



Special Board of Supervisors Minutes

April 15, 2021 | 7:31 | Remote Meeting Via Zoom

Present: Dr. Richard L. Leff, Chairman; Whitney S. Hoffman, Vice Chair; Scudder G. Stevens, Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance & HR Director; Matt Gordon, Acting Chief of Police; Dave Sander, Solicitor

Absent: Amy Heinrich, Director of Finance & HR

1. Call to Order

Chair Leff called the meeting to order at 7:31 p.m., thanked everyone for coming, and explained how this meeting would be conducted. Leff then shared a COVID-19 update, discussed the fourth wave, and encouraged everyone to wear a mask and maintain the recommended distance while remaining emotionally connected. Stevens commented on an article that talked about the reduced death rate of influenza in nursing homes as a result of vaccinations. He urged everyone to get vaccinated. Stevens and Ratliff mentioned an upcoming vaccine clinic conducted by Kennett Square Mayor Fetick. Hoffman commented that La Comunidad Hispana has been working to get more people vaccinated including farm workers and she listed a few other upcoming mass vaccination events. Now that everyone over the age of 16 is eligible to be vaccinated, she encouraged everyone to do so and reminded everyone that they are not fully vaccinated until two weeks after their second shot and that they should still wear a mask after that time.

2. Old Business

a. Discuss Fire & Rescue Territory

www.kennett.pa.us/DocumentCenter/View/4681

Ratliff explained the purpose of this special meeting, to discuss Fire and Rescue Territory in Kennett Township, reminding all that this topic has been discussed at length in both Kennett Township Board of Supervisor meetings and the Kennett Fire & EMS Regional Commission (KFERC). He summarized a Policy Briefing Summary he presented at the last KFERC meeting, which showed inadequate responses in the western part of Kennett Township and identified a need for resources and people in Kennett Fire Company (KFC). That led to discussions about how to best address this at a regional level and brought about the proposal before the Board tonight that is detailed in the link above including the new proposed fire territory map. This proposal was presented at the KFERC meeting on Tuesday, April 13 and both Longwood Fire Company (LFC) and KFC spoke favorably for it. Tonight, the Board is considering if they are interested in pursuing this wholistic approach to addressing the response performance in the western part of the Township and investing additional resources into KFC so that they can have the quality responses they desire. If so, there would be a new territory agreement between Kennett Township, LFC and KFC that would list LFC as the primary responding company.

- Tom Brady (KFC Fire Chief) commented that this proposal is very promising and said that the consensus from the members of KFC is very positive. He said that KFC is planning to vote on this proposal on April 27th.
- AJ McCarthy (LFC Fire Chief) said he feels this is a good thing for both companies and listed the benefits including increasing efficiency for both Kennett Township and the region.
- Hoffman said that she is excited to see the two companies working together and that this will enhance the services provided to the residents, which is the most important thing. She also listed some future possibilities now that the companies are working together.

Motion presented by Hoffman to adopt the proposed Fire, Rescue, and Ambulance Services Agreement with Longwood Fire Company and Kennett Fire Company effective May 3, 2021. Stevens seconded. Motion passed 2 (Leff & Hoffman) to 1 (Stevens) after the following discussion.

Discussion

- Leff said he appreciated that this proposal looks at fire service delivery through a regional lens and it supports the fire companies in their efforts to recruit, train, and retain volunteers as that has been increasingly difficult. Additionally, this accomplishes the goal of reducing responses to the southwest corner of the Township and breaks down some barriers both between KFC and LFC and across state lines into Delaware.
- Kathleen Snyder (115 Quail Ln) commented via Zoom chat, “I have had the misfortune of having to go to the hospital by ambulance twice this year and am very happy to hear of the new proposal.”
- Peter Doehring (5 Nine Gates Road) thanked KFC for sticking through this long process and for the services they have provided through the pandemic and said he does not feel this is as simple as it has been portrayed. He stated that he felt this decision, which significantly impacts EMS and fire rescue over wide areas of the Township, has pretty much already made and set to start immediately. He wanted to know why there was a rush to have this meeting today with only 24 hours electronic notice and no print notice as required by the Sunshine Law rather than giving the public time to consider all of the possible impacts. He said the information provided is very minimal considering the large repercussions this will have and the information provided does not include benefits of reduced cost or benefits of better service. Solicitor Sander confirmed that this meeting was advertised on the Township website Tuesday evening (more than 24 hours) which complies with the Sunshine Law per the COVID-19 Declaration of Emergency which we are currently operating under (Act 15 2020) that allows all meetings to be advertised via the website. Leff said that we did not say this was simple, rather, we explained what the effect on response time would be, the cost involved, and invited Doehring to attend the KFERC meetings for more information.
- Michael Guttman (14 Nine Gates Rd) stated that with the dismantling of the KFC EMS services and them being taken over by LFC, that doubles Longwood’s service area. He asked what statics show this plan is viable. LFC Chief McCarthy clarified that their service area did not double and shared the numbers and data used to determine that two MICU’s could effectively service all of Kennett Township. He said this was discussed extensively when the Commission first began in 2017 and again when Kennett Township voted earlier this year to expand Longwood’s coverage. Leff pointed out that now they would be adding the Borough. McCarthy agreed and said the Borough’s call volume was also factored in.
- Joe Duffy (2 Black Rock Hill) said that in Ratliff’s proposal, there will be an additional ~\$325,000 expense to hire the additional four personnel, which seems like a great expansion when only last month, the Township was touting a \$27,000 savings with the EMS. He asked how this money would be funded aside from falling to the taxpayers. Ratliff answered that his position all along was that the Commission needed to more effectively allocate their \$1.9 Million budget and any savings/efficiencies realized with EMS (which was more than \$27,000) should be reallocated into the fire companies to give them the resources they need. He shared the example of KFC using their EMS personnel to cross-staff their fire trucks and discussed their rate of inadequate responses Monday through Friday from 7:00 a.m. – 5:00 p.m. (as high as 75%) due to the difficulties of finding volunteers who are not working a full-time job. Regarding Duffy’s question about who will pay, Leff answered that the KFERC voted to fund the expense and said the cost savings to Kennett Township from the proposed ambulance changes will be greater. Ratliff added that the increased costs are shared by the six municipalities that make up the Commission.
- Duffy said that we do not know how much the taxpayers of Kennett Township will pay for this increase. Leff agreed and explained the factors that will affect the allocation by the Commission. Ratliff explained the annual process by which the allocation is determined.
- Duffy asked if KFC solicited help from the Township or if the Township first mention paid firefighters to KFC. Ratliff said that the Commission has acknowledged since its inception that paid fire is coming to the region. He said that during the meetings in the fall and winter of 2020, it became clear and was discussed between the Township and companies that given KFC’s utilizing EMS personnel to staff fire trucks that there would likely be a need for more people, although he did not recall who first made the comment. Hoffman agreed that this discussion started with the EMS meetings and Leff agreed that the discussion of paid fire is nothing new and offered statistics on declining volunteers.

- Duffy asked if Ratliff would become a volunteer for LFC and Ratliff responded yes and added that his wife and little brother are all active volunteers at LFC. Leff said Duffy was also welcomed to volunteer as both companies need them and listed the various ways one could volunteer in addition to fighting fires.
- Diane McGovern (345 E. Hillendale Rd) asked via Zoom chat, “Will Longwood need to add to its ambulances?” LFC Chief McCarthy answered that they already have the personnel and units in place they recommended when they submitted the proposal last year. Since March 1st when the change in ambulance services occurred, they have been running two 24/7, 365 days a year paramedic ambulances called MICUs.
- Kathleen Snyder (115 Quail Ln) commented via Zoom chat, “I volunteer as an interpreter (Spanish) if needed.”
- Peter Doehring (5 Nine Gates Rd) wanted to clarify the statistic of KFC’s “failed rate of 75%” which he feels cast them in a negative light. He said that the rigorous standard used to calculate this is one that has never been applied to a fire company before and continued to outline his understanding of the data studied. He said he is concerned that these numbers are overdramatized due to COVID-19. Leff said there is no doubt that KFC is doing their best with the volunteers it has and clarified that the statistic he referenced is not a failure to respond to a call, but rather an inadequate response as defined by KFC. Ratliff added that this is certainly not the first time these standards have been applied and explained that “Turn Out Time” is a county-wide standard and the minimum staffing standard is one that is agreed upon by all fire companies in Southern Chester County. He spoke to which calls/units were evaluated and why and reiterated that these were the standards KFC agreed to be analyzed along with LFC. Additionally, Ratliff spoke to the current volunteer situation at KFC and the lack of surprise of these results based on the lack of available volunteers during daytime hours.
- LFC Chief McCarthy spoke of the the role benchmarks play in all fire companies and explained how each call is documented so this is not new. He further explained the Southern Chester County Fire Chiefs Policy on staffing that Ratliff mentioned above. McCarthy said that in addition constantly monitoring their own data and to Kennett Township applying these standards as a comparison, LFC has also had this done by a third-party consultant in the past. This is not new and not one-sided but rather objective as all companies know about these standards. He said while it was unfortunate that KFC were having some difficulties, he says it is a positive thing that they are taking the data and taking a positive step forward. He added that if this plan goes through, the plan is to improve the turn out time as he feels the taxpayers deserve that versus making it worse or staying at status quo.
- Hoffman spoke about what happens on the other end of the emergency calls, sharing statistics about fires growing and survival rates decreasing the longer it takes for help to arrive, which is why turn out time is so important.
- KFC Chief Brady reiterated what Chief McCarthy said by adding that they just want to do what is best for the residents.
- Henry Schlimme (9 Black Rock Rd) stated that he was glad the two companies seemed to be in agreement over this. He asked for clarification on the current percentage paid by Kennett Township to the KFERC and Leff confirmed it is 30% with East Marlborough Township at 24.5%. Schlimme asked if KFC shuts down all ambulance services, who picks up those hours. Leff answered LFC and Ratliff said that the proposal does not propose the any increase in the two 24/7 MICUs from Longwood. Schlimme asked how many additional hours of reduced coverage this proposal will result in and Ratliff answered that currently, KFC does not serve Kennett Township. Richard Franks, Assistant Chief of KFC, confirmed that KFC no longer serves the Township as of March 1st and now primarily serves the Borough. Schlimme asked how many times LFC EMS not able to respond to a call in Kennett Township last month and Matt Eick, Assistant Chief of EMS at LFC, reported that last month they had eight calls that needed to be covered for a missed call percentage of just over 3%. He estimated 250 to 300 additional net calls with this proposed increase will take them to the 3,000 proposed call volume they analyzed both in 2017 and 2020. Finally, Schlimme asked if LFC ever cross-staffs their fire equipment the way KFC does. LFC Chief McCarthy said it is incredibly rare, maybe once or twice a year. He further explained how those trained on the MICU might be intentionally scheduled to work fire for half of their shift and then EMS for the second half. Schlimme stated that he was glad to be paying for firefighters, but still is not comfortable with cutting ambulance services and reducing coverage and fears the expenses will go up for this. Leff responded that for now, this reallocates funds for fire and offers the opportunity to have a unified response and look at it wholistically over the whole region, which was recommended by the statewide Commissioner. Leff agreed that this needs to continue to be monitored.
- Steve Melton (Deputy Fire Chief for KFC) said that he has been asking for this regional approach since the Commission started and that he is ecstatic that it is taking place. He is looking forward to making the

Township, Borough and Southern Chester County a better and safer place to live if the KFC members vote to do this, and he is looking forward to working with LFC and PoMarLin Fire Company to make this successful.

- Diane McGovern (345 E Hillendale Rd) asked via Zoom chat, “Will the 3 paid firefighters start on May 3rd?” Franks with KFC said that although it will take a few weeks to get everyone up to par, they are currently in the process of onboarding and orienting the firefighters now.
- Pat Muller (22 Deer Pond Ln) shared her personal experiences with fast response times from LFC when she needed them three specific times to help her late husband. She said that while people can go back and forth about taxes going up and big verses small government, at the end of the day response times matter. She thanked Chief McCarthy and the whole LFC crew for being there for her family and for riding the fire truck with Santa every year. While she has never experienced KFC’s services, she is sure that a regional cooperation is the only way to guarantee everyone in the Township gets the same level of service she was able to benefit from. She said she supports this 1000% as it is the best thing for every corner of our community, and that is what everybody deserves.
- Turner Bidmead (560 Chandler Mill Rd) said via Zoom chat that he has gotten into accidents near Kaolin and Chandler Mill Roads right where they boarder New Garden Township over the past 10 years and have always had Avondale EMTs responding. Not Kennett and never Longwood. McCarthy theorized how or why Avondale would have been the first to arrive in those instances and spoke about the new fire territories if this proposal is approved.
- Prior to his vote, Stevens shared prepared comments that are attached to these minutes as Appendix A.
- LFC Chief McCarthy responded to Stevens to correct some of the information he read. First, he said LFC does not have a lack of resources, rather his volunteers have been able – through COVID-19 – to maintain a successful response rate of 95%. Additionally, the decrease response time of six minutes was from KFC, not LFC, and McCarthy thought it wise to increase the response time without incurring any additional cost. McCarthy recalled that when the KFERC began, Stevens’s position was that the two fire companies needed to merge and said this is about as close to that as he could hope for. He said that given the compliance ratios from KFC, something had to be done and he commended KFC for taking the steps to put a plan in place. He has had discussions with KFC Chief Tom Brady, Deputy Chief Steve Melton, and Assistant Chief Ricky Franks as recently as this morning about how this would be beneficial to Kennett Township residents and KFC. He acknowledged that there are likely political and intermunicipal relationships to foster, but he argued that the most important relationship here involves that between KFC and LFC. He said that this is a monumental step, one which Stevens tried to force in the past, which was why it did not work. McCarthy said that he is concerned that Stevens is not excited about this since the two companies are now standing shoulder to shoulder letting him know what will be beneficial to the residents and to the companies when Stevens has spent time at Commission meetings saying the two companies need to work together. McCarthy said KFC does good work and there is not an incremental step that can be taken when trying to address a safety crisis of not having enough qualified people. He said that while Stevens may be upset about the process, in his opinion this is the right outcome that will be prosperous to the entire region, which is what the Commission was founded on. He thinks this is a good thing and believes that the fruits of this will justify the means.
- KFC Chief Brady wanted to set the record straight regarding the analysis, that KFC asked Eden to help and that they set their own metrics for the analysis. He said they have to live with the results of the analysis and are therefore taking the steps to fix what they found out. Like Deputy Chief Melton, Brady said he is also ecstatic to be working with LFC Chief McCarthy and the Chief of PoMarLin. He is looking forward to this regional approach.
- Stevens commented that he said nothing negative about LFC, but rather his comments had to do with the relationship between KFC and Kennett Township. He added that he respects the men and women of LFC as well as KFC and PoMarLin. Stevens agreed with McCarthy, that one of his goals with the Commission from the very beginning was to encourage a stronger regional approach. He said his comments were not opposed to where it was going, but rather how his partners have treated Kennett Fire and EMS and the Borough in this transaction. He feels Kennett Township’s behavior has been inappropriate. He said he is very happy with this coming together and that the ends are wonderful. He is encouraged to hear everyone from both companies speak positively about it. He is not happy about what it may have done to an organization that has been around for 150 years, and that was why he voted against it.
- Leff said the Commission has been talked about for five year, operational for four years, and prior to that the Borough and Stevens have stopped these changes from happening, so he understands why Stevens is not happy. Stevens replied that Leff was not there before the Commission.

- Hoffman recounted her many conversations with both LFC and KFC and feels the Township's relationships with them are stronger now than ever. She is disappointed that Stevens thinks those relationships have been damaged and added that having honest, face-to-face conversations about really important issues is what governing is all about. It is not about getting one way over another but working through the issues. She feels this is an exciting new day that will allow both companies to go on and feels that should be celebrated.
- Stevens asked Hoffman what suggestions she asked for of KFC about how they could be restructured and supported without dismantling it. Hoffman said these discussions were talked about at the Board meetings in February. She said KFC deserves a round of applause because it is not easy taking a hard look at yourself and making positive changes, and nobody should know what that feels like more than this Board who had to take a hard look at everything in 2019 and rebuild brick by brick.
- Leff asked why Stevens is saying this is a dismantling of KFC asked if KFC feels this action gives them a better chance to be in existence or lowers that chance. KFC Chief Brady said he feels this increases their chances of survival. He explained that he is only 15 days into this new position so he cannot speak to what happened before. He said again that he wants to make sure the residents are taken care of from the Township to the Borough to the region, and that he feels this is not a dismantling of the company.
- KFC Deputy Chief Melton stated his appreciation for the support Stevens has shown KFC. He then said that he believes that with this decision tonight, Kennett Fire Company has another 150 years of existence in the future. He said this gives KFC the structure to continue, to grow, and to continue doing what they like doing best which is helping people. While the members of the KFC still need to vote on this, he personally believes this is a huge step for his company, LFC, and the whole regional Commission. Leff thanked Melton for his comments and said that is what they have hoped for, but the reality of any elected official is that you are not going to make everyone happy. He said while some may agree or disagree, they are trying to do what is best for the residents of the Township and it is good that these conversations are happening and he appreciates everyone's input.
- Ratliff explained the one remaining action item that is before the Board tonight, which is the County-mandated resolution that officially designates all a municipality's service providers. He reminded everyone that this was done a couple of months ago, but it needs to be redone to reflect the changes from the agreement passed tonight.

Motion presented by Hoffman to adopt Resolution 2021-11 designating emergency service providers for Kennett Township effective May 3, 2021 through December 31, 2021. Stevens seconded. Motion passed 3-0.

3. New Business

There was no new business.

4. Public Comment

Discussion

- John Wilkens (138 Round Hill Rd) thanked everybody for all the services provided and thanked the Supervisors and Township for their dedication in trying to do the best for everybody in the Township, recognizing that it is not an easy task.

5. Adjournment

Motion presented by Hoffman to adjourn. Stevens Seconded. Motion passed 3-0.

The meeting adjourned at 9:06 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary

REGARDING TONIGHT’S RESOLUTION

Before I cast my vote, let me explain to you why I am voting as I am. Note that I was essentially silent during the discussion on the motion, principally since I have been heard by all on the subject of Kennett Fire and EMS for over 6 months and numerous Board meetings. My comments and questions during the debate would only be redundant at this point.

I think it is appropriate to look at the recent history of Kennett Fire and EMS versus the Board of Kennett Township.

Kennett Fire and EMS is an old and honored institution, providing valuable and life saving service to Kennett Borough and Kennett Township. We in the Township have honored that view by supporting Kennett Fire and EMS continually for years in providing operating income and equipment. The men and women of Kennett Fire and EMS have been vital to the well-being of Kennett Township. They are truly heroes

Nevertheless, I would be foolish to not also acknowledge that Kennett has its operational needs. One of the reasons for forming the Commission was to provide a broader source of financial assistance to Kennett Fire and EMS. Another reason, perhaps a bit more subtle, was to encourage a more meaningful interaction among the leadership and rank and file of all three fire companies. The hope was that they would learn from each other and grow together into a more viable regional support system. And on both scores, those goals have been encouraged, if not obtained.

I also believe that various of us in Kennett Township have worked with the administration of Kennett Fire and EMS to define problem areas and to provide assistance, beyond money. Over the years that seems to have been helpful, whether significantly helpful reasonable people can differ.

But the one thing Kennett Township did not do during this past year is to sit down with Kennett Fire and EMS administration and offer to address their shortcomings in a transactional and incremental way. What this Township did, instead, was to define those shortcomings and then, in a systematic and intentional way, set out to dismantle and destroy, first Kennett EMS, and then Kennett Fire. The Township has bulldozed and bullied its way to this evening. It started out on the argument that the Township would save money. This was a straw argument since the

financial obligation was with the Commission and not the Township. But we were assured that the Township would save some \$29,000 by eliminating Kennett EMS. When Kennett EMS counter-proposed a change that would keep them alive and save \$38,000, to boot, the Township then changed its argument and said that it was about services provided and human relations issues. Such as that Kennett EMS was cheaper than Longwood and must, therefore, be skimping on its obligations to its employees and volunteers. The argument kept morphing such that it was nearly impossible to keep track of all of its pieces. About money, however, it clearly was not!

Several things were clear, however. The majority of this Board were committed to doing away with Kennett EMS. And they were not concerned about the dominoes that such a position would trip over. Two such immediate dominoes were that it would be significantly more expensive to provide those proposed services by Longwood, alone, and that the Borough would likely pull out of the Commission. And in fact, once the Township did change service providers, Longwood petitioned for additional funding ten times greater than the purported savings presented by the Township. In addition, the Borough has already begun the process of withdrawing from the Commission.

Once EMS was destroyed by this Board, then Kennett Township approached Kennett Fire and offered to assist them in convincing the Commission to provide the funds to pay for full time paid fire people. Kennett Fire accepted this offer and asked that the Township review fire service statistics and guide them on how to use this information to petition the Commission. This the Township agreed to do, resulting in the one-sided and unbalanced report and proposal that was accepted by the Commission of Tuesday night, and is before this Board tonight. There was no offer of incremental assistance to help the fire company work through its needs. It was written and presented in the most dire of terms. And it was successful in resulting in obtaining paid staff for Kennett Fire. Further, it will lead to a similar review and proposal for paid staff for Po-Mar-Lin, resulting in the full transformation of fire service to the region. Thus, tonight is just one step in the process.

But at what cost? While the regional service has not been running at its most efficient levels, it has, successfully, been keeping up with the needs of the Kennett area, and its growth demands. The built in redundancy of fire service, with multiple service providers all supporting each other, has meant that all events have been covered. But with the proposed change defined by

this motion, the system now needs to reach out to Hockessin Fire, since Longwood does not have the resources to do what Kennett previously has successfully done. The old adage of “Don’t fix it if it ain’t broken” is very true and here clearly appropriate.

So, what is this rush to judgment? Fires are being successfully addressed in a timely manner. The depth of regional resources adequately covers the needs of the Township. Kennett Fire won’t vote on accepting the Commission proposal for nearly a month. Nothing changes until May, at the earliest. And yet this Board is, like leemings, driven to hold a special meeting, tonight, to act on this proposal. We could have done this next Wednesday at our regularly scheduled meeting. Or addressed it at the meeting after that, and still been within the limits imposed. For some reason this needed to be done tonight. As with all aspects of the fire and ems question, there seems to be a private agenda to lock this matter down, as soon as possible, damn the consequences.

But let’s look at the other side.

I spoke to various Kennett Fire people after Tuesday’s Commission meeting. They acknowledge that they were backed into the corner, and pushed over the barrel, by these bullying tactics. But the administrators appear to be happy with the outcome. Whether that is relief to have survived this process, or truly happy with what they will become, needs to be determined. But a vote remains by the rank and file of Kennett Fire, and no-one would project how that vote would turn out. And no-one would project how Kennett Borough Council will respond to this intervention into their territory and the destruction of their fire and ems system. People are upset, and long term relationships have been damaged, if not destroyed, in this process. Just one more domino flipping on the board.

But the fire people acknowledged that there was cooperation between Longwood and Kennett at the Commission, and that they expect to work successfully together in the future. This, alone, would be a major improvement, to calm that war between those companies. And those administrators suggest that they will get more on-job experience by being a part of a more functional regional fire service. So they express cautious optimism.

But it is time to vote; where does this review leave me? For six months I have tried to argue process, while continually being whip-sawed back and forth about dollars and cents, response times and ignored efficiency standards. The data has been mind-numbing. I have

argued, completely unsuccessfully, for an incremental repair of those issues with Kennett Fire and EMS that needed to be addressed. Instead, this Board has systematically and intentionally used a bulldozer to run roughshod over Kennett Fire and EMS, pushing it aside for the brave new world of Longwood Regional Fire and EMS. Standing with Kennett Fire, the Township says, "But look what you will get - unified control and regional improvements. These are worthy goals. Why do you yell so much?" And indeed, why do I yell? Because these improvements could have been obtained without the blood and pain of so many Kennett Borough and Kennett Fire and EMS people, and the disregard of crucial relationships, through an effort at incremental improvements, and without the need to bulldoze and bully the fire company. So instead of yelling, let me ask the simple question - do the ends justify the means?

Which brings me to my vote. No, the ends do not justify the means, and I vote "NO" on the motion!