



Board of Supervisors Minutes

March 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

3. Township Investigation and Resolution Update

There were no updates to provide.

4. Executive Session Announcements

There were no Executive Sessions to announce.

5. 2020 Audit Presentation

(www.kennett.pa.us/DocumentCenter/View/5424)

The presentation by Chris Herr of Maillie and Amy Heinrich can be downloaded and watched here:

<https://jumpshare.com/v/gXbPWbnHQ4EAwDwpDrSZ> starting at 3:45.

Public Comment: Peter Doehring expressed his appreciation for the work that has been done to clean up the finances of the Township.

6. Business Items

a. Consider March 16, 2022 Bill Voucher

(www.kennett.pa.us/DocumentCenter/View/5243)

Motion to approve the March 16, 2022 Bill Voucher in the amount of \$306,946.32 and to approve total transfers in the amount of \$38,459.42 was made by Gamble and seconded by Stevens. Motion passed 3-0.

b. Consider Resolution 2022-8 PennDOT MTF Agreement

(www.kennett.pa.us/DocumentCenter/View/5244)

Motion to adopt Resolution 2022-8 authorizing Chairman Richard Leff to execute the Multimodal Transportation Fund Grant Reimbursement Agreement for Highway and Bridge Projects was made by Stevens and seconded by Leff. Stevens amended the motion to include the condition that Sander review and approve the Multimodal Transportation Fund Grant Reimbursement Agreement for Highway and Bridge Projects. Leff seconded amended motion. Motion passed 2-1, with Gamble voting against.

Gamble did not support this resolution, which came from PennDOT, due to the language in the resolution. Stevens asked if Sander reviewed the Agreement and Ratliff explained that this is a standard agreement and therefore not up for debate. Gamble also commented on this view that PennDOT should pay for the roundabout in their projected five to ten year timeline as he does not understand why this intersection is considered a failed intersection.

Public Comment: Richard Gaw of Chester County Press asked what the timeline for this Five Points Roundabout project was and Ratliff answered per the grant, the Township has three years. Extensions are an option if needed going forward.

c. Consider Muncibid Items for Auction

(www.kennett.pa.us/DocumentCenter/View/5245)

Motion to approve the sale of the following items: 2015 Ford Interceptor, Vibratory Plate Compactor, and Pressure Power Washer through Municibid online Government Auction made by Gamble and seconded by Stevens. Motion passed 3-0.

d. Consider Kaolin Holdings Request for Planning Waiver

www.kennett.pa.us/DocumentCenter/View/5246

Motion to authorize Chariman Richard Leff to sign the presented Request for Planning Waiver & Non-Building Declaration submitted by Kaolin RE Holdings Corporation per the AECOM letter dated February 1, 2022 was made by Gamble and seconded by Stevens. Motion passed 3-0.

Sander reported at Stevens' request that he did review this item and found everything to be in order.

Public Comment: John Haedrich asked for specifics on what was being waived, which was explained by Sander and Diane Hicks.

e. Consider Eagle Energy Systems Indemnification Agreement

Motion to approve the Indemnification, Hold Harmless, and Defend Agreement between Eagle Energy Systems, Ltd. and Kennett Township as prepared by the Township Solicitor and presented to the Board was made by Gamble and seconded by Stevens. Motion passed 3-0.

The change to the agreement from the last meeting was discussed by Ratliff and Sander.

Public Comment: Keith Kanara of Cypress Street Holdings, LLC reported that the parties have come to an easement agreement verbally and via email and expect to have that documented by their respective attorneys in the near future. Sander and Ratliff recommended tabling this item in lieu of the comment from Kanara, but Neil Land, representing Eagle Energy Systems explained why his clients would like the Board to act on this tonight.

f. Consider EAC Appointment

Motion to appoint Greg Gurev to the Environmental Advisory Council to fill the vacancy left by Mary Beth Oberg, with a term expiring December 31, 2023 was made by Stevens and seconded by Gamble. Motion passed 3-0.

g. Consider Trails & Sidewalks Committee Resignation and Appointment

Motion to accept the resignation of Tim Peterson as the Land Conservation Advisory Committee liaison was made by Gamble. Stevens seconded and motion passed 3-0.

Gamble expressed his desire to review all committees and ordinances that govern them, along with volunteers and liaisons.

Public Comment: Richard Gaw of Chester County Press asked if Gamble was specifically referring to environmental based committees and Gamble clarified that his comments were regarding all the Township committees. Peter Doehring shared his opinions about the values of committees and warned against curtailing them. Gamble explained he wants to look to see how the Township can unencumber the committees and the volunteers appointed to them. Stevens also said he does not wish to restrict committees, that he would rather see more committees.

h. Consider Township Seal & Coat of Arms

www.kennett.pa.us/DocumentCenter/View/5247

Motion to authorize the Township Solicitor to draft an ordinance creating and authorizing a Township Coat of Arms and Crest heraldically blazoned as follows:

Arms: [Alternatives]

[A] Per pale Argent and Vert three American Sycamore leaves one facing dexter chief one facing sinister chief and one facing base conjoined at fess point counterchanged.

[B] Per fess Vert and Argent a Pale counterchanged overall in the Vert three Garbs Or banded Gules and in the Argent three American Sycamore leaves Vert.

[C] A stylized American Sycamore tree proper eradicated and foliated with twenty-four leaves Vert.

[D] An American Sycamore leaf at fess point upon a square Argent and Vert counterchanged upon a cross Argent and Vert counterchanged upon a saltire Argent and Vert.

Crest:

On a torse Argent and Vert upon two Flags in saltire that to the dexter being the Flag of the United States of America in 1777 and that to the sinister being the Flag of Great Britain in 1777 the Old 1777 Kennett Meeting House proper in front of a demi Sun in splendor Or

was made by Gamble with Alternative [A] and seconded by Stevens. Motion passed 3-0.

Public Comment: John Haedrich shared his opinions on which alternative he preferred. Lynda Allred questioned the importance of this topic and asked if more would be involved in making this decision. Gamble and Leff summarized past conversations about this and said if not now, when? John Wilkins shared his opinions about showing something that represented Pennsylvania rather than England as well as the Red Clay Creek.

7. Department Head Reports

a. Eden Ratliff – Administration

(www.kennett.pa.us/DocumentCenter/View/5248)

b. Amy Heinrich – Finance & HR

(www.kennett.pa.us/DocumentCenter/View/5237)

c. Diane Hicks – Planning & Zoning

(www.kennett.pa.us/DocumentCenter/View/5238)

Gamble asked about the conditions upon which the application at 107 Chandler Mill Road were approved and Hicks explained.

d. Eden Ratliff – Public Works

(www.kennett.pa.us/DocumentCenter/View/5239)

Leff asked for more information about the recent pump failure at Sinclair Springs and Public Works Forman explained.

e. Matt Gordon – Kennett Township Police Department

(www.kennett.pa.us/DocumentCenter/View/5240)

Gamble asked if driving while buzzed was included in the DUI checkpoints, to which Gordon said yes and explained how they test for that. Gamble also stated he wanted to talk to the Chief about ribbons for merit and heroism.

8. Public Comment

Stevens announced the annual Red Clay Valley Clean Up will be on Saturday, March 26 and wanted to share an article from the Wall Street Journal called “The New Tech Hubs” on Saturday, March 12 that can be found online at: <https://www.wsj.com/articles/how-the-pandemic-broke-silicon-valleys-stranglehold-on-tech-jobs-11647061211> that is relevant to indoor ag.

9. Adjournment

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

The meeting adjourned at 9:19 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary