



## Board of Supervisors Reorganization Minutes

January 3, 2022 | 7:10 p.m. | Remote Meeting Via Zoom

**Present:** Dr. Richard L. Leff, Chairman; Scudder G. Stevens, Vice Chair; Geoffrey Gamble, Esq., Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance/HR Director; Diane Hicks, Planning and Zoning Director; Roger Lysle, Public Works Director; Matt Gordon, Chief of Police; Dave Sander, Township Solicitor

### 1. Call to Order (Eden R. Ratliff)

Eden Ratliff called the meeting to order at 7:02 p.m. and lead everyone in the Pledge of Allegiance.

### 2. Swearing In

#### a. New Supervisor – Geoffrey Gamble, Esq.

Ratliff introduced Geoffrey Gamble, Esq. as the newly elected Kennett Township Supervisor and the honorable Judge Albert Iacocco, who swore Gamble in. Following the swearing in ceremony, Gamble shared the following remarks:

*I'll be brief but I have some thank-you/s to make and a couple of comments to introduce myself. My campaign team: Ted Moxon, Hunter Tower, Cathy Burkett, Suzana Lucas, Dave Shoemaker and Meg Gamble - I thank you all from the bottom of my heart for all that you did to bring us to victory. I am also grateful for those of you who so generously made donations without which victory would not have been possible. I want to thank those who came out on a miserable day weather-wise - Republicans, Independents and some Democrats who publicly supported me and voted for me. I thank my wife, Dorcas, who has put up with my absences and things not getting done around the house this past year. Lastly, I want to express my gratitude to the Board of Supervisors and Township Manager who have been so generous with their time. This was especially true of Whitney Hoffman, my opponent, who was as gracious as she was kind.*

*During the recent campaign, many people asked me what my political philosophy was - sometimes not in a very nice way! I have thought about it, and it can be described by a profile someone recently shared with me. On the national level I am a Conservative Republican. On the State level I am a Libertarian. From my days on the School Board, and endless state unfunded mandates, I think the less the Commonwealth interferes with us the better. On the Township level, I could easily be a Democrat, because I share in many of their goals, such as Open Space and the Kennett Greenway, but these need to be achieved in a fiscally responsible way. On the Neighborhood level I am probably a Socialist - we share food up and down the lane on which we live. On my Family level, I could be described as a Communist, because I share everything with the members of my family. I think most of us probably fit this profile to some degree no matter what national political party we belong to.*

*Now, by any definition I am also old. A couple of years ago I traveled to Canada. While filling out the card at the immigration counter I forgot to put in my birthdate. The Immigration Officer pointed out my omission. As I was filling it in, I remarked to him: "The last time I was here I was a sexagenarian. Since then, I have become a septuagenarian." With a straight face the Officer looked up and said, "Transgender people are very welcome here in Canada." Exactly a year ago, I was deathly ill with the Corona Virus and didn't even begin to feel well until the middle of February. I came to the conclusion that God did not spare me just to sit in a rocking chair for my remaining days, so here I am.*

*Pennsylvania law says that Supervisors have a legal obligation and responsibility to vote. I believe they also have a moral obligation to learn and to listen. I promise you that I shall listen with understanding, but not always with agreement, and if we disagree, I'll tell you why. Just so you know. I hate acronyms and I think committee meetings that go more than an hour are a waste of time. I am reminded of Congressman Moe Udall who, when asked if his committee would break for lunch, responded: "Let me put it this way, everything has been said but not everybody has said it."*

*Between the Moore Theft and COVID, this Township has been through trauma. I am probably the only person in this room who has ever killed anybody. It was in the Vietnam War a long time ago in another part of the world. I know what Post Traumatic Stress is, and this town and many of its people have PTSD in abundance. It takes work to heal. So how do we do it? The German philosopher Hegel once observed that: 'the only enduring lesson of history is that nobody ever learns the lessons of history.' Some of my ancestors were Quakers. In addition to our 1743 Family Bible, I have brought along another family book tonight. It is very old and entitled 'Rules of Discipline'. The passage I am going to quote was written in 1696, and so would have been familiar to Kennett's first Quaker inhabitants in 1704. The language may be a bit archaic, but the message is clear and it gives us some guidelines about dealing with our municipal angst: "...watch against all tale-bearing and defaming friends or others, or evil-speaking tending thereunto;.... Be kind and tender hearted one to another, earnestly laboring for universal love, union, and peace..." In the more than 320 years since this was penned, there is still wisdom here. How do we apply it today?*

*First, we need to slow down. This Township is running a warp speed with many stressful issues being juggled in the air. We need to take the time to do things right. We need to develop consensus, and ideally collaboration, around the important issues that we face. Consensus entails compromise. Compromise is not a weak word; it is essential to any meaningful progress. We should demand outstanding performance from our Township staff, but we also need to give them a fair measure of office tranquility to achieve their goals. No one person, no matter how brilliant, has all the answers. While walking through European villages and towns The Swiss abstract artist, Paul Klee, came to a revelation. It dawned on him that there is a collective genius that put these villages together. One that transcended any individual or even any single generation. Kennett Township has been here for more than 3 centuries and will be here long after we have gone. We must work to ADD to our own collective municipal genius, not destroy it by willful obfuscation. We need to stop disrespecting our political opponents. Over the past several decades, a coarseness has crept into our public discourse at the national level and has trickled down to us. This is NOT part of our Township tradition. It is an alien virus and should be treated that way. We can and should disagree, but we should never be disagreeable in the process. As a Republican, I am obviously I am in the minority party among the Supervisors. My Democrat colleagues are both very talented and experienced men, and have much to offer in their unique ways. I am frank to tell you that I don't even KNOW what I don't know, but I shall learn, and I'll work with them seeking consensus and collaboration at every opportunity. Let me end with a promise to you that I shall always put what I perceive to be the Township's best interests first.*

*Thank you.*

#### **b. New Auditor – Jeanne McManus**

Ratliff introduced Jeanne McManus who was recently elected as the new Township Auditor. She was sworn in by the honorable Judge Iacocco.

### **3. Board of Supervisor Positions**

Ratliff explained that nominations, including self-nominations, would be voted on in the order in which they were received and did not need a second. He called for nominations for the position of Chair of the Board of Supervisors.

#### **a. Nomination for Chair of the Board of Supervisors**

**Supervisor Geoffrey Gamble, Esq. nominated Supervisor Dr. Richard Leff for the position of Chair of the Kennett Township Board of Supervisors. Nomination was passed with a vote of 3-0.**

Michael Guttman (14 Black Rock Road) nominated Geoffrey Gamble as chair. Solicitor Sander explained that nominations are limited to being made by the elected Board of Supervisors.

**b. Nomination for Position of Vice-Chair of the Board of Supervisors**

Chairman Leff called for nominations for Vice-Chair of the Board of Supervisors.

**Supervisor Geoffrey Gamble, Esq. nominated Supervisor Scudder Stevens for the position of Vice-Chair of the Kennett Township Board of Supervisors. Nomination was passed with a vote of 3-0.**

**c. Appointment of Township Secretary – Eden R. Ratliff**

**Gamble nominated Eden Ratliff for the position of Township Secretary. Stevens seconded. Appointment was passed with a vote of 3-0.**

**d. Appointment of Township Treasurer – Amy Heinrich**

**Gamble nominated Amy Heinrich for the position of Township Treasurer. Stevens seconded. Appointment was passed with a vote of 3-0.**

**e. Appointment of Vacancy Board Chairman**

There was no appointment made for the Vacancy Board Chairman.

**4. Board of Supervisor Representative Appointments**

**a. Appointment of PA State Association of Township Supervisors (PSATS) Convention Voting Delegate**

**Gamble nominated Richard Leff to serve as the PSATS Convention Voting Delegate. Leff seconded. Appointment was passed with a vote of 3-0.**

**b. Appointment of Chester County Association of Township Officials (CCATO) Representative**

**Gamble nominated Richard Leff to serve as the CCATO Representative. Stevens seconded. Appointment was passed with a vote of 3-0.**

**c. Appointment of Chester County Tax Collection Committee (CCTCC)**

- i. Primary Voting Delegate**
- ii. First Alternate**

**Gamble nominated Eden Ratliff as Primary Voting Delegate and Amy Heinrich as First Alternate for the CCTCC. Leff seconded. Appointment was passed with a vote of 3-0.**

**d. Appointment of Kennett Fire and EMS Regional Commission**

- i. Voting Commissioner**

**Gamble nominated Scudder Stevens for Voting Commissioner for the Kennett Fire and EMS Regional Committee. Leff seconded. Appointment was passed with a vote of 3-0.**

- ii. Alternate Voting Commissioner**

**Gamble nominated Richard Leff as Alternate Voting Commissioner for the Kennett Fire and EMS Regional Committee. Stevens seconded. Appointment was passed with a vote of 3-0.**

**5. Appointment of Staff & Consultants**

**a. Township Manager – Eden R. Ratliff**

- b. Director of Finance & HR Director – Amy Heinrich
- c. Director of Planning & Zoning/Codes Enforcement Officer – Diane Hicks
- d. Building Code Official – Rich O’Brien (Keystone Municipal Services inc.)
- e. Chief of Police – Matthew Gordon
- f. Right-To-Know Officer – Eden R. Ratliff
- g. Fire Marshal – Bruce Mitchell
- h. Deputy Fire Marshal – A.J. McCarthy
- i. Deputy Fire Marshal – Keystone Municipal Services
- j. Emergency Management Coordinator – Jeff Hammaker
- k. Recycling Coordinator – Denise Serino
- l. Township Solicitor – Dave Sander, Kilkenny Law, LLC
- m. Township Engineer – Stan Corbett, AECOM
- n. Zoning Hearing Board Solicitor – Brendan P. Burke
- o. Township Auditor – Mallie LLP
- p. Township Real Estate Tax Collector – Berkheimer Associates
- q. Township Earned Income Tax Collector – Keystone Municipal Services
- r. Township Landscape Architect – Thomas Comitta Associates
- s. Historic Consultant – Robert Wise, Richard Grubb & Associates

Ratliff explained that there were no changes from 2021 in the staff and consultants.

**Motion presented by Gamble to appoint all listed in Agenda Item 5 subitems a. through s. Stevens seconded. Motion passed with a vote of 3-0.**

**6. Committee Appointments**  
**a. See Appendix A**

**Motion presented by Stevens to nominate those committee appointments as shown on Appendix A of the Agenda and in the meeting presentation. Gamble seconded. Motion passed with a vote of 3-0.**

Discussion:

- Stevens said he was disappointed that there was not a safety committee listed in Appendix A and that he is anxious we will have a functioning Safety Committee in 2022.
- Solicitor Sander pointed out that the appointment of Chair to the Environmental Advisory Counsel would need to be made via a separate motion.

**Motion presented by Gamble to appoint Matt Sabo as Chair to the Environmental Advisory Counsel for 2022. Stevens seconded. Motion passed with a vote of 3-0.**

**7. Proposed Resolutions**

**a. Resolution 2022-1 Consultant Appointments**  
[www.kennett.pa.us/DocumentCenter/View/5117](http://www.kennett.pa.us/DocumentCenter/View/5117)

**Motion presented by Gamble to adopt Resolution 2022-1 appointing Consultants for Kennett Township for 2022. Stevens seconded. Motion passed with a vote of 3-0.**

**b. Resolution 2022-2 Cash Escrow**  
[www.kennett.pa.us/DocumentCenter/View/5118](http://www.kennett.pa.us/DocumentCenter/View/5118)

**Motion presented by Gamble to adopt Resolution 2022-2 revising a cash escrow basis for plan reviews and/or inspections for subdivision and/or land development. Stevens seconded. Motion passed with a vote of 3-0.**

- c. **Resolution 2022-3 Township Fee Schedule**  
([www.kennett.pa.us/DocumentCenter/View/5119](http://www.kennett.pa.us/DocumentCenter/View/5119))

**Motion presented by Gamble to adopt Resolution 2022-3 adopting the 2022 Fee Schedule for Kennett Township. Stevens seconded. Motion passed with a vote of 3-0.**

- d. **Resolution 2022-4 Township Holidays**  
([www.kennett.pa.us/DocumentCenter/View/5120](http://www.kennett.pa.us/DocumentCenter/View/5120))

**Motion presented by Gamble to adopt Resolution 2022-4 determining the paid holidays for 2022 with Township offices closed. Stevens seconded. Motion passed with a vote of 3-0.**

- Leff said while there was discussion about changing the holidays, they decided to leave them the same for 2022.

**8. 2022 Township Public Meeting Schedule – See Appendix B**

Ratliff presented the proposed 2022 hybrid Public Meeting Schedule, which is available as Appendix B of these minutes. He noted that the Board of Supervisors would not meet this coming Wednesday, January 5<sup>th</sup> due to the meeting tonight but would resume their normal schedule on Wednesday, January 19<sup>th</sup>. He also pointed out that the Land Conservation Advisory Committee would be meeting monthly in executive session, which is not open to the public.

**Motion presented by Gamble to approve the 2022 Public Meeting Schedule as presented by Ratliff and in Appendix B. Stevens seconded. Motion passed with a vote of 3-0.**

**9. 2022 Emergency Services**

- a. **Adoption of 2022 Fire, Rescue, and Ambulance Services Agreement**  
([www.kennett.pa.us/DocumentCenter/View/5121](http://www.kennett.pa.us/DocumentCenter/View/5121))

**Motion presented by Gamble to adopt the 2022 Fire, Rescue and Ambulance Services Agreement with Longwood Fire Company and Kennett Fire Company commencing January 3, 2022. Stevens seconded. Motion passed with a vote of 3-0.**

- b. **Resolution 2022-5 Emergency Service Providers**  
([www.kennett.pa.us/DocumentCenter/View/5122](http://www.kennett.pa.us/DocumentCenter/View/5122))

**Motion presented by Gamble to adopt Resolution 2022-5 designating Emergency Service Providers for Kennett Township effective January 3, 2022 through December 31, 2022. Stevens seconded. Motion passed with a vote of 3-0.**

**10. Kaolin RE Holdings Corporation Dedication and Waivers**

([kennett.pa.us/DocumentCenter/View/5123](http://kennett.pa.us/DocumentCenter/View/5123))

Ratliff explained that this request was for right-of-way and waivers for a reverse subdivision, the details of which can be found in the link above.

**Motion presented by Gamble to require the recommended dedication of an additional 25' wide half right-of-way along the frontage on West South Street. Stevens seconded. Motion passed with a vote of 3-0.**

Discussion:

- Stevens seconded this based on the letter from the Township Engineer.



**Motion presented by Gamble to grant approval of the requested waivers given that no earth movement or construction is proposed; and conditional approval of the Final Minor Subdivision Plan for the Kaolin RE Holdings application prepared by Regester Associates, Inc. dated August 4, 2021 and last revised October 28, 2021 contingent upon the recommended dedication of an additional 25' wide half right-of-way along the frontage on West South Street; and compliance with open comments of the AECOM review letter of November 8, 2021. Stevens seconded. Motion passed with a vote of 3-0.**

Discussion:

- Stevens again seconded this based on the letter from AECOM.
- Jim Fritsch of Regester Associates, who was representing the applicant, thanked the Supervisors.

## 11. Public Comment

- Leff read the following statement:

*A reorganizational meeting is a chance for Kennett Township to set certain fees and put people in place for the coming year, to rejoice in our accomplishments and to look forward to the future.*

*I reviewed my comments from last year, and they are remarkably similar this year. I said:*

*“Despite the year being a challenging one due to COVID-19, we accomplished much for Kennett Township. COVID-19 can be slowed, if we all try to follow appropriate precautions; one doesn't have to be perfect, but if you try, you'll reduce your risk of catching COVID-19 or passing it along to someone else.*

*When around others not in your household, wear a mask, be outside (if possible) and maintain a physical distance from other people, it will lessen your risk, and theirs. Please do continue to stay socially and emotionally connected to and supportive of each other, as this has been a long road and we are not yet out of the woods.”*

*It is now 2022, and we still aren't yet out of the woods, but I can now add that within the past year, vaccines have been shown to reduce not only your risk of catching COVID-19 or getting very ill and possibly dying, but they can reduce the risk of you transmitting it to someone else, a friend, relative or loved one. Getting vaccinated will also decrease the strain on our first responders and medical professionals, those who have been dealing with grueling, long hours taking care of the sick and dying, and putting themselves at risk for 2 long years and counting. As a physician, I'd like to encourage you to get vaccinated and boosted. As the virus changes, so must our approach to it; vaccines can help if given often enough, as does properly wearing higher grade masks (N95 or KN95) than we used much of the past 2 years.*

*As the virus changes, as we have learned, so must our approaches also adapt.*

*For Kennett Township, I'd like to acknowledge the efforts of our enthusiastic volunteers and our wonderful staff despite the challenges present, including COVID-19. There are many immediate needs for running the Township (for instance plowing roads), mid-term views of what Kennett Township could do for its current and future residents, visitors and businesses, and long-term visions for what we'd like to leave behind for those to come after us. I believe that most people who bring forth and mention an idea have the best interests for Kennett Township at heart. It is our job as Supervisors to decide as a Board as to what actually happens. If some things don't happen as you asked, it doesn't mean that we didn't hear you; it may mean that it isn't the right time, place or price – which could be money, people or other resources – or vision.*

*My vision for Kennett Township has been slowly coming to fruition and also changing over the past 8 years, especially as I've learned more, and our needs have changed. Eight years ago, I*

*was focused upon making township finances publicly accessible, preserving open space, adding trails and saving the 100-year-old Chandler Mill Bridge.*

*Now, I hope that we can have a range of affordably, priced housing, accessible open space and a network of trails connecting us by foot and by bicycle.*

*Now, I hope that we can help repair our world, by restoring our riparian buffers along our water ways and by decreasing our carbon footprint with renewable energy, conserving energy and electrifying where we can, in a cost-conscious manner.*

*Now, I hope that we are all able get help when we need it in an emergency in a timely and reliable manner, while appropriately helping those volunteers and paid staff who respond to 911 calls from all of our residents, visitors and businesses.*

*The means to do any of the above has changed drastically over decades, years and as we've even learned recently with COVID-19 over weeks. So, what worked in the past, now we know doesn't work well enough in the present, and clearly is inadequate for the future. That necessitated and will in the future lead to significant changes – which may make some people uncomfortable -- but those changes I believe are necessary and beneficial for the future of Kennett Township. Everything that we do, or don't do once we are aware of it, has impacts and ramifications. We now have a new Board of Supervisors and where we go and what we do in the future is up to all of us.*

*Thank you all for coming tonight, either in person or via Zoom.*

- Peter Doehring (5 Nine Gates Road) read this prepared statement:

*Every year at this time the BOS has the opportunity to choose a new Chairman. The position of Chairman is essentially an honorarium in that it does not confer any major powers beyond those of the other Supervisors. Nevertheless, the Chairman is traditionally seen as the public face of the Township and is expected to project both experience and gravitas for that role.*

*For exactly this reason, if the incumbent Chair is available, willing, and of the majority party, that's who is chosen. Therefore, it is not surprising that this year the BOS nominated Chairman Richard Leff and, under normal circumstances, I would support that choice.*

*Unfortunately, the last few months have been anything but normal, and during that time Leff has in my opinion, abused the power afforded him as an elected leader. For today, let me focus primarily on his role in the development of the Township's special press release dated 12/21/2021, which attacked me personally for filing a complaint against our Township Manager with the PA Ethics Committee for possible conflicts of interest.*

*As I have already documented on the 'OpenKennett.org' website, the Township's press release was full of disturbing falsehoods and misleading statements, and included defamatory comments about me. Barely one week later, the Township itself was preparing to instruct its own law firm to investigate the very activities of Ratliff that I had highlighted in my complaint, and that Richard Leff appeared to exonerate Ratliff of in Leff's special press statement! And then we learned that the press release was developed and made public without the participation of Supervisor Scudder Stevens, who quickly disassociated himself from it at the last BOS meeting. Shortly afterwards, the press release was removed from the Township website, but the damage had already been done. Richard Leff's falsehoods and misleading statements were duly picked up by local news sources and used by his close allies in personal political attacks against me on social media. I have yet to receive even an informal apology from Richard Leff, much less a formal retraction from the Township of the various misleading statements and defamatory comments in the press release. This incident should raise concerns about Richard Leff's capacity to lead this Township in any capacity, let along Chairman of the Board of Supervisors.*

- Diane McGovern (345 E Hillendale Road) asked via Zoom: "I would like to ask about the status of the Spar Hill Task Force." Ratliff explained that this was last discussed at the second meeting in November, and it was

decided that the Board would need to approve this Task Force by resolution or ordinance. He said due to finishing the budget process and the holidays it has been delayed but it is up for discussion with the new Board of Supervisors.

- Peter Doehring (5 Nine Gates Road) read a second prepared statement:

*I want to note for the record that at least one member of the LCAC appears to have been stripped of her positions, because of the claim that there was no record of her appointment. I use the term “stripped” because I spoke with one such member, who indicated to me that her preference was to remain on LCAC as a full voting member. The failure to re-appointment was a simple oversight, which could be simply remedied with a re-appointment.*

*This policy of stripping individuals of their appointments when there appears to be no record of that appointments seems to have been unevenly applied. I have identified two members of the Trails and Sidewalks committee who are no longer serving in the positions for which they were nominated. Tom Janton was appointed as a representative of the Kennett Trails Alliance, but was re-appointed last year with no affiliation indicated. While this oversight could be resolved with a re-appointment, this opportunity was denied to the member of LCAC stripped of her appointment. Tim Peterson is listed as a liaison with the LCAC, he is in fact not a member of LCAC. This would require identifying another member from the LCAC who is also willing to serve on Trails and Sidewalk Committee.*

## 12. Adjournment

**Motion presented by Gamble to adjourn. Stevens seconded. Motion passed with a vote of 3-0.**

The meeting adjourned at 7:50 p.m.

Respectfully submitted,  
Eden R. Ratliff  
Township Secretary

*This meeting was advertised December 27, 2021.  
The agenda was posted online December 30, 2021, and posted physically January 2, 2022.  
Copies of the agenda were made available for public in attendance.*



# Board of Supervisors Reorganization Agenda

## Appendix A

### Kennett Township Committee Appointments

1. Building Code Appeals Board
  - Jeremy Abelson – *Three-year term effective January 3, 2022 through December 31, 2024*
2. Environmental Advisory Committee
  - Matt Sabo – *Three-year term effective January 3, 2022 through December 31, 2024*
    - i. *Appoint as Chair for the year of 2022*
  - Chris Bish – *Three-year term effective January 3, 2022 through December 31, 2024*
3. Kennett Township Historical Commission
  - Lars Farmer – *Five-year term effective January 3, 2022 through December 31, 2026*
4. Land Conservation Advisory Committee
  - Jeff Yetter – *Three-year term effective January 3, 2022 through December 31, 2024*
  - Linda Dillow – *Three-year term effective January 3, 2022 through December 31, 2024*
  - Whitney Hoffman – *Three-year term effective January 3, 2022 through December 31, 2024*
  - Pat Muller – *Three-year term effective January 3, 2022 through December 31, 2024*
5. Planning Commission
  - James Guthrie – *Four-year term effective January 3, 2022 through December 31, 2025*
  - Jim Przywitowski – *Four-year term effective January 3, 2022 through December 31, 2025*
6. Trails and Sidewalks Committee
  - Rudy Karkosak – *Five-year term effective January 3, 2022 through December 31, 2026*
7. Zoning Hearing Board
  - John Haedrich – *Five-year term effective January 3, 2022 through December 31, 2026*
8. Brandywine Valley Scenic Byway
  - John Haedrich – *One-year term effective January 3, 2022 through December 31, 2022*
  - Tom Nale – *One-year term effective January 3, 2022 through December 31, 2022*

# Board of Supervisors Reorganization Agenda

## Appendix B

### 2022 Township Public Meeting Schedule

All meetings are hybrid – in person in the Public Meeting Room or virtual via Zoom. Meeting details including how to join can be found on the Township’s website calendar.

#### **Board of Supervisors**

*1<sup>st</sup> & 3<sup>rd</sup> Wednesday of the month at 7:00 p.m.*

#### **Environmental Advisory Council (EAC)**

*4<sup>th</sup> Tuesday of the month at 7:00 p.m.*

#### **Kennett Township Historical Commission**

*1<sup>st</sup> Thursday of the month at 7:00 p.m.*

#### **Land Conservation Advisory Committee (LCAC)**

*Will meet in Executive Session (not a public meeting)  
the 3<sup>rd</sup> Thursday of the month at 7:00 p.m.*

#### **Planning Commission**

*2<sup>nd</sup> Tuesday of the month at 7:00 p.m.*

#### **Trails and Sidewalks Committee**

*1<sup>st</sup> Tuesday of the month at 1:00 p.m.*

#### **Zoning Hearing Board**

*As Needed*