

November 4th, 2024
7:00 P.M.

BOARD OF SUPERVISORS
REGULAR MEETING
721 Unionville Road
Kennett Square, PA. 19348

1. **CALL TO ORDER**

Present:

Chair Monahan (absent)

Vice-Chair Sosangelis (acting chair)

Supervisor Sarro

Supervisor Elks

Supervisor Auger

Township Staff & Consultants:

Ryan Jennings, Township Solicitor

Neil Lovekin, Township Manager

Mickey Bailey, Recording Secretary

Jeff Simpson, Public Works Director

Robert Clarke, Police Chief

Peter Barsz, Treasurer

2. **PLEDGE OF ALLEGIANCE** (Participation is Voluntary)

Vice-Chair Sosangelis opened the meeting by leading the Pledge of Allegiance.

3. **ANNOUNCEMENTS**

Acting Chair, Ellen Sosangelis, read the following announcements:

- a. An executive session was held prior to tonight's regular meeting to discuss personnel matters.
- b. *Operation Green Light*, a national initiative to show veterans that they are seen, appreciated and supported by lighting buildings green from November 4 through November 11, 2024. This initiative was spearheaded by Supervisor Elks.

4. **PUBLIC COMMENTS** (For matters not on the agenda)

- a. Mary Paxton Boeni brought up the intersection of Unicorn Rd. and 82. She would like to see flexible posts installed as visual deterrents from people blocking Unicorn doing U turns. Township Manager, Neil Lovekin said that we would have to coordinate with PennDOT.
- b. Judy Greedly asked for a directional arrow light to be installed at 926 and 82. She said people were running the red light. This item would also need to be coordinated with PennDOT.
- c. Josh Alcorn wanted to bring to the township's attention that Wiltshire Road's oil and chips were unsafe, due to the loose gravel. Township Manager, Neil Lovekin responded that this was a budget issue. Oil and chips are used to extend the life of the road. The township is attempting to pave 1 mile of roadway per year.

- d. Heather Caufield stated that at the intersection of School House and Longwood Road people are running through the stop sign. She would like tickets handed out.

5. DISCUSSION AND APPOINTMENT OF SUPERVISOR TO FILL UNEXPIRED TERM JANUARY 1, 2026

Review of applications, followed by a nomination for appointment and vote by the Board of Supervisors.

Supervisor Auger stated that he'd like to thank the three candidates that applied for this vacancy. Acting Chair Sosangelis said that choosing among them was a difficult decision.

Supervisor Elks motioned to appoint Jim Chance to fill the vacancy of Kathryn Monahan till January 2026.

Maria DiConstanza rose to point out that Jim Chance and his wife had contributed to Jake Elks and Ellen Sosangelis' campaign last November. She wanted to know if they could be independent and unbiased. Solicitor Jennings said that during the process there were no conflict that he knows of and he sees no issues. Lew Kinter said that given the appearance of impropriety he asks that Ellen and Jake recuse themselves from voting.

Acting Chair Sosangelis stated for the record that she felt the process they used to select Jim Chance was not only above board but that no other candidate came close in his responses. She also stated that she felt she could be completely impartial.

Ruthie Kranz said that she felt there was no impropriety.

Supervisor Auger seconded the motion, carried 4/0.

Judge Iacocca administered the oath of office to our newest supervisor Jim Chance.

Supervisor Chance gave a short acceptance speech then took his seat at the table.

6. REVIEW OF TREASURER'S REPORT & POSSIBLE AUTHORIZATION FOR PAYMENT OF MONTHLY BILLS

- a. Township Treasurer, Peter Barsz, BGAF, gave a brief summary of the township finances reading off the current totals for each fund. Resident Johathan Dunn asked if we have an independent auditor looking over our books. Township Manager Neil Lovekin explained that "yes" we do have an independent auditor, and the report is published annually.
- b. Supervisor Auger moved to approve the financial reports and pay the monthly bills. Supervisor Elks seconded; carried 4/0.

7. LONGWOOD FUNERAL HOME & CREMATORY – EXECUTION OF DEVELOPER AGREEMENTS & ESCROW RECOMMENDATION

Discussion and possible approval to execute the Land Development, Financial Security and Stormwater Management Agreements, along with the Final Subdivision and Land Development Plan between Matthew Genereux and the Township associated with the land development project, titled *“Longwood Funeral Home & Cremation of Matthew Genereux, Inc.”* as approved by the Board of Supervisors at its September 9, 2024, regular public meeting.

- a. Township Manager Neil Lovekin introduced Matt Generaux from Longwood Funeral Home and Crematorium who stood and asked for approval of the final plans.
- b. Supervisors Auger motioned to approve the final plans for the crematory, Supervisor Elks seconded, Supervisor Sarro abstained because he did not participate in the hearing. Motion approved 3/0.

8 **LONGWOOD GARDENS SEWER EXPANSION PROJECT – ESCROW RELEASE NO. 1**

Discussion and possible approval of the release of escrow in the amount of \$314,537.14 for the above project as recommended by the Township Engineer’s Review Letter, dated October 30, 2024.

- a. Township Manager Neil Lovekin addressed that this request was for an escrow release from VanDemark and Lynch.
- b. Supervisor Sarro motioned to approve the escrow estimate in the amount of \$314,537.14. Supervisor Auger seconded, carried 4/0.

8. **LONGWOOD GARDENS TERRACE ACCESSORY CONCESSION/RESTROOM BUILDING – ESCROW RELEASE & CLOSEOUT RECOMMENDATION**

Discussion and possible approval of the release of escrow in the amount of \$149,028.33 for the above project as recommended by the Township Engineer’s Review Letter, dated September 25, 2024. Release of the recommended escrow amount will close out the project to the terms and satisfaction of the Township.

- a. Township engineer, Neil Carlson recommended the escrow release in the amount of \$149,028.33 saying that there is no reason to hold back.
- b. Supervisor Auger motioned to accept Mr. Carlson’s recommendation and to approve the escrow request. Supervisor Sarro seconded, carried 4/0.

9. **802 EAST BALTIMORE PIKE, LLC – EXECUTION OF DEVELOPER AGREEMENTS**

Discussion and possible conditional approval of the Land Development, Financial Security (subject to the Township Engineer’s approval of the cost estimate for financial posting), and Stormwater Management Agreements, along with the Final Subdivision and Land Development Plan between 802 East Baltimore Pike, LLC and the Township associated with the land development project, titled *“Final Land Development Plan 802-810 Baltimore Pike,”* as approved by the Board of Supervisors at its April 29, 2024, regular public meeting.

- a. Township Manager Neil Lovekin explained that this conditional approval was generated with revised numbers that were submitted to our township engineers. This land development is planned to house a Super Wawa, a Chipotle restaurant, and Urgent Care and a bank with a drive through.
- b. Steve Pequot asked if there was potential ground contamination since there used to be a gas station on this site. It was explained that the ground had been tested twice.
- c. Nancy Gifford asked if there had been a road study done for the area. The developer responded that yes, a road study was done as part of the planning process with PennDOT and the township being part of the process.
- d. Supervisor Auger motioned to approve the 802 E. Baltimore Pike conditional land development agreement, Supervisor Elks seconded, carried 4/0.

10. PROPOSED PRELIMINARY 2025 BUDGET

Discussion and possible approval of the Preliminary 2025 Budget, and authorization to advertise the Preliminary 2025 Budget, prior to possible adoption at the December 2, 2024, meeting.

- a. Acting Chair Ellen Sosangelis began by reading the charts for the audience. Township Manager Neil Lovekin explained that the proposal is to raise the real estate taxes from a milage of 2.183 to 4.883. The majority of the proposed tax increase is to cover the Fire and EMS services.
- b. AJ McCarthy, Regional Fire Chief and Allison Dobbin, Fire Commission Administrator, were in attendance and took over the briefing to explain the Commission and why it was regionalized. Overall, the lack of volunteer fire fighters resulting in the need to hire and pay salaries to firefighters and the cost and availability of equipment.
- c. AJ went on to explain the concept of each township paying it's "Fair Share" and how these numbers were calculated.
- d. What followed was primarily a question-and-answer segment:
 - i. Joanna Hall asked if the board members are all residents of East Marlborough Township. Yes. She also wanted to know why all the lights are always on at the new library. Every time she drives by every light in the place is on even during the night. Neil responded that she would have to take this up with the Library.
 - ii. Paul Karcher took issue with the fact that we stated we haven't raised taxes since 1997 when we have "added" taxes. He wants us to be efficient and to come up with new ideas for cutting costs.
 - iii. Andy Skean, who had dialed in remotely wanted us to stop the presentation because the slides could not be viewed remotely.
 - iv. Mark Benning asked about donations and if the fire department was applying for grants.

- v. Richard Croff is concerned about ladder trucks. He said they need two drivers. He also addressed the fact that certain trucks have difficulty maneuvering in urban areas and wondered if they had consulted on what were the best trucks for our geographic area. The response was that Kennett and Longwood don't have the same type of trucks. When trucks are sent the best truck for the area is chosen.
- vi. Patty Zebbley asked why we have fire trucks just driving around when they are not responding to a fire or emergency. The explanation was that they are not joy riding. When the fire fighters are out they have to have their vehicles with them so they can respond immediately or perhaps they are training.
- vii. Mary Paxton Benie asked about the Kennett Borough and if they are contributing financially. The response was that they did last year.
- viii. Rob Fox asked about call volume and responses. AJ explained what happens at the scene and how vehicles are positioned for safety and efficiency.
- ix. Mary Paxton Benie stated that the biggest driver for the increase in the tax budget was the Fire and EMS. She wants to see the full KFERC budget. She asked that there be no vote until "WE" have had a chance to review this budget. AJ's response was that they are only obligated to the Commission which is not a governing body.
- x. Robert MacPherson said people are upset and dismayed over this increase and wants to know how the Commission is saving money "what are we getting for this increase"?
- xi. Mary Paxton Benie asked about the numbers on Neil's handout. She said the numbers didn't add up.
- xii. Rob Reilly stood and explained that he's attended every work session since they started in September. Meetings were advertised and posted on the website.
- xiii. Joyce Phillips pointed out that communication didn't just start this year. The township managed to pay the fire bill last year but they should have let the public know this was a problem arising.
- e. Acting Chair Sosangelis then briefed the next chart titled "Next Steps". She explained that at the conclusion of this meeting the board was just looking for approval to advertise the budget, not approve it. The next board meeting on December 2nd was when the board looked to formally adopt the budget.
 - i. Barbara Mertz said she didn't hear about the KFERC process and expenditures and wanted to understand why and what we are paying for.
 - ii. Mark Benin doesn't understand why this has happened all of a sudden.
 - iii. Emily Tally Hood commented that with all the new developments and crowding this is a problem.

- iv. Diane Chamberlain commented on the fact that our Treasurer Peter Barsz had said we were in “good shape”. Neil responded that Peter was commenting on the interest earnings and not the budget itself.
- v. Joe Annechino commented that this increase is a shock to the community, we need to be progressive, not regressive and mindful of those who cannot afford. We need a fairer distribution.
- vi. Mr. H. Stillman asked if we were planning on a new township building. Said he didn’t see it on the budget and also wanted to discuss what the plans were for the property next door at 717 Unionville Rd.
- vii. Michael Wright said he was impressed with the history of the general-purpose tax. He’d like a copy of the charts and would also like to know what projections we have for the next 5 to 10 years.
- viii. AJ responded that they cannot project volunteers, personnel status and call volume.
- ix. Supervisor Sarro explained EIT and some pros and cons.
- x. A virtual caller asked about all the people that have moved into the township over the last few years and haven’t they brought in revenue. The response was that yes, we have received more tax revenue but with new neighborhoods we have more roads to maintain and more services to provide etc.
- xi. There was also a question about what the brand of fire trucks used are. Answer: Peirce
- xii. Neil was asked if he received the box of letters from residents opposed to the tax increase. He replied Yes.
- xiii. Tyler Bowman, who is a volunteer with Longwood mentioned that he spends more time volunteering than at his full-time job. Also noted that the volunteers are an aging base.
- xiv. Judy Greely wants us not to buy new vehicles but repair the ones we have.
- xv. Burling Vannote discussed how the budget is developed and wanted to say “Hats off” to Neil for a good job.
- xvi. Mike Walstrum asked for clarification on monies and asked Neil if he could forward him a copy of the budget.

- f. Supervisor Auger made a motion to authorize the advertising of the budget. Supervisor Elks seconded, carried 4/0.

11. CONTINUING BUSINESS

No continuing business to discuss.

12. NEW BUSINESS

a. Acceptance of Nina Ginty's Resignation from the Historic Architectural Review Board, Term Expiration of January 1, 2029.

- i. Discussion and acceptance of the resignation of Nina Ginty from the H.A.R.B. Township Manager to advertise the vacancy in the local news publication, *The Daily Local* and on the Township's website.
- ii. Supervisor Sarro motioned to accept Nina Ginty's resignation from the H.A.R.B. and to advertise the vacancy. Supervisor Chance seconded, carried 5/0.

b. Approval of the 2025 Salt Bid Award

- i. Discussion and possible authorization to award the *2024 Salt Bid* to Eastern Salt Company, Inc. of Lowell, MA for 500 tons of rock salt, in the amount of \$35,240.00 (\$70.48/ton) as duly solicited and recommended by the Municipal Cooperative of Southern Chester County.
- ii. Supervisor Sarro motioned to approve the 2024 Salt Bid to Eastern Salt Company. Supervisor Elks seconded, motion carried 5/0.

13. ZONING HEARING BOARD APPLICATIONS

- a. No new applications to discuss

14. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

- a. Highlights from Jeff Simpson, Director of Public Works.

- The 2023 Peterbilt dump truck should be delivered by the end of the month.
- Install a walking trail along Rt. 82 between the 2 URA parking lots.
- Removed a pedestal traffic signal at Onix Dr. that is not needed for the Rt. 1 widening project.
- Ordered a solar powered controller for the flashing traffic light signal on the Rt. 1 bypass due to a conflict with the Rt. 1 widening project and the electric power supply is in the way.
- Installed concrete pads for the PD emergency generator and propane tank.
- A full-time employee strained an abdominal muscle during the concrete project and was cleared to return to full duty by his PCP with no time loss.
- Started getting all the snow and ice equipment ready for winter and had to order a replacement salt brine tank system and transfer pump, roughly \$9,000.00.
- Graded Wollaston and Mill Roads ahead of the Mushroom Cap Run and applied some dust control due to the extremely dry conditions.

- b. Chief Clark gave a summary of October activities: there were 249 incidents during the month of October. EMTPD is ramping up for the holiday season at Longwood Gardens.
- c. Township Manager Neil Lovekin gave a summary of the major activities of the Admin Department. They are primarily working on the 2025 budget and tax information.

15. TOWNSHIP ADVISORY COMMITTEES' UPDATES

- a. No meetings

16. APPROVAL OF MEETING MINUTES

Supervisor Sarro moved to approve the October 2nd meeting minutes. Supervisor Auger seconded. Supervisor Chance abstained since he was not in attendance. Carried 4/0.

18. ADJOURNMENT

*Respectfully submitted,
Mickey Bailey, Recording Secretary*