



801 Burrows Run Road  
Chadds Ford, PA 19317

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## BOARD OF SUPERVISORS MEETING via ZOOM MINUTES

May 6, 2020  
7:05 p.m.

**Present:** Dr. Richard L. Leff, Chairman; Whitney S. Hoffman, Vice Chair; Scudder G. Stevens, Supervisor; Amy Heinrich, Finance/HR Director; Diane Hicks, Planning and Zoning Director; Roger Lysle, Public Works Director; Matt Gordon, Acting Chief of Police; Dave Sander, Solicitor

**Absent:** Eden R. Ratliff, Township Manager

### 1. CALL TO ORDER

Chairman Leff called the meeting to order at 7:05 p.m. and explained how this Zoom meeting would proceed. Leff also outlined COVID-19 and thanked the community for their donations to the PPE Drive for Kennett Area first responders that ran in April.

Vice Chair Whitney Hoffman encouraged everyone to continue to wear masks and social distance when in public, to donate food or monetary gifts to Kennett Area Community Service (donations can be dropped off Wednesday and Thursday mornings at the YMCA), to register to vote by mail for the upcoming primary election via the Chester County Voter Services website, and to learn about the latest economic relief options that are now available.

Supervisor Stevens thanked Richard Gaw with Chester County Press for his continual reporting on former manager Lisa Moore. Stevens also explained a recent survey that he participated in by Penn State surrounding the Coronavirus and encouraged everyone to not be emotionally distant in this time of social distancing; rather, be intentional about reaching out and connecting virtually.

### 2. TOWNSHIP RECOVERY UPDATE

Leff noted that the Township is still pursuing the \$1 million surety bond, but no updates are available at this time. The Township officially initiated civil action against former manager Lisa Moore and Brian Gore and is just one of the many ways that the Township is working to recover the funds.

**Discussion:**

- There was no discussion.

### 3. EXECUTIVE SESSION ANNOUNCEMENTS (ACTION ITEM)

Solicitor Sander announced that the Kennett Township Board of Supervisors met in executive session on April 16, 2020 to discuss matters of the acquisition of real property and personnel.

#### 4. MEETING MINUTES (ACTION ITEM)

**Motion presented by Stevens to accept the February 19, 2020 meeting minutes. Hoffman seconded the motion. The motion was passed unanimously with no discussion.**

**Motion presented by Stevens to accept the March 4, 2020 meeting minutes with clarification. Hoffman seconded the motion. The motion was passed unanimously with the following discussion.**

Discussion:

- Stevens wanted to clarify under agenda item 4 b. It should read, “Now therefore, be it resolved...”

#### 5. OLD BUSINESS (ACTION ITEMS)

- Adopt Resolution 2020-6: Memorandum of Understanding for Police Services with Kennett Square, Southern Chester County Regional, and Oxford Borough**  
(Resolution 2020-6 can be found at: <https://kennett.pa.us/DocumentCenter/View/4003>.)

**Motion presented by Stevens to adopt Resolution 2020-6. Hoffman amended the motion to read, adopt Resolution 2020-6, authorizing the Township to enter into a cooperative Police Mutual Aid Agreement with Oxford Borough, Kennett Square Borough, and the Southern Chester County Regional Police Department for the Police Services during a declaration of disaster emergency. Leff seconded amended motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Sander explained that the ratification of the Police Mutual Aid Agreement for Mutual Aid at the last Board of Supervisor Meeting needs to be adopted by resolution per the Intergovernmental Cooperation Agreement.
- Leff asked if there were no changes of the terms of the agreement that was previously agreed upon. Sander confirmed that was correct, nothing changed.

#### 6. NEW BUSINESS (ACTION ITEMS)

- Consider the May 6, 2020 Bill Voucher in the Amount of \$423,434.30**  
(The May 6, 2020 Bill Voucher can be found at: <https://kennett.pa.us/DocumentCenter/View/4004>.)

**Motion presented by Stevens to approve the May 6, 2020 Bill Voucher in the amount of \$423,434.30 including total transfers equaling \$38,170.81. Hoffman seconded amended motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Hoffman asked if any of the Township’s insurance carriers were offering any rebates or adjustments due to COVID and people working from home. Heinrich commented that the police and public works are still working so there most likely would not be anything available but offered to follow up.
- Hoffman asked if Pitney Bowes was the only option for mail services. Heinrich answered that this machine rental to stamp mail has been investigated. Unfortunately, the Township is currently under

contract with them that was entered into under prior management until the end of 2020/start of 2021. There is a substantial fee to break this contract with Pitney Bowes, which has multiple complaints on the Better Business Bureau.

- b. Consider the Proposed Resolution 2020-8 Concerning the Sale of Chester Water Authority**  
(Proposed Resolution 2020-8 can be found at: <https://kennett.pa.us/DocumentCenter/View/4002>.)

**Motion presented by Stevens to adopt Resolution 2020-8, expressing serious and immediate concerns about proposed actions regarding Chester Water Authority in light of Governor Wolf's Declaration of Fiscal Emergency for the City of Chester and reaffirming the Township's position originally adopted in Resolution 2017-25. Hoffman seconded the motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Stevens commented that the original Resolution 2017-25 adopted on Sept 20, 2017 was appropriate and it is appropriate to reaffirm the Township's position now in protecting Chester Water Authority.
- Hoffman added that residents have been emailing the Board regarding this, agrees it is appropriate to support the Chester Water Authority, and will pass this on to the Governor and the DCED (Pennsylvania Department of Community and Economic Development).
- Leff commented his opinion that public water should stay public; only those who are a part of the private company would benefit by making money. It is not in the best interest of the public.

## **7. BRANDYWINE VALLEY SCENIC BYWAY COMMISSION ANNOUNCEMENT – JOHN HAEDRICH**

John Haedrich provided the following announcement for the Board and the public:

*I appear at tonight's meeting to present some important and timely information from the Brandywine Valley Scenic Byway Commission - In late 2019, the President signed the Reviving America's Scenic Byways Act, which opened nominations for state byways to apply for National Scenic Byway designation from the Federal Highways Administration. This application window was last open in 2009, eleven years ago. In February of this year, PennDOT's Byways Coordinator asked the Brandywine Valley Scenic Byway Commission (BVSBC) to investigate this opportunity and consider filing an application.*

*As background, the Brandywine Valley Scenic Byway was designated as a state byway in 2005 and consists of a 25-mile corridor that connects to the Delaware NSB on Route 52 and on Creek Roads (formerly Route 100) and winds in basically a figure-eight pattern ending on Route 162 in East Bradford near the Stroud Preserve.*

*The Commission finalized a major planning document, the Corridor Management Plan (CMP), in 2017. A key Strategy in the Management and Collaboration section of the CMP is to apply for National Scenic Byway designation to "advance the opportunities and benefits to the Byway community."*

*At the February meeting of the Commission, it was agreed that we would begin the process of writing the application and gathering input from the Boards of the member Townships: East Bradford, Pocopson, Kennett, Pennsbury and Chadds Ford. We have received many questions from those Boards and are compiling those answers in a FAQ format to distribute to the Townships along with a White Paper identifying the benefits and obligations of a National Scenic Byway designation. We have struggled to gather public input during the COVID-19 lockdown and are holding our monthly Commission meetings via teleconferencing. We are encouraging public comment and questions on NSB designation – please email us at BVS2020@gmail.com.*

*The deadline for the application submission is June 15, 2020. A support letter from the Township would be helpful after proper consideration by the BOS and the public. We have met with the BVNSB(DE)*

*management groups (that is, Delaware Greenways and the BVNSB Partnership) and they strongly support our application and have provided support letters.*

Discussion:

- Haedrich added that they are with PennDOT and hopes to present more information in two week and would like to utilize the township communications platforms to reach the public. Haedrich is also sending the above statement to Richard Gaw with Chester County Press.
- Leff added that he looks forward to the next level of communication from Haedrich and recommended the Township send out an email about this.

## 8. PUBLIC COMMENT

- Leff introduced the Township’s newest employee, Jasmin Lopez. Heinrich explained that Jasmin was hired a couple of weeks ago to fill the accounting assistant position that was discussed at previous meetings. Heinrich added that she is already making a meaningful contribution to the team.
- Charles Gipe (366 Spring Mill Rd) asked via Zoom chat: “What is the purpose of the bond?” Leff explained that the [surety bond mentioned in the Recovery Update] was a type of insurance for loss of funds due to malfeasance. The Township is in process to recover that \$1 million as part of the overall effort to recoup as much as possible.
- Tony and Tania Celii (119 Stonepine Dr) asked via Zoom chat: “Are Lisa Moore’s assets frozen?” Leff said that to his knowledge, they are not, and that she is innocent until proven guilty. Only the Chester County DA and the presiding judge would be able to freeze her funds. Hoffman added that there have been some small steps taken for protection, but the Township is waiting on the official judgement.
- Leff and Hoffman offered ways the public can still get in contact with the Township. Hoffman commented the Sew PA Group, the group of ladies who have come together to make masks, has raised over \$1,000 for Kennett Area Community Services.
- Public Works Director Roger Lysle commented that the storm from the previous week brought a tremendous amount of damage, and that most were without electricity. The limbs that have been cleaned up are at the public waste yard, which is now over-full. This site [557 Bayard Road] will be temporarily closed while the pile is chipped. Lysle thanked the public for their patience in this matter, and for dropping their yard waste off in an orderly fashion over the weekend. Leff added that many people appreciate the option to dispose of their yard waste in this lot, and perhaps a notice would be beneficial to make the residents aware of the temporary closures.
- Beth Thomas (126 W Hillendale Rd) commented via Zoom chat: “Tell Roger Congrat on the new Grandchild”
- There was discussion involving fence line ordinances between Tony and Tania Celii (119 Stonepine Dr) Hicks, and Leff. The Celii’s are surprised that there is no ordinance that states how close to the property line a fence can be placed. Hicks confirmed that there is no such ordinance currently, but this will be discussed with the Board and the Solicitor and they will jointly decide if this is something that needs to be addressed, as any ordinance affects every member of the Township. Leff added his appreciate for them voicing their concern.

## 9. MOTION TO ADJOURN

**Motion presented by Hoffman to adjourn. Stevens seconded the motion. The motion was passed unanimously with no discussion.**

The meeting adjourned at 7:46 p.m.

Respectfully submitted,

Dr. Richard L. Leff

Chairman of the Board of Supervisors