



801 Burrows Run Road  
Chadds Ford, PA 19317

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## **BOARD OF SUPERVISORS SPECIAL MEETING via ZOOM MINUTES**

November 18, 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; Roger Lysle, Public Works Director; Matt Gordon, Acting Chief of Police; Dave Sander, Solicitor

### **1. CALL TO ORDER**

Chairman Leff called the meeting to order at 7:00 p.m., explained how the virtual meeting would proceed and gave COVID-19 update. Stevens reiterated the importance of remaining socially connected to fight off loneliness. Hoffman cautioned everyone to consider their Thanksgiving plans with caution given the rising COVID-19 cases.

### **2. TOWNSHIP RECOVERY UPDATE**

Township Manager Eden Ratliff stated that the Township continues to work with the District Attorney's office on recovery efforts and that the trial for Lisa Moore is currently scheduled for the beginning of December. Ratliff said he fully expects that to be continued to a later date and does not expect any action until 2021.

### **3. EXECUTIVE SESSION ANNOUNCEMENT**

There were no Executive Session announcements.

\*\*\* The Supervisors rearranged the order of the Agenda.

### **7. 2021 BUDGET REQUESTS**

[www.kennett.pa.us/DocumentCenter/View/4407](http://www.kennett.pa.us/DocumentCenter/View/4407))

Leff provided a brief overview of this budget process to date and commented on the well-attended special meeting last week. He thanked everyone who voiced their opinions regarding the potential tax increase. He said that while the majority does not want to see taxes increase, there will probably never be a time when someone wants taxes to increase. He reminded everyone that the Board also pays Earned Income and Real Estate Taxes. He spoke about the desire by some to decrease police, fire and ambulance funds, and shared reasons why these expenses are necessary. He also highlighted the other funds and their importance, as well as provided an overview of revenues for 2020. Leff then explained the different taxes Kennett Township residents pay and the changes made to them over time to

streamline and reduce them. He again stated that the Supervisors have heard the feedback from the residents and will try to maintain the level of services they have come to expect without increasing the Property Tax in 2021, although there is the possible Local Services Tax to consider tonight.

Hoffman said she appreciated how many people have emailed and reached out to the Supervisors and encouraged everyone to contact them via email rather than insult them on Facebook. She added that the Finance Department has been working very hard to find a way to not have a milage increase on the Real Estate Tax this year and said they deserve a round of applause for the work they are doing.

Ratliff thanked the residents on the meeting, especially those who have been at all the many meetings that have lasted many hours while they work to determine the priorities of the Board of Supervisors and community through this budget process. He thanked everyone who sent in comments and said that although he could not respond to everyone, he assured them that their comments were heard and shared with the Board of Supervisors. He then explained that tonight, Director of Finance Amy Heinrich was going to walk everyone through a proposed budget for 2021 that did not have an increase in Real Estate Tax and summarized the last meeting.

He discussed the challenge that each Department Head is working through, saying that they inherited departments a year ago were not where they needed to be for a Second-Class Township to accommodate the size and growth of Kennett Township. He said that while these challenges are not specifically tied to the fraud, there are improvements that need to be made, and those improvements cost money. Therefore, he explained, many of the budgetary deficits presented are in the operating budgets. He stated that in a year, for the 2022 budget, he fully anticipates that there will be discussions again about the need for increased revenue.

#### 2021 Budget Overview and General Fund Revenue

- Heinrich proceeded with the presentation of the 2021 Budget and encouraged everyone to view it on the Township website (<http://www.kennett.pa.us/DocumentCenter/View/4407>). Her presentation detailed how they were able to balance the 2021 Budget without increasing Real Estate Taxes this year and some of the risks that come from not raising the Real Estate Tax. She discussed changes made in the forecasted revenue and hiring, and spoke about how some of the expected 2020 surplus would be used. Ratliff spoke about the changes in contributions and partnerships, specifically with the Land Conservancy (TLC) for Southern Chester County, Historic Kennett Square (HKS), and the Borough.
- Leff outlined the amounts found on page five of the presentation and stated the revenues appear to have gone up due to more optimistic forecasting by Heinrich. Stevens commented he felt the forecasting was more realistic versus optimistic.
- Heinrich led discussions on each category including salary benefits, General Fund Revenue (including Planning & Zoning Revenue, Reimbursements, and Investment Income).
- Wendy Cooper (358 E Hillendale Rd) asked if the fire and ambulance money was divided between Kennett Fire Company and Longwood Fire Company. Ratliff explained how they receive the funds from the Kennett Fire and EMS Regional Commission.

#### Police Department

- Heinrich presented the changes to the Police budget including hiring one officer January 1<sup>st</sup> and the second officer May 1<sup>st</sup>, updates to HR forecasts, postponing the proposed scholarship program until 2022, utilizing some of the surplus from 2020 to purchase one vehicle now and one in 2021. These changes brought the Police budget to \$1.862M which is equivalent to 2.4 of a mil.

#### Fire & Ambulance

- Heinrich presented the updated Fire & Ambulance budget, again explaining the role of the Kennett Fire and EMS Regional Commission, and explained the role of Fire Marshall and the options for potentially filling that required role by a volunteer.
- Stevens asked about line item 411.548 “EMS Commission Funding.” Heinrich confirmed that the amount shown was a lower amount set for the first half as the statics these amounts are based on only half the year. She added that next year, we know that number will be higher based on our current usage.

- Ratliff clarified that they are not talking about the Fire Chief position, but the Fire Marshall position and explained some options for outsourcing that role.
- Pete Sirusas (9 Whitetail Dr) asked via Zoom chat, “Was reducing police coverage considered?” Ratliff said they did discuss the option of moving away from being a 24/7 police department but the guidance from the Board of Supervisors was that they wanted to maintain the 24/7 operations. There was also conversation about what the bare minimum needed to be and because most officers are working by themselves, the current situation was not sustainable or safe for the officers. He went on to share examples and statistics that supported hiring two new officers.
- Christina Power (24 Elmwood Dr) asked via Zoom chat, “Does the headcount of police remain at 9 in 2021 with two departures in two new hires?” Ratliff explained that in 2020 the number of officers went from nine to seven and the Board voted to fill those vacancies in 2020. The two additional hires in 2021 will grow the Police Department to 11 officers. Heinrich added that the officers who are out with disabilities are not considered out of the count even though there have been long stretches of time where they were unable to work. Leff reminded everyone that they did talk about brining in two part-time officers but decided ultimately that would not serve the needs.
- Hillary Fowler (177 Penns Manor Dr) asked via Zoom chat, “What would be the expected tax impact of adopting this 11.18.20 proposed budget and adding back in the 2 police officers as per the 11.12.20 proposed budget?” Ratliff clarified that the budget being presented tonight still hires two officers but delays the hiring of one until May.
- Tom Carpus (7 Canterbury Dr) stated via Zoom chat, “It should be pointed out that delayed hires help '21, but there will be an additional expense in '22 of about \$135K. Please clarify...thank you.” Ratliff confirmed and discussed the different run rates at different times of the year and said that the operational expenses of the Township now are very different than they used to be due to professionalizing each department. Heinrich stated that is why earlier in the slides, she explained that there will most likely need to be a revenue increase for 2022.
- Wendy Cooper (358 E Hillendale Rd) asked via Zoom chat, “If we are providing backup to Kennett Borough police, are we getting any recompense from the borough for this assistance?” Ratliff stated that the Borough is backing up the Township twice as often as the Township is backing up the Borough, and then explained the Mutual Aid Agreement the Township is a part of with surrounding municipalities. There is not a provision in there to bill each other for that service, nor does Ratliff think there should be.
- Elizabeth Parrett (12 Regents Ct) asked via Zoom chat, “Is the township paying the full salary for officers who are on disability leave? Is this covered by an insurance policy?” Heinrich answered that the Police have short-term and long-term disability policies, which cover 2/3 of the salaries and is an industry standard. The insurance company is reimbursing the Township for that salary payment. She added that the staff can utilize any accrued sick or personal time to also supplement that.
- Lora Gibson (8 Whitetail Dr) asked via Zoom chat, “Looking at the police activity reports that are posted on the township website, there is a large increase in the category patrol investigations. What is a patrol investigation? Are these all in response to 911 calls? I'm referring to if you compare 2015 to 2020.” Gordon answered that a patrol investigation is initiated by police officers, not 9-1-1, and provided examples like checking parks, walking people to school, etc.
- Rachel Brunke (112 Ringtail Run) asked via Zoom chat, “has any thought/discussion been given to partnering with our neighboring twps. (Pennsbury, Pocopson) to form our own regional police force, perhaps there are some cost savings with that.” Ratliff said those discussions are underway at a high level and that the Township is interested in pursuing this if the interest is mutual, though these discussions take time.

#### Public Works Department

- Heinrich presented the Public Works budget noting that they are not going to increase the size of the team this year and explained other line items that were cut. The new lawn mower that was requested will be fulfilled with the 2020 surplus and she explained the potential assistance from FEMA that may be able to be put towards repairing a damaged drainage pipe.
- Andrew Gold (6 McCarthy Dr) stated via Zoom chat, “I drove by the township maintenance building a few days ago and it was mentioned that the doors are in dire need of replacement. Can you provide pictures to the other residents? Why is the township only getting one quote when budgeting? They should be getting a minimum of 3 quotes.” Heinrich said Lysle could probably provide photos and explained why only one quote

was obtained for the budget process and reassured that this project would follow State guidelines and be a part of a competitive bidding process.

#### Planning and Zoning Department

- Heinrich explained that the hiring of the Planner has been pushed back until June and they would not hire a Building Code Official this year. Leff added that the decision to hire a Planner was approved for 2020, but they have not yet found the right candidate.

#### Community and Economic Development

- Heinrich presented the decision to not honor any requests for increases from community partners as well as decisions to decrease or minimize several others including the Kennett Area Parks and Rec Board, Mushroom Festival sponsorship, and a portion of Brandywine Red Clay support. Kennett Flash, the Economic Development Position with HSK and the Borough, and the General Fund contribution to TLC was eliminated. However, the Township will retain the Open Space contract work with TLC. Heinrich also reported that a request from Kennett Area Community Services (KACS) was recently made to the Board and KACS would be receiving a \$5,000 contribution that will come from the 2020 budget.
- Wendy Cooper (358 E Hillendale Rd) asked via Zoom chat, “Does Pennock Park include Anson Nixon Park?” Heinrich said no and explained that Anson Nixon Park is managed by its own municipal authority that was put together a long time ago by the Township and the Board. Funding for that is in the Open Space Budget, assuming all legal requirements can be worked out and met to utilize the fund for this. She said that in the future, perhaps the Parks and Rec Board can also be funded by the Open Space Fund, but there is a limit as to how much of that fund is delegated to maintenance.

#### Administration, Finance & HR Departments

- Heinrich reported that there would be no additional staff added in 2021 and detailed her efforts to reduce costs wherever possible.
- Andrew Gold (6 McCarthy Dr) asked via Zoom chat, “Do township employees have a pension fund? This is no longer offered in private sector. Why is this a benefit?” Ratliff stated that defined benefit pension plans, although not a substantial benefit for the Township, are the norm across municipal government. A lot of funding comes from the Commonwealth to fund these benefits, which the Township can take advantage of by offering a pension plan.
- Lori Stewart (534 Bayard Rd) asked via Zoom chat, “Why are the benefits increasing so much (\$382,849) compared to the salaries (583,309). \$382,849 increase in Benefits to an increase of 583,309 in salaries.” Heinrich and Stewart discussed the numbers in detail from page seven of the presentation. Ratliff added Kennett Township falls in the middle when compared to other Chester County municipalities benchmarks in terms of monetary and non-monetary salaries and benefits. The Township is not the highest or the lowest by design as the Township wants to be a competitive workplace that attracts quality professionals to deliver government service. While he cannot validate whether Stewart’s statement of a 30% ratio of salary to benefits is normal, he can confirm that the Township is at an appropriate level compared to other municipalities. Discussion continued and Heinrich stated that salaries are lower than they would be in the private sector, but benefit costs are the same or higher, adding that because the Township is small, they do not have a lot of purchasing power with insurance companies. Stewart agreed to continue this discussion offline.

#### Employee Benefits

- Lora Gibson (8 Whitetail Dr) asked via Zoom chat, “Can you explain the 33% increase in Salaries & Benefits again? I’m hearing about cuts, but sounds like fairly large increase.” Ratliff said this has been addressed in great detail throughout the presentation, but through the course of 2021 the Township is adding a Planner and two police officers – all full-time positions and all are necessary. Heinrich offered specific numbers and percentages and Hoffman pointed out that in hiring a Planner, the long-term view is that costs to consultants will decrease.
- Peter Gray (542 Chandler Mill Rd) stated via Zoom chat, “There was chatter on Fbook about township employee benefits. Can you clarify if the officers and office staff contribute to insurance etc.?” Ratliff answered that all non-uniform employees contribute to their healthcare and those contributions will be going up in 2021. Contributions for police is part of a mandatory subject of bargaining. The police are in the middle

of their five-year contract so we would have to negotiate for them to contribute when that contract ends in 2022. Heinrich added that it is uncommon for municipal police to contribute.

- Wendy Cooper (358 E. Hillendale Rd) asked via Zoom chat, “Can you partner with other municipalities to get better compensation benefits?” Ratliff said that was a great question and on he and Heinrich have also asked as they would like to purchase insurance as a cooperative. He explained the challenges and some examples he has worked with in the past. Although they are moving in this direction, it does take time. Heinrich added that it is something to consider, but there are change curves in deductibles that need to be looked at as well.
- Beth Thomas (126 W Hillendale Rd) asked via Zoom chat, “What % do they pay? How about family members that are on the plan? How is the cost distributed across township and employee?” Heinrich answered that in 2021, the employee will pay 7% for themselves and dependents and pay 10% for spouses. She added that the Township is working on an incentive program for employees to opt out of the Township insurance plan which would save even more money.

#### Engineering

- Heinrich explained the changes in this area involved adjusting the timing of the match from grants to not hit next year and to conserve on trails activities beyond the scope of the grant matches.

#### Minor Reductions

- Heinrich explained a few areas where she was able to shave down some expenses in IT services and Maintenance and Operations insurance.

#### Transfers from Operating Fund to Capital Fund

- Heinrich stated that this was just a visual representation of items already discussed and listed them again.

#### Capital Fund

- Heinrich explained this fund and stated that this is not where it should be in terms of the cash available, which is a result of what was inherited when she took over the finances. She said there is a General Fund Reserve, but not a Capital Fund Reserve nor a Capital Plan. She explained what that looks like and said we are moving towards that.

#### Sewer Fund

- Heinrich explained the Sewer Operating Budget and the Sewer Capital Budget. This fund has not yet been discussed due to the length of the previous meeting. She stated that the Township does not make money on sewer and explained that the Township charges a fee to those on the sewer system to cover operating expenses as well as try to save for the “rainy day.” She then outlined the nature of the fees. The Sewer Capital Budget is funded by tapping fees paid by developments who buy capacity to support the reserve to support future infrastructure needs. There are no major projects planned for 2021.

#### Open Space Fund

- Heinrich reported that nothing had changed from the last time this was reviewed at a public meeting and explained both how this is funded and the legal parameters that dictate how we can spend this money.
- Joe & Jeannie Longobardi (111 Carlton Dr) asked via Zoom chat, “RE: the \$16349 that the township received from renting out the new farm/open space located on Burnt Mill road; how was that amount negotiated and was any township money used while the movie company utilized the property (as in the men who blocked the traffic for the day etc). And what category did that money go into?” Ratliff said the details of the agreement that allowed for the use of the property for a donation can be handled by Sander, but he said there was no costs incurred by the Township, including the use of police during road closures or our Solicitor negotiating the legal contract. The donation was added to the Open Space Fund. Sander confirmed what Eden said.

#### Liquid Fuels Fund

- Heinrich explained that this is grant funded revenue from the taxes paid at the gas pump. It is expected to be down next year based on COVID-19. She explained the projects this will fund in 2021.
- Hoffman thanked the whole team for their hard work to hear the feedback from the community and adjust accordingly.

- Laruen Klein (103 Sassasfras Dr) commented via Zoom chat (paraphrased by the Zoom host) that there was an online petition she started opposing the Real Estate Tax increase and wanted to make sure the Supervisors were aware. It is up to 290 signatures.
- Ruth Hanson (570 McFarland Rd) asked via Zoom chat, “Do taxpayers have any right to vote on tax increases?” Ratliff said that the Second Class Township Code does address tax referendums, but it enumerates the responsibility to the Board of Supervisors to set tax rates in accordance with that code and tax enabling act, although there are limitations. Solicitor Sander agreed and explained certain tax levies that can be added to a ballot such as an additional EIT to support Open Space. He said there is no provision for a referendum for the standard Real Estate Tax milage. Hoffman added that there is a limitation and Sander stated that maximum is 14 mils for Real Estate Tax for the General Fund. Heinrich said the other special taxes (i.e. emergency services) can be higher than that and Kennett Township is well below those limits.
- Andrew Gold (6 McCarthy Dr) commented via Zoom chat, “Say no to tax increase.”
- Andrea Boulet (580 McFarland Rd) stated via Zoom chat, “Thank you for hearing those of us who were opposed to raising real estate taxes this year. Do we have an estimate for what amount of money might be recovered from Lisa Moore and what might be the timeline for when that money could be recovered?” Ratliff said that was difficult to answer and explained what has been recovered so far, but acknowledged money spent on recovery efforts also must be considered. He is hopeful 2021 will bring more answers with the DA’s office continuing to work the case. He said the Board of Supervisors remains relentless in their position that every dollar must be recovered, including expenses, from the former Township Manager. He noted that none of the expenses or recovered funds are accounted for in tonight’s presented operation budgets, that they are being tracked separately for transparency and can be presented at a future meeting. Hoffman added that the former manager has neither plead guilty nor has been convicted of any charges. She referred everyone to watch All the Queen’s Horses on Amazon Prime to see how cases like this go. She reiterated that she and the Supervisors are asking for the maximum possible to make the Township taxpayers whole in total.
- Ruth Hanson (570 McFarland Rd) asked via Zoom chat, “How much money have you recovered compared to what has been spent to recover from former township manager?” This was previously answered.
- Jim Volovich (109 Willow Glen Dr) asked via Zoom chat, “What are the legal fees for the recovery of the stolen funds? What are the services provided for the listed line item? My assumption is that it does not include fees for recovery.” Ratliff explained that there are two categories of charges, those expenses occurred prior to charges being filed (forensic accountant) and those expenses incurred after the charges were filed (our legal fees). Heinrich reported that in 2019, there were ~\$500,000 of expenses and for 2020, there were ~\$600,000 of expenses for the recovery efforts plus the amount of alleged fraud. Hoffman again said that these expenses are included in what we hope to recover and that some of the expenses incurred were due to fixing things that were done improperly under the former manager and those are included in these figures. Leff added that \$1 million have been recovered on from the bond the manager had, which helped absorb some of those costs.
- Jim Volovich (109 Willow Glen Dr) also asked via Zoom chat, “What is expected revenue from the large apartment complex being constructed opposite Cope Road?” Heinrich reported an estimated Earned Income from the Flats development is roughly a little over \$50,000 per year. That is based on estimates as the County takes a little while to get the actual tax assessments to the Township. Volovich followed up with the question, “So the tax receipts from these new projects are not included in the 2021 budget?” Heinrich explained that the smaller estimate is there, but not the full amount based on the assessment. Ratliff added that once the Township gets those numbers, they will not be so significant as to drastically affect the total budget.
- Nancy Dunbar (314 Longwood Dr) asked via Zoom chat, “With the new apartment complex that is opening where the borough and the township meet, how are taxes assessed for the property owner?” Heinrich explained that something that starts as a vacant land is assessed as land only, then once the units come online and their Occupancy Certificates are issued, each property is reassessed accordingly. The higher assessments have not been done yet and apartments are much more difficult to estimate compared to single residences.
- Thomas Lapp (103 Alford Ct) commented via Zoom chat, “Obviously, the township has spoken when it comes to large jumps in tax increases. When working on the budget process, has the township considered smaller yearly increases rather than large jumps in one year? As one involved in a community organization financials, I see both from residents as well. Personally, I prefer small more often, but that is one opinion.” Ratliff said this is a great question and debate and the opinions seem to be split down the middle with half wanting larger jumps less frequently and half wanting small incremental increases regularly. He said the School District, which is the highest tax, seems to subscribe to the philosophy of increasing every year and Heinrich said that it is common for those in municipalities to

fight against any increase, so they are left with no alternative than an eventual higher jump. Both Ratliff and Heinrich added that the Township's taxes are extremely low for average Real Estate Taxes per household. Ratliff wanted to go on record to state that he has pushed the Board and community two years in a row to consider a Real Estate Tax increase. While he agrees to not raising them during a pandemic, he is certain that there will come a year where we will be looking at tax increases that the Board is going to feel pressure and the public is not going to enjoy it. He hopes that at that time, everyone will look back to these meetings to understand how we are professionalizing the Township and what that costs, as well as understand what the total expenses look like compared to revenues. Never raising taxes is incredibly difficult if you are providing significant services.

- Beth Halsted (6 Nine Gates Rd) asked via Zoom chat, "What is stopping us from being an exclusive township...folks may be able to afford a home but go broke paying taxes?" Heinrich commented that the average Real Estate Tax for the Township is \$556 a year which includes the library levy, the police and EMS and the general levy. The taxes from the County and School District are much higher. While \$500 is not insignificant, this is what the average Kennett resident pays on a \$500,000 house.
- Christina Powers (24 Elmwood Dr) asked via Zoom chat, "Why is there a capital fund with no capital plan?" Ratliff said that was a great question and this was another terrible thing he and Heinrich inherited when they came to the Township. While it was a reach goal for 2020, they did not get to this. He hopes that this time next year to have this in place.
- Linda Carter (822 Starvegut Ln) asked via Zoom chat, "Who do we pay for emergency transportation? Longwood?" Ratliff again explained the Kennett Fire and EMS Regional Commission and the legally mandated territory agreements between Kennett Fire Company and Longwood Fire Company that are set each year with the Township.
- Richard Gaw (Chester County Press) asked via Zoom chat, "When is the 2021 budget expected to be approved?" Ratliff stated that the Township will be sending out a press release tonight after the meeting that recaps this budget. If the Board votes to move forward with this budget as presented and advertise it as such, the final vote for approval would be on December 16<sup>th</sup> at the regularly scheduled Board of Supervisors meeting at 7:00 p.m. via Zoom.

**Motion presented by Hoffman to authorize the advertisement of the proposed 2021 Budget as presented. Stevens seconded the motion. The motion was passed unanimously with the following discussion.**

- Leff shared his appreciate for the team in their work to get the budget to this point. He also commented that his view on the LST differed from the other two Supervisors, as he would have preferred to do a smaller mil increase to the Real Estate Tax rather than the Local Service Tax. That said, he will vote for the budget as advertised.
- Stevens read a prepared statement addressing the comments from the public and detailing the budget process and work done between the Supervisors and Township staff. He said that while the budget was balanced to meet the necessary requirements, it has seriously curtailed those items that makes Kennett Township unique – the support of local community partners, the list of which Stevens detailed. He urged for a better balance next year.
- Ratliff thanked team members by name and explained the timeline and grueling process and compared this year to last year. While it did not seem easier this year, Leff did point out that this year's vote to approve the budget is two weeks earlier than last year, so there has been improvements to the process. Heinrich said the thanks are appreciated and that everyone on this team is here for the right reason and chose to be here to rebuild knowing everything that happened prior to them joining.
- Andrew Gold (6 McCarthy Dr) asked via Zoom chat, "What did the board approve?" Ratliff explained that per the Second Class Township Code, we are required to adopt a preliminary budget and make it available for public inspection for 20 days prior to it moving to final vote. Only minor changes are permitted after the public inspection period. On December 16<sup>th</sup>, the Board will have to adopt a final budget, which should be very close to this version, and they will have to adopt a tax resolution that will be identical to last year's tax resolution since there was no increase in Real Estate Taxes this year. Additionally, depending on the vote of the next agenda item, the Board will have to adopt a Local Service Tax Ordinance allowing the implementation of that tax.

#### Local Services Tax

- Ratliff explained the next motion, which authorizes the Township to advertise an ordinance that must be done for three successive weeks prior to adoption for intent to implement a Local Service Tax. This is the second time the Township is advertising this to ensure it meets the regulation. Further, Ratliff proposed the Board hold a special meeting on December 7<sup>th</sup> to adopt this Ordinance to officially implement the tax. Unlike the Real Estate Tax

Resolution done annually, this does not get done again. If some day in the future the Board no longer wanted this tax, they could move to appeal it. He then went on to explain the timeline we need to follow to be able to implement the Local Service Tax.

**Motion presented by Hoffman to authorize the advertising of the Local Service Tax for enactment on December 7, 2020. Stevens seconded the motion. The motion, after the following discussion, was passed 2-1 with Leff voting against.**

- Hillary Fowler (177 Penns Manor Dr) commented via Zoom chat, “I’m all for the \$52 a year. Not just for those working in the TWP but even for those who live in the TWP, no matter where they work. I always paid that tax when I lived and worked in West Chester. At \$1 per week, you don’t even feel it.” Leff said that while for most that amount is not a problem, it does negatively impact those who make only \$12,000 per year. There was further discussion between Leff and Heinrich specifically about if and how payroll companies deduct the tax. Scudder agreed with Leff’s earlier statement that the tax is regressive, and he would have preferred a better alternative that both brought more revenue in and that was not regressive. However, this is a result of the State legislature. The fact that this is a common tax across multiple surrounding municipalities was discussed.
- Fowler followed up with, “Is there a way to recruit people to pay more voluntarily? I’d be willing to pay up to \$3 per week for the LST.” Ratliff explained that this tax is collected by a third party so there would be no way to adjust it to each person’s preference. Sander added that anyone can make a donation straight to the Township if they wish to.
- Wendy Cooper (358 E Hillendale Rd) commented that she tried to make a donation to the Police Department last year, but it was returned to her as they said they could not accept it. Discussion between Stevens, Ratliff and Sander explained that if a donation is made to Kennett Township (not a specific department) with an instruction as to what it is intended for, that is acceptable. Police cannot accept money from someone that could be looked at down the line as currying favor.
- Jack Melton (615 Norway Rd) asked via Zoom chat, “Question for the end for the police chief. With the open space on Burnt Mill Road, are the police gaining more calls for trespassers cutting through private properties to get there? I’ve noticed it’s becoming a large issue.” Gordon confirmed that while the property is posted for no trespassing, they do not stop folks from walking their dogs. The police do routinely check the property at night to ensure no one is there after dark and no one is squatting in the dwellings on the property.
- Stevens asked if there was a leash mandate in the Township and Gordon was unaware if the Township had one. Discussion continued and Wendy Cooper added that TLC properties enforce a leash rule.
- Wendy Cooper (358 E Hillendale Rd) asked who owned Spar Hill and Barkingfield Park. Ratliff answered the Township exclusively owns both properties, but TLC does have an easement on part of Barkingfield.

\*\*\* The Supervisors rearranged the order of the Agenda.

#### **4. MEETING MINUTES**

##### **a. Consider Approval for October 7<sup>th</sup> Meeting Minutes**

[www.kennett.pa.us/DocumentCenter/View/4397](http://www.kennett.pa.us/DocumentCenter/View/4397)

**Motion presented by Hoffman to adopt the October 7, 2020 Board of Supervisor Meeting minutes. Stevens seconded the motion. Hoffman amended the motion to include the correction provided by a Township Resident. Stevens seconded the amended motion. The motion was passed unanimously with no discussion.**

- Henry Schlimme (9 Black Rock Rd) pointed out via Zoom chat that rather than reading “...lawsuit followed by the Edward Artz Trust,” it should read “...lawsuit filed by...”

#### **5. OLD BUSINESS**

##### **a. Ratify Addendum to Location Agreement for Filming at Kennett Property**



Ratliff explained that the original location agreement had a filming crew on sight during civil unrest in Philadelphia, which put a curfew on their efforts. They have asked to return to for one day finish their scenes. He explained that the addendum had been executed but needed to be brought before the board tonight.

**Motion presented by Hoffman to ratify the Addendum to the Location Agreement for filming at an undisclosed Kennett Township property as provided to the Board of Supervisors in the Board Packet. Stevens seconded the amended motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Hoffman stated she feels this is a good thing and hope others consider our properties for similar purposes.
- Wendy Cooper (358 E Hillendale Rd) asked via Zoom chat, “Does the township benefit from this filming?”  
Ratliff said that the Township received a monetary donation.

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

- a. Consider the November 18<sup>th</sup> Bill Voucher in the Amount of \$125,096.00**  
([www.kennett.pa.us/DocumentCenter/View/4398](http://www.kennett.pa.us/DocumentCenter/View/4398))

**Motion presented by Hoffman to approve the November 18, 2020 Bill Voucher in the amount of \$125,096.00. Total transfers equal \$3,037.51. Stevens seconded the motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Hoffman again thanked Heinrich for getting both this and all the budget work done.
- Leff stated the twice-a-month payments helps keep things moving.

- b. Consider Planning Commission Recommendation of the Open Space, Trails, & Parks Master Plan and Needs Assessment**  
([www.kennett.pa.us/DocumentCenter/View/4399](http://www.kennett.pa.us/DocumentCenter/View/4399))

Ratliff introduced this next item by reminding everyone of the Open Space, Trails, & Parks Master Plan and Needs Assessment that was created in 2019 and adopted by the Board on July 18, 2019. The Open Space Lands and Preservation Act includes a procedural and best practices step that was missed, which was to allow the Planning Commission to review this Plan. They have now reviewed it and provided their recommendations that were passed along to the Board ahead of this meeting.

**Motion presented by Hoffman to approve the Open Space, Trails, & Parks Mater Plan and Needs Assessment dated July 18, 2019 per the Planning Commission recommendation. Stevens seconded the motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Hoffman spoke to why this plan was created in 2019, was pleased to see that the Planning Commission reviewed it and provided helpful comments, and is glad that everyone is on the same page. She said it important that everyone knows how the Open Space Fund is used since it is their tax dollars and that everyone benefits from the open spaces preserved by the Township.
- Leff added that the Township, currently at around 23.5%, is close to the County’s recommendation of 30% of Open Space.

- c. Consider Enterprise Rent-A-Car Escrow Release 2**  
([www.kennett.pa.us/DocumentCenter/View/4402](http://www.kennett.pa.us/DocumentCenter/View/4402))

**Motion presented by Hoffman to approve the escrow release of Enterprise Rent-A-Car Release 2 in the amount of \$38,226.35. Stevens seconded the motion. The motion was passed unanimously after the following discussion.**

Discussion:

- Stevens commented that because this was submitted with a letter of approval from the Township engineer, he would second the motion.
- Hoffman said she is always cautious to release escrows but feels safe to do so with Stan Corbett doing a terrific job monitoring these release requests.
- Leff agreed and said this is a modest release when compared to the amount that is remaining.
- Wendy Cooper (358 E. Hillendale Rd) asked for clarification on this project, which was provided by Sander and Heinrich.

\*\*\* The Supervisors rearranged the order of the Agenda.

## **8. DEPARTMENT HEAD UPDATES**

Ratliff explained that he gave the Department Heads a pass from their usual highly detailed monthly reports due to the budget process. He thanked them for their work and highlighted one or two things from each Department on their behalf:

Administration: The Township applied for a grant a few years ago with the goal of improving the intersection of Cedarcroft and Rt 82. This project is going to bid this month and the award should be at the end of this year so we can expect construction in late winter/early spring. Once the work is complete, traffic will be able to turn left or right in to and out of Cedarcroft.

Finance & HR: The update financials will soon be available on the website along with all the 2021 budget documents, which are already posted.

Planning & Zoning: There were 27 Building/Zoning permits issued in the month of October and 14 Rental permits. The Flats are starting to come online as leasing has begun. Our first responders got a tour of the property last week.

Public Works: The bridge on Kaolin Road that was slated to be completed in February is almost done. We expect it to be completed in a week or two and are waiting for PennDOT to complete their final punch list. Everyone must stop at that stop sign especially now that the bridge is reopening soon.

Police: Please lock your cars as there have been multiple reports of car break-ins. Windows are not being smashed to get in, rather, they check to see if you have left your car unlocked. Also, be patient with school buses in school zones. With the elementary schools in the area working off two student groups per day there is an increase of buses and extended school zones.

Discussion:

- Hoffman said she is glad the bridge is going to be open ahead of schedule and feels we were lucky that this year did not have a lot of heavy bus traffic to worry about during the detour.

## **9. PUBLIC COMMENT**

- These were addressed earlier in the meeting.
- Leff and Hoffman encouraged everyone to have a safe Thanksgiving considering all the precautions from the pandemic. Hoffman also said this is an opportunity to be thankful for different things. She said she has enjoyed having more people attend and participate these meetings virtually.

## 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 10:18 p.m.

Respectfully submitted,  
Eden R. Ratliff  
Township Secretary