



Board of Supervisors Minutes

September 15, 2021 | 7:01 | Remote Meeting Via Zoom

Present: Whitney S. Hoffman, Vice Chair; Scudder G. Stevens, Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance & HR Director; Diane Hicks, Planning & Zoning Director; Roger Lysle, Public Works Director; Matt Gordon, Chief of Police; Dave Sander, Solicitor

Absent: Dr. Richard L. Leff, Chairman

1. Call to Order

Vice Chair Whitney Hoffman called the meeting to order at 7:01 p.m., explained why Dr. Leff would not be present, and led the Pledge of Allegiance.

2. Township Investigation and Resolution Update

Hoffman read a press release that is attached at the end of these minutes.

MOTION TO AMEND AGENDA

Ratliff explained the new procedures for changing an agenda because of recent amendments to the Sunshine Law.

Motion presented by Stevens to amend the agenda to allow action to be considered on the Escrow Release No. 3 for Kennett Apartments (The Flats at Kennett). Seconded by Hoffman. Motion passed 2-0.

3. Executive Session Announcements

Solicitor Sander announced that the Board of Supervisors met in Executive Session on August 30, September 2, and September 8, 2021 to discuss matters of litigation.

4. Meeting Minutes

a. August 18, 2021

(www.kennett.pa.us/DocumentCenter/View/4924)

Motion presented by Stevens to adopt the August 18, 2021 Board of Supervisors Meeting minutes. Seconded by Hoffman. Motion passed 2-0.

5. Historic Kennett Square Update from Bo Wright, Executive Director

Ratliff introduced Wright, who then presented a thorough overview and update about Historic Kennett Square. To see his presentation that explained their updated mission statement, key programs, and upcoming programs slides, visit <https://www.kennett.pa.us/DocumentCenter/View/4925>. You can also watch Wright's presentation at <https://jumpshare.com/v/Akbhy2cJmF8AdFqeHq4j>. It starts at 04:42.

Discussion

- Stevens commented that although Wright spoke to the origins of this group, Revitalization Task Force, there was no mention of revitalization in the new mission statement. Wright explained that the focus has been expanded to

the wider Kennett area in attempts to bring the Main Street feel to other areas. He said that while the word “revitalization” is not used, it is still part of the efforts and he elaborated on how and why that term is more loaded today than it was 10 years ago. He said they want to make a community that is welcoming, prosperous, and beautiful and those things encompass what they consider to be “revitalization.”

- Hoffman commented that she was excited about their upcoming Speaker Series. She asked if there were plans to move the Farmers Market back to the Genesis alley or keep it at the Creamery. Wright said that would be evaluated year to year and there are no plans to move anytime soon. He then explained why it was moved early in the pandemic and what has resulted from that move, including the fact the vendors are doing better.
- Lynn Wachman (14 Nine Gates Road) asked if Wright could speak to the pluralistic efforts within HKS for their activities and funding as she wants to make sure they are inclusive to the community. Wright elaborated on how their mission, activities, and funding are inclusive.

6. Old Business

a. Ratify September 1st Bill Voucher

(www.kennett.pa.us/DocumentCenter/View/4926)

Motion presented by Stevens to ratify the September 1st Bill Voucher in the amount of \$152,858.71 and to approve transfers in the amount of \$19,236.31. Hoffman seconded. Motion passed 2-0.

Ratliff explained that the Board of Supervisors meeting scheduled for September 1st was canceled due to tropical storm Ida, but the bills still needed to get paid.

7. New Business

a. Consider September 15th Bill Voucher

(www.kennett.pa.us/DocumentCenter/View/4927)

Motion presented by Stevens to approve the September 15th Bill Voucher in the amount of \$267,547.76 and to approve transfers in the amount of \$6,882.32. Hoffman seconded. Motion passed 2-0.

b. Consider Proposed Resolution 2021-15 – VPP Grant Application for Kennett Area-Longwood Gardens Connector Trail Feasibility Study

(www.kennett.pa.us/DocumentCenter/View/4928)

Ratliff offered an explanation on this opportunity for a Vision Partnership Program grant and gave a history on the Ruby Mile idea first presented to him by resident John Haedrich to connect Longwood Gardens to this area. This is a collaborative effort with multiple parties to hopefully receive funding from the County to conduct a study on the feasibility of that idea.

Discussion

- Hoffman asked if we had a match. Christina Norland, Executive Director of the Kennett Trails Alliance and the chair of the Trails and Sidewalks Committee, offered more details on the grant and said the total cost is ~\$75,000 with a match from the Township of \$5,715. The Borough of Kennett Square and East Marlborough Townships are also part of this grant and Longwood Garden has committed over \$18,000 to the project.

Motion presented by Stevens to adopt Resolution 2021-15 expressing its support for and commitment to the Kennett Area-Longwood Gardens Connector Trail Feasibility Study, authorizing the filing of an application to the Chester County Vision Partnerships Program – cash grant (\$5,715) as the lead applicant, and designating the Township Manager to authorize associated grant documents. Hoffman seconded. Motion passed 2-0.

c. Consider Avello Escrow Release No. 3

(www.kennett.pa.us/DocumentCenter/View/4929)

Motion presented by Stevens to approve the Avello Land Development Escrow Release No. 3 in the amount of \$6,394.80 per the AECOM letter dated September 2, 2021. Hoffman seconded. Motion passed 2-0.

Discussion

- Hoffman said this was standard and asked how much money was left in the escrow. Ratliff answered \$274,833.76.
- Heinrich added that this was turned around quickly by our engineer so it is not in the current Bill Voucher, but by approving this motion, they would also be approving the check to be printed.
- Stevens pointed out that the Township engineer, Stan Corbett of AECOM, had signed off on this.

d. Consider Stonehouse Escrow Release No. 15
(www.kennett.pa.us/DocumentCenter/View/4930)

Motion presented by Stevens to approve the Stonehouse Escrow Release No. 15 in the amount of \$41,910.00 per the AECOM letter dated September 8, 2021. Hoffman seconded. Motion passed 2-0.

Ratliff explained that this project is winding down, with landscaping, stormwater management, and trail work left to finish. He said there will be a trail on the Stonehouse property that will run east to west from Union Street into the property. They requested an escrow release in the amount of \$118,944 but after AECOM's thorough review, only \$41,910.00 is recommended for release. The two letters in the above link detail why AECOM thinks it should be less. If approved tonight, the remaining balance would be \$217,320.35.

Discussion

- Hoffman commented about the meetings she and Ratliff have had with different residents who want to make sure the remaining landscaping is done correctly. She said that while it is appropriate to release the ~\$41,000, she is glad Tom Comitta and AECOM carefully review what has been done.
- Ratliff added that the review process by the Township consultants is working as it should, so residents should have confidence in that.
- Stevens again commented that he was pleased that this has been vetted by AECOM and that resulted in a reduced release amount.

e. Consider Cedar Mill Culvert Rehabilitation Advertisement
(www.kennett.pa.us/DocumentCenter/View/4931)

Motion presented by Stevens to authorize the advertisement of the Cedar Mill Culvert Rehabilitation and its placement on PennBid. Hoffman seconded. Motion passed 2-0.

Discussion

- Public Works Director provided a brief history of this project. This bid reflects the best way to complete this project based on studies the engineers performed and needs to be put on PennBid to move forward.
- Hoffman and Lysle discussed the location of this project, with Lysle explaining they would only be working on the lower side.
- Stevens said this was a pressing matter that needed to be addressed and Ratliff and Lysle said yes.
- Diane McGovern (345 E Hillendale Rd) asked if this was a requirement for MS4. Lysle said this was a requirement because a storm damaged the bottom of the pipe although it does fall under the MS4. Ratliff said it was a management project as opposed to a quality project.
- Stevens asked what price range Lysle expected and Lysle answered between \$180,000 – 200,000. Ratliff said that this expense would not be in 2021 and would be included in the 2022 budget process. Heinrich added that the allotted 2021 budget for this project was \$150,000 but only spent ~\$25,000 on engineering to date.

f. Consider the 2022 Minimum Municipal Obligation (MMO) for Employee Pensions
(www.kennett.pa.us/DocumentCenter/View/4932)

Finance and HR Specialist Dina McIlvaine explained that this was something that needs to be done every September as required by Act 205. She presented this year's amounts and compared them to last year's.

Motion presented by Stevens to consider the 2022 MMO for police pension plan in the amount of \$94,260 and to consider the 2022 MMO for non-uniform pension plan in the amount of \$175,063. Hoffman seconded. Stevens amended his motion to approve the 2022 MMO for police pension plan in the amount \$94,260 and the 2022 MMO for non-uniform pension plan in the amount of \$175,063. Hoffman seconded amended motion. Motion passed 2-0.

Discussion

- Stevens and Ratliff discussed the verbiage used in the motion since this was something required by law.
- Hoffman asked to clarify that this was not like individual IRA accounts, but a state pension plan the Township contributes to and then is disbursed once an employee retires and McIlvaine confirmed. Ratliff clarified that is not a state pension plan, but rather a township pension plan that the State administers.

g. Consider Legal Agreements

Motion presented by Stevens to authorize the Board of Supervisors to sign both the presented legal agreement. Hoffman seconded. Motion passed 2-0.

Discussion

- Stevens asked what this was regarding, and Ratliff answered insurance counsel litigation.

h. Consider the Flats Escrow Release N. 3

(www.kennett.pa.us/DocumentCenter/View/4943)

Motion presented by Stevens to approve the Kennett Apartments (The Flats at Kennett) Escrow Release No. 3 in the amount of \$84,206.20 per the AECOM letter dated August 18, 2021. Hoffman seconded. Motion passed 2-0.

Discussion

- Ratliff reminded everyone how at the beginning of the meeting the Supervisors voted to amend the agenda to include this escrow release. He explained the Pennsylvania Municipalities Planning Code allows a certain amount of time to consider these and it was added to the agenda tonight to stay within that period.
- Hoffman asked if the crossing to the Park is being done or if that is a separate issue. Ratliff said it is an ongoing matter and he would address it in a future Department Head Report.

8. Department Head Reports

a. Eden Ratliff – Administration

(www.kennett.pa.us/DocumentCenter/View/4937)

Ratliff shared his report available at the link above that recapped the investigation and resolution update Hoffman presented at the beginning of the meeting and said anyone with questions can call the office and the staff would be happy to speak with them. He also covered Ida storm damage in the County, an update on engineering for the Kennett Greenway on Chandler Mill Road, the upcoming pilot project for motor vehicles for the two one-way, bi-directional sections of Chandler Mill Road, and the new WiFi at Barkingfield Park. He also shared that Kennett Township is hosting a food drive for KACS for the month of September.

Discussion:

- Hoffman shared her excitement over the WiFi at Barkingfield Park, the amount of work that went into it, and said it will be a great test in trying to bring something similar to KAPA for Anson B. Nixon Park.
- Stevens thanked Hoffman for coming up with the idea and following it through to its completion. Hoffman then shared the importance of connecting digitally, especially since the pandemic.
- Diane McGovern (345 E Hillendale Road) asked if the Township will also be developing an impact statement for the trial. Ratliff said that all three Supervisors as well as some of members of the team would be submitting individual victim impact statements to the same email address as everyone else and added that

Hoffman will speak at the proceedings on behalf of the Board of Supervisors and Township in a joint impact statement. McGovern asked how those statements may augment those of citizens. Ratliff suggested to simply share her perspective of how she was victimized as a taxpayer and citizen. Discussion continued about victim impact statements.

b. Amy Heinrich – Finance & HR

(www.kennett.pa.us/DocumentCenter/View/4939)

Heinrich explained that this month's report was a little different than her usual ones and then presented a series of charts and graphs that focused on year-to-date performance for 2021. Her slides are available in the link above. She also spoke about the past and upcoming budget process.

c. Diane Hicks – Planning & Zoning

(www.kennett.pa.us/DocumentCenter/View/4933)

Hicks reported that the Planning Commission did not meet this month, she shared updates on the East Marlborough Township land development plan proposed for 802 East Baltimore Pike, Zoning Hearing Board updates, and recapped the Historical Commission meeting on August 23rd. There were 19 building and zoning permits issued in the month of August. More details are available from her report in the link above.

Discussion

- Hoffman commented that if the 107 Chandler Mill Road project from the Zoning Hearing Board were to include housing, that they should be required to be connected digitally. Hicks explained that this was only a matter of use and the next step, if approved, would be a land development plan presented to the Planning Commission.

d. Roger Lysle – Public Works

(www.kennett.pa.us/DocumentCenter/View/4923)

Lysle shared his monthly report, available at the link above, that detailed the work performed last month by the Township's Road Crew, which is once again fully staffed due to the addition of Daniel Tracy. Lysle also shared updates on the Route 82 and Cedar Croft Road intersection project and upcoming paving in the Township.

Discussion

- Hoffman asked if the reason Kennett Township did not suffer a lot of damage from Ida was due to the fact Lysle and his team had been so proactive in their work on stormwater management. Lysle said it helped, but the amount of rain was not as much as neighboring townships received. He added that due to the equipment lost by some of the neighboring municipalities, it will be an all-hands-on-deck effort for everyone to help one another come winter because replacements are not yet available.

e. Matt Gordon – Kennett Township Police Department

(www.kennett.pa.us/DocumentCenter/View/4940)

Chief Gordon shared the contents of his report, available in the above link that listed current calls for service, criminal and accident statics, commercial vehicle inspections, and reminded everyone to lock their cars as most thefts occur from unlocked vehicles. He concluded with the good news that Police Administrative Assistant, Liz Hutchins, and husband Tim welcomed twin baby boys this morning.

Discussion

- Discussion continued surrounding the birth of Hutchins's babies.
- Stevens shared more good news in the Police Department: the swearing in of two of Gordon's police officers earlier today. Gordon spoke about the four newest officers, saying that until today Officer Colin Vannicolo and Officer Jonathan DeLeon did not get to experience a swearing in ceremony with friends and family. Officer Brian Bolt still needs his swearing in ceremony and Officer Robert Dowd is out on military leave and they are looking into perhaps conducting a ceremony via Zoom.
- Stevens asked for an update on the program that was discussed sometime ago that would help new recruits from their training through hiring, asking if the pandemic slowed its progress. Gordon replied that the program is alive and well. The program started by a suggestion by KTPD Detective Amanda Weinrich to help people of color get into the field. Chester County instituted this type of program that then shares the recruits with the 53 departments in the County.

9. Public Comment

Discussion

- Chief Gordon commented on the storm damage in Coatesville and equipment, vehicles, and records that were lost from the surrounding areas. He reminded those who did not suffer from this storm to be thankful and to lend help when it is asked for. Hoffman added that while we are fortunate to not have sustained damages, the responsibility to help our neighbors exists.

10. Adjournment

Motion presented by Stevens to adjourn. Hoffman seconded. Motion passed 2-0.

The meeting adjourned at 8:38 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary

Meeting was advertised January 6, 2021 and the agenda posted online September 13, 2021 and posted physically September 14, 2021. Amended agenda was posted September 16, 2021. Copies of the agenda were made available for public in attendance.



801 Burrows Run Road
Chadds Ford, PA 19317
(610) 388-1300 Fax (610) 388-0461
Website: www.kennett.pa.us
Email: Kennett.twp@Kennett.pa.us

September 15, 2021

EDITOR: The following information is for immediate release. If you have any questions, contact Kennett Township Manager Eden Ratliff at 610-388-1300 or Eden.Ratliff@kennett.pa.us.

Victims of the \$3.2 million embezzlement from Kennett Township asked to submit Victim Impact Statement to District Attorney's Office

KENNETT TOWNSHIP _ On October 4, 2021, former Kennett Township Manager Lisa Moore is scheduled to enter a guilty plea before Chester County Common Pleas Court Judge David F. Bortner. Moore is accused of embezzling \$3.2 million from the township.

The Chester Country District Attorney's Office and the Kennett Township Supervisors are inviting all Kennett Township residents and area businesses to write a victim's impact statement to the District Attorney's Office via email to victimimpact@chesco.org. The statements should be in letter form and be addressed to the Honorable Judge David F. Bortner who will receive the statements prior to the October 4th proceedings.

The letter should explain the direct and/or indirect ways an individual, family or business was impacted by the embezzlement and related crimes. All communications must include your name, street or business address.

In order to ensure adequate time for all statements to be reviewed before submission, they must be received by close of business on Friday, September 24, 2021. The email address will be monitored by the Chester County District Attorney's Office and any communications deemed inappropriate will not be submitted to the Judge.

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