time equivalent (FTE) employees.
- Proposing to charge \$55/quarter for solid waste; solid waste now accounted for as in Internal Service Fund.
- Water Rate is proposed to increase by \$1.00/1,000 gallons of excess usage.
- Sewer Rate is proposed to increase by \$1.25/1,000 gallons of excess usage.
- Tax Rate is proposed to increase by one (1) mil.

The Manager noted that the potential sale of the water system is still being considered with further research being conducted.

The Manager advised that the public hearing to consider the proposed 2010 Budget and Tax Rate is scheduled for December 7, 2009.

President Miller thanked the Manager for his presentation.

SET PUBLIC HEARINGS 2010 TAX RATE and 2010 BUDGET

President Miller presented the advertisement for the public hearings to consider the enactment of an ordinance establishing the tax rate for Fiscal Year 2010 and to consider the 2010 Budget. The public hearings will be held during the Council meeting on December 7, 2009.

It was moved by Council Member Darman and seconded by Council Member Carozzo to approve the public hearing date and advertisement as presented. Motion carried unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

BASKETBALL COURTS in ANSON B. NIXON PARK

It was moved by Council Member Thomas and seconded by Council Member Cocks for the Manager to draft a letter to Kennett Area Park Authority strongly recommending that they reconsider implementing the basketball courts in Anson B. Nixon Park. Motion carried unanimously.

PUBLIC COMMENTS

Ms. Charla Watson stated that she knew that Council was not responsible for the article in the newspaper. She noted that we can pull away from the KAPA board and we need to if they do not comply with the Borough's request. Ms. Watson added that she does not agree with the housing. She added that we do not give Mr. Pia the right to build 90 houses and that this matter needs to be investigated more. Ms. Watson stated that Borough should sell one (1) or more of their properties and increase taxes by one (1) mil to balance the budget and not increase water and sewer rates.

ADJOURNMENT

It was moved by Council Member Thomas and seconded by Council Member Cocks to adjourn the meeting at 9:07 p.m. Motion carried unanimously.

Brant Kucera
Borough Manager