



## Board of Supervisors Meeting Minutes

Hybrid Meeting Via 801 Burrows Run Road & Zoom

June 15, 2022

7:00 p.m.

**Present:** Scudder G. Stevens, Vice Chair; Geoffrey Gamble, Esq., Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance & HR Director; Diane Hicks, Planning & Zoning Director; PJ Groff, Public Works Interim Director; Matt Gordon, Chief of Police; Solicitor Sander

### 1. Call to Order

Vice Chairman Stevens called the meeting to order at 7:00PM

### 2. Pledge of Allegiance

### 3. Embezzlement Recovery Update

There was no update on the Embezzlement Recovery.

### 4. Executive Session Announcements

Solicitor Sander announced that the Board of Supervisors met in Executive Session on June 2, 2022 to discuss litigation.

### 5. [Brandywine Valley Scenic Byway Update](#) – John Haedrich

**a. Proposed 2022-2023 BVSBC Budget-** Mr. Haedrich is asking the Board to approve the budget and increase their fee from \$500 to \$600. Township Manager Eden Ratliff commented that budgets can not be voted on without 24hr prior approval, and could be looked at the next Board meeting.

**b. FHWA Grant Opportunity-** requesting \$4,000 of matching funds from Kennett Township. Grant requires a 20% match.

### 6. Meeting Minutes

#### a. June 1, 2022

*Motion to adopt the June 1, 2022 Board of Supervisor meeting minutes was made by Gamble and seconded by Leff. Motion passed 3-0*

### 7. Business Items

#### a. [Consider June 15, 2022 Bill Voucher](#)

*Motion to approve the June 15, 2022 Bill Voucher in the amount of \$439,269.69 and to approve total transfers in the amount of \$1,929.06 was made by Gamble and seconded by Leff. Motion passed 3-0*

**b. Consider Mushroom Festival Sponsorship**

*Motion to become a Shiitake Sponsor of the 2022 Mushroom Festival for a total donation of \$2,500 as budgeted in 2022 Kennett Township Budget was made by Leff and seconded by Stevens.*

*Discussion has been raised from Gamble that he would have no problem with the sponsorship if there was a sign with Kennett Townships new seal and name. Township Manager Ratliff explained the benefits of the sponsorship: Company Name will be listed on the Sponsorship Board at the Mushroom Festival, (4) admission tickets and (2) t-shirts, Company Name and Logo will be displayed on the sponsorship page of the Mushroom Festival website.*

*Motion passed 3-0.*

**c. Ratify Mondo Media Change Order**

*Motion to ratify the Change Order from Mondo Media Solutions in the amount of \$610.51 was made by Gamble and seconded by Leff. Motion passed 3-0.*

*Amy Heinrich made a comment to further clarify to the public that this is a contract and a change order- we are making the public aware of the change. Thresholds can be set moving forward in the future.*

**d. Ratify Authorization to File Appeal from Decision of Office of Open Records**

*Motion to ratify the authorization given to the Township Solicitor to file an appeal to The Court of Common Pleas of Chester County from a final determination of the Office of Open Records in a Right-to-Know matter was made by Gamble seconded by Leff. Motion passed 3-0*

*Clarification was made from Township Manager Ratliff.*

*Public Comment (via Zoom): Richard Gaw from Chester County Press. "Who in this case is the requestor and what is the substance of those discussions?" Township Manager Ratliff: A Kennett Township President is requesting legal bills from the beginning of this year/end of last year and the discussion thus far surrounding what bills both parties can agree to be redacted. Vice Chair Stevens asked the Township Solicitor if the requestor could be named. Solicitor Sander: Due to the pending litigation between the parties and the potential settlement the requestor can be revealed after the settlement is finalized so there is not prejudice by making that revelation made this evening. Richard Gaw had follow up questions: "Can the Township Manager confirm that this is in fact Joe Duffy?" Township Manager Ratliff confirmed. Can you also confirm the nature of this request from Mr. Duffy is what the Township has spent on defending you regarding conflicts of interest? Township Manager Ratliff reiterated that the request is dealing with legal bills from the end of last year and the beginning of this year from Kilkenny and Blank Rome. Solicitor Sander stepped in and offered further comment that the requestor may agree to certain redactions of privileged information, but the Township will not redact others that he is interested in*

**8. Department Head Reports**

**a. Administration – Eden Ratliff**

<https://kennett.pa.us/DocumentCenter/View/5689/>

**b. Finance & HR – Amy Heinrich**

<https://www.kennett.pa.us/DocumentCenter/View/5690/>

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

<https://www.kennett.pa.us/DocumentCenter/View/5691>

**d. Public Works – PJ Groff**

<https://www.kennett.pa.us/DocumentCenter/View/5692>

*Vice Chairman Stevens asked who is responsible for dead deer on the side of the road. Township Manager Ratliff explained that's a responsibility issue and if it is brought to our attention, it will be dealt with. Gamble commented that it should be a state responsibility not a township responsibility. Chief Gordon commented that if it is a State Roadway, they contact PennDot, if it is a secondary roadway they will handle it.*

**e. KTPD – Matt Gordon**

<https://kennett.pa.us/DocumentCenter/View/5693>

**9. Public Comment**

**Peter Doebling (via Zoom): 5 Nine Gates Road**

Bill Voucher Comment: Public Relations Agency Invision

What is Invision giving to the township if a resident files an ethics complaint? Are they telling the township to call and resolve the matter or is the township not acting? Which then raises the question as to why we have a public relation agency to begin with? It was striking to hear John's description of what he was seeking to get done on the Brandywine Scenic Byway that centered primarily on a \$100 a year increase and a \$4,000 project proposal seemed worthwhile. At the same time, we are spending \$20,000 on Public Relations Consultants on services that we are now questioning are they worthwhile? My comment is to take a closer look at what Invision is doing and is it necessary in the future? Gamble commented that he agrees with the statement that we will be taking a good hard look at what the PR is truly doing for us.

**Marie Boyd (via Zoom): 114 Ashford Drive**

I'm a member of the Ashford Drive Development and would like a better understanding of what the status of the septic situation? Specifically, we were told we would have answers at the end of the year. Can you please specify if it is fiscal year or calendar year? We have specifically asked multiple times who is managing the system, when was the last time the maintenance agreement/contract was out to bid? We have asked repeatedly where is the money our community paid for nearly 20 years as we have been told that it does not show as a line item in the "Books"? Township Manager Ratliff commented: Our finance department in conjunction with our engineering firm and our Public Works department overseen by me is working on a comprehensive report to understand the Ashford Septic System and its history. It's a septic system that was an experimental design and designed to be a community system that was to be run by the community. Ultimately now it's a municipal system, they now have one of the highest, I believe it is the second highest quarterly sewer bills in Chester County. It is certainly a concern for the residents. There is a lot of history to dig through as well as engineering history, legal history, financial history and missing information, missing documents that the team is trying to pull together a comprehensive report. A report should be delivered to the Board and the Public, hopefully by October (this is what we are shooting for) but it could be November. I am unsure of when the last time the maintenance contract was reviewed but it will be scheduled to be reviewed this year and will be in the

report as well. Amy Heinrich commented as well to who maintains the system: Kennett Township, our Engineer (AECOM), M&B is the DEP licensed party, the bed was replaced in 2021 which was PDOC whom have done a lot of the capital efforts. There are “pumping” that come in that are called in from the Township or M&B. One of which is McGovern. Marie and the residents of Ashford would like a list as to what and when maintenance can go out to “bid”. Marie would like to address the Board to set deadlines- so this could be done in a timely manner as this has been going on since December 2021. It is hurting our property value. Vice Chairman Stevens commented that a builder backed out at the last minute from completing the project a very long time ago and is going to be very actively involved in the sewer area to help unravel these knots in the next 6-9 months as he too has been frustrated with the sewer related problems that plague this Township. Township Manager Ratliff further commented that he looks forward to the report the team is working on and will be delivering to the public in the Fall to help address and answer all questions and how to move forward.

#### **10. Adjournment**

Motion to adjourn was made by Gamble and seconded by Leff. Motion passed 3-0. The meeting adjourned at 8:45 p.m.