

**MINUTES OF THE BOARD OF SUPERVISORS
OF KENNETT TOWNSHIP**

**801 Burrows Run Road
Chadds Ford, PA 19317**

February 15, 2017

Hoffman called the meeting to order at 7:00 p.m.

Present: Chairman, Scudder G. Stevens
Vice-Chair, Whitney S. Hoffman
Supervisor, Dr. Richard L. Leff
Township Manager, Lisa M. Moore
Public Works Director/Roadmaster, Roger Lysle
Chief of Police, Lydell Nolt

MINUTES

Leff made a motion to approve the minutes from February 1, 2017. Hoffman seconded the motion. Motion carried unanimously.

ANNOUNCEMENTS/REPORTS

Chief of Police Report

Chief Lydell Nolt presented the Chief of Police Report for the month of January 2017:

The Kennett Township Police Department in conjunction with the Pennsylvania State Police provided police services to 481 police incidents in the municipality of Kennett during the month of January 2017. State Police Avondale Barracks provided police service to 53 of those incidents.

The department conducted multiple focused traffic enforcement details in January 2017. We continue to have an upward trend of traffic crashes in the last five years. This is largely due to the increase in vehicular traffic in the area. 2016 was the highest in the last five years with a total of 200 crashes. Crashes combined with driving complaint reports in 2016 generated 561 police reports. Over 95% of the vehicle crashes investigated by the department were due to driver related causes. Causes related to speed; failing to obey posted signs and distracted driving were the most significant causes. The focused enforcement details resulted in 113 traffic stops, 58 traffic citations, 27 written warning, 4 overweight vehicles and 24 verbal warnings. These focused details promote roadway safety.

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The police department, public works department and PennDOT are working together to engineer an intersection improvement plan for two intersections. Old Kennett Road @ Bayard Road and Creek Road @ East Hillendale Road, both locations have been classified as needing improvement by PennDOT due to crash statistics. The department continues our community policing project with Greenwood Elementary School. This project resulted in 14 interactions in the month of January.

Officer Richard Bell is leaving his part time position in Kennett Township to take the Chief of Police in Frackville Borough, the Township staff and Board of Supervisors wishes him well.

The Township Police department has been awarded an aggressive driving grant for 2017 which will assist the department in combating aggressive driving in the Township.

The Police Department along with the Kennett Square Borough Police Department and a representative of the State Police conducted another Public Safety forum which was held at Crosslands this week. Over forty guests were in attendance and a great conversation took place. The topic of crimes targeting senior citizens was overall topic. Another will be held next week at Kendal, February 21st at 10am focusing on the same topic.

Roadwork Report

Roger Lysle presented the Roadwork report for 1/12/17-:

- 1. Tree trimming has been our main focus this month. Walnut Street was trimmed out for the new park entrance. All low brush was cleared out to clear a way for the contractor to come take four bigger trees down to clear electric wires, we will then finish them. Notices were passed out in Falcon Lair and Hartefeld for trimming.*
- 2. A tree was called in for a possible safety issue on Burnt Mill Road at the Delaware line. PennDOT was notified but they said it was in Delaware. DelDOT came and looked at it and said the part that was leaning was in PA. Calls kept coming in by neighbors worrying that it would fall. To fix the issue, the Township Crew cut it down and put it in the woods.*
- 3. A storm on the 23rd of January with high winds and heavy rain kept crews busy keeping roads open for traffic. Only one tree had taken down the wires, but we were able to pull it out and cut it up to open the Road until PECO could come out.*
- 4. Our Co-op with the other Townships had a meeting getting our material numbers together so we can advertise and go out to bid. This bid is for stone, fuels, line painting, road oil and black top for patching.*
- 5. On dry days, pot holes are being patched with tarpot along with break out areas.*
- 6. A little snow on the 30th of January made for icy roads due to the time of day and temperatures. The Township road crew came in and salted all roads.*

7. *Water meter repairs and replacements are being done in areas where sewer service is available. Appointments are made with meters that require less service. Old meters are being upgraded to a new less that requires less maintenance.*
8. *An accident on North Walnut Street on February 1st took out all of the guide rail at the new park entrance. The crew spent the day tearing out the damaged material and installing new posts and panels that was planned to be moved in the upcoming month.*
9. *Two big trees on Woodward Road were taken down due to the soft ground and the weight of the trees creating a safety hazard with them leaning in to the roadway.*
10. *The detour signs for Chandler Mill Road were removed off of Kaolin Road. No outlet signs were posted at Round Hill Road and Chandler Mill Road. Bridge out signs and Barricades are still on the bridge.*

Comments:

Hoffman thanked Lysle for his prompt response to a pothole complaint from a Township resident for a PennDOT road.

Kennett Fire Company Report

No report was given this month.

Managers Report

Barkingfield Park:

The Barkingfield Park Committee met on Monday to discuss the next steps for the park. This coming year, the following projects will take place: implementation of the wildflower meadow, sunflower meadow, an orchard, rain garden, tot lot and the addition of shade trees around the dog park. Tom Comitta is working on a cost estimate for all components the projects.

The dark wood on the park fence posts will be sanded.

The committee will be approaching local businesses for donations to help cut down on costs of some of the improvements. They will also be contacting the Boy Scouts about possibly building benches.

Lisa Moore noted that a water supply needs to be figured out.

She added that Roger Lysle will be working on the parking lot to make it less susceptible to being muddy.

Leff commented that getting volunteers and donations are good ideas. Lisa Moore commented that she has received several inquiries for people willing to donate benches.

Sara Meadows is working on creating a plaque to put up at the park to recognize the previous property owner.

The only thing the committee is holding off on are the plans for the community gardens. A survey was sent out and most respondents did not feel the gardens were needed as most property owners in the Township have enough property for their own gardens. This is still an option for the future; it's just not being worked on this year.

Grant Update:

Lisa Moore stated, as previously reported, that the Township has received over 2.5 million dollars in grants in the past year. The Township has been working on the process to complete the work and move forward with these grants. Revised scopes of work and the application for additional grants is also being done.

Economic Development Study/Vision Partnership Grant

Lisa Moore reported she has been working with the Borough on a joint Vision Partnership Grant to amend the Zoning Ordinances that were contained in areas of the Economic Development Study.

Borough Partnership:

Lisa Moore reported that she has also been working with the Borough Manager, Joe Scalise to develop a list of joint projects and areas to work together on to save money. Some of these include: Stormwater, Zoning, road equipment, etc.

Kennett Square Gateway:

Lisa Moore reported that she is working with the Borough and Longwood Gardens to enhance the Gateway into the Borough.

Historic Kennett Square Board:

Lisa Moore reported that she has been invited and has accepted a request to serve on the Historic Kennett Square Board.

Longwood Crossing HOA/Giant:

Lisa Moore reported that she and Stevens met with the Longwood Crossing HOA. The Giant food store is looking to have early morning deliveries on Sundays. This is opposed by the HOA and the Township. The Township is trying to work with Giant and the HOA to mutually create an agreement before an appeal is needed. Stevens commented that he hopes East Marlborough will join the discussion.

Royal Farms:

Lisa Moore reported that a Royal Farms and possibly a restaurant are being proposed to be constructed across from the Bank of America and access road to Walmart. Some of the property is in the Township and the remainder is in East Marlborough. The developer is working on traffic plans with PennDOT. Stevens noted that this will impact the traffic at this intersection immensely.

Comments:

Chris Burkett asked for clarification about water at the park and if there will be public bathrooms there.

Lisa Moore commented that there have been initial conversations about this but nothing has been decided yet.

Burkett asked if there is already water and sewer at the maintenance garage and if so, why couldn't it be piggy backed from that. It was discussed that holding tanks are not preferred in the Township but pump and haul could be an option for the park. It was also discussed that a water connection is available near the property. Lisa Moore responded she hopes to have the water issue solved before the summer.

NEW BUSINESS

Pay Bills

Leff made a motion to pay the bills for the month per the bill vouchers. Hoffman seconded the motion. Motion carried unanimously.

Kennett Township Police Association Recognition

Lisa Moore presented an overview of the Kennett Township Police Association recognition request. The Kennett Township Police Association is requesting that the Kennett Township Manager, Lisa Moore as well as the Kennett Township Supervisors, Scudder Stevens, Dr. Richard Leff and Whitney Hoffman officially recognize the Kennett Township Police Association (KTPA) as the sole bargaining unit for the Kennett Township Police.

The Kennett Township Police Association will represent all full time and part time officers with the exception of the Chief of Police or any rank above Sergeant.

The purpose of this association is to have a single, united voice with which to communicate with the Chief of Police, the Kennett Township Manager and the Kennett Township Supervisors in all professional matters, other than actual policing matters, to include collective bargaining, discipline and other benefits.

Currently the members of the association are: Matthew Gordon, Jeffrey Call, John Ortiz, Amanda Wenrich, Brandi McCoy and Richard Bell but would include all police officers hired after 12/28/2016.

Leff made a motion to recognize the Kennett Township Police Association as the sole Bargaining Unit for the Kennett Township Police. Hoffman seconded the motion.

Discussion:

Leff asked if this would include part time officers. Lisa Moore commented yes, but it excludes any rank above Sergeant and the Chief of Police.

Stevens asked how this would cover disciplinary action. Lisa Moore responded that first any discussions would be with a representative of the association and the Chief of Police, then the Township Manager and if it cannot be resolved, ultimately, the Board of Supervisors.

Chief Nolt noted that he believes having an association is much easier than managing individual contracts. This association creates one unit or individual instead of dealing with each person individually.

Stevens asked if the paperwork/structure is already in place. Nolt responded that it is the responsibility of the association to set up, manage and facilitate the association. Lisa Moore noted it does not cost the municipality any money to set up the association. She noted that the document requesting the association was sent to the Supervisors and has been reviewed by the Township Police attorney.

Leff asked if this is a union. Nolt commented in a sense, yes, although they are more of a bargaining unit.

Burkett asked what the future and planning looks like for the Police department; for example how many more police officers, vehicles and office space. Stevens responded that the Board has been meeting with the Chief of Police and the officers of the department to address the needs of police services in the Township. Stevens noted that the Township opted not to follow the regional police model just over a year ago. The Township has gone from a one person Police force to a more robust police force that is involved in the Community and has a much lower dependency on the State Police. Stevens noted he believes the Township has developed a light/agile police force with a very positive result on what has been happening. He noted that about six years ago, the Chief of Police asked for 9 police officers but the recommendation was made to slowly work on developing the department to match the needs of the Township. Stevens noted that he is not in a position to give the depth of an answer Burkett may be looking for, but he feels the Township has been very careful in the implementation of the Police department and will continue to be careful and mindful of the decisions it makes.

Chris Burkett commented that he appreciated the response, noting that nobody has a crystal ball and his concern is the benefit of the Police department verses paying pensions in the future. Burkett asked that the Board of Supervisors be judicious in how it obligates the tax payers of the Township for the future liability of pensions.

Chris Burkett noted that there will be a huge number of concerns that will come before the Board of Supervisors when the time comes that the present building is no longer suitable for the Police department. Burkett added that it is nice knowing the police are in everyone's backyard, but there is a cost to the service.

Lisa Moore commented that there has been a lot of discussion as to the future space requirements for the Police department and the decision has been made and she and the Chief have started looking at the Fussell House in an effort to use a building the Township already owns.

Hoffman commented on the response time of the Police department verses the State Police and noted that it is important to keep an open eye to the expenses but it is also important to keep other options open and on the table.

Chief Nolt commented that at the end of the day, policing is a lot about money and a properly funded Police agency is a thriving and productive Police agency. Nolt noted that several years ago, he had spoken to Stevens about the notion of properly supporting the Township's Police agency, not by having an open checkbook, but by having fiscal responsibility and proper management, that is what will produce a positive return in the public safety arena for the community. Nolt welcomed the continued comments and ideas because they are what keeps the Police agency running and moving forward in a positive way.

Leff noted that his view of this matter is similar to Burkett's and one that any municipality faces. He continued that right now, if you call 911, 8 to 9 times out of 10, you will get a Kennett Township Police Officer and they will come with the Philosophy of the Chief of Police. Leff noted that he believes it is a good idea to have the Association because it gives the Police Officers a combined voice at the table.

Leff added that the Board of Supervisors is paying attention to the numbers and while the Township Police are not a 24 hour department, the Township has an 85% - 90% response rate verses the State Police.

Chief Nolt noted that the State will likely start to charge municipalities that do not have a Police department in order to pay for State Police coverage.

Stevens commented on the importance of relationships and ensuring that the Police are involved in the Community. As to fiscal responsibility, Stevens noted that the Board of Supervisors considers costs and spending when making decisions on policing and added that there has not been and will not be any frivolous spending.

Motion passes unanimously.

Commendation for Detective Amanda Wenrich

Chief Nolt presented Detective Amanda Wenrich with a Commendation for Excellence for her hard work and for going above and beyond for the Community. Nolt explained that in January 2016, Wenrich was involved in the investigation of a burglary in Kennett Township, which is now known to have been committed by professional career criminals, who ultimately stole several hundred thousands of dollars from the home. From Wenrich's investigation, DNA was found and linked to these individuals who were also found to be involved with Federal and other Pennsylvania county cases. Her investigation will also lead to prosecutions in those cases.

Community Based Land Stewardship Pilot Program and Sustainable Community Assessment

Lisa Moore presented an overview of a proposed pilot program and introduced Shelia Fleming of the Brandywine Conservancy who worked on a proposal to develop a Community Based Land Stewardship Pilot Program which would entail how the natural areas of the Township can be enhanced. The proposal includes engaging the community in the process of developing the best practices for land management. In the end, a plan would be developed to identify what the standard would be and what resources will be needed to maintain the natural areas of Barkingfield Park and other open spaces. Lisa Moore noted that the cost to develop this program would be \$9,250.00 and she explained that she felt with the Township purchasing open space and managing a new park, this would be a helpful working document and plan.

Hoffman commented that Land Stewardship can be very broad and noted that breaking it down to what it really means would be helpful.

Hoffman commented that having a plan on how to manage the Township's land would be very helpful.

Leff asked if this would include parts of the areas adjacent to the Park and if it would include the neighbors, with their permission. Lisa Moore replied yes, it would include ideas on how to enhance those areas and if approved, adjoining neighbors could participate if they wanted to.

Leff made a motion to approve and authorize the Township Manger to proceed with an expenditure up to \$9,250.00 for the Barkingfield Park Stewardship plan. Hoffman seconded the motion.

Discussion:

Diane McGovern asked if the inventory would include the trees, plants and wildlife on the property. Fleming replied it would. McGovern commented that she would like to see suggestions to encourage more wildlife on the property.

Motion passes unanimously.

SUBDIVISIONS

South Mill Mushrooms-Lot line Change

Lisa Moore presented plans for the South Mill Property, explaining that the property is located on Cypress Street and is identified as tax parcel 60-2-98 in New Garden Township and 62-3-74 in Kennett Township. The applicant is proposing to redefine the common line in order to add acreage to the Kennett Township parcel from the New Garden parcel. The Planning Commission recommended Final Plan approval to the Board of Supervisors February 14, 2017.

Hoffman made a motion to approve the Final Lot Line Change Plan for the South Mill Property prepared by DL Howell Associates dated 6/20/16 last revised 2/3/17 consisting of 1 sheet. Leff seconded the motion.

Discussion:

Leff asked how much would be left in Kennett Township. Lisa Moore replied there will be 5 acres left in Kennett.

Motion carried unanimously.

Chatham Financial Parking Lot

Lisa Moore presented plans for the Chatham Financial Parking Lot application noting that the property is located on McFarlan Road, identified as tax parcel no. 62-4-67 and 62-4-67.1 and consists of approximately 3.22 acres. The applicant is proposing to create a parking lot. The Planning Commission recommended Final Plan approval on February 14, 2017, with conditions. Lisa

Moore asked that the Supervisors approve the Final Land Development Plan for the Chatham Financial Property prepared by DL Howell Associates dated 12/28/16 containing 22 sheets with Conditions.

Leff made a motion to approve the Final Land Development Plan for the Chatham Financial Property prepared by DL Howell Associates dated 12/28/16 containing 22 sheets with the following Conditions:

1) All conditions referenced in the February 6, 2017 Remington Vernick letter be addressed.

2) The plan be revised to include the annotation from the Township Solicitor as to relinquishing rights to build a parking garage.

Hoffman seconded the motion.

Discussion:

Leff asked if there was any meaning to the lighter vs. darker lines on the plan. John Jaros replied that the darker notations are the parts being added.

Motion carried unanimously.

PUBLIC COMMENT

Diane McGovern asked if there is an update on the Chatham Financial Cox Tenant House and if there is an update on the 80 acre parcel the Township is looking to acquire. Lisa Moore replied that both are still in the works but there are no updates at this time.

ADJOURNMENT

Leff made motion to adjourn. Hoffman seconded the motion.

Motion carried unanimously.

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Michael O'Brien
Recording Secretary