



801 Burrows Run Road
Chadds Ford, PA 19317

BOARD OF SUPERVISORS MEETING via ZOOM MINUTES

September 2, 2020
7:00 p.m.

Present: Dr. Richard L. Leff, Chairman; Whitney S. Hoffman, Vice Chair; Scudder G. Stevens, Supervisor; Eden R. Ratliff, Township Manager; Amy Heinrich, Finance & HR Director; Diane Hicks, Director of Planning & Zoning; Matt Gordon, Acting Chief of Police

1. CALL TO ORDER

Chairman Leff called the meeting to order at 7:00 p.m., explained how the meeting would proceed and gave a COVID-19 update. Supervisor Stevens asked that everyone not socially distance themselves, but rather physically distance themselves to help avoid lonesomeness. Vice Chair Hoffman added that it does not take much for a spike in positive cases and cautioned against becoming too cavalier. Both Hoffman and Stevens commented about the reality and risk of spread on college campuses.

2. TOWNSHIP RECOVERY UPDATE

Ratliff had no update at this time, but the Township continues to work with its team including Blank Rome.

3. EXECUTIVE SESSION ANNOUNCEMENT (ACTION ITEM)

Hoffman announced that an Executive Session was held on Monday, August 31st to discuss appointments.

4. MEETING MINUTES (ACTION ITEM)

Motion presented by Hoffman to adopt the Meeting minutes from both July 15, 2020 and July 27, 2020. Stevens seconded the motion. The motion passed unanimously with no discussion.

5. OLD BUSINESS

- a. **Ratify Resolution 2020-5 TCDI Grant to become Resolution 2020-6 TCDI Grant**
(www.kennett.pa.us/DocumentCenter/View/4243)
- b. **Ratify Resolution 2020-6 Police Mutual Aid Agreement to become Resolution 2020-7 Mutual Aid Agreement**

www.kennett.pa.us/DocumentCenter/View/4244)

Ratliff explained an error that involved assigning numbers to these two resolutions that had already previously been assigned. These matters have already been discussed and adopted by the Board, but they need to have their numbers officially changed via this public meeting for the record.

Motion presented by Stevens to renumber 2020-5 as 2020-6 and Resolution 2020-6 be renumbered as 2020-7. Hoffman seconded the motion. The motion was passed unanimously with no discussion.

6. NEW BUSINESS (ACTION ITEMS)

a. Consider Resolution 2020-14 in Support of Black Lives

www.kennett.pa.us/DocumentCenter/View/4257)

Motion presented by Hoffman to adopt Resolution 2020-14 acknowledging the systems of oppression of African Americans. Stevens seconded the motion. Stevens amended the motion to include grammatical corrections to action items four (4) and five (5). Hoffman seconded the amended motion. The motion was passed unanimously after the following discussion.

Discussion:

- Leff explained that this Resolution was originally presented to the Board by a Township resident, and after receiving public feedback, there have been some changes including changing the name of the Resolution to make it clear that this does not refer to the Black Lives Matter organization. Also, a fifth action item was added to develop a diverse group of advisors to Kennett Township leadership that will provide guidance on issues related to racial injustice as well as the experience of minorities locally.
- Stevens addressed some minor grammatical changes that needed to be made to points four (4) and five (5) in the Resolution that all agreed with.
- Leff added that action item number four (4) was also changed as suggested by a Township resident. Rather than start over after an incident, the Township will engage in a root cause failure analysis to build on what has been done before.
- Hoffman commented that inclusive training is important. She also said it is important that people feel like they have a real connection to their government at this level, as it really is a government with your neighbors. People need to feel included, welcomed, and encouraged not only to come to meetings but to participate in any Township functions, and that they get services and feel like everything is being delivered equally the same for absolutely everybody. If there are issues, they should feel welcomed to come and address them. It is her hope that this Resolution helps with that.
- Leff said that the people Hoffman was referring to are not only blacks in America, but anyone. That is why all the action items in this Resolution are not directed towards any specific race.
- Stevens commented that he hopes this Resolution will speak to the community at large and let them know the Township wants to know about any problems so that they can be addressed because of the concern about the continuation of 400-plus years of systemic racism of this country.
- Leff said he is under no illusion that this will be a magic cure for all that ails our society, but he hopes this will help move everyone in a better direction. He also thanked reporter Richard Gaw for reporting this and challenging other municipalities to examine their policies.
- Victor Manning (100 Woodale Dr.) asked a question about the third “Whereas” statement in this Resolution via Zoom chat, “How do we know the lives lost were racial only since the cases are still open and unresolved? What is the basis for such a definitive statement?” Leff answered that while we cannot say the cases listed were 100% racial, one would have a difficult time saying they were *not* racial. They were racially biased in tenor and based on what we saw. Stevens added that he believes these are two clear cases of murder, cited two additional recent examples and stated that if the roles had been reversed and a black man shot a white man the results would have been drastically different.

- Kathleen Snyder (115 Quail Ln.) asked via Zoom chat, “Have you considered diversity training? I’m a member of Acola in the Borough and we are planning to hold training in borough. Dr Laura González will give training. We’re working out details of how to do in covid times.” Ratliff answered that yes, the Township is discussing diversity training along with racism and conscious and subconscious bias training for our entire staff plus possibly for the volunteers of the Township. He added that he would be happy to discuss with Acola. Leff added that it would be good to include others in our community, even if technically not in Kennett Township and confirmed that Ms. Snyder’s email address was obtained to discuss this further offline.
- Richard Gaw (Chester County Press) said via Zoom chat, “Explain why the title was changed. Who did the township discuss this with?” Leff answered that because the title was all in capital letters, it was difficult to differentiate whether the Resolution referred to the Black Lives Matter organization or the statement that Black lives matter. The later is what this Resolution is about and the importance of recognizing the systems of oppression in the US over the years they have endured. Ratliff added that the goal of the Board of Supervisors and Township is to clearly emphasize what they stand for and believe in (that Black lives matter) and say what they are going to do about it. Leff stated again that this is not about the Black Lives Matter organization.
- Victor Manning (100 Woodale Dr.) asked via Zoom chat, “you are in solidarity with BLM what about our Hispanic neighbors?” Leff stated that this is for anyone who feels there are systems of oppression in the Townships. Hoffman added that it is important that we focus on diversity training in general and that it is about being kind to one another and doing the right thing. While Kennett has a proud history with the Fussell House and the Underground Railroad, it is important to do our part with diversity training and include all people like our Hispanic and Latinx community. Leff said he hopes those from the Hispanic community will consider joining the advisory committee listed in this Resolution.
- Mr. Manning also asked via Zoom chat, “Do you think the public has made the separation between the BLM organization and your meaning of the BLM in this resolution” Leff says he hopes the public makes the separation and sees that this Resolution focuses on the fact that Black lives matter regardless of the organization.
- Gaw also said via Zoom chat, “I would also like to know if the board is OFFICIALLY adopting this resolution tonight, and when it will go into effect.” Ratliff answered that if it adopted by the Board tonight, it will be effective immediately.
- Manning asked how the Township is explaining to the public the difference between the BLM organization, which has an ideology of Marxism, and the BLM Resolution here. Stevens disagreed with Manning’s presumption of Marxist roots in the BLM organization and stated that this Resolution does not refer to that organization. Manning challenged Stevens citing two instances in which one of the co-founders revealed that she and one other co-founder are “trained Marxists.” Stevens questioned the legitimacy of the sources and said that the individuals may be something, but they do not state that the organization is. Leff again explained the decision to remove the capitalized “Black Lives Matter” to help lessen the confusion. He added that Manning’s comments were about the individuals. Leff does not believe people in the United States give up their rights based on what they believe for any other system. Leff then briefly reviewed the history of the organization and confirmed that there is nothing about Marxism on their website. He added that all he can do is speak to what can be done in Kennett Township, and he stands behind everything in this Resolution.
- Hoffman summarized the goal of this Resolution is to try to make sure that everybody gets access to diversity training and local government services are being administered fairly across the board; not becoming Marxist overnight and to suggest so is farcical.
- Leff thanked Mr. Manning for bringing his comments, even if they do differ.
- Stevens apologized if his response to Mr. Manning came off as being too intense and explained his passion and concern about this topic. Mr. Manning said there was no apology necessary, that he only took it as two people disagreeing.

b. Consider Resolution 2020-15 Native Plants
www.kennett.pa.us/DocumentCenter/View/4248)

Motion presented by Hoffman to adopt Resolution 2020-15 to support the use of Native Plants. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Ratliff reminded everyone of Kennett Township’s designation as a Bird Town by the Audubon Society. The Township has been working with Audubon on programming surrounding that designation and this Resolution is an example. This is the Township’s opportunity to publicly display its desire for 80% native plantings on all Township owned properties. This is consistent with other actions taken previously by the Board of Supervisors, including the Subdivision and Land Development Ordinance (SALDO) that requires this for new developments. While not regulatory, this Resolution is an expression that the Board will continue to push native plants due to the effects on our local ecosystems and strive towards 80% native plants on Township properties.
- Leff and Ratliff discussed 80% verse 100% allowing for some variety.
- Hoffman is concerned that when plants are purchased at various retailers, it is not obvious what is native and what is not and encouraged the Township staff to add resources to help with this endeavor to the website. Leff added that this Resolution is only for Kennett Township owned properties but said that adding these types of resources for everyone would be helpful as the Township strives to be a demonstration for what to do. Ratliff confirmed that information would be available on the Township website and social media.
- Ratliff spoke of examples of flower beds at Barkingfield Park that are specifically designed to be demonstration gardens for residents to copy.
- Stevens stated that he was specifically in favor of last “be it further resolved” section of this Resolution that stated where it is not possible to replace with native plants, that similar non-invasive varieties of nonnative plants be used.
- Ratliff added that Audubon is also in the process of planting a demonstration garden in line with this Resolution to serve as an example to residents along a popular trail and working with other entities such as the YMCA for this. He said that if it pleases the Board, he will happily share this Resolution with surrounding municipalities to help this endeavor become a regional one. He also thanked the Audubon Society for being such a great partner.

c. Consider Biohabitats Task Order #3

www.kennett.pa.us/DocumentCenter/View/4246

Motion presented by Hoffman to Biohabitats Task Order #3 for the Kennett Greenway. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Ratliff explained that Task Order #3 is designed to combine and analyze all the work that had been done over the past couple of years by the previous consultants and engineers so that the Township does not pay for duplicate work. He says this is more complicated than a simple on-boarding review as the level of documentation is extensive. We need to determine what exactly has been accomplished (and to what degree was it accomplished to our standards) and what needs to still be accomplished.
- Leff asked if the work that would result would be applied to the grant mentioned in the recommendation attached to this Task Order and Ratliff said yes and that it is included in the 2020 budget.
- Hoffman commented that she is all for anything that prevents doing the same work twice.
- There was further discussion about the two grants and what expenses the Township would incur beyond the grants. Ratliff explained that is unknown until this due diligence can be completed. He also added that to date, only Task Orders #1 and #3 have been brought before the Board. Task Order #2 has not yet been presented.

- d. **Consider the September 2, 2020 Bill Voucher in the amount of \$312,513.51**
(www.kennett.pa.us/DocumentCenter/View/4245)

Motion presented by Hoffman to approve the September 2, 2020 Bill Voucher in the amount of \$312,513.51. Total transfers equal \$8,781.02. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Stevens asked if the payment to the Kennett Library in the amount of ~\$121,000 was for the Township's 2020, six-year commitment for the development of the new library in the Borough. Heinrich confirmed that was the capital contribution from the General Fund. She further explained the millage rate is forwarded to the library quarterly, is a separate payment, and those payments are all up to date.

- e. **Introduce 2021 Budget Schedule and Process**
(www.kennett.pa.us/DocumentCenter/View/4247)

Discussion:

- Heinrich introduced the planned schedule for this year's budget process. The goal is to advertise the proposed 2021 budget on November 18th for the required 20-day public review and have the Board approve the budget at the December 16th Board of Supervisors meeting. There may be the need for two special meetings (October 28th and November 11th) to ensure all items are publicly discussed and allow for public input. Heinrich noted that outside parties should expect a template from the Township to help formalize what may have been an informal budget request process in the past. If it is a sizable request, they may be asked for more specific financial data and they may be invited to present their request to the Board.
- Leff commented that he appreciated this process, that this past year has been unlike any other which will make this perhaps a little challenging, and that he appreciates building the extra time into the schedule to accommodate everything.
- Heinrich encouraged the public to share their input throughout this process by joining the upcoming virtual meetings.
- Hoffman added her thanks to Ratliff and Heinrich for formalizing this process. Between this work, the audit, and the new system that is coming within the next year, the Township will be in a much better place.
- Leff asked if Heinrich if she would assist those outside organizations with the more formalized request process. She said yes and explained the kinds of questions they can expect on the template that will be sent to them.
- Ratliff expressed his excitement over this upcoming process as it aligns to the priorities of the Township and encouraged everyone to come to the meetings to participate.

7. PUBLIC COMMENT

- Hoffman commented on the St. Anthony's in the Hills property tour she and Heinrich went on in New Garden Township. New Garden would like Kennett Township's opinion about what to do with that property. The link to their survey will be circulated to Kennett residents.
- Ratliff reminded everyone that the Kennett Township Summer Newsletter is now available.
- Stevens alerted everyone of the most recent storm alerts from the Chester County Emergency Operations Center.

8. 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 8:03 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary