



Board of Supervisors Minutes

February 16, 2022 | 7:00 p.m. | Hybrid Meeting Via 801 Burrows Run Road & 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 & Zoning Director; Matt Gordon, Chief of Police; Dave Sander, Solicitor

1. Call to Order

2. Pledge of Allegiance

Motion was made by Leff to amend agenda to include a new section, 7h, as a discussion item on the Kennett Area Fire and EMS Regional Commission Volunteer Recruitment and Retention Program. Gamble seconded and it passed 3-0.

3. Township Investigation and Resolution Update

There were no updates to provide.

4. Executive Session Announcements

The Board met in Executive Session on February 9, 2022 to discuss a matters of contracts.

5. Meeting Minutes

a. December 15, 2021

(www.kennett.pa.us/DocumentCenter/View/5179)

Motion to adopt the December 15, 2021 Board of Supervisor meeting minutes was made by Stevens. Leff seconded. Motion passed 2-0 with Gamble abstaining.

6. Timber Ridge East Presentation

(www.kennett.pa.us/DocumentCenter/View/5180)

The presentation can be watched back here: <https://jmp.sh/XIznwqf>. It begins at 5:32. Documents presented at meeting to include with minutes can be found here: www.kennett.pa.us/DocumentCenter/View/5589.

The Board, Ratliff and Sander shared their questions and comments with Plesko. Public comments: Pam Plesko asked about enforcement of the cleanup requirements of the leftover logs. Peter Doehring questioned whether Plesko's concerns were replied to in a timely matter. Whitney Hoffman shared her communications with Plesko when she was a Supervisor to assure Doehring that concerns were being addressed.

7. Business Items

a. Consider February 16, 2022 Bill Voucher

(www.kennett.pa.us/DocumentCenter/View/5181)

Motion to approve the February 16, 2022 Bill Voucher in the amount of \$245,802.66 and to approve total transfers in the amount of \$36,628.58 was made by Stevens and seconded by Gamble. Motion passed 3-0.

b. Consider Kennett Gateway Townhome Escrow Release No. 1

(www.kennett.pa.us/DocumentCenter/View/5189)

Motion to approve the Kennett Gateway – KG Townhomes Escrow Release No. 1 in the amount of \$157,731.40 per the AECOM letter dated February 2, 2022 was made by Stevens and seconded by Gamble. Motion passed 3-0.

Stevens and Leff discussed the amount that would remain in escrow after this release.

c. Consider Kennett Gateway Apartments Escrow Release No. 1

(www.kennett.pa.us/DocumentCenter/View/5189)

Motion to approve the Kennett Gateway – KG Apartments Escrow Release No. 1 in the amount of \$453,415.35 per the AECOM letter dated February 2, 2022 was made by Gamble and seconded by Stevens. Motion passed 3-0.

d. Consider Recommendation by Trails & Sidewalks Committee (Mason Dixon Trail)

www.kennett.pa.us/DocumentCenter/View/5182

Motion to approve routing the Mason-Dixon Trail off Burnt Mill Road into the Township's Lord Howe and Spar Hill Preserves was made by Gamble and seconded by Stevens. Motion passed 3-0.

Leff and Ratliff discussed that there will be no additional costs to the Townships for this. Christina Norland, chair of the Trails and Sidewalks Committee, explained how the Mason Dixon Trail Group would work together with the Township, TLC, and Kennett Trails Alliance on any unobtrusive signage or markers. Discussion about trail markers continued.

e. Consider VPP Contract

www.kennett.pa.us/DocumentCenter/View/5183

Motion to authorize the Township Manager to sign the Vision Partnership Grant Contract among Kennett Township, Kennett Square Borough, East Marlborough Township, McMahon Associates and the County of Chester was made by Stevens and seconded by Gamble. Motion passed 3-0.

Ratliff and the Board discussed this trail feasibility study grant and associated costs.

f. Consider Resolution 2022-6 KAPA Grant

www.kennett.pa.us/DocumentCenter/View/5184

Motion to adopt Resolution 2022-6 to endorse the Kennett Area Park Authority's application for the Chester County 2022 Preservation Partnership Grant Program to assist with replanting and maintaining the Ash Grove in Anson B. Nixon Park was made by Gamble and seconded by Stevens. Motion passed 3-0.

Gamble said the emerald ash borer was imported from Asia to Philadelphia on packaging and said the Enterprise Liability Theory applied to the distributors of lead-based paint should also apply here, that the importers of the ash borer should be liable for the devastation caused.

g. Consider Electricity Contract

www.kennett.pa.us/DocumentCenter/View/5190

Motion to authorize the Township Manager to execute an agreement for our electric accounts to Direct Energy for the term of 36 months and to use 100% Green Energy for our energy needs was made by Stevens. Motion did not receive a second, so the motion died.

Motion to authorize the Township Manager to execute the agreement for our electric accounts to Direct Energy for the term of 48 months and Green Energy of electricity was made by Leff. Motion did not receive a second, so it died.

Motion to authorize the Township Manager to execute an agreement for our electric accounts to Direct Energy for the term of 36 months and Green Energy of electricity was made by Stevens and seconded by Leff. Motion passed 2-1, with Gamble opposing.

Amy Heinrich explained the expiring current electrical contract and presented potential rates from four/five providers for a new contract and the various options of different terms and types of electricity (green versus brown). These rates came from a broker the Township has been working with. The Board discussed the different options and Gamble commented that he thinks green energy should be an individual decision, but as a Township, we should be seeking the most economical option possible. Leff argued for green at a longer term to help lower the cost.

h. KFERC Volunteer Recruitment and Retention Program Discussion

Leff asked Stevens and Gamble to share the details of the discussion and vote that occurred at the last Kennett Fire and EMS Regional Commission meeting regarding the Volunteer Recruitment and Retention Program. Stevens shared his answers to questions a reporter asked him that were received after the deadline. Please find that email attached to these minutes.

The Supervisors continued discussions on the options presented at the KFERC and the motion which was voted on and passed. They also discussed concerns that were not brought up at the KFERC meeting. Leff explained why he would have voted for the program that Stevens voted against. Gamble also would have also voted differently if he were the voting delegate.

Public Comment: Longwood Fire Chief AJ McCarthy offered clarification on some points discussed by the Supervisors and said he will be reviewing the data all throughout the two-year program. Peter Doehring commented on his findings after reviewing the budgets of the fire companies over the past couple of years and asked if it could be evaluated in stages. Whitney Hoffman asked if Stevens had any other suggestions for recruitment and retention and said this is ultimately an investment not an expense if it works to keep the volunteers verses move to all paid firefighters. Stevens reiterated that he was not against the plan, just the funding. Ricky Franks, Kennett Fire Company Assistant Chief, spoke about the various volunteer positions available. McCarthy also commented that the support to the fire companies needs to be shown in other ways besides just financial, that the politics, campaigns, and false narratives need to stop as they do not help recruit volunteers.

8. Department Head Reports

a. Eden Ratliff – Administration

(www.kennett.pa.us/DocumentCenter/View/5185)

Public comment: Peter Doehring shared questions and comments regarding Ratliff’s Green Way report of delays due to environmental design considerations and changes made to the plans after the approval for final designs was granted. He also asked about ultimate right-of-way needed and shared concerns of one specific family who will fight the Township’s efforts. Sander confirmed that matters of acquisition of the right-of-way can only be discussed in Executive Session, not in a public meeting. Doehring also asked why considerations to reduce the path width from 6-8 feet to 3-5 feet. After confirming the current width of the trail, Ratliff agreed that they should address Doehring’s comments about the cost difference of the two widths.

b. Amy Heinrich – Finance & HR

(www.kennett.pa.us/DocumentCenter/View/5193)

c. Diane Hicks – Planning & Zoning

(www.kennett.pa.us/DocumentCenter/View/5186)

Public Comment: Cathy Burkett asked if a resident could see the plans for a neighbor’s building permit and how to get those plans. Hicks said to contact her to arrange to see them.

d. Eden Ratliff – Public Works

(www.kennett.pa.us/DocumentCenter/View/5187)

e. Matt Gordon – Kennett Township Police Department

(www.kennett.pa.us/DocumentCenter/View/5188)

Stevens shared his appreciation and congratulations for the training at Spar Hill and beyond.

9. Public Comment

Peter Doehring shared comments about the ethics complaint against Ratliff and asked if Ratliff has recused himself of all discussions at Kennett Township regarding to matter of fire and EMS. He also stated his concerns that the Kennett Greenway will never be completed and shared his ideas for developing a different trail strategy. Gamble and Stevens said Doehring’s creative ideas should be looked into.

10. Adjournment

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

The meeting adjourned at 9:34 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary

Gretchen Porterfield

From: Gretchen Porterfield
Sent: Friday, April 29, 2022 11:24 AM
To: Gretchen Porterfield
Subject: FW: URGENT BREAKING NEWS QUESTIONS UNDER DEADLINE

From: Scudder Stevens
Sent: Saturday, February 12, 2022 10:10 AM
To: Jen Samuel <jsamuel@dailylocal.com>
Subject: Re: URGENT BREAKING NEWS QUESTIONS UNDER DEADLINE

Thank you, Jen, for your interest and involvement concerning these crucial questions. They focus on the number one responsibility of a municipality - the safety and well-being of its residents.

To address your second question first, that safety is accomplished through the vital services of its emergency service providers. Without fire fighters and emergency medical support providers, that municipality could not provide for the safety and well-being of its residents. Sadly, both the state and the county pass that burden through to local government, but are woefully short in financial and other support. In the past this local effort was accomplished through the unflinching and dedicated service of its volunteers. Without that dedicated, yet risky, work, local government would be unable to meet its responsibility. But life, with covid, two plus jobs, and family pressures, has made it harder and harder to find the time and energy to commit the volunteer time and funds necessary to become trained and certified. The available pool of volunteers is shrinking. And the cost of paid emergency service providers growing rapidly.

With this in mind, why did I vote 'no' on the resolution? I announced at the outset that I was in favor of the incentive plan. I have been a staunch supporter of such a program for years and have supported the efforts of the service providers to enunciate a meaningful plan to incentivize volunteers. Sadly, after the budget for the Commission was adopted, and after the budget for Kennett Township was passed, THEN this request for \$300,000.00 more dollars came up. This was after we were just informed of the loss of \$30,000.00 in equipment at a very serious fire on Siles Mill Road. That, and for aged out replacement of fire equipment, and to pay for a professional administrator, is the reason for a reserve fund. I was opposed to raiding that fund, and changing the priorities established by the Commission to pay for this plan. I supported further efforts to find the funds elsewhere.

Fortunately, we will get through this year with the restructuring of the reserve fund, and next year's budget will address this incentive program, and its anticipated success, and we won't again be facing this difficult concern.

Thank you for offering me a chance to explain my vote.

Scudder

Scudder G . Stevens
Board of Supervisors
Kennett Township
Chester County, PA

On Feb 12, 2022, at 8:20 AM, Jen Samuel <jsamuel@dailylocal.com> wrote:

Dear Scudder:

I am reaching out with two urgent questions for the Sunday frontpage, centerpiece article of the Daily Local News.

As a member of the Kennett Fire And EMS Regional Commission, why did you vote no to the Volunteer Retention And Recruitment Plan, which was approved 3-2?

What is the role of a firefighter and EMS crew member in society and how can these volunteers be better supported by the community given the high cost of living in the area for locals and in light of your "no" vote per the new volunteer incentive plan on Tuesday?

This is a breaking news story and we are seeking immediate comment for print. The deadline is 10 a.m. Kindly call with any questions or concerns.

Kindly,
Jen Samuel
Reporter
Daily Local News
484-868-8405