



## Board of Supervisors Meeting Minutes

In Person Meeting Via 299 Starr Road Landenberg, PA

September 21, 2022

7:00 p.m.

**Present:** Dr. Richard L. Leff, Chair; 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

Chairman Leff 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 met in Executive Session on September 14, 2022, and September 21, 2022 to discuss matters of personnel

### 5. Meeting Minutes

#### a. September 7, 2022

*Motion to approve the September 7, 2022, Board of Supervisor meeting minutes was made by Gamble and seconded by Stevens. Motion passed 3-0*

### 6. Business Items

#### a. Consider September 21, 2022, Bill Voucher

*Motion to approve the September 21, 2022, Bill Voucher in the amount of \$458,291.92 and to approve total transfers in the amount of \$376,700.39 was made by Gamble and seconded by Stevens. Motion passed 3-0*

#### b. Consider 2023 Minimum Municipal Obligation (MMO) for the Pension Plan

*Motion to approve the 2023 Minimum Municipal Obligations in the amount of \$149,612.00 for the Police Pension Plan and \$138,919.00 for the Non-Uniform Pension Plan for a grand total of \$288,531.00 was made by Stevens and seconded by Gamble.*

Township Manager Ratliff briefed all in attendance that this amount is the minimum that is put into each of the two plans to be minimally funded. This is done every September. Motion passed 3-0.

**c. Consider Sewer Capacity Reservation Resolution 2006-14 Repeal.**

Motion to repeal Resolution 2006-14 as recommended by the Township staff, Solicitor, and Engineer was made by Stevens and seconded by Gamble.

Township Manager Ratliff gave a brief overview that Resolution 2006-14 puts in place a reservation process in place for sewer hook ups stating that the Borough has unlimited capacity to the Township. This has come to not be true, there is not unlimited capacity as discussed back in 2018. There are currently no sewer reservations being reserved. This will create some challenges for some current developers with intent to connect. There are other processes that a developer must go through. The process of reserving is inconsistent with the current intermunicipal agreement. If you look at Kennett back in 2006, it wasn't as developed as it is now.

Solicitor Sander stated that to repeal a resolution you must adopt a resolution repealing it. After tonight I will be preparing one for the next meeting. This is authorizing the repeal to happen.

Motion passed 3-0.

**d. Consider Adoption of Ordinance 298 – Non-Uniform Police Pension**

Motion to adopt Ordinance 298: Non-Uniform Pension Plan was made by Gamble and seconded by Stevens.

Township Manager Ratliff briefed everyone that this topic was tabled due to the snafu of the advertisement that was submitted. Motion passed 3-0

**e. Consider Route 1-82 Cedarcroft Close Out**

Motion to approve pay applications 7 & 8 totaling \$73,747.59 to Wyoming Electric and Signal was made by Gamble and seconded by Stevens.

Finance Director Heinrich briefed everyone that the last time this was talked about we did not have a formalized memo which we now have, and we are now ready to close out the project and issue final payment. Motion passed 3-0.

**f. Consider Bishop Nursing Home Subdivision**

Diane Hicks briefed everyone that this is a simple lot line revision. Vacant property located at 1048 E. Baltimore Pike proposing a lot line where a small portion will go to 230 Kennett Pike which is currently the Longwood Vet, and the remaining portion of the property will belong to Longwood Gardens. The (12) waivers that are requested are if there was a full land development which there is just a simple lot line. The Township Engineer has no issue with why we should not move forward with this.

Motion to approve the Preliminary/Final minor subdivision plan titled Bishop Nursing Home, Inc. along with the requested twelve (12) waivers conditioned upon resolving the two remaining

comments found in the AECOM August 29, 2022, review letter was made by Gamble and seconded by Stevens. Motion passed 3-0

**g. Consider Mold Remediation & Waterproofing Recommendation**

Motion to award the remediation project to Tucks in accordance with the attached proposal at a cost of \$19,500.00 and authorize the Township Manager to execute the agreement was made by Gamble and seconded by Stevens.

Township Manager Ratliff briefed everyone that there are drainage issues across the property. This proposal does a couple things. 1. It will waterproof the downstairs by digging a trench around the perimeter of the building on the inside. There will be a French Drain and commercial dehumidifiers. This step of the project will be the demolition of the downstairs by removing the affected walls, putting up new drywall, French drain, sump pump etc. There is still the process of putting it back together. It will look a mess once completed but it will be waterproofed. And the next step will be to determine the design of the space.

Vice chairman Stevens was under the impression that there was work happening on the inside and outside of the building. The work to be performed will only be on the inside.

Supervisor Gamble asked how is the French Drain going to handle the hydro static water pressure?

Township Manager Ratliff further explained that he is not an expert on the matter, but the experts have come out and performed and given us recommendations, which we have taken with a grain of salt since they are all selling a service. Out of everyone who came through we took 3-4 of the proposals and most cross referenced 90% of what they are selling and installing.

Motion passed 3-0

**7. Department Head Reports**

**a. Administration- Eden Ratliff**

[https://www.kennett.pa.us/DocumentCenter/View/5900/Agenda-item-7\\_a-Dept-Head-Report-Admin--](https://www.kennett.pa.us/DocumentCenter/View/5900/Agenda-item-7_a-Dept-Head-Report-Admin--)

**b. Finance & HR – Amy Heinrich**

[https://www.kennett.pa.us/DocumentCenter/View/5899/Agenda-item-7\\_b-Dept-Head-Report\\_FinHR](https://www.kennett.pa.us/DocumentCenter/View/5899/Agenda-item-7_b-Dept-Head-Report_FinHR)

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

[https://www.kennett.pa.us/DocumentCenter/View/5894/Agenda-item-7\\_c-Dept-Head-Report-PZ](https://www.kennett.pa.us/DocumentCenter/View/5894/Agenda-item-7_c-Dept-Head-Report-PZ)

**d. Public Works – PJ Groff**

[https://www.kennett.pa.us/DocumentCenter/View/5905/Agenda-item-7\\_d-Dept-Head-Report-PW](https://www.kennett.pa.us/DocumentCenter/View/5905/Agenda-item-7_d-Dept-Head-Report-PW)

e. KTPD - Matt Gordon

[https://www.kennett.pa.us/DocumentCenter/View/5902/Agenda-item-7\\_e-Dept-Head-Report-KTPD](https://www.kennett.pa.us/DocumentCenter/View/5902/Agenda-item-7_e-Dept-Head-Report-KTPD)

## 8. Public Comment

### **Gus Teipelke (406 Lantern Lane)**

Safety Committee has been around for 25yrs. We are not official. The committee would like validity. We are having conversations via phone. No one will come back unless something is done. In the past a supervisor would be at a meeting, then it was the Chief of Police who would come to the meeting and carry our concerns/findings to the Board. We need a voice.

Supervisor Gamble asked what is mandated?

Township Manager Ratliff read from the Kennett Township website: The Safety Committee's purpose is to advise the Township, Board of Supervisors and Township Organizations on public safety, health, and environmental issues.

Mr. Teipelke asked when can we expect someone? We want a voice from the committee and not someone from a 3<sup>rd</sup> party.

Chairman Leff stated it would be a while until the Board looks at the committees, but you can still work and bring the ideas and concerns to any of us.

Vice Chairman Stevens asked for this topic to be put on the September 28<sup>th</sup> Info Session.

### **John Wilkens (138 Round Hill Rd.)**

My wife and I have sent an email asking once you have made public the "final design" of the Chandler Mill Trail if you could give the Township residents 30 days to review and think about the design and bring forth any comments. The designers who have created the plans for the trail are the experts in that but may have less knowledge for preserving what the residents want to preserve.

Vice Chairman Stevens asked for clarification on if there is a desire to micromanage the plans that were given.

Township Manager Ratliff chimed in stating that Mr. Wilkens is referring to a Walnut Tree named Wally. The original design was millions of dollars less expensive and would have saved many more trees, but it was not desired by many.

At some point this process must move forward into the permit phase to keep the grant money.

Wally's root structure is compacted by Chandler Mill Road and is on his back end of his life. Wally is a heritage tree, but a boardwalk can not be put around Wally.

Chairman Leff mentioned there are ways we can pay tribute to what will be coming down.

Mr. Wilkens asked if there can be a way to reduce a smaller trail made to 3-4ft in less trafficked area instead of a dual byway trail?

Township Manager Ratliff stated that back in 2021 the Board of Supervisors adopted a scope of work that told the consultants to design an accessible trail, save as much of the environment you can- there isn't any new material that we have to show that you do not already have or have been a part of the discussion. Do you want to discuss

Supervisor Gamble stated that there are no two people who are more devoted to the two miles of green forest area than you and Lucy. Where we are now, we must move forward instead of wasting taxpayer dollars on delays with progressing the trail. If I was not on the Board, I would have saved every tree with you.

**Fred McCarthy (626 Chandler Mill Road)**

I want to commend the police department for a great job. I have come to notice that the Board (except for Mr. Gamble) tends to attack the community when public comment comes around. The Township seems very closed door. You dismissed the gentleman who came forward from the Safety Committee. The township does not seem accessible- except for Public Works and the Police Department. When we call, we expect an answer. Community members may have comments and concerns but are afraid to come forth because they are afraid of being attacked.

Please keep it open.

**9. Adjournment**

*Motion to adjourn was made by Gamble and seconded by Stevens. Motion passed 3-0. Meeting adjourned at 8:24PM*