

**MINUTES OF THE BOARD OF SUPERVISORS  
OF KENNETT TOWNSHIP**

**801 Burrows Run Road  
Chadds Ford, PA 19317**

**May 16, 2018**

Stevens called the meeting to order at 7:02 p.m.

Present: Chairman, Scudder G. Stevens  
Vice-Chair, Whitney S. Hoffman  
Supervisor, Dr. Richard Leff  
Township Manager, Lisa Moore  
Public Works Director/Roadmaster, Roger Lysle  
Chief of Police, Lydell Nolt

**MINUTES**

**Leff made a motion to approve the minutes from May 2, 2018. Stevens seconded the motion.  
Motion carried unanimously with Hoffman abstaining from the vote due to her absence from the meeting.**

**ANNOUNCEMENTS/REPORTS**

**Kennett Fire Company Report:**

Bruce Mitchell representing the Kennett Fire Company presented the Fire Company report for the month of April, 2018:

Fire Calls: 35 with 15 of those being in the Township  
EMS Calls: 101 with 37 in the Township

Mitchell presented the Township behalf of the Kennett Fire company members with a memorialized bench to be placed in Barkingfield Park. Stevens thanked the members of the Fire Company for their support and dedication to the Township.

**Managers Report:**

Lisa Moore presented the Managers report for the month of April, 2018:

**Community Based Land Stewardship :**

***Past Events:***

***The Community Based Land Stewardship volunteer team held a Butterfly Garden Planting on Saturday, May 5<sup>th</sup> at Barkingfield Park. Volunteers helped plant a butterfly garden in the park and learned about what plants attract and nurture our native butterflies, hummingbirds, and other pollinators! The group also led walks in the park to teach identification of invasive plants and strategies for their removal and suppression.***

***Upcoming Events:***

***“Land Stewardship and Sense of Place—Habitat and Aesthetics in the Chester County Landscape” , Wednesday, May 23, 7pm. Kennett Public Meeting Room, 801 Burrows Run Road. Tom Brightman, Longwood Gardens Land Stewardship Manager, will share his expertise on meadow and woodland design, development, and maintenance for homeowners. Come learn how to enhance the natural beauty of your property while maintaining the Chester County local aesthetic that makes Kennett Township special!***

*“Managing Your Woodlands”, Wednesday, June 27, Kennett Public Meeting Room, 801 Burrows Run Road, John Nissen, Chester County Forester, will present a management and stewardship overview for those with woodland properties.*

*“What’s Buzzin’ in Your Garden? - Creating pollinator friendly landscapes “ Monday, July 16, 7pm. Kennett Public Meeting Room, 801 Burrows Run Road. Connie Smotzer, Penn State Extension, Coordinator for the Statewide Pollinator Friendly Garden Certification Program, will explain how to create beautiful home landscapes that also support our important pollinators including native bees, butterflies, and hummingbirds. If you are interested in volunteering to be part of the CBLs team to help with demonstration projects, learn about ecological landscaping, and spread your knowledge through the Township contact [Kathryn.Freilich@kennett.pa.us](mailto:Kathryn.Freilich@kennett.pa.us).*

**Newsletter:**

*The Townships Spring Newsletter will start to hit mailboxes next week. Beginning in 2019, Township newsletters will be sent out electronically unless you specifically ask for one to be mailed. Please contact Michael OBrien if you want to confirm you are on our email list or want to be added to the paper mailing list for 2019.*

**Open Space Assessment:**

*In the newsletter, there is a survey regarding open space that we ask that you fill out and send back by the end of May. The survey can also be taken electronically via the link on the main page of our website under “Township News!”*

*The Township will hold an Open Space Assessment Public workshop on June 20<sup>th</sup> at 5pm.*

**Sidewalk Project:**

*The current sidewalk project is underway with completion of the ADA ramps/connectors. The project should be completed by the end of June.*

**Zoning Hearing Board:**

*The Zoning Hearing Board will be hearing case number 494 on May 30<sup>th</sup> at 7pm (Slezak) where the applicant is requesting relief from setbacks and to enable construction of a detached garage and case number 492 on June 4<sup>th</sup> at 7pm (Avello) where the applicant is proposing to convert an existing non-conforming building into a residential multi family dwelling.*

**County Ordinance Review:**

*The Township is working with the Chester County Planning Commission on a comprehensive review of Township Ordinances. Work will be done during the planning Commissions monthly work sessions which are now the first Tuesday of every month at 6:30pm in the Townships public meeting room.*

**Historical Commission Program:**

*The Kennett Township Historical Commission has announced it's annual program: “THAT’S A FINE HORSE, I THINK I’LL TAKE HIM”- How local Quakers suffered because of their religious beliefs during the Revolutionary War- with guest speaker Chris Densmore. The program will be held on Tuesday, May 22nd at 7pm in the Kennett Township, Public Meeting Room.*

## **Chief of Police Report:**

Chief Lydell Nolt presented the Chief of Police Report for the month of April, 2018:

*The Kennett Township Police Department provided police services to 583 police incidents in the municipality of Kennett during the month of April 2018.*

*The department would like to announce an upcoming community service event. The event is a blood drive in coordination with the Red Cross on June 22, 2018 from 11am -4pm, located in the lower level of the township. Anyone interested in donating can sign up on the America Red Cross's website.*

*The department would like to report the outcome of a very successful national drug take back event on April 28, 2018. The department collected in excess of 70 pounds of unused medication during the event. We would like to thank those who took the time to discard unused medication.*

*The department provided service to 3 additional opiate related overdoses in the month of April. This brings the total for the year to 7. These incidents are significant life or death events that occur in people's lives and we encourage those who are suffering or know someone who is suffering from an opiate addiction to seek professional recovery treatment assistance immediately. These overdose events are not only significant health risk to the individual involved but also for first responders and those who may come into accidental contact with the opiate based substances.*

*Each spring we remind the public to be aware of pedestrian and bicycle traffic when traveling area roadways. We are committed to keeping everyone safe and urge motorist, pedestrians, and bicyclist to use the roadways, legally and safely.*

*The department provided professional devolvement training for the following officers in April 2018. Officer Urbany received specialized training in active shooter incidents. Detective Wenrich received compliance training related to criminal history access.*

*The department provided officers community service events to the following area business and non-profits during the month of April. Pathstone, Powers Church, Church of the Advent, and Longwood Gardens.*

Chief Nolt commented on the Uniform Crime reporting describing part one and part two crimes. The police activity reports are available on the police activity report page on the Townships website.

### **Discussion:**

Stevens asked the Chief if there is anything that the Board/Public should know about the increase of vehicle accidents in the Township. Nolt replied that over 95% of the time, the driver is in fault of the accident and it is important that drivers pay attention while driving and follow motor vehicle laws.

Hoffman asked if there has been an increase in youthful drivers since college students are returning home. Nolt responded that he does not see a correlation.

Stevens asked how the response time between local police and if it was responded to by the State Police. Nolt responded regarding the proactive steps that his department takes to try to make the roadways safe. Nolt responded that the State looks at roadway issues are to be dealt with by PennDOT.

Stevens commented that he is raising the difference between what the Township Police are doing verses what the State Police would/could do not because he is finding fault, but only to find out what the difference of coverage is between the State police and local police and recognized that the State police do a great job with everything they are tasked to do in such a large area. Stevens reiterated that he is not being critical of the State Police.

Hoffman commented that there was an accident on 52 and Maple lane the other night and the Township police showed up in about three minutes and having that prompt response is important.

Moore commented on the safety of our EMS providers noting that there was a fire company volunteer struck by a vehicle in the last week, they are okay.

Joe Duffy asked if the most accidents happen on Route one where the most traffic is. Nolt responded yes but there are many “problem spots/intersections” where most accidents happen.

Josie Marsh asked if there is data available on pedestrian/bicycle accidents. Nolt responded yes, that data can be pulled.

Mike Elling asked where the report can be found. Nolt responded that the monthly report can be found on the website.

Mike Elling commented regarding his opinion on comparing local police verses State police noting a clear comparison can not be made since the Township never had a full police force until now.

Chris Burkett commented regarding the local verses State Police noting that the residents were not upset about the specific EMS tax increase, it was the way it was done, the suddenness of it and the magnitude of it.

Leff commented regarding the overdose cases and asked where the Naloxone is coming from and it is out of the Townships budget. Nolt responded that it is coming from the County via a grant. Leff asked how many doses each officer carry, Nolt responded that each officer carries one and there is an additional at the station. Nolt responded that there is a shelf life/expiration.

Leff asked for an update on the evolvement of the Police department in the schools. Nolt responded that the department is continuing to work with the School district to work providing safety to the Schools and that work will continue to evolve.

## **Public Works Director Report:**

Roger Lysle presented the Public Works Report for the month of April, 2018:

*Crack Sealing on Walnut Street and Smithridge was complete.*

*Skim Patching on roads with contractor to prepare for paving and surface treatment later this summer has begun. This includes Walnut Street, Pemberton Road, Sections of Bayard, Bucktoe, Marshall Bridge and Chandler Mill Roads.*

*A Flowerbed box was built in conjunction with the VFW sign to finish up that project. This was done so the new sidewalk could be installed.*

*Meetings with residents and HOA’s continue regarding Basin Inspections and requirement letters that have been sent out to them.*

*The bank on Hillendale Road at McComb was cut back for better sight distance and seeded. The old stone wall was removed and the HOA will have it rebuilt at a better location.*

*Inlet & Pipe have been ordered and will be delivered in the next two weeks. Work will begin on installations. West Hillendale Road will have pipes replaced prior to paving. During this time, the County will be repairing the deck on the bridge. We will be working together at the sometime to minimalize the road closure. A detour will be set and posted for two weeks in July so the County can remove and repair concrete patches on the deck. After curing a new membrane sealer will be installed and repaved. This way, when we pave, the road will be complete. The County moved this up a year so we could work together.*

*Roads that will be paved this year (summer) include:*

*Marshall Bridge Road*

*Bucktoe/Chandler Mill Road*

*Meadowview Lane*

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West Hillendale  
Pond View Drive  
Orchard View Drive  
Orchard Terrace

Roads that will be surface treated this year (summer) include:

Walnut Street (Oil and Chipped)  
Woodridge Drive, Smithridge (Slurry Seal)  
Fallbrook Drive, Fallbrook (Slurry Seal)  
East Branch, Fallbrook (Slurry Seal)  
Red Clay, Fallbrook (Slurry Seal)  
Tussock Drive, Fallbrook (Slurry Seal)  
Millbrook Drive (Slurry Seal)  
Carlton Drive, Carlton (Slurry Seal)  
Fulling Drive, Carlton (Slurry Seal)  
Marc Drive, Carlton (Slurry Seal)  
Yorktown Drive (Slurry Seal)

Road bank mowing has started.

Tree trimming in the Township continues.

Lysle thanked the Fire Company for helping with a pump station fill last year.

**Discussion:**

Stevens asked Lysle what the status of Oil and Chip usage is and confirming that it is the best for holding up. Stevens also asked if there are specific which type of roads will have Oil and Chip. Lysle responded describing instances when he uses each specific road sealing method.

Hoffman commented on the good quality of the roads in the Township.

Josie March commented that bicycles do not like oil and chip.

**NEW BUSINESS**

**Black Rock HOA**

Lisa Moore reported that the Township had a lawsuit against a property owner for violations of the Subdivision and Land Development Ordinance. There was a settlement agreement between the Home Owners Association of Black Rock and the Dalle Pазze/Greeley parties; which requires the Township to withdraw their legal action. The Township Solicitor recommends that the Supervisors authorize the Township Solicitor to withdraw the Magisterial District Justice action currently pending against the Dalle Pазze's and Greeley parties, contingent on receipt of a fully-executed settlement agreement between the HOA and Dalle Pазze/Greeley parties.

**Leff made a motion to withdraw the Magisterial District Justice action currently pending against the Dalle Pазze's and Greeley parties, contingent on receipt of a fully-executed settlement agreement and deeds between the HOA and Dalle Pазze/Greeley parties. Hoffman seconded the motion.**

**Motion passes unanimously.**

**Pay Bills**

**Leff made a motion to pay the bills for the month per the bill vouchers. Hoffman seconded the motion.**

**Motion carried unanimously.**

### **Bike Chester County Resolution**

Moore introduced proposed Resolution 2018-16 which if adopted, would endorse the concept of completing 180 miles of Circuit Trails by 2025 in order to achieve 500 miles as it relates to the County of Chester, and encourages our neighboring municipalities to do the same; and, supports the designation of the existing Schuylkill River Trail, Chester Valley Trail, Struble Trail, Brandywine Trail, Uwchlan Trail, and other trails to be added to the network within Chester County as "Circuit" Trails.

**Leff made a motion to adopt Resolution 2018-16-Bike Chester County. Hoffman seconded the motion.**

#### **Discussion:**

Josie Marsh, representing Bike Kennett and Bike Chester County commented noting that this is not asking for any specific financial commitment, just asking for general support.

Joe Duffy asked where the trails would connect. Marsh responded noting that that it is not decided/confirmed at this point but there are options shown on the Chester County Planning Commission site.

Hoffman commented on her experience with trails in Europe.

Leff commented on the importance of linking trails with a larger concept.

**Motion passes unanimously.**

### **Sewage Facilities Guidelines Resolution**

Lisa Moore presented proposed Resolution 2018-17, which if adopted would allow the Township and the Borough of Kennett Square to apply for a Sewage Facilities grant in the amount of \$68,002 from the Commonwealth Financing Authority to be used for Act 537 Plan Update. Moore responded that the Townships plan has not been updated since 2002 and the plan can be done in conjunction with the Borough of Kennett Square. The cost for the Township would be up to \$33,000.00, the Borough would also need authorization for \$33,000.00.

**Leff made a motion to adopt Resolution 2018-17. Hoffman seconded the motion.**

#### **Discussion:**

Hoffman commented that getting a grant would be helpful.

Diane McGovern asked if this amount is in the budget, Moore responded no, the cost would not occur until next fiscal year.

**Motion carried unanimously.**

### **EAC Recommendations**

Moore reviewed recommendations from the Environmental Advisory Committee regarding a process to advise subdivision applications on Environmental Considerations. Moore noted in general, the EAC is asking to be a liaison to the Planning Commission.

Leff asked if recommendations would be given to the applicant or Planning Commission. Moore responded that it would be given to the Planning Commission.

Joe Duffy commented that this is how it worked in the past when he was on the EAC and it worked well.

It was noted that the Board of Supervisors will review closer and discuss at the next meeting.

**All Action Deferred.**

**Safety Committee appointment**

Lisa Moore and Chief Nolt presented Ted Trevorrow to the Board of Supervisors as a resident who would like to serve on the Safety Committee. Moore noted that Trevorrow has already sat in on several meetings and the committee feels that he would be an asset to the committee.

**Leff made a motion to appoint Ted Trevorrow to the Townships Safety Committee. Hoffman seconded the motion.**

**Motion passes unanimously.**

**SUBDIVISIONS**

**Sinclair Springs Escrow Release 6**

Lisa Moore presented Escrow Release #6 in the amount of \$224,223.50 for Sinclair Springs Phase 1, release 6 with a remaining balance of \$693,673.90 which have been reviewed and approved by the Township Engineer.

**Leff made a motion to approve Escrow release #6 in the amount of \$224,223.50. Hoffman seconded the motion.**

**Discussion:**

Hoffman asked if there are any open issues with Sinclair Springs. Moore responded that there was not.

Chris Burkett cautioned the Township to pay attention to asphalt and fuel prices due to oil prices.

**Motion carried unanimously.**

**Sinclair Springs Phase 2, Escrow Release 1**

Lisa Moore presented Escrow Release #1 in the amount of \$121,984.00 for Sinclair Springs Phase 2, release 1 with a remaining balance of \$789,756.50 which have been reviewed and approved by the Township Engineer.

**Leff made a motion to approve Escrow release #6 in the amount of \$121,984.00. Hoffman seconded the motion.**

**Discussion:**

Hoffman commented on which work was happening in each phase.

**Motion carried unanimously.**

**Kennett Square Specialties (Ways Rental) Escrow Release 16**

Lisa Moore presented Escrow Release #16 in the amount of \$44,653.16 for the Kennett Square Specialties (Ways Rental) application with a remaining balance of \$271,330.58 which have been reviewed and approved by the Township Engineer.

**Leff made a motion to approve Escrow release #16 in the amount of \$44,653.16 for the Kennett Square Specialties (Ways Rental) application. Hoffman seconded the motion.**

**Discussion:**

Leff asked if there have been any other improvements to the roads. Lysle responded noting more than what was promised by the applicant.

Mike Elling commented on Ways lane and road improvements.

**Motion carried unanimously.**

**PUBLIC COMMENT**

Mike Elling asked if there is a closing date yet for the 103-acre farm. Moore responded that it should be sometime in June or July.

Diane McGovern asked if there is any plans for the Lord Howe property. Moore commented that parking spaces off of Burnt Mill and Old Kennett will be installed and natural trails and signs will be installed this summer. The Township noted that a \$225k grant was awarded to the Township this week for this purchase.

Chris Burkett commented on the tax increase and which part of the second-class Township code the tax could from. Moore responded that the tax come from an increase of 1.9 mils of real estate tax dedicated for EMS. Discussion ensued on different taxes the Township has the right to levy and the maximum amounts.

## **ADJOURNMENT**

**Hoffman made motion to adjourn. Leff seconded the motion.  
Motion carried unanimously.**

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

Michael O'Brien  
Recording Secretary