



Board of Supervisors Meeting Minutes

In Person Meeting Via 299 Starr Road

February 15, 2023

7:00 p.m.

Present: Geoffrey Gamble, Esq., Chairman; Dr. Richard L. Leff, Vice Chair; Scudder G. Stevens, Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance & HR Director; Diane Hicks, Planning & Zoning Director; Ted Otteni, Director of Public Works; Matt Gordon, Chief of Police

Absent: Dave Sander, Solicitor

1. Call to Order

2. Pledge of Allegiance

3. Embezzlement Recovery Update

There were no updates to provide.

4. Executive Session Announcements

There were no Executive Sessions to announce.

5. Board of Supervisor Meeting Minutes

a. January 3, 2023, Meeting Minutes

<https://www.kennett.pa.us/DocumentCenter/View/6213>

Motion to approve the January 3, 2023, Board of Supervisor meeting minutes was made by Leff and seconded by Stevens. Motion passed 3-0.

6. Public Comment on Agenda

There were no Public Comments on the agenda.

7. Business Items

a. Consider February 15, 2023, Bill Voucher

<https://www.kennett.pa.us/DocumentCenter/View/6217>

Motion to approve the February 15, 2023, Bill Voucher in the amount of \$420,029.16 and to approve total transfers in the amount of \$22,448.88 was made by Leff and seconded by Stevens.

Chairman Gamble had a question, the only item that stood out was the quarter of a million dollars to the Fire Commission. Ratliff stated this is our annual contribution. It will happen three more times this year. Motion passed 3-0.

b. Avello Escrow Release No. 5

<https://www.kennett.pa.us/DocumentCenter/View/6214>

Motion to the Avello Escrow Release No. 5 in the amount of \$27,636.75 as recommended by the Township Engineer was made by Stevens and seconded by Leff.

Leff commented that it was a substantial decrease in what they were asking and further inquired if we should anticipate potential problems with the project?

Ratliff stated that we want to make sure everything is 100% complete before the release. We do not foresee any problems.

Motion passed 3-0.

c. Kennett Gateway Escrow Release No. 4

<https://www.kennett.pa.us/DocumentCenter/View/6215>

Motion to approve the Kennett Gateway Escrow Release No. 4 in the amount of \$219,740.00 for the Kennett Gateway Townhomes as well as \$57,480.00 for the Kennett Gateway Apartments as recommended by the Township Engineer was made by Stevens and seconded by Leff.

Gamble commented that just for a point of order that this is two motions in one. Ratliff stated it does not matter to us, it is two separate escrow accounts in one approval letter.

Stevens asked Ratliff why this could not be merged into one document?

Ratliff stated that this is in one document, but it is two separate escrow accounts that legally are two separate pots of money.

Stevens stated from a practical point of view, what he said made any sense. As an example, we have combined two to three sets of minutes into one motion. I'm trying to understand if there was an objection if this is a state law or a state regulation or suggestion from our legal counsel as to what drives this decision?

Ratliff stated it is two separate properties, two separate funds so if we can separate that every step of the way to make it clearer for the final release and execution of the project.

Stevens said this is a desire of the "Team" to do it this way. There is not an external legal binding for doing it this way.

Heinrich stated that the way the legal documents were drafted at the beginning of the project that there are two legal entities under this one organization (two projects in one). We have to stick by it this way.

Richard Gaw (Chester County Press) asked why the Township is financially committed to these townhomes and apartments. Ratliff stated that this is the escrow release, it is the projects money not the Townships. Motion passed 3-0.

d. Reinvestment Options for PLGIT

<https://www.kennett.pa.us/DocumentCenter/View/6218>

Heinrich- PLGIT (Pennsylvania Local Government Investment Trust) Interest rates have started to rise. This is a trust just for municipalities. Easy place for investing with favorable rates. Made some choices in the Fall, would like to move more cash into PLGIT. Several accounts are listed in the memo. There will be \$60,000.00 in earned interest in 2023. It's about \$1.9 million dollars I would like to move over into PLGIT.

Gamble: PLGIT doesn't have a restriction, we pay to invest in what is legal.

Heinrich: the law is very restrictive for second class townships. CD's and short-term liquid securities.

Gamble: In some cases the number \$47,000 comes to mind. You did not move all the money in certain accounts, you just moved some of it.

Heinrich: Some accounts we will be moving over in totality, others it is just a portion since we needed to have some liquidity.

Leff: Will some of the accounts be closing and we will be saving on some banking fees?

Heinrich: Yes- that is part of it. We are spending about \$100.00 a month on each account at Fulton and that is because of the fraud protection services. We will close as many as we can.

Motion to approve the re-investment of funds from current bank and investment accounts to new PLGIT accounts following the included schedule was made by Leff and seconded by Stevens.

Motion passed 3-0.

8. Department Head Reports

a. Eden Ratliff – Administration

<https://www.kennett.pa.us/DocumentCenter/View/6233>

Gamble: at the end of the meeting, I will talk about the Fussell House.

b. Amy Heinrich – Finance & HR

<https://www.kennett.pa.us/DocumentCenter/View/6219>

c. Diane Hicks – Planning & Zoning

<https://www.kennett.pa.us/DocumentCenter/View/6220>

Gamble asked if there could be an unveiling of the new Brandywine Valley Battlefield sign.

Hicks: Yes. Large party/celebration where we can have those dress up in costume.

d. Ted Otteni – Public Works

<https://www.kennett.pa.us/DocumentCenter/View/6216>

Gamble: I know the topic of Spar Hill is a sensitive one. But the removal of the grain bin, it makes it look more historic.

Stevens: I had a chance to walk through the basement this morning, thank you for and the team for making it look lovely.

Ratliff: Can you tell the Board about the concrete at Spar Hill.

Otteni: We looked at the concrete and stone that we would have once the buildings started to come down, and those are inert/natural materials. I did some research on the DEP regulations and I confirmed what I thought to be true. We can bury those materials onsite without any special kind of permit. We took that into consideration when putting this out to bid and in talking to the contractor this week, the original intent was everything was going to be trucked off site and fill would be brought in to fill the sites and the contractor thought for a few seconds and stated it probably would have added about \$150-\$200,000 to the bid. It is a unique way to minimize the cost and reduce the carbon footprint of the project.

Heinrich: This is why we are way under budget. We weren't sure why and now we know.

Richard Gaw (Chester County Press): Ted congratulations on the progress made with the Township Building. You are thinking sometime in March for the reopening? When did it close?

Otteni: March 1st BOS Meeting. We should be there. We anticipate being back.

Ratliff: August 2022 it was closed.

Gamble: We are still playing around with the furniture configurations.

Otteni: We may not have the AV capabilities. It will be a fully functioning Public Meeting Room.

e. Matt Gordon – Kennett Township Police Department

<https://www.kennett.pa.us/DocumentCenter/View/6221>

Gamble: the three hit and runs, is it common for people to be irresponsible?

Gordon: We get a lot of calls around Route 1 and 52. Most are minor damage.

9. Public Comment

Gamble: I have one comment regarding the Fussell House. It is clear this is a historic building. If you discount the basement and the attic. The main floor and the second floor could be used by the township for the overcrowding problem. It has up to date heating, AC, new windows, new roof, 3 bathrooms, full kitchen. It strikes me that this could be renovated and used as office space for the township. It makes no sense as we are paying for this to not be used. It should be considered for this option. The items in the basement are of historical importance are works of art and should be in a museum. The house can be used in the future as a museum. We have an asset and not a white elephant.

Stevens: I am a great believer in the value of the Fussell House and the broader community. We need to find a meaningful use for it. We have not found the organization yet to put its roots down in that location (nonprofit, museum etc.) It will not be a long-term solution for the Township in terms of public space. But in the short term would be a solution. I do not think it is the highest and best use for it. Thank you for taking the active role.

Leff: Initially the Board had decided the intent would be to save, stabilize and then renovate it. We have not made progress in the renovation aspect. It is worth considering making it usable space and worth thinking about. It would be a significant investment.

Gamble: I think all that is left is all cosmetic work. The major expenses have already been taken care of: roof, heating, AC, electric.

Pat Muller (22 Deer Pond Ln.) It's my understanding there is no museum for the Underground Railroad around here.

Gamble: There is one being planned on the northern end of Pocopson, but nothing in Kennett.

Pat Muller: Nothing is really celebrated or explored around this whole legacy. Kennett has always made it a point to celebrate Juneteenth. The legacy of the Underground Railroad is something unique to the area. Instead of focusing on the practical use for Fussell, how can we tell the story. 2000 people were saved! That is a lot of people. It's unique to Kennett and I do not know if it can be moved to Spar Hill, and something be created there.

Gamble: Dr. Fussell As a medical doctor, he went out of his way to help women learn medicine.

Richard Gaw: How much was invested in the Fussell House in the restructure and renovation? It seems there were some discussions years ago for retrofitting it for the Kennett Police Department but was turned down.

Heinrich: I believe the purchase price and the renovations was around \$750,000.00-\$800,00.00.

Gamble: Parking is an issue; we would have to come to some agreement with the other occupants. It was not a practical use.

Gordon: We could not put sally ports in, we could not alter the building because of its historical significance, obviously the parking would be an issue. So, from a Police Department perspective, it did not make much sense.

10. Adjournment

Motion to adjourn was made by Stevens and seconded by Leff. Motion passed 3-0.

The meeting adjourned at 7:53 p.m.

Respectfully submitted,

Eden R. Ratliff

Township Secretary