



Board of Supervisors Minutes

April 21, 2021 | 7:00 | 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; Roger Lysle, Public Works Director; Matt Gordon, Chief of Police; Dave Sander, Solicitor

1. Call to Order

Chair Richard Leff called the meeting to order at 7:00 p.m., explained how this virtual Board of Supervisors Meeting would be conducted, and offered a COVID-19 update noting that cases are continuing to rise. He encouraged everyone to continue practicing appropriate precautions while remaining emotionally connected to people. Hoffman reminded everyone that all over the age of 16 are now eligible to be vaccinated, explained the importance of getting vaccinated, and shared recent vaccine clinics in the Kennett area.

2. Township Recovery Update

Manager Ratliff had no update to report.

3. Executive Session Announcements

There were no Executive Sessions to announce.

4. Meeting Minutes

a. April 7, 2021

(www.kennett.pa.us/DocumentCenter/View/4718)

b. April 15, 2021

(www.kennett.pa.us/DocumentCenter/View/4725)

Motion presented by Hoffman to adopt the Board of Supervisors Meeting minutes from April 7, 2021 and the Special Board of Supervisors Meeting minutes from April 15, 2021. Seconded by Stevens. Motion passed 3-0.

5. 2019 Audit Presentation

(www.kennett.pa.us/DocumentCenter/View/4714)

Leff introduced Chris Herr with Maillie, LLC and Ratliff briefly talked about why the 2019 Audit was just now being presented in 2021. Heinrich explained where to get all the documents that would be discussed tonight (linked above). She also explained the pieces of an audit: the published financial statement as required by the Pennsylvania Department of Community and Economic Development (the format will change in the next couple of years because as of 2021 the Township has a new general ledger system and is now on a modified accrual basis of accounting) and the SAS 114 and SAS 115, which are the opinion of Maillie that outlines concerns about material deficiencies. Heinrich explained that due to the events in 2019, she was expecting everything found in this Audit. Herr then proceeded to

present his findings. This can be watched in full at <https://jumpshare.com/v/2x0jiAg25650trqo6lry>. After Herr explained his findings, Heinrich went through the control findings with the presentation available in the link above.

Discussion

- Hoffman thanked Heinrich and her team for all their work digging in and making things right, and said she is looking forward to being able to use the coming dashboard from Intacct.
- Leff agreed and thanked Heinrich for modernizing the Township and spoke about the time it took to find the right general ledger system, as not all options met Heinrich's standards.
- Richard Gaw (Chester County Press) complemented both Herr and Heinrich on their presentation and asked Herr how long he has been a CPA. Herr responded ~16 years and has been practicing for over 20. Gaw asked in that time if he has ever performed an audit like this that had so many violations in protocols and checks and balances. Herr answered that while he has never worked with a municipality with the fraud allegations that Kennett has, he said he has worked with municipalities that had internal control deficiencies that needed to be worked on. Gaw then asked Herr how the negligence could have been prevented. Herr could not provide a factual answer, citing internal controls are always a factor. Gaw said that based on the presentation, those lack of internal controls are no longer an issue today, and asked again if this could have been prevented. Ratliff voiced concern that this was approaching commenting on an active criminal case and asked for Sander's counsel. Sander agreed with Ratliff and said that any answers given to this or similar questions would be purely speculation and that if someone wanted to do bad things, even with all the controls in place, there is still a chance it could happen.
- Gaw asked Heinrich where Township residents could go on the website to track down this type of information, and what information was available. Heinrich said for this year's and past year's audits, go to the Finance/HR page (www.kennett.pa.us/159/Finance-HR) There are other financial reports available there and under the Public Meeting Documents section (www.kennett.pa.us/388/Public-Meeting-Documents) for the monthly Department Head Reports, which are presented at the second meeting of the month.
- Gaw asked for more details on Sage Intacct, the new general ledger system. Heinrich explained that it is primarily a private sector and nonprofit platform. The module that the Township is using is nonprofit and government. She detailed other types of companies who use Sage and it's popularity. She said they are modern in that they are browser based and nothing is held on site but rather in the cloud. Gaw thanked everyone for their comments.

6. Old Business

There was no old business.

7. New Business

a. Consider April 21st Bill Voucher

(www.kennett.pa.us/DocumentCenter/View/4723)

Motion presented by Hoffman to approve the April 21st Bill Voucher in the amount of \$98,167.17 and to approve transfers in the amount of \$23,075.38. Stevens seconded. Motion passed 3-0.

b. Consider Authorization to Auction Police Vehicle

(www.kennett.pa.us/DocumentCenter/View/4709)

Motion presented by Hoffman to authorize the auction of the 2015 Ford Taurus Interceptor through Municibid online Government Auction. Stevens Seconded. Motion passed 3-0.

Discussion

- Stevens commented that he hoped the money from this would go towards the purchase of an electric car.
- Leff asked Ratliff how much they could expect to get from this auction. Ratliff answered at least \$1,000 but obviously hopefully more. He then went on to describe the condition of the motor and body of the Interceptor and explained more about Municibid. Ratliff said that the revenue from this was budgeted so there would not likely be a windfall of cash to put towards an electric vehicle, but he and Gordon are actively looking into hybrid/electric models and monitoring departments that currently utilize them.

- Heinrich and Ratliff reminded everyone that as part of the 2021 budget process, the replacement of two police vehicles was approved and the Township is set to take delivery of the second one soon. He also said there was another Interceptor that they will keep for nonuniform employees.

c. Consider D’Allaird Final Minor Subdivision Plan

(www.kennett.pa.us/DocumentCenter/View/4710)

Motion presented by Hoffman to grant approval of the Final Minor Subdivision Plan for the D’Allaird application prepared by Register Associates, Inc. dated January 18, 2021, consisting of 3 sheets with approval of the requested waivers given that no earth movement or construction is proposed with this application conditioned on any open items in the February 15, 2021 review letter are resolved. Stevens seconded. Motion passed 3-0 after the following discussion.

Discussion

- Ratliff, who reported that Hicks was on permitted leave, explained that this was a simple subdivision, and that no construction was proposed. He also said the waivers do not apply because there is nothing being done.
- Hoffman asked Jim Fritsch, the engineer for this project, why this was happening. Fritsch explained that there is currently a single-family dwelling on the property and D’Allaird’s intent is to convey the house to the current residents of that single family dwelling without all the property.

d. Consider Brandywine Valley Scenic Byway Budget

(www.kennett.pa.us/DocumentCenter/View/4727)

Motion presented by Hoffman to approve the presented 2020-2021 budget for the Brandywine Valley Scenic Byway Commission. Stevens seconded. Motion passed 3-0 after the following discussion.

Discussion

- Ratliff explained that the Brandywine Valley Scenic Byway Commission’s (BVSBC) bylaws require the member municipalities to approve their annual budgets for the Commission. This was not done in 2020 due to COVID-19.
- John Haedrich, Township resident who serves on the BVSBC, explained his memo that accompanied the Budget in detail, which is available in the link above. He discussed the lack of grants due to COVID-19 and the current efforts which includes updating the website, especially considering the recent designation of National Scenic Byway. He also explained the copy of the internal Audit that was included in the link above. He added that they operate on a fiscal year, which runs from July 1st through June 30th.
- Leff thanked Haedrich for this information, saying it is helpful to know how the BVSBC’s budget requests fit in. There was discussion about how the new National designation may provide additional opportunities for funding.

8. Department Head Reports

a. Eden Ratliff – Administration

(www.kennett.pa.us/DocumentCenter/View/4726)

Ratliff shared some highlights from his Department Head Report that is available in the link above including the recent designation of National Scenic Byway for the Brandywine Valley Scenic Byway, the recent award of \$2.2 million grant for a Roundabout at the Five Points Intersection – of which there is still significant engineering to be done to move the concept drawing to an actual design and will likely take three years for this project, the recent award of \$400,000 to help partially fund the joint project with the Borough for the Birch Street and Magnolia Underpass trail segments, and the upcoming drive through vaccination site administered by the County of Chester in the overflow parking lot of Longwood Gardens.

b. Amy Heinrich – Finance & HR

(www.kennett.pa.us/DocumentCenter/View/4724)

Heinrich reported that the 2020 Audit is fully underway now that the 2019 Audit is complete. She also reminded everyone that the Berkheimer tax bills have been sent out and the discount end period ends April 30th. She advised

everyone to call Berkheimer if they have not yet received that bill or if they have any questions. Info on how to reach them is available on the Township website. All of this and more is in her report in the link above.

Discussion

- Leff asked when the 2020 Audit would be ready to be presented. Heinrich said that with COVID-19 the process is still slightly more drawn out than normal, but she is aiming to have Herr back over the summer to report his findings for 2020.
- Heinrich pointed out that the Board had received the 2019 Audit documents in advance and has already had their opportunity to have those discussions.

c. **Diane Hicks – Planning & Zoning**

(www.kennett.pa.us/DocumentCenter/View/4711)

Ratliff delivered Hick's report, which is available in the link above. He highlighted an event that the Historical Commission will be hosting, called Revealing Home Secrets, virtually on Thursday, April 29th. The website has all the details for participation. He also noted that the Historical Commission is currently looking for more volunteers to join.

d. **Roger Lysle – Public Works**

(www.kennett.pa.us/DocumentCenter/View/4712)

Lysle presented his monthly Department Head Report, available in the link above, and included updates on the Cedarcroft & 82 intersection upgrade, Barkingfield Park, winter clean up, street sweeping, drainage repairs, tree work and trimming, the spring clean up in conjunction with Red Clay Valley, and crack sealing. He added that PennDOT finally worked on Old Kennett Road near the Delaware state line. He said it is a permanent temporary patch. The final seeding for the Ashford septic bed is set for next Monday and the yard waste pile is almost all hauled away.

Discussion

- Hoffman thanked Lysle for taking a call earlier today regarding the pothole Mrs. Swanson was concerned about. She also asked about a property on the corner of Ashford that had the yard torn up to due to construction vehicles. She was not sure if this was something their Homeowners Association should address or if that was a Public Works issue. Lysle said that he would work on that as well as address some wash out issues further up near Red Oak Drive. She told Lysle that the owner promised to double seed so she wanted to ensure that had happened.
- Diane McGovern (345 E Hillendale Rd) thanked Lysle for adding the new segment of trail at Barkingfield to work around the wetlands and asked if the upper most field could be open for trails. Roger explained his concerns with that because half of that is not public property. Discussion continued about ideas for this and Lysle said he would look into it.
- McGovern, Hoffman, and a resident via Zoom chat all commented that the park is getting good use.

e. **Matt Gordon – Kennett Township Police Department**

(www.kennett.pa.us/DocumentCenter/View/4713)

Before Gordon presented his monthly report, Leff officially announced that Gordon has accepted the position of Chief of Police and is no longer "acting." He congratulated Gordon on his promotion and thanked him for his dedication, saying he looks forward to Gordon leading the Kennett Township Police Department for many years. Leff added that a swearing in ceremony is currently being planned and the details of that would be announced soon. Gordon thanked Leff for the announcement and comments, and for the vote of confidence in his abilities.

Gordon then presented his monthly statistics, which are available in the link above, cautioned the public about COVID-19 vaccination scams, and announced the newest Police Officer to join Kennett Township, Jonathan DeLeon.

Discussion

- Stevens stated his pleasure in the announcement of Gordon's new title of Chief and offered his congratulations. He added that he looks forward to the proper ceremony so Gordon can get his gold badge.
- Hoffman echoed the same sentiments and added that she had the opportunity to meet Officer DeLeon, that he seems like a very nice young man, and she looks forward to getting to know him.

9. Public Comment

Discussion

- Diane McGovern (345 E Hillendale Rd) asked if the rule still stood which stated you could not be a involved with any of the fire companies within three years if you were going to be a member of the [Kennett Fire and EMS Regional] Commission. Ratliff said he still believes that the bylaws of the KFERC state that if you are a voting member or alternate of the Commission you cannot have served with any of the fire companies that are part of the Commission or with any mutual aid company within the last three years. Leff and Stevens, Kennett Township's two representatives, to his knowledge have not served with any of the companies in the last three years.
- McGovern also asked if there were any plans for the demolition of the buildings on Spar Hill. Ratliff said yes, that was budgeted for in 2021 and he anticipates discussions about this will start in the summer. Ratliff briefly spoke to the complexities of the project with the environmental remediation effects, but he said they are looking forward to getting it started.
- Beth Thomas (126 W Hillendale Rd) asked where the fire agreement was from the last meeting as she was unaware of that meeting. She was given the link to the Public Meeting Documents section of the website (<https://www.kennett.pa.us/388/Public-Meeting-Documents>) and Leff also reminded her and everyone that the recordings from all meetings are available to watch any time (<https://www.kennett.pa.us/341/Media-Center-Kennett-Township>). Hoffman added that the minutes are also a good resource and Flack confirmed the minutes from that meeting would be on the website after tonight's meeting concluded.
- Flack asked for clarification on an upcoming COVID-19 vaccine site hosted by Chester County that was originally going to take place at Kennett Fire Company. Richard Franks, Assistant Chief of Kennett Fire Company, confirmed that the April 30th vaccine site will no longer be at the Red Clay Room, rather it will be held at the Jennersville YMCA. This is separate from the COVID-19 vaccine clinic that was set up by Mayor Matt Fetick, which is scheduled for April 24th at the Kennett High School.

10. Adjournment

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

The meeting adjourned at 8:38 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary