



801 Burrows Run Road
Chadds Ford, PA 19317

BOARD OF SUPERVISORS MEETING via ZOOM MINUTES

September 16, 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. Vice Chair Hoffman shared updated cases locally and asked everyone to wear their masks as the CDC recommends. Supervisor Stevens stated science rules and therefore we should keep ourselves physically separated but socially close and urged every to keep their masks on.

2. TOWNSHIP RECOVERY UPDATE

Ratliff had no update at this time but said that the Township has been in touch with the District Attorney's office. He explained that due to the pandemic, scheduling has been delayed and the priority has been given to alleged violent criminals and those who are incarcerated. That puts the case against the former manager lower on the priority list. He is continuing to communicate to them the importance of this matter to the Kennett Township taxpayers and believes that message is being received. Leff asked if Ratliff could give a timeline to when the next update would be, but Ratliff could not, saying it is a fluid situation. Stevens added that "incarcerated" means you are in jail.

3. EXECUTIVE SESSION ANNOUNCEMENT (ACTION ITEM)

There were no executive sessions to report.

4. MEETING MINUTES (ACTION ITEM)

Motion presented by Hoffman to adopt the Meeting minutes from August 5, 2020. Stevens seconded the motion. The motion passed unanimously with no discussion.

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS (ACTION ITEMS)

a. Consider Resolution 2020-16 in Support of the Borough's MTF Application

(www.kennett.pa.us/DocumentCenter/View/4273)

Ratliff briefly explained the joint Multimodal Transportation Fund grant application between the Borough of Kennett Square and Kennett Township along with the two projects it will fund should it be awarded. This has been discussed previously with the Board of Supervisors and the public. The Birch Street streetscape is the Borough portion, and the Magnolia Underpass will be part of the Kennett Greenway. The total combined project budget is ~\$2,800,000. The Magnolia Underpass is ~\$950,000 of that total. This application was approved by the Borough last week. \$616,000 of the grant request would be for the Magnolia Underpass with the match from Kennett Township would be ~\$332,000. Once soft costs are added in, that takes the Township's match up to ~\$390,000. This grant is being advocated by the Borough's grant writers, GMS Solutions, and Square Roots Collective is working on this project with the Township and Borough.

Ratliff then detailed the importance of the focus on the Magnolia Underpass, which has the support of the Kennett Trails and Sidewalks Committee. He explained why this segment is so expensive, the unique challenges to working with East Penn Railroad to go under the railroad, and the necessity to connect trails from Chandler Mill Bridge to Penns Manor – trails that are actively being planned from another DCED grant with a deadline of June 30, 2021. The ~\$390,000 cash match for the Township would come out of the 2021 General Fund as it would not be eligible to come out of the Opens Space Fund. There is a chance it will get pushed into 2022 due to the pandemic.

Motion presented by Stevens to adopt Resolution 2020-16 in support of the Multimodal Transportation Fund Program (MTF) Application by Kennett Borough for the Greenway Connectors and Birch Street and the Magnolia Underpass. Hoffman seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Ratliff reported that Diane McGovern, an active and appreciated volunteer in the Township, submitted a letter to the Board of Supervisors for public record (attached). She wants this project to be considered as part of the 2021 Budget Process as opposed to separately.
- Stevens said he appreciated McGovern's letter and he thought about it at length. He then stated that he will support this motion and explained that the Board has been trying to solve this section of trail (specifically with the challenges the railroad presented). He finds it compelling that a path to get to the other side of the railroad tracks has been found with funding from a state-wide and regional-wide approach and believes now is the time to act. He also added that collectively the Supervisors have already agreed to move forward with this project at a recent meeting.
- Hoffman thanked McGovern for her letter. Hoffman explained the balancing act that happens between all the different priorities with budget season and added that unless residents participate in this process, it is hard to know what their priorities are. She also agreed that the commitment to work with the Borough has already been made so backing away at this point in the process is hard.
- Ratliff reminded all that the Board had previously authorized a Task Order for Biohabitats, the trail consultants, to complete the preliminary engineering for this grant application. He also highlighted the collective community efforts with the cash match contributions from the Township and the Borough, plus Square Roots Collective has offered gap funding of \$250,000 in the event this grant is only partially funded.
- Diane McGovern (345 E. Hillendale Rd) said that she was sorry she missed the previous Board of Supervisors meeting that addressed this. She added that the last Trails and Sidewalks Committee meeting was the first she had learned of the cost of this project but because the Township is so far down the road with this, there was no time to have a discussion about it. She feels that there is a lot going on that some people on the Trails and Sidewalks Committee are not aware of.

- Leff referred to the map for this project and explained the importance of linking the north to the south, highlighting key trail connectors. He said that finding a safe way to cross the railroad tracks, plus the fact this grant defrays two-thirds of the cost makes this attractive and why he is in favor of it.
- Hoffman added that this will make it more convenient for the residents in certain areas of Kennett Township to access the Borough.
- Heinrich, as a resident of the western part of Kennett Township, shared her observation of people frequently walking on the railroad. She said she sees people with groceries on the Parrish Trail, so it is used for more than recreation. Adding this underpass will help address safety concerns.
- Peter Doering (5 Nine Gates Rd) stated that he has seen conflicting 2020 Open Space Budgets. He asked how much has been spent from the 2020 Open Space Budget and if anything left unspent would be carried over into 2021. Leff stated that the topic at hand is about a specific grant application, which would be supported by the General Fund, not the Open Space Fund. All agreed to defer this question until the 2021 Budget discussion.
- McGovern asked if someone could comment on what percentage the \$390,000 represents of the General Fund. Ratliff answered 5.63%. Heinrich stated this is the percentage of the 2020 General Fund budget as she does not yet have a number yet for the 2021 budget. Leff asked if it would be in the same general ballpark and she said yes.
- Stevens stated that his understanding is that the money for this match, assuming the grant is awarded, would come out of 2021, not 2020. This was confirmed by Leff.
- Ratliff added that this will most likely not all be spent in one year; he is anticipating it coming from 2021 and 2022 budgets considering the timeline from when the award is granted, to the engineering, and bidding. Heinrich agreed and stated that she will not be budgeting all of it in 2021. Ratliff referred to a previously awarded grant from 2017 that is still being executed.

b. Consider the 2020 Minimum Municipal Obligations (MMO)

www.kennett.pa.us/DocumentCenter/View/4290

Motion presented by Hoffman to consider the 2020 MMO for police pension plan in the amount of \$81,100, and to consider the MMO for non-uniform pension plan in the amount of \$116,545. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Heinrich introduced this and referenced the material available on the Township website. She said the Township is required to calculate the *minimum* municipal obligations and is a set formula based on our specific pensions. W-2 earnings are factored in as well as actuarial elements of the pension plan with PMRS. She noted that this year's numbers are lower as there was a lot of staff turnover.
- Stevens asked if he was correct in his thinking that municipalities are legally bound to present this number to Harrisburg. Heinrich said yes that this needed to be presented to the Board by the end of September and submitted to Harrisburg by the first week of October. Stevens added that the Board does not have much of a choice in the matter. Heinrich stated that a motion is not technically required, it just makes it easier to prove that this was brought before the Board.
- Leff stated he thinks it is helpful to see the worksheets that produced the calculations and Heinrich again noted that these worksheets are available to the public.

c. Consider the September 16th Bill Voucher in the amount of \$170,798.75

www.kennett.pa.us/DocumentCenter/View/4274

Motion presented by Hoffman to approve the September 16, 2020 Bill Voucher in the amount of \$170,798.75. Total transfers equal \$37,451.02. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Leff commented about the increased cost of grinding the Public Waste Lot, which used to be done free of charge. He said it is a service to the residents and they can also receive mulch from it, delivered by Roger Lysle at their request.
- Hoffman added the importance of balancing the cost, which was increased due to the increased storms this year, to the benefits of the Township residents. Lysle said the mulch is used by Anson B. Nixon Park when they request it, but it is primarily residents that request it.
- Heinrich explained the cost is the fuel it takes Weaver to run the equipment. Lysle added that they were there for two weeks and the pile produced almost 1,000 tons of mulch.

d. Consider Biohabitats Task Order #5

www.kennett.pa.us/DocumentCenter/View/4275

Motion presented by Hoffman to approve Biohabitats Task Order #5: Kennett Township Community Engagement Support. Stevens seconded the motion. The motion was passed unanimously after the following discussion.

Discussion:

- Ratliff explained that the Task Orders are slightly out of order as #1 and #3 have been executed, #2 will come eventually, and #4 has also not yet been presented. #5 is a time and materials proposal allowing Unknown Studios, one of the Township consultants under Biohabitats, to discuss with the community the *experience* of the Greenway. The Greenway is not designed (according to the Master Plan) to be a just a trail but rather an experience. We want to get the feedback from the community as to what they want this experience to be so that we ensure we are doing place making appropriately. This Task Order allows the staff to work with Unknown Studios as much or as little as necessary without exceeding the amount listed, ~\$18,000. Ratliff also referenced the brief attached to this Task Order written by Christina Norland that is available for the public.
- Christian Norland (Trails and Sidewalks Committee Chair) added that in addition to members of the community, this Task Order would allow Unknown Studios to engage with various key organizational stakeholders like KAPA and The Land Conservancy for Southern Chester County.
- Leff stated the total as \$18,743.40. Norland confirmed and said anything over this amount would come back before the Board for additional approval.
- Hoffman said she is happy that we will have the public's input.
- Stevens commented that the Board had already discussed this at previous meetings. Ratliff agreed to an extent but added that the Board has yet to allocate an amount to this specific community engagement piece. That is the purpose of this motion.
- Leff asked if this would come out of the current 2020 budget and Ratliff confirmed that it would begin next month with an event planned for October 3rd.

e. Consider Draft MOU with HKS, BKS and Kennett Township

www.kennett.pa.us/DocumentCenter/View/4276

Motion presented by Hoffman to consider the draft Memorandum of Understanding by and among Historic Kennett Square, Inc., the Borough of Kennett Square and Kennett Township effective from January 2, 2021 through December 31, 2023. Stevens seconded the motion. Motion was amended by Hoffman to be effective from January 2, 2021 through December 31, 2022 contingent upon the approval and signature of all parties, including Kennett Borough. Stevens seconded the amended motion. The motion was passed unanimously after the following discussion.

Discussion:

- Ratliff explained that the current Memorandum of Understanding (MOU) between Historic Kennett Square (HKS), the Borough of Kennett Square and Kennett Township was for three

years and expires in December. This MOU funds the Economic Development Director (EDD) position and was established as a distinct recommendation from the 2016 Economic Development Plan. This position is housed in HKS and works for both the Borough and the Township. Ratliff introduced Bo Wright, Executive Director for HKS and Bob Norris, Committee Chair for HKS.

- Leff asked for clarification if the term for this MOU was for two (2) or three (3) years. Wright said it was for two (2) years and the end date will be December 31, 2022, not December 31, 2023.
- Wright shared a presentation that is available at www.kennett.pa.us/DocumentCenter/View/4365 which included an overview of past work in small business support and development support, goals for future growth, direct and indirect benefits to Kennett Township, and an overview of the terms of the proposed MOU.
- Hoffman asked if Wright was still planning on removing the \$4,000 façade grant line item, which would reduce the obligation from the Township by \$2,000. He confirmed that to be true and said this would be reflected in the official version of the MOU.
- Hoffman thanked Wright for taking her suggestions of turning the goals into smart goals and asked what Nate Echeverria's role as the EDD was with Flats at Kennett project. Wright answered that as the project was getting started, he provided advice and consulting on zoning and early TND matters. Hoffman disagreed due to the timeline of that project and Wright offered to find out specifically and let her know.
- Hoffman asked if the EDD could work to improve digital infrastructure, specifically Wi-Fi. She cited the demands of COVID-19 for increased digital connections and access and for both businesses and schools and suggested potential public Wi-Fi drop points in public parks. Wright agreed that that kind of project is ideal for the EDD position and can add it to the coming appendix of smart goals.
- Norris pointed out that the goals, such as what Hoffman was suggesting, are completely up to the Township and therefore should be reviewed at least annually. It is up to HKS to deliver those goals. Hoffman expressed the desire to create a job the EDD can accomplish, beyond that of an endless laundry list. There needs to be prioritization. Norris agreed.
- Stevens explained the history of his involvement with the Redevelopment Task Force which ultimately lead to the creation of HKS and the creation of the first MOU for the EDD. To Stevens, this is a regional issue and he therefore cares about both the Township and the Borough. He commented that there needs to be strong oversight, support, and guidance of the EDD, who is employed by HKS, but answerable to HKS, the Township and the Borough. He outlined the struggles the current EDD had with the Borough and their Zoning Department and does not want to see that happen again. While he is in favor of this, he is very concerned about successfully getting all the parties to come together again when the players and agreement have not changed. Norris agreed with most of what Stevens said and added that he redrafted the MOU to improve and increase the accountability of the EDD, which he felt was lacking in the first version. Norris further explained that the Office of Economic Development reports to the Board of HKS and the Economic Development Director role reports to both, and both the Township and the Borough are the customers. It is up to them to decide if the person in the EDD gets the next MOU, which is why Ratliff said there should be a two-year term. He validated the clash between the Borough and Echeverria but stated it was the responsibility of HKS to monitor and manage that.
- Wright added that he feels they have made great improvements to both issues Stevens addressed, the structure of the working relationship and the structure of the accountability in the MOU. The addition of the appendices is an attempt to improve the accountability and they have been working on the messy interpersonal relationships.
- Stevens thanked both Norris and Wright for their candor and commitment to this, and offered his support going forward.
- Hoffman said we are lucky to have the Office of Economic Development, especially in these COVID-19 times.
- Leff asked Stevens's opinion for how the last three years worked for the Township. Stevens felt it worked very well, even though it is hard to quantify the success. It strengthened the regional commitment and approach. Leff agreed that it is important for the Borough and the Township to

support each other. Stevens gave the example of transportation between and through the two municipalities given the recent and current detours.

- Leff stated that smart goals typically have specific time frames and while this MOU does not have any time frames attached, he hopes they can be added as specifics get worked out.
- Ratliff added that this MOU has not yet be agreed upon by the Borough, so he recommended any approval by the Board be contingent upon the agreement being executed by all parties. He also pointed out that at the last Borough Council meeting, Wright stated that this MOU was not centered around the 2016 Economic Development Study. Ratliff stated that the Board of Supervisors and staff does support this study. He asked if Wright could explain how he balances reporting to both municipalities, one who has a more favorable view of the Study than the other. Wright confirmed that it had not yet been voted on by the Borough, that the MOU was going to the Finance Committee as the next step. He agreed that the balance is complicated since some of the Borough Council members who were not involved in the development of the 2016 Study treat it as null and void. HKS, however, does subscribe to the overall broad points in the Study. Ultimately, the goals in the MOU are set by each municipality individually. He thinks the goals should and will likely come from that plan.
- Ratliff again wanted to clarify that tonight, Wright was stating that the MOU is a fallout from the 2016 Economic Development Study even though he said at the last Borough meeting that it was not. Both Ratliff and Wright agreed that it is a delicate dance to appeal to both municipalities.
- Hoffman commented that any plan or study is just a guideline and it is the details that matter. She cited two projects the Township started prior to getting an Economic Development Office in place, Office Hours and the Holiday Village. She stated that the end goal is to work together as we are neighbors and ultimately it should be a community where everyone can afford to live and work here. She said TND's and Affordable Housing are two ways to accomplish that, they will continue to look at both options under Economic Development, all while being mindful of a regional approach.
- Ratliff asked Wright if there was a timeline from the Borough's decision. Wright did not know but hopes to have a better idea on Monday.
- Ratliff commented on the great work done by HKS and he stated his support for this as the Township Manager and as his role as an HKS Board member, he feels HKS is the natural place to house the Office of Economic Development.
- Richard Gaw (Chester County Press) asked via Zoom chat, "What will the allocation of funding from the township and the borough -- about \$112,000 combined a year -- look like? Where will the money go, and what will it pay for?" Ratliff answered, per Appendix 3, that it is mostly salary and benefits for the Economic Development Director plus some ancillary activities. Norris explained those extra costs include professional memberships, meeting supplies, conferences, and façade grants (that will not be part of the Township's costs).
- Heinrich commented that this MOU is very ambitious and while she supports it, she wonders if one person will be able to accomplish it. Ratliff replied that it is up to Wright to manage the goals and make them operational for the EDD and the expectation is not that everything will get done in two years. Wright added that there is still work to be done on the appendices to make them measurable and prioritize them. He realizes that one of the potentially overwhelming aspect for the position is the amount of evening meetings, but he feels this is a great position for a highly ambitious person.

7. 2021 BUDGET SCHEDULE & PROCESS

www.kennett.pa.us/DocumentCenter/View/4291

- Heinrich started this conversation off by stating that it is early in this process and therefore hard to have final numbers.
- Stevens commented that even though this process is beginning now, the budget will still not be adopted until the middle of December. Ratliff confirmed and stated this is because the second-class township code requires 20 days of advertised public inspection, which we encourage. Theoretically there should be no changes

between November 18th and December 16th. One of the reasons it does take so long is because the staff wants the public involved.

- Ratliff noted that the public can follow along by using the hyperlinked agenda found on the website.
- Admin, HR and Finance Departments:
 - Leff asked, regarding the **Auditing Services (GL Acct 401.311)**, if Heinrich expects the 2020 audit which will be completed in 2021 will be as intense and therefore as expensive as this current audit of 2019 that is still underway. Heinrich explained that we are going through a process to get the Township to a best practice and standard audit position, determined by GASB: Government Accounting Standards Board. She explained the difference between the detailed Annual Financial Report that results from the government accounting process and cash basis accounting, the minimum bar of regulatory recording necessary to submit to the Department of Community and Economic Development. While not typically sufficient for municipalities like ours, the 2019 audit is using the cash basis accounting, but it is a more thorough and intense audit than the Township has encountered given its history of fraud. In addition, there is work being done to prepare in advance for the 2020 audit with Mailie. Heinrich explained that she forecast this year's Auditing Services at \$40,000 (up from \$30,000 that was budgeted) due to the depth of the work and the number of repairs needed, plus work to prepare for the 2020. She expects the same ~\$40,000 for 2021 but said there would likely be a drop in cost once the Township's financials are in a good place.
 - Hoffman asked why the **Bank Service Charges/Fees (GL Acct 401.390)** are projected to almost triple. Heinrich said that it was because she did not know coming into it last year what to expect. This past year they needed to open all new accounts and add the standard and expected controls for municipal accounts that the previous manager did not use. This also led to double accounts for a time, which have now been resolved. She further explained that we are running at a high run rate, for which she is setting up a call to negotiate.
 - Leff asked about the increase of **Medical and Dental Insurance (GL Acct 487.196)** for non-uniform staff, understanding that there are more staff. Heinrich explained that this is a very early guide number from our broker. She has a few more questions still for the broker, including one about the Affordable Care Act fee that she is working out. This projected number assumes that all new hires will opt in for the Township insurance and have families, which may not be the case. She noted that there is currently an offsetting revenue of 3.5% of each employee's premium and 7% of their spouse's premium, which will be increased for 2021 by an amount to be determined. Additionally, she said the broker will investigate other options beyond the current IBX plan, in which the rates are the same as a small business, such as an insurance trust type plan that similar municipalities have.
 - Hoffman asked about the increase in the **Auto Allowance (GL Acct 487.187)**. Heinrich explained this was part of the Manager's contract.
 - Hoffman asked what the **Employee Incentive/Appreciation (no GL Acct yet assigned)** was. Heinrich said that Ratliff expressed a desire to do something beyond the typical holiday party to acknowledge the staff who have endured a very rocky transition plus the added stress of working through COVID-19 as appreciation and incentive. She has no idea yet what this will amount to, but this will be fine tuned as the budget process continues.
 - Stevens commented that the bottom line for each category shows a modest increase, which is to be expected. He commended Heinrich and staff on their work to pull this information together in a realistic way.
 - Heinrich noted that there were items that we saved on this year due to COVID-19 and said if there was any more information the Board needed to see, to let her know.
- Information Technology (IT)
 - Heinrich summarized this section of the budget, stating that there are not any drastically new systems listed for next year. This is more detailed this year as they have been working to figure out how many licenses to different programs we have, who needs them, etc. There was an add-on for accounts payable through the Sage Intacct General Ledger account, which will greatly increase the staff's efficiency as they manage that tedious process. She is considering utilizing The Payroll Factory's electronic time sheets, the cost of which is ~\$1,100. She also spoke about the need for document sharing between the staff and committees, which increasing our Microsoft license \$4 per person per month would solve, but there is still research to do.

- Hoffman asked what the Adobe licenses are being used for and which programs from Adobe we are using. Heinrich answered the office staff uses Adobe to merge and edit documents. She researched the cost of a commercial license but that was more expensive. Heinrich explained that there were no numbers listed from 2020 as they did not yet have that information at the time the budget was produced. Hoffman suggested researching Creative Suite for cloud storage and additional tools.
- Leff and Heinrich agreed that these documents will be available for review on the Township's website and Heinrich gave an overview of the schedule for the remaining budget requests.

8. DEPARTMENT HEAD REPORTS

a. Eden Ratliff, Township Manager

(www.kennett.pa.us/DocumentCenter/View/4288)

Ratliff provided a substantive report that included information on an upcoming event called Get Re-Kennected scheduled for October 3rd from 8:00 a.m. until 12 noon. He reported that the Township was not successful with the Small Water Sewer grant we applied to earlier this year through the Commonwealth of Pennsylvania but we are applying jointly with the Borough for a Sewage Facilities Program to update our Act 537 plan. Last week, Ratliff and some of the Supervisors virtually attended the Chester County Fire and EMS Strategic Plan Presentation (the master plan and implementation plan can be found at <https://ccfirechiefs.org>) which outlines the trends and changes that are anticipated, such as moving towards consolidation with a significant involvement from municipalities and regionalization. He stated he wants this conversation to be out in the public about the importance of municipal involvement due to their ability to tax and raise funds for these services. He said that we are fortunate to have great fire and EMS companies in Southern Chester County and to be at the table with them (specifically six other municipalities) as part of the EMS Commission that oversees services to Kennett Township.

Ratliff reported that the IRS approved the Township's request to allow the transfer of funds from the old retirement plans that were not set up through a legal vehicle to a new, soon to be set up 457B plan without a tax penalty. He also explained that the Township staff pension plans will be updated to be brought to compliance in the coming months, something that happens from time to time as legislation gets updated. Finally, he thanked the staff for their work during COVID-19.

Discussion:

- Leff commented that he attended one of the virtual Fire and EMS review sessions and commented how the State makes the rules and pushes them to the municipalities without an overall county plan, which is challenging. Ratliff stated that the second-class township code is very clear about the relationship townships must have with fire and ambulance; we are responsible for making sure that service is delivered.
- Leff asked that while the pension plans are not in compliance with the regulatory legislation act if there is enough money in there to meet its minimum obligations. Ratliff confirmed and explained that the Pennsylvania Act 600 requires some language updates but does not change the funding status. Ratliff reminded all that the Board voted earlier to keep the funding levels minimally covered, but there will be future discussions about those funding levels. This update was to make the public aware of the regulatory changes coming to the plan.

b. Amy Heinrich, Director of Finance & HR

(kennett.pa.us/DocumentCenter/View/4292)

Heinrich's full report that includes a full YTD Financial Report for the General Fund is available at the link above. She already mentioned most of her other points (the audit, the 2021 budget request process) earlier in this meeting but she did highlight the accomplishment of closing the Open Space loan from 2018 and essentially refinancing it with a new loan that has the incredible interest rate of 1.34% for 10 years. This shows the return of good faith in our Township (considering where we have come from) and this will save the Township a lot of money as the prior loan was at 4.24%.

Discussion:

- Stevens stated that he felt the \$1,000,000 that was recovered from the bond for the Fraud Recovery should not be listed as revenue in the General Fund. Heinrich responded that because there is not a “Recovery Fraud Fund,” the General Fund is where everything else goes. She said we can continue to monitor the bottom line to make sure we do not expend more funds than we bring in. If we spend more, it will have to come out of the reserve, which is what Stevens said he does not want to happen. He wants to ensure that if/when we are asked what the whole thing cost, we will be able to easily show those numbers. Stevens asked if there was a way to ensure the funds would not dribble away and suggested putting it in a separate bank account. Heinrich said that is an option. There was also discussion between Leff and Stevens about how to use that money in the future, which they agreed would be determined in the future. Ratliff explained why it is showed on the report. Heinrich added that the format of the page Stevens is looking at can be adjusted to show the fraud investigation and fraud recovery below everything else. Stevens said it is important to separate that \$1,000,000 from income because it is not income.
- Hoffman stated that all the money that the Township has spent on recovery should ultimately be charged against the defendant and the accounting should clearly show that. Heinrich stated this has already been discussed with the attorneys.
- Stevens asked about the detailed reporting pages that includes the \$1 million and suggested that the Township is down \$1.2 million YTD. Heinrich corrected him and explained that this is a budget to YTD comparison and that the Township is currently not, in fact, at a deficit of \$1.26 million. She explained the current revenue lags of ~\$330,000 due to COVID-19 and stated we do not yet know where we will end up.
- Leff stated he liked the graphs provided for the revenues.

c. Diane Hicks, Director of Planning & Zoning

www.kennett.pa.us/DocumentCenter/View/4277

Hicks announced the recent Planning Commission and Zoning Hearing Board meetings. The ZHB approved a child day care center located at 580 Rosedale Road and will hear two applications that have been continued for dimensional variances for pools in Bayard Estates on September 29th. The Historical Commission is beginning to plan a public presentation (more information to come as they work out logistics), and they are looking for volunteers. There were 28 Building/Zoning permits issued in August and five (5) rental inspections.

Discussion:

- Hoffman asked if the rentals were long-term or short-term like Airbnbs. Hicks stated that we are not looking at Airbnbs, that these were regular rentals according to our ordinances. Hoffman asked if there were any regulations regarding short-term rentals, to which Hicks answered not at this time.
- Leff asked if the 28 building/zoning permits were typical. Hicks said she did not have a comparison from last year, but that typically the Township receives a lot of pool permits in the summer. This year, there were a lot of pool permits as well as permits and inspections from the ongoing developments.

d. Roger Lysle, Director of Public Works

www.kennett.pa.us/DocumentCenter/View/4278

Lysle provided a report that highlighted the recent storm damage, work on Norway Road, a new flashing light for the stop sign at Marshall Bridge and Kaolin Roads, the repaired raceway off of Walnut Street, State Street Bridge completion, work on Chandler Mill Road, interviews for the Lead Foreman position, Parrish Trail restoration, and the 2021 budget process.

Discussion:

- Leff commented on the damage of the Parrish Trail and Lysle added that he was surprised by how heavily the trail is used.

e. Matt Gordon, Interim Police Chief

www.kennett.pa.us/DocumentCenter/View/4279)

Gordon provided the most recent police activity statistics which are available in the link above. He said they are continuing to monitor the Coronavirus outbreak and are taking the necessary precautions, such as limiting the number of police staff/visitors in the station, to keep our staff and residents safe and healthy. He expressed his thanks to the residents for their patience and support during the COVID-19 outbreak.

He also spoke at length about his concern for the people who are speeding through the stop sign at the intersection of Marshall Bridge and Kaolin Roads, which is why he asked Lysle to install the blinking red lights at the stop sign. Gordon said that the safety of the construction workers is at risk due to the excessive speeding and once the road reopens, that stop sign is the only control for that three-way intersection. If someone runs it, there will be a serious accident. He said the Police will be enforcing that stop sign and if you run it, you will get a ticket.

Lastly, Gordon thanked Lysle and his crew for keeping the roads cleared during the bad storms.

Discussion:

- Stevens thanked Gordon for his strong stance on the stop sign and said he would do whatever he could to stand with the police department on this matter. He said when the violations are as flagrant as they are and when they put people such as the construction workers at risk, the enforcement is vital. He added that during every election, it is made known that the residents in general care about the enforcement of traffic violations, so he thanked Gordon and the Police Department for doing that job.
- Gordon added that once the bridge is close to reopening, there will be a traffic detail there every shift to make sure everyone stops.

9. PUBLIC COMMENT

- Stevens wanted to call attention to the Board for the completion of the Chandler Mill Bridge as it was a promise made many years ago. Additionally, he outlined the problems he and the Boards of Kennett Township and East Marlboro identified six (6) years ago with the intersection of Route 82 and Route 1 along with concerns of residents who live on Cedarcroft Road. He was pleased to announce that a remedy for that intersection has been approved, that bids for construction are going out in the next month or two and construction will hopefully begin in the beginning of the new year. This shows that municipalities can work together successfully.
- Ratliff shared that it was special the Township was able to participate in an event at The Creamery that welcomed home the We Walk With Harriet small group of ladies who walked the same path Tubman did as a localized way to facilitate national discussions.

10.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 10:08 p.m.

Respectfully submitted,
Eden R. Ratliff
Township Secretary

September 14, 2020

To: Kennett Township Board of Supervisors

CC: Eden Ratliff, Christina Norland

Re: Resolution 2020-16 Magnolia Underpass

I am writing this as a concerned citizen of Kennett Township as well as a member of the Kennett Township Trails and Sidewalk Committee. The Trails Committee approved sending Resolution 2020-16 to the Board at its September meeting. I voted against doing so.

I feel that the Magnolia Underpass is being rushed without careful consideration of the use of the Township's funds. I hope, at a minimum, that the decision to approve Resolution 2020-16 is deferred until after a full 2021 budget consideration.

Although I am strongly in favor of a Kennett Greenway, I am opposed at this time to the Township allocating nearly \$400,000 to a railway underpass. I have the following concerns:

1. The total cost of \$1 million seems extreme for a small section of the Kennett Greenway. As it has never been determined what the total cost of the Greenway will be, how many years it may take to complete it, or how it might be funded, the importance of this section for early completion should be seriously evaluated.
2. The Township's share will be \$390,000 or possibly more. This money is being requested outside of the 2021 budgeting project and could be used more appropriately for other more pressing trails or open space purposes. Four projects that come to mind are
 - Opening Spar Hill to the public. This park was being enjoyed by many prior to the 'No Trespassing' signs going up. The money could be used to demolish buildings and improve the trails, allowing the park to officially re-open. Since there are only five parking spaces at State Line, overflow crowds would quickly return to Spar Hill.
 - Chandler Mill Road is experiencing fairly heavy bicycle, jogging, and pedestrian traffic on the weekends. Although the issue of getting trails along this stretch is complicated, some money could be allocated for road signage or potentially road widening in sections to make it safer.
 - Bike Kennett is asking for support of a bikeway between Longwood Gardens and Kennett Square. The costs and benefits of such a project should be evaluated and considered as an alternative use of the money.
 - Not least, purchasing additional open space.

It was mentioned at the Trails meeting that numerous organizations, businesses, and other municipalities are supportive of the underpass. However, these entities are not being asked to contribute to the cost of building it. If the Board decides to approve 2020-16, consideration should be given to requiring that a significant portion of the \$390,000 be funded by those parties with a beneficial interest.

In summary, there are many projects competing with the Magnolia Underpass for funding in 2021. The underpass is a nicety, but it not essential as trails and parks are currently accessible. I ask the Board to seriously consider whether Resolution 2020-16 should be passed before the 2021 budget process has been completed and all uses of the money have been evaluated.

I look forward to discussing this at the upcoming Board meeting.

Sincerely,

Diane McGovern

345 E. Hillendale Road