

OFFICIAL MINUTES

SWEARING IN CEREMONIES

MAYOR

District Judge Daniel Maisano administered the Oath of Office to the newly elected Mayor, Matthew W. Fetick.

COUNCIL

Mayor Matthew W. Fetick administered the Oath of Office to the four (4) newly elected Council Members. They are:

Enrico H. Avello, Jr.
Geoffrey R. Bosley
Danilo P. Maffei
F. Sean Walker

The Regular Meeting of January 4, 2010 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 Mayor Matthew W. Fetick in the Chair.

ROLL CALL

Present were:

Council Member E. Avello, Jr.
Council Member G. Bosley
Council Member W. Carozzo
Council Member J. Cocks
Council Member D. Maffei
Council Member D. Miller
Council Member S. Walker
Mayor M. Fetick
Manager B. Kucera

OFFICE of PRESIDENT of BOROUGH COUNCIL

The Mayor requested nominations for the position of President of Borough Council.

Council Member Cocks nominated Council Member Miller as President of Borough Council.

There were no further nominations from the floor and the Mayor closed the nominations. Mrs. Karen Scherer called the roll of votes for Council Member Miller. Council Members Avello, Bosley, Carozzo, Cocks, Maffei, Miller and Walker voted yes for Council Member Miller as President

The Mayor announced that Council Member Miller had been elected as President of Borough Council.

The Mayor passed the Chair to President Miller.

OFFICE of VICE-PRESIDENT of BOROUGH COUNCIL

President Miller requested nominations for the position of Vice-President of Borough Council.

Council Member Bosley nominated Council Member Maffei as Vice-President of Borough Council.

Council Member Carozzo nominated Council Member Avello as Vice-President of Borough Council.

There were no further nominations from the floor and President Miller closed the nominations.

Mrs. Scherer called the roll of votes for Council Member Maffei. Council Members Avello, Bosley, Cocks, Maffei, Miller and Walker voted yes for Council Member Maffei as Vice-President. Council Members Carozzo voted no.

President Miller announced that Council Member Maffei had been elected as Vice-President of Borough Council.

APPOINTMENT to the PUBLIC SAFETY COMMITTEE

President Miller stated that due to the expired term of former Council Member Pesce there is a vacancy on the Public Safety Committee. He noted that this is a Presidential appointment and appointed Council Member Carozzo to the Public Safety Committee.

PUBLIC COMMENTS

Mr. Rudy Steinberger, 332 South Broad Street, stated that it is his understanding that the new Council has the privilege of re-examining the 2010 budget and he expressed his concern of the new trash fee.

Ms. Rosemary Malatesta, 221 South Union Street, stated that she started the day with the breakfast honoring Mayor Leon R Spencer, Jr. and what he has created in this community. She commended the Council as it sits tonight stating that they are honorable and expressed her gratitude for their service.

Mr. John Thomas, 406 South Broad Street, congratulated the new Council and wished them luck. He asked all of the Council to follow their oath and by doing so they will better serve the community.

Ms. Charla Watson, 523 Magnolia Street, congratulated the new Council Members and stated that she looks forward to their service. She stated that we need to address issues and overcome them.

Ms. Leslie Whiteside, 802 Wayne Avenue, stated that she is here tonight to tell the entire truth and stated that she is appalled and offended to the attacks on her character. She stated that she does not appreciate being labeled a trouble maker when in fact she cares about the community.

Mr. Tony Talamonti, 584 East Cypress Street, wished the new Council luck. He stated that as a community activist for many years, it appears to him that the community continues to move in the wrong direction. Mr. Talamonti stated that the Borough gave land to the YMCA which prevents tax income for Kennett Square. Mr. Talamonti questioned if anyone in the Borough is getting free water and sewer.

Mr. Marc Pevar, 606 Ridge Avenue, urged Council to have a heart for the disadvantaged in the Borough. He stated that it is illegal to transfer water/sewer monies to the general fund and this practice must stop. Mr. Pevar questioned why the water and sewer rates are high. He expressed his desire for the public to have time to comment before each Council vote.

COMMITTEE REPORTS

HISTORIC KENNETT SQUARE

Mrs. Mary Hutchins welcomed Mayor Fetick and the new Council Members. She highlighted her report with the following:

- The 2009 holiday season was a challenging one and she thanked the Borough Administration and the Public Works Department for their support during the holiday season.

- Their annual meeting is 6:00 p.m. on Thursday, January 21 at The Kennett Flash.
- The Executive Committee is conducting interviews for open positions on the board.
- She continues to work on grant funding and marketing for the Farmers Market.
- They are looking forward to the second year for The Kennett Flash.

President Miller thanked Ms. Hutchins for her report.

KENNETT AREA PARK and RECREATION BOARD (KAPRB)

Mrs. Claire Finfrock highlighted her report with the following:

- They are considering installing lights in the upper field.
- They are always looking for millings for the surface of the parking lot at Pennock Park.
- Re-seeding will take place this spring and the Spring Clean-up is scheduled for March 20.
- Jr. Basketball program underway with games beginning this week.
- January 15 the registration will be on their website for ages 6 -13
- She congratulated the new officials.

President Miller thanked Mrs. Finfrock for her report.

CONSENT ITEMS

MINUTES of DECEMBER 7, 2009

President Miller presented the December 7, 2009 minutes for approval.

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

MINUTES of DECEMBER 14, 2009

President Miller presented the December 14, 2009 minutes for approval.

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

BILLS

President Miller presented the bills paid since the last meeting for approval.

It was moved by Council Member Cocks and seconded by Council Member Walker to approve the bills as presented with the exception of the YMCA, \$53,190.15. Motion carried unanimously.

The Manager will research the reason for YMCA bill and report back to Council.

RESOLUTION NO. 10-01 AMENDING the 2010 FEE SCHEDULE

President Miller presented a resolution revising the 2010 Fee Schedule.

The Manager advised that the revisions are as follows:

- Page 2, Re-Inspection Fee - \$50.
- Page 3, Subdivision/Land Development, Escrow Administrative Fee - 8% of total invoice.
- Page 5, Fire Alarm Installation, All Other Uses - \$150 + \$100/Floor.
- Page 5, Use and Occupancy for Change of Use, Residential - \$65 and Commercial - \$125.
- Page 6, addition of Special Land Use Application.
- Page 6, Parking Fees, Temporary Permits (Lots) - \$45/month.
- Page 6, Parking Fees, Long Term Parking Garage Permit - \$630/year (paid on an annual basis) and \$60/month (paid on a monthly basis).

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

The resolution was assigned No. 10-01

SPECIAL EVENT APPLICATION CINCO de MAYO FESTIVAL

President Miller presented the special event application for the Cinco de Mayo Festival to be held on Sunday, May 2, 2010 with a rain date of Saturday, May 8, 2010.

It was moved by Council Member Cocks and seconded by Council Member Maffei to approve the special event as presented. Motion carried unanimously.

NEW BUSINESS

M L KING BREAKFAST and PLAY BACK for CHANGE

Council Member Cocks announced that the annual Martin L King, Jr. Breakfast will be held at 8:00 a.m. on Monday, January 28 at the Red Clay Room. At 10:30 a.m. on the same day, Play Back for Change will be performing at the Kennett Flash.

TIME CHANGE for COUNCIL MEETINGS

It was moved by Council Member Carozzo and seconded by Council Member Bosley to change the meeting time for the Council meetings to 7:00 p.m. Motion carried unanimously.

President Miller advised that the time change will begin with the January 19, 2010 meeting.

MEETING FORMAT

Council Member Avello suggested that the Council meetings be reformatted into one (1) meeting as a workshop and the other a business meeting.

AGENDA and BUDGET PROCESS

Council Member Bosley suggested that information about each agenda item be provided to the public.

Council Member Bosley suggested that Council's work on the budget process begin much earlier in the year than November.

APOLOGY from COUNCIL MEMBER CAROZZO

Council Member Carozzo stated that he believes that Ms. Watson and Ms. Whiteside were looking for an apology. He apologized to both women for not being included in the meeting with KAPA regarding the basketball courts.

RESPECT

Council Member Avello said that we now have three (3) new members on Council and we can work towards respecting the public and the public respecting us.

PUBLIC COMMENTS

Mr. John Thomas, 406 South Broad Street, questioned why public comments are limited to agenda items only. Mr. Thomas stated that he hopes that this is a new beginning and shared his belief that a work session is a perfect opportunity to hear from the citizens.

Mr. Derrick Flax, 221 East Linden Street, stated that he and his wife are members of the Historic East Linden Project (H.E.L.P.) board and noted that Ms. Theresa Bass attended the meeting regarding the basketball courts as a private citizen and was not representing H.E.L.P. Mr. Flax added that the public should have input into format changes to the Council meetings.

Ms. Charla Watson, 523 Magnolia Street, stated that there were a lot of things that happened here tonight that affect the public and that they should have input. She added that President Miller does not have the right to dictate when the Council Members may speak. Ms. Watson said that Council had always met the first and third Monday of each month and that in the past the public was allowed to speak prior to each individual item on the agenda. She added that when ordinances are changed then there should be information provided to the public.

Ms. Leslie Whiteside, 802 Wayne Avenue, referred to the saying "for the people by the people" noting that she was taken back by what was said tonight and questioned how the public can have their questions answered. She thanked Council Member Bosley for expressing recommendations and suggested that the School Board's format be considered.

Mr. Marc Pevar, 606 Ridge Avenue, stated that we all want the town to improve. The budget needs continuous improvement and the parking fees need to be increased. Mr. Pevar added that during a Council retreat there will be a quorum present and the public should be allowed to attend.

Mr. Carlos Navarro, 311 Meredith Street, congratulated the new Council and Mayor. He added that he is a citizen of the United States by choice and is proud to be a resident of the Borough.

Mr. Tony Talamonti, 584 East Cypress Street, stated that we are a festival town. He said that it is great to have festivals in this town but we need to make a bunch of money off of them. It causes a lot of inconvenience for the residents and the citizens do not get anything.

EXECUTIVE SESSION

President Miller announced that Council will hold a brief Executive Session at 8:05 p.m. on January 14, 2010 to discuss personnel matters.

ADJOURNMENT

It was moved by Council Member Carozzo and seconded by Council Member Cocks to adjourn the meeting at 8:00 p.m. Motion carried unanimously.

Brant Kucera
Borough Manager