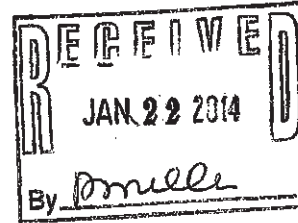




pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERWAYS ENGINEERING AND WETLANDS



January 13, 2014

EAST FALLOWFIELD TOWNSHIP
2264 STRASBURG RD
E FALLOWFIELD PA 19320-4437

Re: 25 Pa. Code, Chapter 105, Dam Safety and Waterway Management Annual Dam Fee

Dear Dam Owner:

This letter is to inform you that as of February 16, 2013, the Pennsylvania Department of Environmental Protection (DEP) revised its Chapter 105 Dam Safety and Waterways Management Regulations to include annual registration fees for certain dam classifications. In addition, fees were revised or created for other dam safety activities including, but not limited to, application fees, letters of amendment, and transfer of permits. The fee language can be found in §105.13 of the regulations and can be found at:
www.pacode.com/secure/data/025/chapter105/s105.13.html.

DEP will begin collecting the annual registration fee on July 1, 2013 for the 2013-14 Fiscal Year. The fee is due to DEP by July 1, 2014. We suggest you consider sending the fee in with your annual dam inspection report. A fee schedule is enclosed to determine your fee based on the size category and hazard classification of your dam.

Failure to submit the annual registration fee by July 1 each year may result in a temporary suspension of the dam permit or waiver and an order to begin draining the reservoir of the dam. In addition, there is a 12 percent per annum penalty for failure to remit payment on time.

Pennsylvania's Dam Safety Program is nationally recognized as a leader in Dam Safety and has a 92 percent compliance rate for Emergency Action Plans, one of the highest compliance rates in the country. This success is due to cooperation of DEP and the regulated community. These fees will supplement a portion of the funding to administer the program.

The responsibility of owning and operating a safe and compliant dam is important for both environmental protection and public health and safety. DEP appreciates your continued cooperation.

Chapter 105 Fee Schedule – Revised February 16, 2013

Note: This document only identifies the fee amounts, see Section 105.13 for complete regulatory language and other details for submission.

Annual dam registration fees as required under § 105.131a (relating to annual dam registration).

	Hazard Potential Category			
	1	2	3	4
Size Category				
A	\$1,500	\$1,500	\$800	\$0
B	\$1,500	\$1,500	\$800	\$0
C	\$1,500	\$1,500	\$800	\$0

Dam permit application fees for new dam construction.

	Hazard Potential Category			
	1	2	3	4
Size Category				
A	\$26,500	\$26,500	\$25,500	\$23,500
B	\$19,000	\$19,000	\$18,500	\$17,000
C	\$10,500	\$10,500	\$10,000	\$8,000

Dam permit application fees for modification of existing dams.

	Hazard Potential Category			
	1	2	3	4
Size Category				
A	\$18,500	\$18,500	\$18,500	\$18,000
B	\$12,000	\$12,000	\$12,000	\$11,500
C	\$7,500	\$7,500	\$7,500	\$7,500

Letter of amendment or authorization review fees.

Size Category	Major Project	Minor Project
A	\$14,700	\$1,300
B	\$8,700	\$1,000
C	\$4,400	\$650

Dam permit application fees for operation and maintenance of existing dams.

	Hazard Potential Category			
	1	2	3	4
Size Category				
A	\$12,500	\$12,500	\$12,000	\$10,000
B	\$10,000	\$10,000	\$9,500	\$8,500
C	\$7,000	\$7,000	\$6,500	\$6,000

Major dam design revision review fees based on major dam design revision as defined in § 105.1.

Size Category	Fee
A	\$4,700
B	\$3,200
C	\$1,700

Environmental assessment review fees for nonjurisdictional dams, letters of amendment or letters of authorization.

Size Category	Fee
A	\$1,400
B	\$1,000
C	\$900

Transfer of dam permit as required under § 105.25 (relating to transfer of permits).

Type of Dam Permit Transfer	Fee
No Proof of Financial Responsibility Required	\$550
Proof of Financial Responsibility Required	\$300

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 30, 2013 Unapproved minutes
6:46 PM

IN ATTENDANCE: Chris Makely, Chairman; Mark Toth, Vice Chairman; Chris Amentas, Member; Joe Pomorski, Member; Ed Porter, Member; Denise Miller, Township Secretary; Rosemary Moore, Township Treasurer; Vince Pompo, Township Solicitor.

APPROVAL OF MINUTES:

November 26, 2013 Board of Supervisors minutes – Mr. Toth made a motion to approve the November 26, 2013 Board of Supervisors minutes as presented. Mr. Pomorski seconded. Mr. Porter asked that his question to Chief Porter as to if he needed the new charger, due to the fact that two officers would be out next year, gets added to the minutes. Mr. Porter would also like his question to Chief Porter as to if he needed six computers as well as the total expense with installation, also gets added to the minutes. Mr. Toth amended his motion to include Mr. Porters' request. Vote: Unanimous.

November 26, 2013 budget minutes – Mr. Toth made a motion to approve the November 26, 2013 budget minutes as presented. Mr. Makely seconded. Vote: Unanimous.

December 5, 2013 – Mr. Toth made a motion to approve the December 5, 2013 budget minutes as presented. Mr. Pomorski seconded. Vote: Unanimous.

CITIZENS BY REQUEST:

Emma Beck – Not present.

SOLICITOR REPORT:

Discussion of Stormwater Management Ordinance – Mr. Pompo asked the Board if they have any questions, concerns, or information, in anticipation of the proposed adoption at the January 6, 2014 meeting. Mr. Porter stated that, on page 4, it states that the Board has determined certain factors and came to a conclusion that these are particular reasons why this Board is passing Act 167. Mr. Porter also stated that he is not aware of the level that this page is talking about, as far as the Act 167 and feels that this is more under duress because of the implications of not passing. Mr. Porter also stated "why not call a spade a spade," and state it on page four. Mr. Pompo replied that he would not have a problem in changing it to make it expressly clear that this is being required for Supervisors to adopt, and is essentially an unfunded mandate. Mr. Pompo also stated that this change would not change the substance or the enforceability of the ordinance. Mr. Porter stated that he thinks that the General Assembly itself should come up with a method to fund that themselves. Mr. Porter commented about the threat of Liquid Fuels money possibly being held back if this ordinance is not adopted, and asked Mr. Pompo if it is possible to get a response from the Commonwealth stating that is exactly what would happen, and put that response in the ordinance. Mr. Pompo replied that Section 12, of the statute, states very specifically what the consequences are if you fail to adopt the implementing ordinance, and one of those provisions state that the Department of Environmental Protection shall notify the state treasurer to withhold payment of all funds payable to the Municipality from the General Fund. The Board authorized Mr. Pompo to make Mr. Porter's change. Jan Bowers, Executive Director of the Chester County Water Resources, stated that it is important for East Fallowfield Township to recognize that this is a way for them to address their stormwater drainage problems. Ms. Bowers also encouraged the township to recognize the benefits as well as the down side. Mr. Porter stated that the Board previously talked about Act 167 not applying to already approved developments or anything already in place in the township, only new construction or new permits, and asked Mr. Pompo if this is correct or is Ms. Bowers correct, and the township can retroactively go back to existing problems. Ms. Bowers replied that her point was not to say that it will fix your current problems, but that it will avoid creating additional problems as you go through development and redevelopment. Buddy Rhoades commented on Act 167 and South Cain Road's water runoff issue. Mr. Toth stated that there will be further comment and a vote at the January 6, 2014 meeting.

Mr. Makely excused himself from the Board meeting.

LEGAL ISSUES:

Brook Crossing Development Maggie light wiring – Mr. Pompo stated that he has not seen any documentation from Brook Crossing's Home Owners Association ("HOA") yet. After Board and Solicitor discussion, it is unclear if the township or the "HOA" is responsible for the work. The Board asked Mrs. Miller to get information from Brook Crossing's "HOA" to present at a later meeting.

Airport District Overlay Ordinance – Mr. Toth made a motion to adopt Ordinance 2013-06, an ordinance of East Fallowfield township setting forth its authority to establish an “Airport District Overlay” to include: purposes of the district, definitions, airport zones, airport zone height limitations; permits required; use restrictions; nonconforming uses; variances; conflicting regulations; and amending the official zoning map by the adoption of an official supplementary airport district overlay map. Mr. Pomorski seconded. Mr. Porter asked Mr. Pompo if this involves zoning. Mr. Pompo replied “yes.” Mr. Porter also asked Mr. Pompo if it’s correct that a court reporter was at the last meeting transcribing Act 167 because it involved zoning. Mr. Pompo replied that this has been advertised as a public hearing which is required in order to adopt an overlay ordinance, and that public notice was advertised on December 16, 2013 and December 23, 2013. There is not a requirement to have a court reporter present in order to take down the notes of a public hearing, but at the last meeting there were two ordinances to be adopted, and his office made the decision to have a court reporter based upon those ordinances. Mr. Pompo also stated that he did not feel that a court reporter was needed for tonight’s hearing.

Mr. Porter commented on companies using drone delivery, and has concerns with the township giving up control. Mr. Porter asked Mr. Pompo why the township would want to give up their control. Mr. Pompo replied that there is a state mandate for a township within proximity of a licensed airport, that if the zone of potential interference is over the airspace of the township the township is required, as part of the zoning ordinance, to regulate potential structures and other obstacles to that airspace. Mr. Pompo also stated that this ordinance is under zoning because the township regulation of airspace extends to, one area, the regulation of the height of structures, under zoning. Mr. Pompo stated that you are required to have a sign off by PennDot Bureau of Aviation to get a permit for a structure within certain zones. PennDot Bureau of Aviation is implementing federal FAA rules and there is a whole feature if you also need a variance. Mr. Pompo also stated that, his understanding with the lay of the land to the proximity to the airport in East Fallowfield Township, the chances that there would ever be construction that would come under the ordinance would be insignificant.

Glen Colyer asked Mr. Pompo if this is only on the glide path for the airport or the whole surrounding area. Mr. Pompo replied that, for East Fallowfield, it is for the approach zone.

Mr. Toth called for a vote. Mr. Porter voted nae. Mr. Toth, Mr. Amentas, and Mr. Pomorski voted yea. Vote passed.

Elected Auditor vacancy – Mrs. Miller explained that Bob King declined this position so the Board of Supervisors are required to appoint someone. Buddy Rhoades asked if anyone checked with the election board to see if there were any other names to choose from. Mrs. Miller informed the Board that she has confirmed that this is the procedure to follow when someone declines the position. Mr. Toth asked if anyone is interested. No residents volunteered. The Board tabled this to the January 6, 2014 reorganizational meeting.

Tax Collector 4 year term 2014-2017 – Mr. Amentas volunteered to fill the vacancy. Mr. Toth moved the appointment to the January 6, 2014 reorganizational meeting, when Mr. Amentas is no longer a supervisor.

West Bradford’s proposed Land Use Assumption Report – Mr. Toth tabled discussion to the January 6, 2014 reorganizational meeting.

Borough of South Coatesville proposed Ordinance – Mr. Pompo explained, to the Board, that the Borough of South Coatesville is proposing an Official Map Ordinance, under the Pennsylvania Municipalities Planning Code. Mr. Toth tabled further discussion to the January 6, 2014 reorganizational.

Ordinance regarding shoveling snow onto township roads – Mrs. Miller explained that this ordinance is being proposed because there was an incident where snow was being shoveled onto township roads and a resident was asked to stop, and an incident ensued where the police had to be called. Mr. Toth asked Mr. Pompo if this is a common ordinance. Mr. Pompo replied “yes.” Mr. Pompo presented the Board with a copy of East Bradford Township’s ordinance to consider adding to their nuisance ordinance. Mr. Porter stated that he is not interested in this ordinance. Mr. Toth directed Mrs. Miller to add this to the January 6, 2014 reorganizational meeting for advertisement.

Manchester Farms Development snow plowing (Eric Schrock) – Mrs. Miller stated that the road crew had to plow Manchester Farms Development, (“Manchester”) for safety reasons, because it was not plowed. Mrs. Miller stated that Mr. Schrock was not in attendance at this meeting, however he was informed of the township invoicing them for this service. Mr. Porter asked Mr. Pompo if the township could hire a contractor and they would invoice “Manchester” so the township would be out of a liability issue for being in the development. Mr. Pompo replied that some townships have an agreement with developments. Mr. Amentas asked Mr. Pompo if the township hired a contractor, could the money be taken from “Manchester’s” escrow fund. Mr. Pompo replied that he would have to have the escrow agreement in front of him to give a firm opinion. Public Works

Director Barry Gathercole stated that the Baron Crest Development has been plowed for years, and the payments taken out of their escrow account. Mr. Gathercole also stated that "Manchester" was a sheet of ice when he went out to plow their roads.

Board to set the hourly wage for "as needed" township snow plowers – Mr. Toth asked Mr. Gathercole the current rate for snow plowers. Mr. Gathercole replied \$15.00 per hour. Mr. Toth asked Mrs. Moore if she checked to see what other Municipalities pay for snow plowers. Mrs. Moore replied "no." Mr. Porter asked Mr. Pompo if he had time to read the response Mrs. Miller received from PSATS. Mr. Pompo replied that he did, and his understanding is that the issue is that the Elected Auditors set the rate for the non uniformed employees, not the Board of Supervisors, so the PSATS response is correct. Mr. Toth made a motion to set the hourly wage for "as needed" township snow plowers at \$15.00 per hour. Mr. Pomorski seconded. Mr. Porter asked if "non supervisors" have to be part of the motion because supervisors have been employed as snow plowers. Mrs. Miller replied that the Elected Auditors will set the hourly wage for Supervisors at their January 7, 2014 meeting. Vote: Unanimous.

Board to set the hourly wage for "as needed" township road crew member – Mr. Toth asked what "as needed" road crew members do. Mr. Gathercole replied that they would be summer help and do things such as use the weed whacker and things like that. Mr. Gathercole also stated that other townships pay around \$12.00 per hour. Mr. Toth made a motion to set the hourly wage for "as needed" township road crew member at \$12.00 per hour. Mr. Pomorski seconded. Mr. Porter asked what is determining this. Mr. Gathercole replied that most township have a wage list that they use. Mr. Porter stated that he has to vote no because he doesn't know enough about it. Mr. Toth, Mr. Pomorski, and Mr. Amentas voted yea. Vote passed.

Mr. Porter said that Mrs. Miller sent an email out with a resident affidavit for supervisors to sign stating that they have been a resident for a year, and asked Mr. Pompo if he had to sign something. Mr. Pompo replied that he doesn't think it's a bad practice because you have to maintain your residency to remain on the Board. Mr. Pompo stated that he believes it was an amendment to the borough code and not the township code.

The Board excused Mr. Pompo at 8:40 PM.

TREASURER'S REPORT:

November 30, 2013 Treasurer's report– Mr. Amentas made a motion to approve the November 30, 2013 Treasurer's report as presented. Mr. Pomorski seconded. Mr. Toth abstained. Mr. Amentas, Mr. Pomorski, and Mr. Porter voted yea. Vote passed.

November 2013 payment authorizations – Mr. Amentas made a motion to approve the November 2013 payment authorizations as presented. Mr. Pomorski seconded. Mr. Porter voted nae because of some of the bills that are being paid. Mr. Amentas, Mr. Toth, and Mr. Pomorski voted yea. Vote passed.

New trash payment remittance bank and lockbox – Mrs. Moore stated that mailed trash/recycling fees will now be received by Fulton Bank in Lancaster versus First National Bank in Hermitage, who received them last year. Mrs. Moore also stated that this will be a savings to the township.

PUBLIC WORKS DEPARTMENT:

November 2013 road and vehicle report – The November 2013 road and vehicle report was submitted for Board of Supervisor and resident review.

Mr. Porter asked Mr. Gathercole who is responsible for telling him to come out when there is a snow storm. Mr. Gathercole replied "the police." Mr. Porter also asked Mr. Gathercole if he feels that this is standard protocol. Mr. Gathercole replied that he has operated this way for approximately twenty years. Mr. Porter also asked Mr. Gathercole how many public works employees live in the township, and could they have input when it snows. Mr. Gathercole replied that two employees work in the township, and they usually call him when there is snow or ice on the roads.

Mr. Gathercole stated that it is a state law forbidding you to throw snow onto the roads. Mr. Gathercole also agreed with enacting an ordinance for shoveling snow onto the roads. Mr. Porter had concerns with fairly enacting the ordinance. Buddy Rhoades commented on Hephzibah Hill Road and the water problem on Creek Road.

November 2013 recycling report – The November 2013 recycling report was submitted for Board of Supervisor and resident review.

POLICE DEPARTMENT:

November 2013 Police report – The November 2013 Police report was submitted for Board of Supervisor and resident review.

PARK AND RECREATION COMMISSION:

November 5, 2013 minutes – The November 5, 2013 Park and Recreation Commission minutes were submitted for Board of Supervisor and resident review.

HISTORICAL COMMISSION:

November 6, 2013 minutes – The November 6, 2013 Historical Commission minutes were submitted for Board of Supervisor and resident review.

Alterations and additions to Historic Resources – A report regarding alterations and additions to Historic Resources was submitted to the Board via their meeting packets.

Mr. Toth stated that Frog Hollow Bridge will be renovated before 2015.

PLANNING COMMISSION:

No report submitted.

UNFINISHED BUSINESS:

No unfinished business presented.

NEW BUSINESS:

Susan Simone 2014 Vacancy Board interview – Ms. Simone introduced herself as a resident living in Brinton Station since 2009, and the Secretary of Pocopson Township. The Board thanked Ms. Simone for her resume and interest in the vacancy board position. Mr. Toth also stated that the vacancy position will be filled at the January 6, 2014 reorganizational meeting.

PUBLIC PARTICIPATION:

ADJOURNMENT: Mr. Toth made a motion to adjourn the Board of Supervisors meeting at 9:15 PM. Mr. Pomorski seconded. Vote: Unanimous.

Respectfully Submitted,



Denise Miller,
Township Secretary

EAST FALLOWFIELD TOWNSHIP
BOARD OF SUPERVISORS
Reorganizational meeting
January 6, 2014 Unapproved minutes
6:30 PM

Call to order, silent meditation, and pledge of allegiance.

In Attendance: Joe Pomorski, Chairman; Steve Herzog, Vice Chairman; Mark Toth, Member; Ed Porter, Member; Charles Kilgore, Member; Denise Miller, Township Secretary; Rosemary Moore, Township Treasurer; Bob McClintock, Township Solicitor.

Swearing in Steve Herzog and Charles Kilgore as Township Supervisors – Judge Gill swore in Mr. Herzog and Mr. Kilgore, as new supervisors.

Election of Temporary Chairman to start the meeting – Mr. Toth made a motion to appoint Mr. Pomorski as temporary Chairman to start the January 6, 2014 reorganizational meeting. Mr. Kilgore seconded. Vote: Unanimous.

Election of Chairman – Mr. Pomorski made a motion to appoint Mr. Toth as the 2014 Board of Supervisors Chairman. Mr. Porter seconded. Mr. Porter, Mr. Kilgore voted nae. Mr. Pomorski and Mr. Herzog voted yea. Mr. Toth abstained. Vote failed. Mr. Porter made a motion to appoint Mr. Pomorski as the 2014 Board of Supervisors Chairman. Mr. Herzog seconded. Mr. Pomorski abstained. Mr. Toth, Mr. Porter, Mr. Herzog, and Mr. Kilgore voted yea. Vote passed.

Election of Vice Chairman – Mr. Pomorski made a motion to appoint Mr. Toth as 2014 Vice Chairman of the Board of Supervisors. Mr. Porter seconded. Mr. Porter and Mr. Kilgore voted nae. Mr. Pomorski and Mr. Herzog voted yea. Mr. Toth abstained. Vote failed. Mr. Porter made a motion to appoint Mr. Herzog as the 2014 Vice Chairman of the Board of Supervisors. Mr. Kilgore seconded. Mr. Herzog, Mr. Pomorski, Mr. Porter, and Mr. Kilgore voted yea. Mr. Toth abstained. Vote passed.

Appointment of Township Solicitor – Mr. Pomorski made a motion to appoint the Firm of Lamb McErlane, PC for the 2014 year at the rate of \$190.00 per hour for general municipal legal services and paralegal services at \$120.00 per hour. Mr. Toth seconded. Mr. Porter stated that he has been impressed with Mr. McClintock in the past, and asked the Board if they could change solicitors, from Mr. Pompo to Mr. McClintock. Mr. McClintock replied that he could be the township solicitor if that is what the Board wanted, and will take this request back to Mr. Pompo. Mr. McClintock asked Mr. Porter if this has to do with the hourly wage. Mr. Porter replied that it does not nor has anything to do with Mr. Pompo. Vote: Unanimous.

Appointment of Township Secretary and Township Right to Know Officer – Mr. Pomorski made a motion to appoint Denise Miller as Township Secretary and Township Right to Know Officer at \$22.79 per hour. Mr. Toth seconded. Mr. Porter stated that the only problem with the votes going forward, and if it maintains that way, is that two supervisors voted no, one being himself, to the budget and the motion has the hourly wage in it. Mrs. Miller stated that the township auditor requested that all employees have their wages on the reorganizational agenda. Mr. Porter voted nae due to the budget. Mr. Kilgore abstained. Mr. Pomorski, Mr. Herzog, and Mr. Toth voted yea. Mr. McClintock asked Mr. Kilgore what the purpose of his abstention is. Mr. Kilgore replied that he abstained because he is a new supervisor and has no dealing other than just on a periphery with most of the people in the township. Mr. McClintock informed Mr. Herzog and Mr. Kilgore that they have to vote yea or nae unless they have conflict on why they cannot vote. Mr. Kilgore replied that he understands, but he feels it would not be an honest vote because he only met certain people in the township. Mr. Kilgore changed his vote to yea. Vote passed.

Appointment of Township Treasurer and Township Office Manager – Mr. Pomorski made a motion to appoint Rosemary Moore as township treasurer and township office manager, at a salary of \$52,530.00 per year. Mr. Toth seconded. Mr. Porter voted no due to his budget vote. Mr. Pomorski, Mr. Toth, Mr. Kilgore, and Mr. Herzog voted yea. Vote passed.

December 30, 2013 budget minutes – Mr. Pomorski made a motion to approve the December 30, 2013 budget minutes. Mr. Toth seconded. Vote: Unanimous.

Reopen the 2014 budget – Mr. Pomorski made a motion to reopen the 2014 budget, draft 12/5/13. No second. Motion failed.

Set the final adoption meeting date – No need to set a date, because the budget was not reopened.

Meeting times and dates – Mr. Pomorski made a motion to approve the Board of Supervisors meeting at 6:30 PM on the 4th Tuesday of the month, Board of Supervisors workshop at 6:30 PM on the second Tuesday of the month, Park and Recreation at 6:30 PM on the 1st Tuesday of the month and their workshop on the 3rd Tuesday, Planning Commission at 6:30 PM on the 1st Monday of the month and their workshop on the 3rd Monday, Historical Commission at 6:30 PM on the 1st Wednesday of the month and workshop on the 3rd Wednesday, Friends of the Park as needed. Mr. Toth seconded. Vote: Unanimous.

Public Works Department – Mr. Pomorski made a motion to appoint the following Public Works employees as presented. Mr. Toth seconded. Mr. Porter asked Mrs. Miller if she checked the hourly wages. Mrs. Miller replied that she received them from Mrs. Moore. Mr. Porter voted nae because of his budget vote. Mr. Pomorski, Mr. Toth, Mr. Herzog, and Mr. Kilgore voted yea. Vote passed.

Public Works Superintendent	Barry "Tag" Gathercole – \$29.82/hr.
Assistant Public Works Superintendent	Tim Gathercole – \$25.91/hr.
Other Public Works Assistant	Greg Leonard – \$22.17/hr.
Other Public Works Assistant	Justin Gathercole – \$22.05/hr.
Other Public Works Assistant and Mechanic	John Weaver – \$22.05/hr.

"As needed" snow plowers and road crew members – Mr. Pomorski made a motion to appoint the following "as needed" snow plowers as presented. Mr. Toth seconded. Mr. Porter asked if everyone listed has a CDL license, and what are their qualifications. Anthony Sirna replied that he and Mr. Reagan have CDL licenses and medical cards. Mr. Porter asked if Tag is responsible for putting employees in the proper trucks. Mr. Sirna replied "yes." Vote: Unanimous.

Snow Plower	Joe Mammarella – \$15.00/hr.
Snow Plower	Jim Sisk – \$15.00/hr.
Snow Plower	Joseph Prekup – \$15.00/hr.
Snow Plower	Everett Rice – \$15.00/hr.
Snow Plower	Jim Reagan – \$15.00/hr.
Snow Plower	Anthony Sirna – \$15.00/hr.

Emergency Services – Mr. Pomorski made a motion to appoint the following Emergency Service employees as presented. Mr. Toth seconded. Mr. Porter asked Mrs. Moore if there was an increase in the budget. Mrs. Moore replied "3% equaling \$4.50." Glenn Colyer asked why the township has to have a fire marshal position when the county, state, and fire companies have them. Chief Porter replied that there has to be an emergency coordinator within the township. Mr. Sirna replied that the fire company's Fire Marshals are appointed in other townships, and do not service this township. Mr. Sirna also stated that the County does major investigations, and he and Tony do local investigations. Mr. Porter asked Mrs. Moore if these positions get township benefits. Mrs. Moore replied "no." Mr. Sirna replied that Jim Reagan split his allocated pay, with him, for these positions. Mr. Porter asked Mr. Sirna if he gets township medical insurance, because another state is stating they are eligible. Mr. Sirna replied that they do not get township medical insurance. Mr. Sirna also replied that Senator Dinniman has proposed to exempt volunteer fire companies, and if that happens, the fire companies will come to the township for more money. Mr. Porter voted nae due to his budget vote. Mr. Pomorski, Mr. Herzog, Mr. Toth, and Mr. Kilgore voted yea. Vote passed.

Fire Marshal, Asst. Emergency Management Coordinator	– Jim Reagan – \$154.50/qtr. and \$22.00/hr.
Asst. Fire Marshal, Emergency Management Coordinator	– Anthony Sirna – \$154.50/qtr. and \$22.00/hr.

Police Department – Mr. Pomorski made a motion to appoint the following police officers as presented. Mr. Toth seconded. Mr. Herzog asked Mrs. Moore if the listed wages are from the police arbitration. Mrs. Moore replied that she has not received a police contract yet. Mrs. Moore also replied that the listed wages are from the past two years. Mr. Pomorski asked Chief Porter if the police increases will be retroactive. Chief Porter replied that it depends on the new contract. Mr. Porter asked Mr. McClintock what happens when the new contract is completed because the budget was passed with an increase for the police, and the listed wages are without that increase. Mr. McClintock replied that at that time the Board can take action to adjust the changes that may occur. Mr. Porter voted nae because of his budget vote. Mr. Kilgore voted nae. Mr. Pomorski, Mr. Herzog, and Mr. Toth voted yea. Vote passed.

Chief of Police	Christopher Porter – \$78,702.00/year
Full Time Police Officer	Edward Masterstefone – \$31.12/hr.
Full Time Police Officer/Detective	Samantha Harper – \$30.17/hr.
Full Time Police Officer	Brian Simmons – \$30.17/hr.
Full Time Police Officer	Kevin Simmons – \$30.17/hr.
Full Time Police Officer	Richard McAllister – \$30.17/hr.
Full Time Police Officer	Gina Malarick – \$30.17/hr.
Full Time Police Officer	Justin Fonock – \$24.14/hr.
Part Time Police Officer	Alan Haldeman – \$23.20/hr.
Part Time Police Officer	Mark McKinney – \$23.20/hr.
Part Time Police Officer	William “Bill” Smith – \$23.20/hr.
Part Time Police Officer	Geoffrey “Todd” Burkhart – \$23.20/hr.

Police Secretary and Police Right to Know Officer – Mr. Pomorski made a motion to appoint Nancy Baker as the 2014 part time Police Administrative Assistant and part time Police Right-to-Know Officer, at \$17.04 per hour. Mr. Toth seconded. Mr. Herzog asked if this position is under the police arbitration. Mr. Pomorski replied “no.” Mr. Porter asked if Mrs. Baker is receiving a 3% raise from last year. Mrs. Moore replied “yes.” Mr. Porter voted nae due to his budget vote. Mr. Kilgore voted nae. Mr. Pomorski, Mr. Herzog, Mr. Toth Vote passed.

Building Inspector/Code Officer/Zoning Officer – Mr. Pomorski made a motion to appoint Keystone Municipal Services, Inc. as the 2014 township Building Inspection, Code Official, and Zoning services. Mr. Toth seconded. Mr. Herzog asked if their rate should be included the motion. Mrs. Miller replied that Keystone is a third party and they have a contract, for an hourly rate and 35% percent of permit costs. Mr. Pomorski amended his motion adding “per Keystone Municipal’s contract with the township.” Mr. Toth seconded. Vote: Unanimous.

Citizens By Request – No citizens by request.

Supervisor Liaison Appointments – The Board decided not to appoint individual department liaisons, except for the police department, because it is required per the police contract. The Board directed Mrs. Miller to inform all committee chairmen to contact the new “Board” email with any questions. Mr. Toth made a motion to appoint Mr. Pomorski as the primary liaison and Mr. Herzog as the assistant liaison, to the police department. Mr. Porter seconded. Mr. Pomorski abstained. Mr. Herzog, Mr. Porter, Mr. Kilgore, and Mr. Toth voted yea. Vote passed.

Police – Joe Pomorski primary and Steve Herzog assistant liaison

2014 State Supervisor’s Association Convention Voting Delegate – Mr. Herzog ask what the full cost of the convention is. Mrs. Miller replied that there are different costs, depending on what you want to do. Mrs. Miller also stated that she joined the PA State Association of Boroughs, for an annual fee of \$120.00 versus \$40.00 for each webinar. Mrs. Miller also stated that they sometimes have webinars that are at these conventions. The Board decided to check their availability, and get back to the

township.

Vacancy Board – Mr. Pomorski made a motion to appoint Siti Crook as the 2014 vacancy board member. Mr. Toth seconded. Vote: Unanimous.

Law Offices of John Carnes Jr. – Mr. Pomorski made a motion to appoint the Law Offices of John Carnes Jr. as the 2014 township zoning solicitor at the rate of \$135.00 per hour and \$100.00 for other firm attorneys. Mr. Toth seconded. Mr. Porter asked if this firm was retaining the same fee. Mrs. Miller replied “yes.” Vote: Unanimous.

Herbert E. MacCombie Jr. P.E. – Mr. Pomorski made a motion to appoint Herbert E. MacCombie Jr. P.E. as the 2014 township sewer consultant and approve their 2014 fee schedule as presented. Mr. Toth seconded. Mr. Porter asked Mrs. Moore if Mr. MacCombie's fees are in the budget. Mrs. Moore replied that the budget number is based on the past trend. Mr. Pomorski asked Mrs. Miller if Mr. MacCombie raised his fee. Mrs. Miller replied “no.” Vote: Unanimous.

Traffic Planning and Design (“TPD”) – Mr. Pomorski made a motion to appoint Traffic Planning and Design as the 2014 township traffic consultants, and approve their 2014 fee schedule as presented. Mr. Toth seconded. Vote: Unanimous.

Township Engineer – Mr. Pomorski made a motion to appoint Della Penna Engineering Inc. as the 2014 township engineer, and approve the 2014 fee schedule as presented. Mr. Toth seconded. Vote: Unanimous.

Resolution 2014-01 Revised Fee Schedule – Mr. Pomorski made a motion to approve Resolution 2014-01 approving the revisions to the township fee schedule, Secretary's draft 12/6/13. Mr. Toth seconded. Mr. Porter asked Mrs. Miller if permit fees are being changed. Mrs. Miller replied “no.” Vote passed.

Resolution 2014-02 Township Auditor for fiscal year 2013 – Mr. Pomorski made a motion to approve Resolution 2014-02 appointing Mingis, Gutowski & Company, LLP as the East Fallowfield Township auditors, replacing the elected auditors for the fiscal year of 2013 at a salary of \$15,500.00, plus \$200.00 out-of-pocket expenses. Mr. Toth seconded. Mr. Herzog asked how this compares to last year. Mrs. Moore replied that it is the same. Mrs. Moore also stated that \$16,500.00 is in the budget, per Mingis, Gutowski, but they will only be charging \$15,700. Vote: Unanimous.

Agricultural Security Area Committee – Mr. Pomorski made a motion to appoint Mr. Porter as the 2014 Agricultural Security Committee Chairman, in addition Arthur DeLeo, Garth Monaghan, Charles Kilgore, and William Elkins. Mr. Herzog seconded. Mr. Porter abstained. Mr. Pomorski, Mr. Herzog, Mr. Toth, and Mr. Kilgore voted yea. Vote passed.

Ed Porter – Chairman for 2014
Charles Kilgore – Resident 2014 to 2015
William Elkins – Farmer 2012 to 2014
Garth Monaghan – Farmer 2012 to 2015
Arthur DeLeo – Farmer 2012 to 2016

Zoning Hearing Board – Mrs. Miller stated that the Zoning Hearing Board is in the process of interviewing two applicants. Mr. McClintock suggested naming one applicant as an alternate.

Vacant – 2014 to 2018
Chris Rechenberg Member – 2012 to 2014
Alfred Wright 2014 Chairman 2013 to 2015

Planning Commission – Mr. Pomorski made a motion to appoint John Schwab to the Planning Commission 2014-2017 term. Mr. Porter seconded. Mr. Pomorski, Mr. Toth, Mr. Herzog, and Mr. Porter voted yea. Mr. Kilgore was not present at this time. Vote passed.

Mr. Pomorski made a motion to accept the Planning Commission's informal poll, via email, and appoint Richard Agatone, to the 2014-2017 Planning Commission term. Mr. Herzog seconded. Mr. Porter asked how long Mr. Agatone has been serving on the Planning Commission. Mrs. Miller replied that he was just appointed, as well as Dennis Crook. Mr. Kilgore was not present at this time. Mr. Pomorski, Mr. Toth, Mr. Herzog, and Mr. Porter voted yea. Vote passed.

John Schwab Member – 2014 to 2017
Richard Agatone Member – 2014 to 2017
Dennis Crook Member – 2011 to 2014
Joe Perzan Member 2011 – 2014
Jim Durborow Member – 2011 to 2014
Garth Monaghan Member – 2012 to 2015
Jim Weeks Member – 2012 to 2015

Park & Recreation Commission – Mr. Pomorski presented the Park and Recreation Commission as presented.

Michael McClintock Chairman – 2010 to 2014
Brian Carling Chairman – 2012 to 2016
Dan Johns Member 2013 to 2016
Jan Bowers Member – 2010 to 2014
Jeanne Berlin Secretary – 2012 to 2016
Vacant Member – 2010-2014
Vacant position – 2010 to 2014

Friends of the Park – Mr. Pomorski presented five vacancies on the Friends of the Park. Mr. Porter asked Mrs. Miller how long the terms have been vacant. Mrs. Miller replied that there was one member last year who could not be involved, so basically they have been vacant for two years. Mr. Porter asked Mrs. Moore if there is remaining money for future park events. Mrs. Moore replied that there is money left that is used for events such as an Easter egg hunt and park day.

Vacant – Member 2009 to 2013
Vacant – Member 2012 to 2016
Vacant – Member 2012 to 2016
Vacant – Member 2012 to 2016
Vacant – Member 2012 to 2016

Historical Commission – I make a motion to appoint Lee Schlingman as the Licensed PA Real Estate Agent, for the 2014-2018 Historical Commission term. Mr. Toth seconded. Vote: Unanimous.

Mr. Pomorski made a motion to appoint Fred Bissinger as the Licensed Architect for the 2014-2018 Historical Commission term. Mr. Toth seconded. Vote: Unanimous. Mr. Porter asked Joe McClintock if he would come back to the Board to fill the Licensed Real Estate Agent and Licensed Architect if they could not find those individuals. Mr. McCormick stated that those positions may be mandated by the state. Mr. McCormick also stated that he has to do more research.

Joe McCormick Chairman– 2010 to 2014
Sue Monaghan Member – 2012 to 2016
Garth Monaghan Member – 2010 to 2014
Arthur DeLeo Member – 2012 to 2016
Lee Schlingman Member – 2014 to 2018
Clarence Rhoades Jr. Member– 2012 to 2016

Uniform Construction Code Township Representative and Alternate – Mr. Pomorski made a motion to appoint Joe McCormick as the Township Uniform Construction Code representative and Clarence Rhoades Jr. as the Township Uniform Construction Code alternative representative. Mr. Porter seconded. Vote: Unanimous.

UNFINISHED BUSINESS:

Act 167 Stormwater Management Ordinance – Mr. McClintock opened the public hearing for an ordinance to adopt a new stormwater ordinance along with amendments to the township zoning and subdivision and land develop ordinance, in accordance with the stormwater ordinance to be considered for adoption. Mr. McClintock stated that the proposed ordinance has a revision that states “Due to an unfunded State mandate East Fallowfield Township is being required to adopt increased stormwater management regulations. PA Act 167, §12 authorized the State Treasurer to withhold payment of all funds payable from the General Fund including Liquid Fuels funds, if a municipality has failed to adopt ordinances required by the Act. While this ordinance should improve stormwater management, its adoption results from the threat of the withholding of State funds and the other consequences of noncompliance with the Act.” Mr. Porter asked Mr. McClintock where the State draws its revenue that is handed out for the Liquid Fuels Fund. Mr. McClintock replied that there is a gasoline, jet fuel, and transportation tax. Mr. Porter asked Mr. McClintock if this could pass under the radar that this municipality didn’t do anything. Mr. McClintock replied that he contacted the Department of Environmental Protection, (“DEP”) and their representatives, and they said that they haven’t done anything yet, but when they review the townships “DEP’s” permit for renewal, and it does not match what is required, they will go through their process.

Mr. Herzog stated that in past meetings it was stated that the difference was that the mandate was either that the County could develop the plan or each individual municipality would develop their plan, and it was decided at a County level and the County would be in control either way. Mr. McClintock replied that it wasn’t each individual municipality, it’s by watershed. Mr. McClintock stated that this is a County wide plan, not State wide, and the program itself is geared to Chester County.

Mr. Herzog asked Mr. McClintock what the township’s current stormwater ordinance enforcement is. Mr. McClintock replied the enforcement of this is not much different than what the township already has. Mr. McClintock also replied that this changes a little bit because part of this ordinance requires accumulation of impervious coverage to reach an amount that the property application will apply. Mrs. Miller stated that parcel files are kept for each resident with all their permits. Mrs. Miller also stated that when an application that comes in is over 2,500 square feet, they have to put \$300.00 in escrow for Chris Della Penna to review and give approval for that permit.

Mr. Porter stated that the township will eventually be required to have a stormwater testing center and the township will be required to have all their pipes permitted. Tony Sirna, Emergency Coordinator, stated that the County has GIS capability. Mr. Sirna also stated that the flood plains are changing. Dennis Crook commented on the cost for the different phases.

Mr. Pomorski made a motion to adopt Ordinance 2014-01, amending Chapter 23 of the East Fallowfield Township Code, being the Stormwater Management Ordinance, by repealing the existing Chapter 23 and replacing it with a new Chapter 23, entitled East Fallowfield Township Stormwater Management; Amending Chapter 22 of the code being the Subdivision and Land Development Ordinance by Amending §22-622, Stormwater Management; and amending Chapter 27 of the code being the Zoning Ordinance by amending §27-1402, Protection Standards. Effective January 1, 2014. Mr. Toth seconded. Mr. Pomorski and Mr. Toth voted yea. Mr. Porter, Mr. Kilgore voted nae. Mr. Herzog voted nae because of some of Mr. Porters concerns, costs, and enforcement concerns. Vote failed.

NEW BUSINESS:

Elected Auditors – Mr. Pomorski made a motion to appoint Jim Sisk as an Elected Auditor, for the 2014-2017 4 year unexpired term. Mr. Porter stated that Glenn Colyer has expressed an interest to the position. Mr. Pomorski asked Mrs. Miller if she has a resume for Mr. Colyer. Mrs. Miller replied that she has no resume or received a phone call regarding his interest in the position. Mr. Pomorski asked Mr. Colyer why he wants to be an elected auditor. Mr. Colyer replied that he has four years experience in the position. Mr. Pomorski restated his motion. Mr. Porter seconded. Mr. Toth voted yea. Mr. Pomorski, Mr. Porter, Mr. Herzog, and Mr. Kilgore voted nae. Voted failed.

Mr. Pomorski made a motion to appoint Glenn Colyer as an elected auditor, for the 2014-2017 4 year unexpired term. Mr. Porter seconded. Vote: Unanimous.

Tax Collector 4 year term 2014-2017 – Mr. Pomorski made a motion to appoint Chris Amentas as a tax Collector for the 2014-2017

4 year terms. Mr. Porter seconded. Vote: Unanimous.

West Bradford's proposed Land Use Assumption Report – The Board directed Mrs. Miller to send a letter to West Bradford recognizing that the Board has received their report and has no official comment.

Borough of South Coatesville proposed ordinance – Mr. Herzog asked if this ordinance affects the township. Mr. McClintock replied that it has no impact on the township. The Board directed Mrs. Miller to send a letter to the Borough of South Coatesville recognizing that the Board has received their report and has no official comment.

Snow shovels –Mr. Pomorski made a motion to advertise an ordinance amending Chapter 10, Part 1 of the township of East Fallowfield Code of Ordinance, Nuisances by prohibiting the deposit of snow on roads, effective five days from enactment. Mr. Toth seconded. After Board discussion, the Public Works Director's, and Chief of Police recommendation to not approve this ordinance, Mr. Pomorski withdrew his motion.

Public Comment

Dennis Crook of Strasburg Road stated that he believes that the West Bradford Land Use Assumption Report is derived from the Embreeville property being purchased. Mr. Crook also stated that someone keeps taking his recycling bins. Mrs. Moore replied that he can come to the township and pickup another one. Mr. Pomorski told Mr. Crook that if it happens again to file a police report.

Mr. Pomorski welcomed the two new supervisors.


Adjournment

Mr. Pomorski made a motion to adjourn the January 6, 2014 reorganizational meeting at 8:30 PM. Mr. Toth seconded. Vote: Unanimous.

Respectfully submitted,

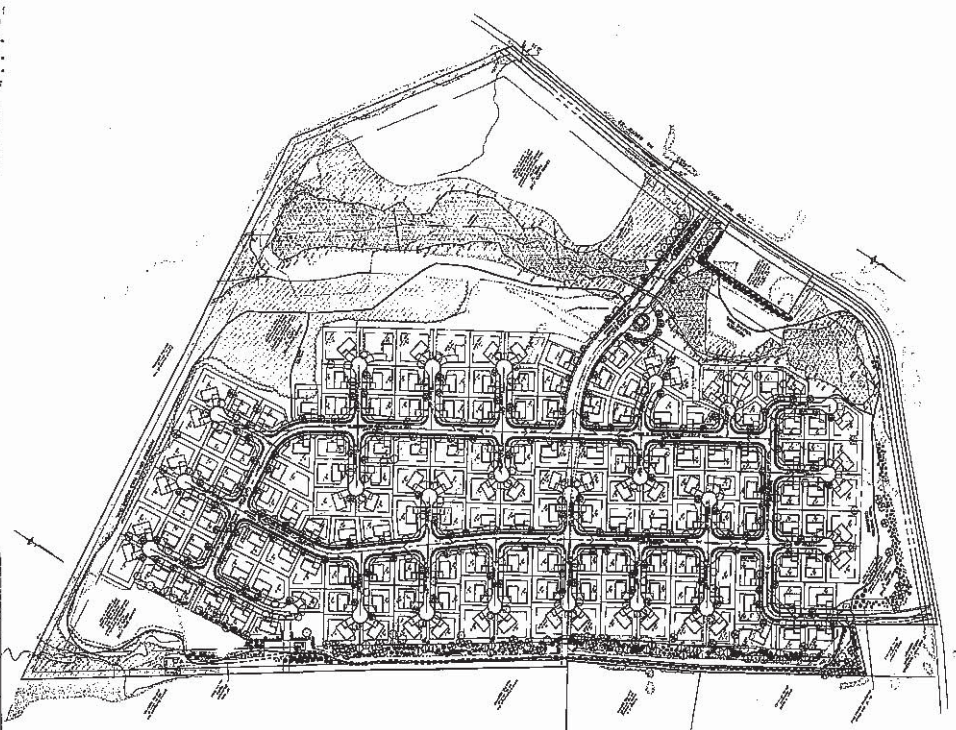
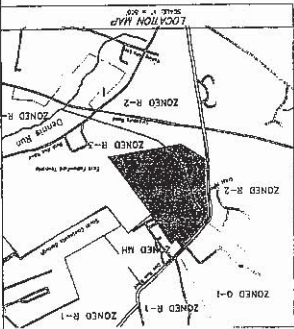


Denise Miller,
Township Secretary

 DATE: 10/10/2018 PROJECT: BROAD CROSSING A PLANNED COMMUNITY OPEN SPACE MANAGEMENT PLAN	PROJECT NO.: 18-001 SHEET NO.: 18-001-01 SCALE: 1" = 400' DATE: 10/10/2018 PROJECT: BROAD CROSSING A PLANNED COMMUNITY OPEN SPACE MANAGEMENT PLAN
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GENERAL NOTES:

1. THE OPEN SPACE MANAGEMENT PLAN IS A PART OF THE PLANNED COMMUNITY DEVELOPMENT PLAN AND SHALL BE CONSIDERED AS SUCH.
2. THE OPEN SPACE MANAGEMENT PLAN IS TO BE MAINTAINED AND KEPT IN GOOD ORDER AT ALL TIMES.
3. THE OPEN SPACE MANAGEMENT PLAN IS TO BE MAINTAINED AND KEPT IN GOOD ORDER AT ALL TIMES.
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LEGEND

	PROPOSED OPEN SPACE
	EXISTING OPEN SPACE
	PROPOSED RESIDENTIAL
	EXISTING RESIDENTIAL
	PROPOSED COMMERCIAL
	EXISTING COMMERCIAL
	PROPOSED INDUSTRIAL
	EXISTING INDUSTRIAL
	PROPOSED OFFICE
	EXISTING OFFICE
	PROPOSED RETAIL
	EXISTING RETAIL
	PROPOSED PUBLIC USE
	EXISTING PUBLIC USE
	PROPOSED UTILITY
	EXISTING UTILITY
	PROPOSED ROAD
	EXISTING ROAD
	PROPOSED WATERWAY
	EXISTING WATERWAY
	PROPOSED OTHER
	EXISTING OTHER

SHEET 1 PLAN
 SHEET 2 PLAN
 SHEET 3 PLAN
 SHEET 4 DESIGN
 SHEET 5 DEVELOPMENT COMPONENTS PLAN

PLAN INDEX



I hereby certify that the above is a true and correct copy of the original plan as shown to me by the engineer, architect or other person claiming to be the author thereof, and that the same has been compared with the original plan on file in my office.

TITLE: _____
 DATE: _____
 BY: _____
 FOR: _____
 PROJECT NO.: _____
 SHEET NO.: _____
 TOTAL SHEETS: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____
 TITLE: _____
 DATE: _____
 BY: _____
 FOR: _____
 PROJECT NO.: _____
 SHEET NO.: _____
 TOTAL SHEETS: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____

PROJECT: BROOK CROSSING
 A PLANNED COMMUNITY
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EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2009-05

AN ORDINANCE REENACTING AND AMENDING THE EAST FALLOWFIELD TOWNSHIP SOLID WASTE ORDINANCE REGULATING STORAGE AND DISPOSAL OF TRASH AND RECYCLABLE MATERIALS PURSUANT TO THE SECOND CLASS TOWNSHIP CODE. EFFECTIVE FIVE DAYS FROM ENACTMENT.

AND NOW, this 24th day of November, 2009, the Board of Supervisors of East Fallowfield Township hereby enacts and ordains as follows:

Section 1. Legislative Purpose and Intent.

1. It is the practice of East Fallowfield Township to contract periodically by public bid for the collection and disposal of household waste materials generated by residents of the Township.
2. Landfill space is at a premium and proper environmental management of the trash disposal process must be conserved or the future cost of waste management will be greatly increased and the environment harmed.
3. Recycling and other sound ecological practices will ultimately result in a savings to the residents of the Township and will contribute to a better environment in the future.
4. Therefore, it is in the interest of the public health and safety to preserve and protect the environment by requiring the recycling of certain waste products and to establish certain minimum standards for the storage and disposal of waste materials generated within the Township.
5. Under the provisions of §2101 *et seq.*, of the Second Class Township Code, 53 P.S. §67101 *et seq.*, the Township is authorized to enact and enforce regulations for the storage and disposal of waste materials and the regulations herein authorized and adopted are so promulgated under and by virtue of that authority.

Section 2. Definitions.

Except where the context clearly otherwise requires, the following words and phrases shall have the meanings herein set forth.

Dwelling unit - a building, or part thereof, where one or more persons reside as a single housekeeping unit and having a common kitchen, common bathroom facilities, common living areas and a common entrance, including, without limitation, mobile homes.

Designated trash storage area - an area serving a single residential unit or non-residential unit, designated, constructed, or designed to serve as the storage area or collection area for trash generated solely from that residential unit or non-residential unit and the activities associated with such use. The term "designated trash storage area" shall not include any landfill, junkyard, recycling center, bulk transfer station, nor any area or facility receiving for storage, transfer, abandonment, burial, treatment, sorting, or disposal, any trash generated from any residential unit or non-residential unit not located upon the same lot.

Mixed use building – a building containing both non-residential and residential units.

Non-residential unit - any property, building and/or unit of a building used for commercial, institutional or industrial purposes, including, without limitation, a building that contains more than four (4) individual dwelling units.

Residential unit - a dwelling unit located on a lot or in a building, including, without limitation, dwelling units that are part of a mixed use building that contains no more than four (4) individual dwelling units.

Trash - any materials, be they solid, liquid, or contained gaseous material intended to be discarded and for which the generator thereof claims no utilitarian or economic benefit, use, possession, or ownership. Any materials found in a designated trash storage area or identified trash container, regardless of how, why or by whom placed there shall be conclusively presumed to be trash.

Trash, bulk - any trash which by reason of its size, weight, bulk, or composition cannot be contained and transported in the ordinary course of established collection procedures with the equipment dedicated for such purposes and which for that reason will not fit into containers conforming to the standards set forth in Section 3 of this Ordinance.

Trash, hazardous - any trash which by reason of its composition or other properties, has been designated by the US Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, or any other Federal, State, or local governmental agency, entity, or authority, as requiring special procedures, containers, or permits for storage or disposal. Such trash includes, by way of illustration but not limitation, infectious waste, nuclear waste, sanitary waste, flammables, explosives, combustibles, and toxic waste.

Trash, recyclable - any trash which by reason of its composition or other properties, has been designated by a duly adopted resolution of the Board of Supervisors of East Fallowfield Township as recyclable trash.

Trash, residual - any trash other than bulk trash, hazardous trash, or recyclable trash.

Section 3. Storage and Collection.

A. General Provisions.

1. All trash shall be stored in water-tight vermin-proof containers of sufficient strength to prevent access to the trash by animals, children, or others not collecting or disposing of the same. All trash shall be stored as to prevent it from being carried or deposited on lands of others or on public ways by reason of wind, stormwater, or acts of nature, or similar causes. All combustibles and flammables shall be stored in a manner to prevent fire or explosion or the spreading of toxic or noxious fumes. Combustibles and flammables shall not be considered as recyclable trash.
2. No person shall place trash containers or bulk trash at curbside or in the front yard of any lot, except for the period beginning at 6 p.m. on the day prior to the day designated for collection, and ending at 6 p.m. of the day designated for collection. As used in this Ordinance, the term "front yard" shall mean the area between the street line and the first building on the lot.

B. Bulk Trash.

Dates for bulk trash pickup shall be established by the Board of Supervisors and notice given to the residents in such manner as the Board shall by resolution determine from time to time. Bulk trash shall be placed at curbside by the occupant or owner of each location served by the collector of residual trash. If, for any reason, the bulk trash is not collected on the day set for collection, the owner and/or the occupant shall remove the bulk trash from curbside and store the same at an appropriate location until the next established bulk trash collection date.

C. Hazardous Trash.

All hazardous waste shall be separately stored on the property and collected by a collector licensed by all regulatory agencies charged with the regulation and licensing of such materials. All containers for storage of hazardous trash shall be conspicuously labeled as containing "Hazardous Material" or similar designation including the nature of the hazard involved. All containers for such materials shall be of a type, size, and construction required by the applicable regulatory agency for such storage and transportation. Under no circumstances shall hazardous trash be stored, mixed, or blended with residual or recyclable trash or left for collection by the residual, recyclable or bulk trash collector. Until collection, hazardous trash shall be stored in areas secure from children and others not trained to handle such trash.

D. Recyclable Trash.

The Board of Supervisors shall by resolution establish and from time to time revise a list of various types of trash to be separately collected for recycling. Notice shall be given in such manner as the Board may direct. Upon designating a type of trash as recyclable trash, and giving of the requisite notice, that type of trash shall thereafter be recyclable trash and shall be stored, collected, processed, and disposed of in and only in accordance with the regulations established by the Board of Supervisors for recyclable trash and not otherwise. Recyclable trash shall not be mixed or blended with or left for collection as residual trash. Each type of recyclable trash shall be stored in a separate container provided by the Township and shall be placed at curbside for collection next to the containers for residual trash on the days designated for recyclable trash collection. All recyclable trash shall be separated at the residential unit where generated. All recyclable trash shall be segregated from other categories of trash and shall be cleaned before placement in designated receptacles. As a particular class of trash is designated as recyclable trash, the resolution so designating shall include, without limitation, a definition thereof, the method of storage if special methods are required, cleaning, a label removal if required, and any special storage, handling or disposal instructions.

E. Residual Trash.

Residential units shall store their residual trash in portable containers. Non-residential units shall store their residual trash in dumpsters or similar containers and shall place said dumpsters or similar containers at a location accessible to the collector. All designated trash storage areas shall be kept clean and shall be screened from view at all street lines and all lot lines of adjacent residential uses.

Section 4. Collection Fees; Billing and Payment; Penalties; Appeals

A. Collection Fees.

The Board of Supervisors shall establish by resolution an annual fee for collection of trash, except hazardous trash, from residential units within East Fallowfield Township. This rate may be modified, increased, reduced or otherwise amended from time to time by resolution of the Board of Supervisors. The charge for contract pickup for non-residential units shall be negotiated separately between the owner or occupier and any trash collector; the cost of which is the sole responsibility of the owner or occupier.

B. Billing and Payment.

1. The Township shall issue annual trash collection invoices to the owner of each residential unit to the name and mailing address of the residential unit set forth in property tax assessment records for Chester County. Any residential unit owner wishing to receive notice of the annual fee at an

alternative mailing address shall submit a written request to the Township no later than the last business day in November of the year preceding the next invoice.

2. The owner of each residential unit in the Township shall be liable to pay the annual fee for each such residential unit to the Township. Payment of the annual fee shall at all times remain the responsibility of the owner of the residential unit, although the Township will accept payment by an occupant or lessee on behalf of the owner solely as a convenience to the owner.
3. Payment of the annual fee to the Township for each residential unit shall be due and owing whether or not the generator or occupant of the residential unit actually uses the residential trash collection service. Only vacant lots and/or lots which do not qualify as a residential unit are exempt.

C. Penalties.

1. Annual fees for residential trash collection shall be subject to a 5% penalty if not paid on or before the 30th day after the due date.
2. A service charge of 1.5% per month of the unpaid balance will be added to invoices outstanding over 30 days.
3. Annual fees for residential trash collection, together with all penalties and fees thereon, not paid on or before the 30th day after the due date shall be deemed to be delinquent. The failure to pay such fees shall be a violation of this ordinance, and subject the violator to the provisions of Sections 7 and 8 of this ordinance.
4. It shall be the duty of the Township to proceed to collect such delinquent charges, together with penalties, fees, and accrued costs accrued, including attorney's fees, either by action at law or by filing a lien or liens for the same in the office of the Prothonotary of the Court of Common Pleas of Chester County, Pennsylvania, and such liens, together with penalty, costs, and interest, including attorney's fees, shall be filed and collected in accordance with the law.

D. Appeals.

1. Any owner or occupier with the written permission of the owner who wishes to challenge the annual fee or any designation by the Township regarding the type of property and/or trash shall do so in accordance with this Ordinance set forth below no later than thirty (30) days from the mailing date of the annual fee invoice. Notice of an appeal shall be

delivered to the Board of Supervisors by US Mail, postage prepaid, or by acceptance of service by an authorized representative at the Township building located at 2264 Strasburg Road, East Fallowfield, PA 19320. Each appeal shall include the following:

- a. The name and address of the owner.
 - b. The reason for the appeal including a description of the property, use and/or trash at issue.
 - c. A complete description of any circumstances believed to be relevant to the Township's determination of the annual fee or designation.
2. The Township shall, no later than sixty (60) days from receipt of the notice of appeal, make a determination on the appeal or issue a request for further information or documentation in support of the appeal. If the Township requests further information or documentation, the Township shall, no later than sixty (60) days from receipt of the requested information or documentation, make a determination on the appeal.
 3. Any person aggrieved by a final determination by the Township who has a direct interest in such determination shall have the right to appeal to the Chester County Court of Common Pleas in accordance with the Local Agency Appeal Law, 2 Pa.C.S.A. §105.

Section 5. General Regulations.

- A. No trash shall be thrown, discarded, deposited, carried, or left for collection on any lands or in any place other than the location at which it is generated and/or its designated trash storage area. Provided, however, nothing contained in this Ordinance shall be construed to prevent the disposition of trash with the consent of the owner of the receiving lands at a lawful landfill, recycling center, or junkyard.
- B. All trash shall be segregated into its appropriate definitional classification and separately stored and maintained in its designated trash storage area until collection.
- C. All recyclable trash shall be cleaned of all residual and hazardous trash prior to being deposited into disposal containers.
- D. The owner of each residential unit whether or not the generator or occupant of the residential unit shall be primarily responsible for compliance with the provisions of this Ordinance and shall be held liable for any violation occurring on the owner's property. Along with the owner of the residential unit, the generator

and/or occupant of the dwelling unit other than the owner may also be held jointly and severally responsible for compliance and jointly and severally liable for any violation.

Section 6. Regulations.

The Board of Supervisors may from time to time promulgate and adopt by resolution regulations designed to further carry out the intent and purposes of this Ordinance and its provisions. When so adopted, a violation of those regulations so promulgated shall be a violation of this Ordinance, and punishable as such. The Board of Supervisors may by resolution designate and appoint one or more persons to administer and enforce this Ordinance and delegate to such persons the duties and authority to act on behalf of the Township consistent with such delegation and assignment.

Section 7. Penalties.

Any person who violates any provision of this Ordinance or any provision of a regulation contained in any resolution promulgated pursuant hereto shall, upon conviction in a summary proceeding before a magisterial district judge be sentenced to pay a fine not exceeding \$1,000 plus costs of prosecution and in default of payment thereof shall be sentenced to a term of not more than 30 days in the Chester County Prison. As used in this Ordinance, the term "person" shall mean (A) a natural person, (B) if the violator is a corporation or similar legal entity the term shall include all of its officers, directors, and any agent, servant; or employee in responsible charge of the premises or any part thereof and any employee not an officer or manager to the extent that persons actually participated in or contributed to the violation, (C) if a partnership, the term shall include the partners thereof as well as any person holding a position comparable to any of the positions or offices enumerated in (B) above.

Section 8. Other Remedies.

In addition to the provisions of Section 7 above, and not in substitution thereof, the violation of this Ordinance is declared to be a public nuisance and a threat to the public health and safety. The Board of Supervisors finds that the penal provisions of this Ordinance may not provide an adequate remedy at law. Therefore, upon direction of the Board of Supervisors, the Township Solicitor shall file an action in a court of competent jurisdiction to restrain and enjoin any violation or threatened violation of this Ordinance and may seek such other or additional relief as may be proper.

Section 9. Severability.

If any provision, paragraph, word, section or ordinance of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provision, paragraphs, words, sections and ordinances shall not be affected and shall continue in full force and effect.

Section 10. Repealer.

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 11. Effective Date.

This Ordinance shall be effective five (5) days from the date of enactment.

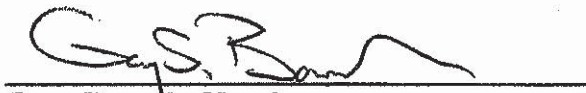
ENACTED and ORDAINED this 24th day of November, 2009.

**BOARD OF SUPERVISORS OF
EAST FALLOWFIELD TOWNSHIP**


George Broadbent, Chairman

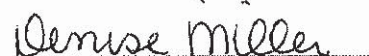

Chris Makely, Vice Chairman


Chris Amentas, Member


Gary Barach, Member

Garth Monaghan, Member

ATTEST:


Denise Miller, Secretary

TOWNSHIP of EAST FALLOWFIELD

FINANCIAL REPORT

December 31, 2013

Township of East Fallowfield
Summary of Revenue over Expenses
December 31, 2013
Year To Date

	<u>General Fund</u>	<u>Liquid Fuels</u>	<u>Total</u>
Revenue	\$ 2,740,590.24	\$ 224,444.35	\$ 2,965,034.59
<u>Expenses by Dept.</u>			
General Government	1,093,273.19		1,093,273.19
Police Dept.	1,049,873.88		1,049,873.88
Highway Dept	439,908.36	303,323.53	743,231.89
Culture - Recreation	6,857.44		6,857.44
Total Expenses	<u>2,589,912.87</u>	<u>303,323.53</u>	<u>2,893,236.40</u>
 Excess Revenue over Expenditures	 <u>\$ 150,677.37</u>	 <u>\$ (78,879.18)</u>	 <u>\$ 71,798.19</u>

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
General Fund Revenue			
1310.10 · Real Estate Transfer Tax	110,000.00	132,519.46	(22,519.46)
1310.20 · Earned Income Tax-Current Year	1,050,000.00	1,277,783.69	(227,783.69)
1310.25 · Earned Income Tax-CY comm paid	(14,175.00)	(18,013.83)	3,838.83
1310.45 · Centax Final Distribution	0.00	14,858.69	(14,858.69)
1310.50 · Local Services Tax-current year	18,000.00	18,646.26	(646.26)
1310.55 · Local Services Tax-CY comm paid	(230.00)	(251.89)	21.89
1320.10 · Road Opening Permit	10,000.00	3,015.00	6,985.00
1320.15 · Commercial Permits	100.00	0.00	100.00
1320.20 · Building Permits	50,000.00	95,037.90	(45,037.90)
1320.25 · Refund of Building Permits	0.00	(2,544.00)	2,544.00
1320.45 · Burning Permit	0.00	50.00	(50.00)
1320.50 · Miscellaneous Permits	100.00	85.00	15.00
1320.55 · Contractors Registration	100.00	955.00	(855.00)
1320.60 · Cable TV Franchise Fees-Comcast	63,000.00	64,152.81	(1,152.81)
1320.65 · Cable TV Franchise Fees-Verizon	78,000.00	88,803.59	(10,803.59)
1331.10 · Vehicle Code Violations	15,500.00	15,544.57	(44.57)
1331.20 · Violations of Ord./Statutes	3,000.00	1,125.00	1,875.00
1331.30 · State Police Fines	8,000.00	5,007.70	2,992.30
1341.10 · Interest Earned	400.00	732.47	(332.47)
1350.10 · Property Taxes (PURTA)	2,000.00	1,600.88	399.12
1350.15 · Volunteer Fire Relief Funds	50,000.00	57,561.94	(7,561.94)
1350.20 · State Supplemental Pension Asst	70,000.00	79,779.09	(9,779.09)
1350.25 · Winter Traffic Services Agrmt	25,000.00	26,177.84	(1,177.84)
1350.40 · Recycling - 904 Grant	1,000.00	0.00	1,000.00
1350.55 · Public Safety-SRO/COPS	1,000.00	0.00	1,000.00
1361.10 · Lease Income	31,000.00	29,376.48	1,623.52
1361.12 · Cable Tower Registration	1,800.00	1,200.00	600.00
1361.20 · Sale of Maps & Publications	150.00	75.00	75.00
1362.10 · Police Reports-Copies	1,000.00	1,030.00	(30.00)
1362.20 · Security Alarm Fee - fines	150.00	0.00	150.00
1362.30 · Special Police Services	500.00	0.00	500.00
1362.40 · Buckle Up reimb funding	0.00	1,100.00	(1,100.00)
1364.05 · Trash Removal Fee 2005	0.00	818.27	(818.27)
1364.06 · Trash Removal Fee 2006	500.00	1,657.94	(1,157.94)
1364.07 · Trash Removal Fee 2007	2,000.00	1,451.65	548.35
1364.08 · Trash Removal Fee 2008	3,000.00	2,296.23	703.77
1364.09 · Trash Removal Fee 2009	5,000.00	4,750.75	249.25
1364.10 · Trash Removal Fee 2010	10,000.00	7,172.96	2,827.04
1364.11 · Trash Removal Fee 2011	20,000.00	15,552.13	4,447.87
1364.12 · Trash Removal Fee 2012	55,000.00	52,813.28	2,186.72

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
1364.13 · Trash Removal Fee 2013	854,915.00	772,527.10	82,387.90
1364.27 · Allowance for Doubtful Ac 2013	(50,000.00)	0.00	(50,000.00)
1364.32 · Trash Discounts Taken 2013	(40,000.00)	(52,338.00)	12,338.00
1364.35 · Trash Overpayment Refunds	0.00	(859.55)	859.55
1364.40 · Trash Certification Fee	4,500.00	6,900.00	(2,400.00)
1364.45 · Trash Penalties	0.00	2,858.96	(2,858.96)
1364.50 · Trash Service Charges (\$5)	8,500.00	11,252.60	(2,752.60)
1364.55 · Dumpster Use Fee	500.00	1,042.50	(542.50)
1364.60 · Recyclable Sales	600.00	684.00	(84.00)
1364.65 · Road Dept chipping, grass cuttg	100.00	215.60	(115.60)
1364.70 · Scrap Disposal	1,500.00	685.00	815.00
1364.75 · Sales of Trash Bags	1,800.00	1,917.00	(117.00)
1364.80 · Sales of Leaf Bags	30.00	41.00	(11.00)
1364.85 · Hazardous Waste Municip Rebate	1,000.00	988.27	11.73
1389.05 · PAWC extension deposit refunds	0.00	9,500.00	(9,500.00)
1389.20 · Reimbursements	0.00	238.65	(238.65)
1389.60 · Misc Revenue	300.00	3,015.25	(2,715.25)
<i>Total Revenue</i>	<u>2,454,640.00</u>	<u>2,740,590.24</u>	<u>(285,950.24)</u>
 <i>2012 (estimated) projected surplus</i>	 40,000.00	 -	 -
 <i>Total Revenue</i>	 <u>2,494,640.00</u>	 <u>2,740,590.24</u>	 <u>(285,950.24)</u>

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
<i>General Fund Expense</i>			
<i>Administration</i>			
1400.10 · Supervisor - salary	12,500.00	12,500.00	0.00
1400.20 · Supervisor - social security	956.25	956.21	(0.04)
1401.10 · Treasurer - salary & wages	51,000.00	51,008.04	8.04
1401.11 · Twp Manager - salary & wages	40,000.00	0.00	(40,000.00)
1401.15 · Supv - Clerical/Office work	0.00	1,301.30	1,301.30
1401.16 · Social Security-Supv Office work	0.00	99.55	99.55
1401.20 · Secretary - salary & benefits	46,030.40	45,856.06	(174.34)
1401.21 · Secretary - overtime	3,000.00	2,310.05	(689.95)
1401.40 · Social Security	7,652.33	7,599.15	(53.18)
1401.45 · Pension Plan	4,851.60	5,065.23	213.63
1401.50 · Unemployment Comp Insur	850.00	785.97	(64.03)
1401.55 · Workman's Comp Insur	7,452.98	8,011.35	558.37
1401.60 · Medical Insurance	28,077.84	28,102.80	24.96
1401.65 · Med Insur - employee contrib	(2,807.78)	(2,926.30)	(118.52)
1401.70 · Dental Insurance	1,126.32	1,160.16	33.84
1401.75 · Life Insurance	336.00	312.00	(24.00)
1401.80 · Disability Insur - short term	593.04	605.26	12.22
1401.85 · Disability Insur - long term	466.20	476.34	10.14
1401.86 · Aflac Employee pmt	(755.04)	(755.04)	0.00
1401.87 · Aflac insurance	755.04	755.04	0.00
1401.90 · Insurance - bonding	400.00	435.00	35.00
1401.95 · Meetings, Conferences, Training	1,000.00	723.56	(276.44)
1401.96 · Dues & Memberships	2,000.00	3,512.35	1,512.35
1402.10 · Auditing Fee	15,080.00	15,280.00	200.00
1403.10 · Chester Cty Tax Collection Comm	0.00	292.68	292.68
1404.10 · Legal Services - Solicitor	45,000.00	47,146.04	2,146.04
1406.10 · Advertising - Ordinances/Mtgs	4,000.00	5,394.73	1,394.73
1406.15 · Payroll Service	6,500.00	8,563.71	2,063.71
1406.24 · Credit card processing fee	0.00	997.61	997.61
1406.25 · Bank Service Fee	0.00	154.00	154.00
1406.27 · Late Fees	0.00	23.89	23.89
1406.30 · Office Supplies	4,000.00	6,406.04	2,406.04
1406.35 · Postage	300.00	1,127.98	827.98
1406.37 · Township Newsletters	3,000.00	0.00	(3,000.00)
1406.40 · Printing	250.00	253.00	3.00
1406.45 · Subscriptions	0.00	19.95	19.95
1406.50 · Telephone	4,500.00	4,705.31	205.31
1406.55 · Cellular Telephone	252.00	234.76	(17.24)
1406.60 · Insurance - Liability	3,193.57	3,253.37	59.80
1406.65 · Rent - Copier	3,540.00	3,723.22	183.22
1406.70 · Rent - Postage Meter	240.00	306.84	66.84

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
1406.75 · Other Services & Charges	500.00	1,840.50	1,340.50
1406.76 · Contributions/Donations	7,000.00	7,000.00	0.00
1407.10 · Internet Service	0.00	959.88	959.88
1407.20 · Computer Repairs/Maint	1,000.00	97.50	(902.50)
1407.30 · Computer Network Expense	140.00	1,520.00	1,380.00
1407.40 · Website	500.00	1,039.30	539.30
1408.10 · Engineering Services	15,000.00	18,592.87	3,592.87
1408.12 · MS4 permit compliance - other	0.00	83.31	83.31
1409.10 · Electric	5,750.00	5,058.18	(691.82)
1409.20 · Gas	3,500.00	3,947.68	447.68
1409.30 · Materials & Supplies	500.00	682.58	182.58
1409.40 · Insurance - Property	721.00	715.78	(5.22)
1409.50 · Repairs & Maintenance	4,000.00	3,919.17	(80.83)
1409.75 · Real Estate Taxes	1,640.00	1,698.09	58.09
1409.80 · Other	216.00	1,985.21	1,769.21
	335,807.75	314,917.26	(20,890.49)
 <i>Police</i>			
1410.10 · Chief - Salary & Wages	80,276.31	78,710.26	(1,566.05)
1410.20 · Full Time Officers Salary/Wages	305,500.15	252,511.12	(52,989.03)
1410.21 · Full Time Officers Contract OT	29,300.96	23,736.18	(5,564.78)
1410.22 · Full Time Officers Other_OT	15,000.00	17,921.38	2,921.38
1410.23 · Full Time Officers Holiday	22,270.80	22,871.93	601.13
1410.24 · Full Time Officers Vacation	24,890.40	32,140.83	7,250.43
1410.25 · Full Time Officers Personal	11,135.40	6,316.95	(4,818.45)
1410.26 · Full Time Officers Sick	22,270.80	28,476.21	6,205.41
1410.27 · Officer Workers Comp Reg Pay	0.00	13,274.80	13,274.80
1410.28 · Officer Workers Comp O/T Pay	0.00	1,086.12	1,086.12
1410.29 · Officer Workers Comp reimb ck	0.00	(10,270.86)	(10,270.86)
1410.30 · Part Time Officers Salary/Wages	60,000.00	122,972.20	62,972.20
1410.31 · Part Time Admin Salary/Wages	17,341.13	17,507.37	166.24
1410.35 · Officer Workers Comp Pay	0.00	18,102.00	18,102.00
1410.36 · Officer WorkersComp OT Pay	0.00	1,448.16	1,448.16
1410.37 · Officer Workers Comp reimb	0.00	(12,747.42)	(12,747.42)
1410.40 · Social Security	34,926.37	46,295.63	11,369.26
1410.45 · Pension Plan	66,000.00	63,302.46	(2,697.54)
1410.50 · Unemployment Comp Insur	5,100.00	5,043.91	(56.09)
1410.55 · Workmans Comp Insur	46,468.44	47,091.40	622.96
1410.60 · Medical Insurance	137,151.36	139,875.76	2,724.40
1410.65 · Medical Insur Employee Contrib	(3,847.25)	(3,498.85)	348.40
1410.66 · Med Insur Police Opt Out 50% rb	5,017.22	4,412.98	(604.24)
1410.67 · Reimb of CoPay Differential	1,500.00	1,164.11	(335.89)
1410.70 · Dental Insurance	5,382.24	6,016.32	634.08
1410.75 · Life Insurance	3,561.60	3,471.98	(89.62)

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
1410.80 · Disability Insurance-Short Term	2,848.56	2,900.68	52.12
1410.81 · Aflac - Employee Paid	(10,823.04)	(9,064.16)	1,758.88
1410.82 · Aflac Insurance	10,823.04	9,984.85	(838.19)
1410.85 · Disability Insurance-Long Term	2,240.04	2,281.04	41.00
1410.95 · Meetings, Conferences, Training	2,000.00	1,446.40	(553.60)
1410.96 · Dues & Memberships	370.00	619.69	249.69
1411.00 · Office Supplies	2,000.00	3,305.90	1,305.90
1411.05 · Operating Supplies	3,500.00	7,803.48	4,303.48
1411.10 · Medical Supplies	100.00	239.88	139.88
1411.15 · Laboratory Services	200.00	336.00	136.00
1411.20 · Clothing & Uniforms	3,000.00	941.19	(2,058.81)
1411.25 · Ammunition	2,000.00	1,543.79	(456.21)
1411.30 · Professional Services-ERT	3,000.00	3,000.00	0.00
1411.35 · Postage	0.00	37.95	37.95
1411.40 · Subscriptions	200.00	0.00	(200.00)
1411.45 · Telephone	4,000.00	3,007.77	(992.23)
1411.50 · Cellular Telephone	4,700.00	5,454.02	754.02
1411.53 · Internet Service	0.00	959.88	959.88
1411.60 · Insurance - Liability	17,729.32	17,077.15	(652.17)
1411.65 · Rent - Copier	1,650.00	1,536.26	(113.74)
1411.70 · Other Services & Charges	3,000.00	3,205.50	205.50
1411.75 · Other	2,950.00	3,094.86	144.86
1412.00 · Vehicles - Fuel	35,000.00	36,097.67	1,097.67
1412.05 · Vehicle - Repairs & Maintenance	10,000.00	9,637.30	(362.70)
1412.15 · Parking - Court House	100.00	32.00	(68.00)
1413.00 · Electric	2,900.00	2,613.65	(286.35)
1413.05 · Gas	1,500.00	1,355.44	(144.56)
1413.10 · Water	527.28	659.59	132.31
1413.15 · Materials & Supplies	5,500.00	359.07	(5,140.93)
1413.20 · Insurance - Property	6,500.00	6,453.03	(46.97)
1413.25 · Repairs & Maintenance	1,400.00	2,178.00	778.00
1414.00 · Computer Repairs & Maint	2,000.00	677.50	(1,322.50)
1414.05 · Computer Network Expense	1,000.00	552.50	(447.50)
1414.10 · Contracted Svcs - Cody System	2,267.72	2,313.07	(45.35)
	<u>1,013,428.85</u>	<u>1,049,873.88</u>	<u>36,354.33</u>
<u>Public Works</u>			
1430.10 · Road Foreman Salary/Wages	50,865.15	50,018.83	(846.32)
1430.11 · Road Foreman - Overtime	5,000.00	4,531.12	(468.88)
1430.20 · Road Crew - Salary & Wages	151,387.18	148,874.15	(2,513.03)
1430.21 · Road Crew - Overtime	10,000.00	11,055.20	1,055.20
1430.23 · Road Crew - Holiday	10,237.04	10,423.60	186.56
1430.24 · Road Crew - Vacation	18,894.55	21,406.26	2,511.71
1430.25 · Road Crew - Personal	1,335.68	2,390.82	1,055.14

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
1430.26 · Road Crew - Sick	9,156.80	12,984.47	3,827.67
1430.30 · Personnel Costs Alloc-Trash/Rec	(14,220.00)	(5,723.49)	8,496.51
1430.35 · Personnel Costs Alloc to Liq Fuels	(50,000.00)	0.00	50,000.00
1430.40 · Social Security	19,651.04	19,906.81	255.77
1430.45 · Pension Plan	12,098.32	13,668.31	1,569.99
1430.50 · Unemployment Comp Insurance	2,125.00	1,964.55	(160.45)
1430.55 · Workman's Comp Insurance	17,990.78	20,573.19	2,582.41
1430.60 · Medical Insurance	116,158.53	110,031.36	(6,127.17)
1430.65 · Medical Insur Employee Contrib	(11,615.85)	(11,497.12)	118.73
1430.70 · Dental Insurance	5,631.60	5,446.56	(185.04)
1430.75 · Life Insurance	840.00	780.00	(60.00)
1430.80 · Disability Insurance-Short Term	1,478.04	1,540.05	62.01
1430.81 · Aflac - Employee Paid	(2,377.44)	(2,377.44)	0.00
1430.82 · Aflac insurance	2,377.44	2,377.44	0.00
1430.85 · Disability Insurance-Long Term	1,162.32	1,210.94	48.62
1430.95 · Meetings, Conferences, Training	500.00	40.00	(460.00)
1430.96 · Dues & Memberships	200.00	25.00	(175.00)
1431.05 · Operating Supplies	3,000.00	1,434.16	(1,565.84)
1431.10 · Medical Supplies	200.00	90.70	(109.30)
1431.20 · Clothing & Uniforms	1,800.00	1,203.10	(596.90)
1431.30 · Small Tools & Minor Equip	1,500.00	7.74	(1,492.26)
1431.35 · Repairs & Maintenance	600.00	841.38	241.38
1431.40 · Street Signs - Supplies	100.00	(306.00)	(406.00)
1431.41 · Highway/Bridge Maint Materials	3,000.00	0.00	(3,000.00)
1431.50 · Cellular Telephone	1,800.00	1,852.19	52.19
1431.55 · PA One Calls	500.00	340.00	(160.00)
1431.60 · Insurance - Liability	6,864.11	7,461.48	597.37
1431.70 · Other Services & Charges	500.00	1,239.75	739.75
1432.10 · Vehicle - repairs & maintenance	100.00	695.06	595.06
1433.00 · Insurance - property	5,402.00	5,398.19	(3.81)
	<u>384,242.29</u>	<u>439,908.36</u>	<u>55,666.07</u>
<u>Fire & EMT</u>			
1441.10 · Fire Marshall - Salary & Wages	1,500.00	2,278.00	778.00
1441.15 · Social Security	114.75	174.32	59.57
1441.20 · Unemployment Comp Insurance	60.00	159.50	99.50
1441.25 · Workmans Comp Insurance	10,000.00	11,392.06	1,392.06
1441.30 · Meetings, Conferences, Training	2,500.00	0.00	(2,500.00)
1441.35 · Dues & Memberships	500.00	440.00	(60.00)
1441.40 · Subsidy to Fire Companies	62,000.00	62,000.00	0.00
1441.45 · Subsidy to Relief Association	50,000.00	57,561.94	7,561.94
1441.50 · Hydrants	19,471.32	19,442.16	(29.16)
1441.55 · Clothing & Uniforms	300.00	324.94	24.94
1441.60 · Supplies	600.00	749.10	149.10
1441.65 · Cellular Telephone	525.84	458.60	(67.24)

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
1441.70 · Vehicle Repair & Maint	500.00	5,447.38	4,947.38
1441.75 · Other	500.00	35.00	(465.00)
	<u>148,571.91</u>	<u>160,463.00</u>	<u>11,891.09</u>
 <i><u>Code Enforcement</u></i>			
1442.10 · Contracted Svcs-Code Enforcemnt	25,000.00	33,264.01	8,264.01
1442.20 · Supplies	1,500.00	1,161.58	(338.42)
1442.30 · PA UCC permit fee	150.00	468.00	318.00
	<u>26,650.00</u>	<u>34,893.59</u>	<u>8,243.59</u>
 <i><u>Planning & Zoning</u></i>			
1443.10 · Zoning Hrng Bd - Salary	0.00	75.00	75.00
1443.40 · Zoning Hrng Bd - Social Secur	0.00	5.73	5.73
1443.50 · Legal Services - Zoning	1,000.00	2,712.58	1,712.58
1443.60 · Legal Services - Court Reporter	0.00	0.00	0.00
1443.70 · Advertising - Zoning	500.00	144.92	(355.08)
1443.75 · Dues & Memberships	0.00	100.00	100.00
1443.80 · Planning Commission Supplies	150.00	75.29	(74.71)
1443.90 · Other	0.00	507.22	507.22
	<u>1,650.00</u>	<u>3,620.74</u>	<u>1,970.74</u>
 <i><u>Animal Control</u></i>			
1444.10 · Contracted Services - SPCA	3,540.00	4,820.00	1,280.00
1444.15 · Contracted Services - Other	0.00	0.00	0.00
	<u>3,540.00</u>	<u>4,820.00</u>	<u>1,280.00</u>
 <i><u>Solid Waste Collection</u></i>			
1445.10 · Contracted Svcs-Trash/Recycling	547,560.00	547,722.00	162.00
1445.12 · Trash Bags Sold to Residents	3,000.00	4,375.00	1,375.00
1445.25 · Allocated Personnel Costs	0.00	5,723.49	5,723.49
1445.30 · Trash Invoicing Expenses	13,000.00	12,428.15	(571.85)
1445.35 · Credit Card Processing Fees	0.00	0.00	0.00
1445.45 · Hazardous Waste Collectn Event	1,000.00	1,496.74	496.74
1445.47 · TV disposal fee	0.00	320.00	320.00
1445.53 · Recycling Authority shared cost	1,500.00	1,500.00	0.00
1445.65 · Recycling truck	200.00	993.22	793.22
	<u>566,260.00</u>	<u>574,558.60</u>	<u>8,298.60</u>
 <i><u>Culture & Recreation</u></i>			
1446.10 · Parks & Recreation	10,000.00	6,175.08	(3,824.92)
1446.30 · Historical Commission	750.00	682.36	(67.64)
	<u>10,750.00</u>	<u>6,857.44</u>	<u>(3,892.56)</u>
 <i>Total Expenses</i>	 <u>2,490,900.80</u>	 <u>2,589,912.87</u>	 <u>99,012.07</u>
 <i>Excess of Revenues over Expenditures</i>	 <u>\$ 3,739.20</u>	 <u>\$ 150,677.37</u>	 <u>\$ (146,938.17)</u>

**Township of East Fallowfield
Budget vs Actual
Year to Date December 2013**

G/L acct #	2013 Budget	Actual	Variance
<i>Liquid Fuels Revenue</i>			
1355.10 · Annual Liquid Fuels Allocation	185,118.68	194,815.81	(9,697.13)
1355.20 · State Turnback Allocation	29,480.00	29,480.00	0.00
1355.40 · Interest on Liquid Fuels Funds	300.00	148.54	151.46
<i>Total Revenue</i>	214,898.68	224,444.35	(9,545.67)
<i>Liquid Fuels Expense</i>			
1430.00 · Salt Supplies	25,000.00	37,508.27	12,508.27
1430.05 · Asphalt, Stone, Other	20,000.00	11,683.60	(8,316.40)
1430.10 · Vehicle Fuel - Diesel	16,000.00	15,169.89	(830.11)
1430.20 · 2010 Freightliner-annual instmt	35,785.00	35,784.88	(0.12)
1430.25 · Fuel Pump Repair	0.00	484.00	484.00
1430.30 · Highway Maint-shop supplies	4,000.00	1,946.54	(2,053.46)
1430.35 · Purchase Hand Tools	500.00	5,485.99	4,985.99
1430.40 · Mowing	1,500.00	1,957.30	457.30
1430.45 · Highway - Shoulder	4,000.00	4,011.49	11.49
1430.50 · Vehicle - Repairs & Maintenance	15,000.00	25,366.17	10,366.17
1430.55 · Supplies - Signs/Markers	1,500.00	809.95	(690.05)
1430.60 · Electric - Street Lights	1,200.00	1,096.04	(103.96)
1430.65 · Storm Drain Repair	8,000.00	2,513.22	(5,486.78)
1430.71 Park Ave paving (2013)	100,000.00	113,301.56	13,301.56
1430.72 Mt. Carmel Rd repairs (2013)	0.00	425.00	425.00
1430.77 · Machinery & Equip - new	50,000.00	45,660.00	(4,340.00)
1430.80 · Other	500.00	119.63	(380.37)
1465.00 · Alloc PW employees salaries	50,000.00	0.00	(50,000.00)
<i>Total Expenses</i>	332,985.00	303,323.53	(29,661.47)
<i>Excess of Revenues over Expenditures</i>	\$ (118,086.32)	\$ (78,879.18)	\$ (39,207.14)

Township of East Fallowfield
Profit & Loss
December 2013

	Dec 13
Income	
1310 · Local Tax Enabling Act Taxes	
1310.10 · Real Estate Transfer Tax	14,743.46
1310.20 · Earned Income Tax-Current Year	
1310.25 · Earned Income Tax-CY comm/costs	-3,794.93
1310.20 · Earned Income Tax-Current Year - Other	69,723.81
Total 1310.20 · Earned Income Tax-Current Year	65,928.88
1310.50 · Local Services Tax-current year	
1310.55 · Local Srvc Tax-CY comm/costs	-36.51
1310.50 · Local Services Tax-current year - Other	901.39
Total 1310.50 · Local Services Tax-current year	864.88
Total 1310 · Local Tax Enabling Act Taxes	81,537.22
1320 · Licenses and Permits	
1320.20 · Building Permits	9,785.25
1320.25 · Refund of Building Permit Fees	-204.00
1320.45 · Burning Permit	10.00
1320.60 · Cable TV Franchise Fees-Comcast	16,000.00
Total 1320 · Licenses and Permits	25,591.25
1331 · Fines and Forfeits	
1331.10 · Vehicle Code Violations	1,688.93
1331.20 · Violations of Ord./Statutes	125.00
1331.30 · State Police Fines	2,172.60
Total 1331 · Fines and Forfeits	3,986.53
1341 · Interest Earned	
1341.10 · Interest Earned	43.14
Total 1341 · Interest Earned	43.14
1361 · Charges for Services.	
1361.10 · Tower Lease Income	495.76
1361.20 · Sale of Maps & Publications	50.00
Total 1361 · Charges for Services.	545.76
1362 · Public Safety	
1362.10 · Police Reports-Copies	75.00
1362.40 · Buckle Up reimb funding	1,100.00
Total 1362 · Public Safety	1,175.00
1364 · Solid Waste Disposal	
1364.05 · Trash Removal Fee 2005	413.24
1364.06 · Trash Removal Fee 2006	520.57
1364.07 · Trash Removal Fee 2007	635.17
1364.08 · Trash Removal Fee 2008	588.87
1364.09 · Trash Removal Fee 2009	1,127.10
1364.10 · Trash Removal Fee 2010	1,214.81
1364.11 · Trash Removal Fee 2011	1,905.56
1364.12 · Trash Removal Fee 2012	1,583.98
1364.13 · Trash Removal Fee 2013	10,805.83
1364.35 · Trash Overpayment Refunds	0.00
1364.40 · Trash Certification Fee	350.00
1364.45 · Trash Penalties	887.42
1364.50 · Trash Service Charges (\$5)	1,708.00
1364.55 · Dumpster Use Fee	105.00
1364.65 · Road Dept chipping, grass cuttg	125.60
1364.70 · Scrap Disposal	35.00
1364.75 · Sales of Trash Bags	143.50
1364.80 · Sales of Leaf Bags	3.00
Total 1364 · Solid Waste Disposal	22,152.65
1389 · Miscellaneous Revenue	
1389.05 · PAWC extension deposit refunds	3,000.00
1389.60 · Misc Revenue	5.00
	5.00

Township of East Fallowfield
Profit & Loss
December 2013

	Dec 13
Total 1389 · Miscellaneous Revenue	3,005.00
Total Income	138,036.55
Expense	
1400 · Board of Supervisors	
1400.10 · Supervisor - salary	3,125.00
1400.20 · Supervisor - social security	239.05
Total 1400 · Board of Supervisors	3,364.05
1401 · Administration	
1401.10 · Treasurer - salary & wages	5,884.62
1401.20 · Secretary - salary & benefits	5,311.21
1401.21 · Secretary - overtime	307.06
1401.40 · Social Security	879.98
1401.45 · Pension Plan	761.80
1401.50 · Unemployment Comp Insur	-64.31
1401.60 · Medical Insurance	2,341.90
1401.65 · Med Insur - employee contrib	-337.65
1401.70 · Dental Insurance	96.68
1401.75 · Life Insurance	26.00
1401.80 · Disability Insur - short term	50.36
1401.85 · Disability Insur - long term	39.63
1401.86 · Aflac Employee pmt	-87.12
1401.87 · Aflac insurance	58.08
1401.95 · Meetings, Conferences, Training	30.50
1401.96 · Dues & Memberships	131.40
Total 1401 · Administration	15,430.14
1404 · Legal Services	
1404.10 · Legal Services - Solicitor	5,600.51
Total 1404 · Legal Services	5,600.51
1406 · Other Gen Govt Administration	
1406.10 · Advertising - Ordinances/Mtgs	1,553.12
1406.15 · Payroll Service	712.37
1406.24 · credit card processing fee	67.89
1406.27 · Late Fees	23.89
1406.30 · Office Supplies	1,397.92
1406.40 · Printing	133.00
1406.50 · Telephone	782.75
1406.55 · Cellular Telephone	37.42
1406.65 · Rent - Copier	295.00
1406.70 · Rent - Postage Meter	24.99
1406.75 · Other Services & Charges	264.19
Total 1406 · Other Gen Govt Administration	5,292.54
1407 · IT Network Svcs/Data Processing	
1407.10 · Internet Service	159.98
1407.30 · Computer Network Expense	430.00
1407.40 · Website	45.00
Total 1407 · IT Network Svcs/Data Processing	634.98
1408 · Engineering Services	
1408.10 · Engineering Services	2,526.25
1408.12 · MS4 permit compliance - other	83.31
Total 1408 · Engineering Services	2,609.56
1409 · Buildings	
1409.10 · Electric	816.28
1409.20 · Gas	1,035.92
1409.30 · Materials & Supplies	349.55
1409.50 · Repairs & Maintenance	395.00
Total 1409 · Buildings	2,596.75
1410 · Police - Personnel Costs	
1410.10 · Chief - Salary & Wages	9,081.03

Township of East Fallowfield
Profit & Loss
December 2013

	Dec 13
1410.20 · Full Time Officers Salary/Wages	26,126.82
1410.21 · Full Time Officers Contract OT	3,336.54
1410.22 · Full Time Officers Other OT	4,516.30
1410.23 · Full Time Officers Holiday	9,717.81
1410.24 · Full Time Officers Vacation	4,560.16
1410.25 · Full Time Officers Personal	3,032.09
1410.26 · Full Time Officers Sick	1,206.80
1410.30 · Part Time Officers Salary/Wages	12,690.40
1410.31 · Part Time Admin Salary/Wages	1,988.94
1410.40 · Social Security	6,154.12
1410.45 · Pension Plan	132.73
1410.50 · Unemployment Comp Insur	-405.17
1410.60 · Medical Insurance	12,002.46
1410.65 · Medical Insur Employee Contrib	-465.09
1410.66 · Med Insur Police Opt Out 50% rb	509.19
1410.70 · Dental Insurance	521.04
1410.75 · Life Insurance	388.39
1410.80 · Disability Insurance-Short Term	289.50
1410.81 · Aflac - Employee Paid	-953.76
1410.82 · Aflac insurance	710.48
1410.85 · Disability Insurance-Long Term	227.67
1410.96 · Dues & Memberships	20.00
Total 1410 · Police - Personnel Costs	95,388.45
1411 · Police - Other Expenses	
1411.00 · Office Supplies	287.39
1411.05 · Operating Supplies	2,206.58
1411.35 · Postage	15.00
1411.45 · Telephone	501.16
1411.50 · Cellular Telephone	899.60
1411.53 · Internet service	159.98
1411.65 · Rent - Copier	138.97
1411.75 · Other	77.56
Total 1411 · Police - Other Expenses	4,286.24
1412 · Vehicles	
1412.00 · Vehicles - Fuel	4,367.25
1412.05 · Vehicle - Repairs & Maintenance	4,090.86
1412.15 · Parking - Court House	9.00
Total 1412 · Vehicles	8,467.11
1413 · Buildings.	
1413.00 · Electric	394.82
1413.05 · Gas	179.59
1413.10 · Water	55.64
1413.15 · Materials & Supplies	82.76
1413.25 · Repairs & Maintenance	370.00
Total 1413 · Buildings.	1,082.81
1414 · IT/Network Svcs/Data Processing	
1414.05 · Computer Network Expense	70.00
Total 1414 · IT/Network Svcs/Data Processing	70.00
1430 · Public Works - Personnel Costs	
1430.10 · Road Foreman Salary/Wages	5,012.69
1430.11 · Road Foreman - Overtime	1,431.73
1430.20 · Road Crew - Salary & Wages	18,029.64
1430.21 · Road Crew - Overtime	3,563.63
1430.23 · Road Crew - Holiday	3,790.40
1430.24 · Road Crew - Vacation	1,000.11
1430.25 · Road Crew - Personal	47.80
1430.26 · Road Crew - Sick	1,231.21
1430.30 · Personnel Costs Alloc-Trash/Rec	-716.69
1430.40 · Social Security	2,588.22
1430.45 · Pension Plan	135.07
1430.50 · Unemployment Comp Insurance	-160.78
1430.60 · Medical Insurance	8,650.06

Township of East Fallowfield
Profit & Loss
December 2013

	Dec 13
1430.65 · Medical Insur Employee Contrib	-1,256.46
1430.70 · Dental Insurance	424.36
1430.75 · Life Insurance	65.00
1430.80 · Disability Insurance-Short Term	127.94
1430.81 · Aflac - Employee Paid	-274.32
1430.82 · Aflac insurance	182.88
1430.85 · Disability Insurance-Long Term	100.60
Total 1430 · Public Works - Personnel Costs	43,973.09
1431 · Public Works - Other Expenses	
1431.05 · Operating Supplies	148.60
1431.50 · Cellular Telephone	341.73
1431.55 · PA One Calls	61.05
1431.70 · Other Services & Charges	82.50
Total 1431 · Public Works - Other Expenses	633.88
1432 · Public Works - Vehicles	
1432.10 · Vehicle - repairs & maintenance	640.50
Total 1432 · Public Works - Vehicles	640.50
1441 · Fire Protection	
1441.10 · Fire Marshall - Salary & Wages	344.00
1441.15 · Social Security	26.33
1441.20 · Unemployment Comp Insurance	-12.86
1441.40 · Subsidy to Fire Companies	15,500.00
1441.50 · Hydrants	3,240.36
1441.65 · Cellular Telephone	74.84
1441.70 · Vehicle Repair & Maint	88.00
Total 1441 · Fire Protection	19,260.67
1442 · Code Enforcement.	
1442.10 · Contracted Svcs-Code Enforcemnt	2,850.58
1442.30 · PA UCC permit fee	116.00
Total 1442 · Code Enforcement.	2,966.58
1443 · Planning & Zoning	
1443.50 · Legal Services - Zoning	444.50
1443.80 · Planning Commission Supplies	17.99
Total 1443 · Planning & Zoning	462.49
1444 · Animal Control	
1444.10 · Contracted Services - SPCA	800.00
Total 1444 · Animal Control	800.00
1445 · Solid Waste Collection	
1445.10 · Contracted Svcs-Trash/Recycling	45,792.00
1445.12 · Trash Bags Sold to Residents	4,375.00
1445.25 · Allocated Personnel Costs	716.69
1445.30 · Trash Invoicing Expenses	1,564.90
1445.65 · Recycling truck	8.56
Total 1445 · Solid Waste Collection	52,457.15
1446 · Culture	
1446.10 · Parks & Recreation	224.19
Total 1446 · Culture	224.19
Total Expense	266,241.69
Net Income	-128,205.14

Township of East Fallowfield
Trash Fees Analysis
as of December 31, 2014

Current year trash billings (2,752 residences per MuniBilling)	\$ 839,360.00
Trash Revenue	
Current year trash fees (cash) collected	772,527.10
Discounts taken in 2013	<u>52,338.00</u>
Total trash revenue per ledger	824,865.10
Service charges collected in 2013	11,252.60
All prior years' outstanding trash fees collected in 2013	86,513.21

	Current Year
Billings	\$ 839,360.00
Discounts Taken	(52,338.00)
Collections	(772,527.10)
Outstanding balance	\$ 14,494.90

Township of East Fallowfield
Gross payroll totals, payroll taxes paid
as of 1/28/14

<u>Date</u>	<u>Payroll</u>	<u>Payroll Taxes</u>	<u>Paychex Fee</u>	<u>Total</u>
12/31/13	\$27,721.62	\$13,262.93	\$252.54	\$41,237.09
1/15/14	\$29,077.39	\$13,778.17	\$556.65	\$43,412.21
	<u>\$56,799.01</u>	<u>\$27,041.10</u>	<u>\$809.19</u>	<u>\$84,649.30</u>

PMRS DEFINED BENEFIT (DB) MUNICIPAL CONTRACT CHECKLIST

EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY

PERC: 15-036-5 P

The following checklist contains the key "options" that a PMRS enrolled pension plan must address. While much of the contract will be controlled by Internal Revenue Service (IRS) requirements and PMRS policy, the following must be decided upon by the governing body seeking to establish or amend a PMRS administered pension plan. It is being distributed so as to obtain documentation as to the municipality's intent. Please check the appropriate option selected by the municipality or indicate the language desired.

1. **Type of Employees Covered by Plan:**

Police

2. **Effective Date:**

The amendment is to be effective January 1, 2014.

If you would like to implement a specific date other than that listed above, please indicate below:

3. **Probationary Period & Enrollment:**

The Member's date of enrollment in the System shall be the date the Municipality entered into the System or the Member's date of hire, whichever is more recent.

The Member's date of enrollment in the System shall be the date the Municipality entered into the System, the Member's date of hire, or upon the expiration of the Member's probationary status, whichever is more recent. A Member shall not receive Credited Service for time served in the probationary period.

Length of Probationary Period: **NONE – PLEASE CONFIRM**

4. **Part-time Employees:**

Membership for part-time employees shall be prohibited.

Membership for part-time employees shall be mandatory.

Membership for part-time employees shall be optional. The election by part-time employees to join the System must be made within one year after the employee first enters the service of the municipality.

PMRS DEFINED BENEFIT (DB) MUNICIPAL CONTRACT CHECKLIST

- 5. **Compensation:** As to the **bold/italicized** words below, please underline all the words to be included and ~~strike through~~ those words that are to be excluded.

"means remuneration actually received for services rendered as a Member including **salary, overtime, longevity, clothing and equipment allowances, meal allowances, incentive payments, lump sum accrued leave payments, and educational incentive payments**, but excluding reimbursement for expenses incidental to employment. Payments received under the Act of June 2, 1915 (P.L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act" **shall** or **shall not** be included in Compensation. Compensation shall be adjusted as appropriate to comply with the terms of the PMRL and this Contract. For Members who are enrolled in a Plan that has adopted the provisions of IRC § 414(h), Compensation shall also include any such pickup contributions so designated.

Please identify any additional type of stipend, if any, that the municipality wants specifically included in the definition of covered compensation:

- 6. **Final Average Salary:** The municipality understands that while the previous plan agreement provided for the final average salary to be based on consecutive years of service, the new agreement will drop such a reference so that breaks in service do not impact the calculation of the Final Average Salary of a retiring member.

- 7. **Deferred Retirement Option Plan (DROP):**

YES

NO

PMRS DEFINED BENEFIT (DB) MUNICIPAL CONTRACT CHECKLIST

8. **Excess Interest:** Based upon new requirements that were placed upon the PMRS by Act 56 of 2010, all defined benefit plans must now have documented in their contract with PMRS how excess interest is to be allocated in the future. There was also a new provision added to the law that states that in the event that the plan's funded status is less than 95% as of the most recently filed Act 205 actuarial report, all Excess Interest awarded by the Board shall be allocated to the Municipal Account.

If the plan's funded status is 95% or more as of the most recently filed Act 205 actuarial report the Excess Interest will be allocated in accordance with the plan's contract. As such the municipality is required to choose among the following allocation options:

(First set of Choices - PICK ONE)

- A. Excess Interest awarded to the Municipality shall be allocated between the Retired Member's Reserve Account, Municipal Account and Member's Account proportionately based on the individual assets credited to each account.
- B. Excess Interest awarded to the Municipality shall be allocated as follows:
- _____ % to the Municipal Account,
- _____ % to the Member's Accounts,
- _____ % to the Retired Member's Reserve Account

(Second set of Choices - PICK ONE if "A" is selected above OR if "B" is selected above and a % greater than "0" is to be allocated to the Member's Accounts)

The amount allocated to the Member's Account shall be credited in accordance with Board adopted policy (PICK ONE)

- in an equal percentage to each Member based on the assets in each Member's Account
- in an equal dollar amount to each Active and Vested Member as of the date of crediting such money to the Plan
- proportionally to each Member based upon each Member's Credited Service as of the date of crediting such money to the Plan

PMRS DEFINED BENEFIT (DB) MUNICIPAL CONTRACT CHECKLIST

(Third set of Choices - PICK ONE if "A" is selected above OR if "B" is selected above and a % greater than "0" is to be allocated to the Retired Member's Reserve Account)

_____ The amount allocated to the Retired Member's Reserve Account shall be credited so as to provide an equal percentage benefit increase to each Annuitant and Survivor Annuitant in accordance with Board adopted policy

_____ The amount allocated to the Retired Member's Reserve Account shall be credited so as to provide an equal dollar benefit increase to each Annuitant and Survivor Annuitant in accordance with Board adopted policy

9. Federal Employer Tax Identification #: 23-6000309 (Note the new plan agreement will be submitted to the federal Internal Revenue Service which is expected to give a plan by plan review and approval. As such PMRS needs to include in the filing the municipality's federal tax identification number.

Name (Please Print)

Title

Signature

Date

Health Insurance Opt Out payments – These payments are generally NOT retirement covered compensation because the payment is not compensation that is earned and paid for services rendered. Such payments may, however, be considered retirement covered compensation if the amount is included in the employee's base salary and paid with the employee's salary through regular, fixed payments and the employee makes the required contributions to the system.

Car allowances - These are expense reimbursements and are NOT reportable wages.

Worker's Comp - These payments MAY be included in the reportable wages, if it is the municipality's policy or past practice to do so. If worker's comp payments are reported as wages for the pension plan, required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

It should be noted that, because Worker's Comp benefits are only 66 2/3% of salary, this could have a negative effect on a member's final average salary when used in calculating retirement benefits. It would depend on each individual member's circumstances whether the additional credited service earned while on Worker's Comp would offset the lower salary. However, if it is the policy of the municipality to include worker's comp payments in the reportable wages, the policy must be applied equally to all members of the pension plan.

Heart and Lung payments – PMRS believes that these payments MUST be listed as reportable compensation. Please note that required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

This position is based on an Attorney General opinion from 1979 (pertaining to State Police Officers) that stated that an officer who is incapacitated due to a work-related injury must continue to receive any benefits that they would otherwise be entitled to receive if they had not been injured. Our research has not found any other opinion or court cases after that date that would reverse the 1979 opinion.

Short Term Disability payments - These payments MAY be included in the reportable wages, if it is the municipality's policy or past practice to do so. If short-term disability payments are reported as wages for the pension plan, required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

It should be noted that, because short-term disability benefits are often less than full salary, this could have a negative effect on a member's final average salary used in calculating retirement benefits. It would depend on each individual member's circumstances whether the additional credited service earned while on short-term disability would offset the lower salary. However, if it is the policy of the municipality to include such payments in the reportable wages, the policy must be applied equally to all members of the pension plan.

Phone allowances- - These are expense reimbursements and are NOT reportable wages.

There are also two other types of payments on which we get a number of questions. These are addressed below:

Lump-sum Sick and Vacation Payments -- These payments MAY be included in reportable wages for the pension plan, if it is the municipality's documented policy or past practice to do so. If the municipality allows such payments to be included in the reportable wages, PMRS limits the includable amount of such payments based on the guidelines issued by the Department of the Auditor General (AG). The AG, in Municipal Pension Bulletin No. 2001-01, states that "When a municipality has historically made payments for accumulated unused leave on an annual or more frequent periodic bases, rather than as an end-of-career lump sum, the Department will consider the specific situation presented in determining whether such payments may be included in pension calculations." The bulletin further clarifies that payments for unused leave received as an end-of-career lump sum may be included "as long as the leave was earned during the applicable pension computation period." This means that, if the final average salary for the pension plan is based on the final three years' average salary, then only the portion of the payment that was for leave earned during the last three years may be included as reportable wages. If the final average salary is based on the final five years, then five years of unused leave may be included.

Severance Payments - Such payments are NOT "earned" during the final salary period, but instead are "earned" as a result of termination, and therefore MAY NOT be included in the reportable wages

ORDINANCE # 1993- 9

AN ORDINANCE OF EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO ENROLL IN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW: AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES JOINING UNDER THE PROVISIONS OF THIS ARTICLE: STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE TOWNSHIP. BE IT ORDAINED AND ENACTED BY EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, AS FOLLOWS:

SECTION I. East Fallowfield Township, hereby elects to enroll its police officers in the Pennsylvania Municipal Retirement System, as authorized by the Pennsylvania Municipal Retirement Law, Act 15 of 1974 as amended, with the express purpose of having the Pennsylvania Municipal Retirement System administer the retirement plan established by the Township for their police officers. The Township does hereby agree to be bound by all the requirements and provisions of said Law and to assume all obligations, financial and otherwise, placed upon member municipalities. All references hereafter shall be based on benefits negotiated between the Board and the municipality under the provisions of Article IV of the Pennsylvania Municipal Retirement Law.

SECTION II. Membership in the Pennsylvania Municipal Retirement System shall be mandatory for all full-time police officers of the Township. Membership for elected officials and employees hired on a temporary or seasonal basis is prohibited, as is membership for individuals paid only on a fee basis.

SECTION III. Credit for prior service for original employees is granted for each year or partial year thereof that the member was employed by the Township from original date of hire. Benefits provided to members in the agreement dated JUNE 9, 1993, shall accrue based on all credited service granted and earned in accordance with this section.

SECTION IV. Payment for any obligation established by the adoption of this ordinance and the agreement between the System and East Fallowfield Township shall be made by the Township in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

SECTION V. As part of this ordinance, the Township agrees that the System shall provide the benefits set forth in the agreement between the Board and East Fallowfield Township, dated JUNE 9, 1993. The passage and adoption of this ordinance by East Fallowfield Township is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. East Fallowfield Township hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

SECTION VI. A duly certified copy of this ordinance and the referenced agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the police pension plan of East Fallowfield Township in the Pennsylvania Mu Retirement System shall be effective the first day of July, 1993.

ORDAINED this 9TH day of JUNE, 1993.

TALLY OF VOTES - YEAS 3 NAYS 0

ATTEST:

Marie U. Reali

JBA:glk

5/5/93

EAST FALLOWFIELD TOWNSHIP
POLICE PENSION PLAN AGREEMENT

AN AGREEMENT, dated this 9TH day of JUNE, 1993, by and between East Fallowfield Township Police and the Pennsylvania Municipal Retirement Board (the Board);

WHEREAS, Article IV, Section 401 of the Act of February 1, 1974, No. 15, states:

"401. This article shall provide for the enrollment of those municipalities in the Pennsylvania Municipal Retirement System which want to offer retirement benefits to their employees...", and;

WHEREAS, East Fallowfield Township Police desires to establish a police pension plan with the Pennsylvania Municipal Retirement System and has negotiated an optional retirement plan contract with the Pennsylvania Municipal Retirement System for the police officers;

NOW THEREFORE, the Pennsylvania Municipal Retirement Board and East Fallowfield Township Police hereby agree to the following retirement pension plan for the police officers:

1. Coverage: This plan shall cover all full-time members of the police department, hereafter referred to as member, of the Township. Membership for elected officials and employees hired on a temporary or seasonal basis is prohibited as is membership for individuals paid only on a fee basis. Individual membership shall be effective as of the date the Township entered into the Pennsylvania Municipal Retirement System or upon the expiration of the individual's probationary status, whichever is more recent.

Credited service shall accrue from the original member's date of enrollment in the System as long as there is continuous, uninterrupted employment.

No credited service time shall be granted for time employed in a status other than active employee of the municipality excluding credit for purchased military service, reinstatement of previous service or service earned and credited under Section 11, the portability section of this agreement.

2. Superannuation Retirement: Eligibility for a superannuation retirement shall occur upon the member's attainment of fifty five (55) years of age or older and the completion of at least twelve (12) years of credited service.

3. Basic Benefit: The basic annual benefit shall be equal to two percent (2.0%) of the member's final salary multiplied by all years of credited service. Provided however, in no event shall the basic benefit exceed fifty percent (50%) of the member's final salary.

EAST FALLOWFIELD TOWNSHIP
POLICE PENSION PLAN AGREEMENT

AN AGREEMENT, dated this 9TH day of JUNE, 1993, by and between East Fallowfield Township and the Pennsylvania Municipal Retirement Board (the Board);

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"401. This article shall provide for the enrollment of those municipalities in the Pennsylvania Municipal Retirement System which want to offer retirement benefits to their employees...", and;

WHEREAS, East Fallowfield Township desires to establish a police pension plan with the Pennsylvania Municipal Retirement System and has negotiated an optional retirement plan contract with the Pennsylvania Municipal Retirement System for the police officers;

NOW THEREFORE, the Pennsylvania Municipal Retirement Board and East Fallowfield Township hereby agree to the following retirement pension plan for the police officers:

1. Coverage: This plan shall cover all full-time members of the police department, hereafter referred to as member, of the Township. Membership for elected officials and employees hired on a temporary or seasonal basis is prohibited as is membership for individuals paid only on a fee basis. Individual membership shall be effective as of the date the Township entered into the Pennsylvania Municipal Retirement System or upon the expiration of the individual's probationary status, whichever is more recent.

Credited service shall accrue from the original member's date of hire as long as there is continuous, uninterrupted employment to the municipality. Credited service time earned prior to the enrollment of the Township into the System shall be known as prior service.

No credited service time shall be granted for time employed in a status other than active employee of the municipality excluding credit for purchased military service, reinstatement of previous service or service earned and credited under Section 11, the portability section of this agreement.

2. Superannuation Retirement: Eligibility for a superannuation retirement shall occur upon the member's attainment of fifty-five (55) years of age or older and the completion of at least twelve (12) years of credited service.

3. Basic Benefit: The basic annual benefit shall be equal to two percent (2.0%) of the member's final salary multiplied by all years of credited service. Provided however, in no event shall the basic benefit exceed fifty percent (50%) of the member's final salary.

4. Final Salary: The final salary shall be the average annual compensation earned and paid during the member's final three (3) consecutive years of employment, or if not so long employed, then the average annual compensation earned and paid during the whole period of such employment.

5. Early Retirement: A member who has separated from employment after twenty (20) years of credited service may retire early. Benefits will be actuarially reduced for each year or partial year thereof that early retirement takes place prior to age fifty five (55).

6. Permanent Disability Benefits: A member who has ten (10) or more years of credited service may, upon application or on application of one acting in the member's behalf, or upon application of a responsible official of the municipality, be retired by the Pennsylvania Municipal Retirement Board on a disability allowance if the physician designated by the Board, after medical examination of the member shall certify to the Board that the individual is unable to engage in any gainful employment and that said member ought to be retired. When the disability of a member is determined to be service-connected, as defined in Act 15 of 1974, no minimum period of service shall be required for eligibility.

A disability annuity payable from the total disability reserve account which, together with the municipal annuity and the member's annuity, if any, shall be sufficient to produce a retirement allowance of thirty percent (30%) of the member's final salary. Where the disability of the member is determined to be service-connected, the disability allowance shall equal fifty percent (50%) of the member's final salary. The disability annuity shall be reduced by the amount of any payments for which the member shall be eligible under the Act of June 2, 1915 (P.L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act" or the Act of June 21, 1939 (P.L. 566, No. 284), known as "The Pennsylvania Occupational Disease Act."

Should a disability annuitant die before the total disability retirement allowance received equals the amount of the member's accumulated deductions at the time of disability retirement, the Board shall pay to the named beneficiary (if living, or if the named beneficiary predeceased the annuitant, or no beneficiary was named, then to the annuitant's estate) an amount equal to the difference between such total retirement allowance received and the annuitant's accumulated deductions. If such difference is less than one hundred dollars (\$100) and no letters have been taken out on the estate within six (6) months after the disability annuitant's death, such difference may be paid to the undertaker or to any person or municipality who or which shall have paid the claim of the undertaker.

7. Spouse's Pension: In the absence of an election of an option found in Section 12, on the death of an active member of the plan who was eligible at the time of death for either a superannuation retirement allowance because of meeting the superannuation retirement requirements found in Section 2 or an early retirement allowance because of completing twenty (20) years of credited service, the surviving spouse (or the surviving minor children in the absence of a spouse or upon the remarriage of the surviving spouse) will receive a pension equal to one-half of the pension which such member would have been eligible to receive if the member had been retired at the time of death. An election by a member of an option found in Section 12 other than a Single Life Annuity, prior to retirement shall make void the foregoing provision.

A member who is entitled to either a superannuation retirement allowance because of meeting the superannuation retirement requirements found in Section 2 or a voluntary early retirement allowance because of completing twenty (20) years of credited service may file a written application for retirement requesting that such retirement become effective at the time of death. The member may elect one of the options provided in Section 12 and nominate a beneficiary. The application shall be held by the Board (1) until the member files a later application (PMRB-8) for a retirement allowance or (2) until the death of the member while in municipal service.

If such a member dies prior to receiving a retirement allowance, benefits become effective as if the member had retired on the day immediately preceding death. The beneficiary will receive the annuity option elected before the member's death.

If a member is receiving a retirement allowance in accordance with the Single Life Annuity provisions of Section 12, upon the retired member's death the surviving spouse (or the surviving minor children in the absence of a spouse or upon the remarriage of the surviving spouse) will receive a pension equal to one-half of the pension which such member was receiving. If there is no surviving spouse or minor children, the full amount of the total accumulated deductions standing to the member's credit in the member account on the effective date of retirement minus the total amount of annuity payments received shall be paid to the designated beneficiary.

8. Contributions by Members: Members shall contribute five percent (5%) of their total compensation in a manner consistent with Board established policy. If a member terminates prior to becoming eligible for any benefit or the member elects not to receive a benefit, that individual shall be entitled to the accumulated contributions, interest and any excess investment monies allocated to the member's account. If sufficient funds exist, the Township may annually elect to lower or waive the required member contribution rate by adopting a resolution and filing it with the Board.

9. Vesting: After twelve (12) years of credited service, a member may vest by filing an application with the Board within ninety (90) days of separation from employment. Upon attainment of the superannuation age requirement found in Section 2 of this agreement, a basic benefit will be calculated in accordance with Section 3 of this agreement.

10. Military Service: Any member employed by the Township who has been a regularly appointed employee for at least six (6) months and is inducted into the military service of the United States, shall have all of the time spent in such military service credited to the member's employment record for pension or retirement benefits if the individual returns or has heretofore returned to employment within six (6) months after separation from the service.

An active member may also purchase credit for other than intervening military service performed for the United States in times of war, armed conflict or national emergency, so proclaimed by the President of the United States, for a period not to exceed five (5) years, provided the member has completed five (5) years of service to the municipality subsequent to such military service. An active member may file an application with the Board for permission to purchase credit for nonintervening military service upon completion of five (5) years of subsequent service to the municipality.

The amount due from the member shall be certified by the Board in accordance with methods approved by the actuary. It may be paid in a lump sum within thirty (30) days or it may be amortized with additional interest through salary deductions in amounts agreed upon by the member and the Board.

The rate of interest to be charged to a member on purchase of credit for intervening or nonintervening military service shall be the rate being credited by the System to members' accounts in effect on the date of the member's application, compounded annually.

A member may purchase credit for intervening or nonintervening military service only if discharge or separation from the service was granted under other than dishonorable conditions. A member may not purchase military credit for any service that is covered by another retirement system administered and wholly or partially paid for by any other government agency or private employer.

11. Portability: When a member leaves the employ of the Township and enters within one year of separation into the employ of another municipality that has joined the System, the member's service credits shall remain unimpaired. Should a member from the employ of another municipality that has joined the System separate from service and within one year of separation join the pension plan, the member's service credits will remain unimpaired. In such cases, the municipal liability for past service shall be prorated by the System between the municipalities on an equitable basis.

12. Options on Superannuation, Early Retirement or Vesting:

At the time a member elects to receive a retirement benefit allowance, the benefit may be payable throughout the member's life, in which case the benefit is known as a Single Life Annuity. A member may elect to waive any entitlement to the spouse's benefit found in Section 7 of this agreement by choosing at time of retirement an alternative to the Single Life Annuity that would be of an equivalent actuarial value but that would be in a lesser allowance and payable throughout life with provisions that:

- (a) Option 1. If the member dies before receiving in payments the present value of the retirement allowance as it was at the time of retirement, the balance, if less than five thousand dollars (\$5,000), shall be paid in a lump sum to the designated beneficiary if living, or if the named beneficiary predeceased the member or if no beneficiary was named, then to the member's estate. If the balance is five thousand dollars (\$5,000) or more, the beneficiary may elect, by application duly acknowledged and filed with the Board to receive payment of such balance according to any one of the following provisions:
 - (i) in a lump-sum payment, or
 - (ii) in an annuity having a present value equal to the balance payable, or
 - (iii) in a lump-sum payment and an annuity. Such annuity shall be of equivalent actuarial value to the balance payable less the amount of the lump-sum payment specified by the beneficiary.
- (b) Option 2. Upon the annuitant's death, the retirement allowance shall be continued throughout the life of and paid to the survivor annuitant, if then living.
- (c) Option 3. Upon the annuitant's death, one-half of the retirement allowance shall be continued throughout the life of and paid to the survivor annuitant, if then living.

A member who has elected a Single Life Annuity shall automatically be deemed to have elected the spouse's death benefit provisions found in Section 7.

13. Social Security Offset: There shall be no offset for Social Security retirement benefits received by a member.

14. Determination of Municipal Liability: The Board will actuarially determine the normal cost of the plan and any liability associated with the plan's actuarial experience which shall be contributed annually by the municipality for the service credits of the members. If applicable, any additional amount which shall be contributed annually toward a reserve account for the disability allowances which may be payable in accordance with this agreement shall also be determined and charged the municipality.

The amounts so determined shall be computed in accordance with the requirements of Act 205 of 1984, the Municipal Pension Plan Fund Standard and Recovery Act, and Act 15 of 1974, the Pennsylvania Municipal Retirement Law, and subsequent amendments to either act.

15. Procedure: Matters or procedure not covered in this agreement shall be as set forth in Act 15 of 1974 and as found in Act 205 of 1984, as they shall, from time to time, be amended.

Should any change or mistake in records result in any member, beneficiary or survivor annuitant receiving from the System more or less than the individual would have been entitled to receive had the records been correct, regardless of the intentional or unintentional nature of the error and upon the discovery of such error, the Board will correct the error and so far as practicable adjust the payments which may be made for and to such person in such a manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid.

16. Unfunded Liability: Any unfunded liability incurred by the creation of benefits under this agreement shall be borne by East Fallowfield Township Police.

17. Effective Date: This agreement shall be effective the first day of July 1, 1993, with the acceptance of the same by East Fallowfield Township Police and the Pennsylvania Municipal Retirement Board. Termination of this agreement shall be in accordance with Section 412 of Act 15 of 1974.

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left intentionally blank]

IN WITNESS WHEREOF, we have hereunto set our hands and seal the day, month and year above written.

ATTEST:

PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

BY: *[Signature]*
Secretary

BY: *[Signature]*
Chairman

ATTEST:

EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY

BY: *[Signature]*
Secretary

BY: *[Signature]*
Chairman

Approved as to form and legality:

BY: *[Signature]*
Office of Attorney General

BY: *[Signature]*
Chief Counsel for Office
of General Counsel

JBA:glk

5/5/93

PMRS CASH BALANCE (CB) MUNICIPAL CONTRACT CHECKLIST

EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY

PERC: 15-036-5 N

The following checklist contains the key "options" that a PMRS enrolled pension plan must address. While much of the contract will be controlled by Internal Revenue Service (IRS) requirements and PMRS policy, the following must be decided upon by the governing body seeking to establish or amend a PMRS administered pension plan. It is being distributed so as to obtain documentation as to the municipality's intent. Please check the appropriate option selected by the municipality or, where appropriate, provide the language desired.

1. **Type of Employees Covered by Plan:**

Municipal

2. **Effective Date:**

The amendment is to be effective January 1, 2014.

If you would like to implement a specific date other than that listed above, please indicate below:

3. **Probationary Period & Enrollment:**

_____ The Member's date of enrollment in the System shall be the date the Municipality entered into the System or the Member's date of hire, whichever is more recent.

X ~~The Member's date of enrollment in the System shall be the date the Municipality entered into the System, the Member's date of hire, or upon the expiration of the Member's probationary status, whichever is more recent. A Member shall not receive Credited Service for time served in the probationary period.~~

Length of Probationary Period: **3 MONTHS – PLEASE CONFIRM**

4. **Part-time Employees:**

___ Membership for part-time employees shall be prohibited.

___ Membership for part-time employees shall be mandatory.

___ Membership for part-time employees shall be optional. The election by part-time employees to join the System must be made within one year after the employee first enters the service of the municipality.

PMRS CASH BALANCE (CB) MUNICIPAL CONTRACT CHECKLIST

5. Superannuation Retirement: (Normal retirement age)

___ Eligibility for a superannuation retirement shall occur upon the Member's attainment of ___ years of age or older.

___ Eligibility for a superannuation retirement shall occur upon the Member's attainment of ___ years of age or older and the completion of at least ___ years of credited service.

6. Early Retirement:

___ A Member who terminates service after ___ years of Credited Service may apply for an Early Retirement Benefit.

___ A Member who terminates service after ___ years of Credited Service and who has attained at least ___ years of age may apply for an Early Retirement Benefit.

___ A Member who voluntarily terminates service after ___ years of Credited Service or a Member whose service is involuntarily terminated after ___ years of Credited Service may apply for an Early Retirement Benefit.

7. Compensation: As to the ***bold/italicized*** words below, please underline all the words to be included and ~~strike through~~ those words that are to be excluded .

"means remuneration actually received for services rendered as a Member including ~~salary, overtime, longevity, clothing and equipment allowances, meal allowances, incentive payments, lump sum accrued leave payments, and educational incentive payments~~, but excluding reimbursement for expenses incidental to employment. Payments received under the Act of June 2, 1915 (P.L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act" ~~shall~~ or ~~shall not~~ be included in Compensation. Compensation shall be adjusted as appropriate to comply with the terms of the PMRL and this Contract. For Members who are enrolled in a Plan that has adopted the provisions of IRC § 414(h), Compensation shall also include any such pickup contributions so designated.

Please identify any additional type of stipend, if any, that the municipality wants specifically included in the definition of covered compensation:

PMRS CASH BALANCE (CB) MUNICIPAL CONTRACT CHECKLIST

8. **Vesting Provisions:**

A Member shall vest upon the completion of _____ years of Credited Service

9. **Municipal Contributions:**

_____ The Municipality shall contribute quarterly _____% of each Member's Compensation in accordance with the Board's policy regarding the treatment of member contributions. The Municipality's contribution will be credited quarterly to each Member's Account.

_____ The Municipality shall contribute \$_____ to each Member's Account per quarter in accordance with the Board's policy regarding the treatment of member contributions.

_____ The Municipality shall contribute \$_____ dollar(s) and _____cents (\$_____) for each hour worked to each Member's Account in accordance with the Board's policy regarding the treatment of member contributions.

10. **Member Contributions:**

_____ Members shall contribute _____% of their compensation to the plan. Members shall also have the option to contribute an additional _____% of their compensation.

_____ Members shall not be required to contribute under this Contract. Members may optionally contribute up to, but no more than, _____% of their compensation.

11. **Federal Employer Tax Identification #:** 23 - 6000309 (Note the new plan agreement will be submitted to the federal Internal Revenue Service which is expected to give a plan by plan review and approval. As such PMRS needs to include in the filing the municipality's federal tax identification number.

Name (Please Print)

Title

Signature

Date

Health Insurance Opt Out payments – These payments are generally NOT retirement covered compensation because the payment is not compensation that is earned and paid for services rendered. Such payments may, however, be considered retirement covered compensation if the amount is included in the employee's base salary and paid with the employee's salary through regular, fixed payments and the employee makes the required contributions to the system.

Car allowances - These are expense reimbursements and are NOT reportable wages.

Worker's Comp - These payments MAY be included in the reportable wages, if it is the municipality's policy or past practice to do so. If worker's comp payments are reported as wages for the pension plan, required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

It should be noted that, because Worker's Comp benefits are only 66 2/3% of salary, this could have a negative effect on a member's final average salary when used in calculating retirement benefits. It would depend on each individual member's circumstances whether the additional credited service earned while on Worker's Comp would offset the lower salary. However, if it is the policy of the municipality to include worker's comp payments in the reportable wages, the policy must be applied equally to all members of the pension plan.

Heart and Lung payments – PMRS believes that these payments MUST be listed as reportable compensation. Please note that required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

This position is based on an Attorney General opinion from 1979 (pertaining to State Police Officers) that stated that an officer who is incapacitated due to a work-related injury must continue to receive any benefits that they would otherwise be entitled to receive if they had not been injured. Our research has not found any other opinion or court cases after that date that would reverse the 1979 opinion.

Short Term Disability payments - These payments MAY be included in the reportable wages, if it is the municipality's policy or past practice to do so. If short-term disability payments are reported as wages for the pension plan, required member contributions, if any, must be deducted from these payments. If the payments are being made directly to the member from a 3rd party, it would still be the municipality's responsibility to report the earnings to PMRS on the PMRB-21, Quarterly Report of Contributions, and to withhold from the member and remit to PMRS any required member contributions.

It should be noted that, because short-term disability benefits are often less than full salary, this could have a negative effect on a member's final average salary used in calculating retirement benefits. It would depend on each individual member's circumstances whether the additional credited service earned while on short-term disability would offset the lower salary. However, if it is the policy of the municipality to include such payments in the reportable wages, the policy must be applied equally to all members of the pension plan.

Phone allowances- - These are expense reimbursements and are NOT reportable wages.

There are also two other types of payments on which we get a number of questions. These are addressed below:

Lump-sum Sick and Vacation Payments – These payments MAY be included in reportable wages for the pension plan, if it is the municipality's documented policy or past practice to do so. If the municipality allows such payments to be included in the reportable wages, PMRS limits the includable amount of such payments based on the guidelines issued by the Department of the Auditor General (AG). The AG, in Municipal Pension Bulletin No. 2001-01, states that "When a municipality has historically made payments for accumulated unused leave on an annual or more frequent periodic bases, rather than as an end-of-career lump sum, the Department will consider the specific situation presented in determining whether such payments may be included in pension calculations." The bulletin further clarifies that payments for unused leave received as an end-of-career lump sum may be included "as long as the leave was earned during the applicable pension computation period." This means that, if the final average salary for the pension plan is based on the final three years' average salary, then only the portion of the payment that was for leave earned during the last three years may be included as reportable wages. If the final average salary is based on the final five years, then five years of unused leave may be included.

Severance Payments - Such payments are NOT "earned" during the final salary period, but instead are "earned" as a result of termination, and therefore MAY NOT be included in the reportable wages

COPY

**BOARD OF SUPERVISORS
EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2010-02

AN ORDINANCE OF EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO CHANGE THE BENEFITS IT HAS IN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES CHANGING BENEFITS UNDER THE PROVISIONS OF THIS ARTICLE; STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE TOWNSHIP. IT IS HEREBY ORDAINED BY EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, AS FOLLOWS:

SECTION I. East Fallowfield Township (the "Township"), being a member municipality of the Pennsylvania Municipal Retirement System (the "System"), hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, as amended, and does hereby agree to be bound by all the requirements and provisions of said Article and the Law, as the case may be, and to assume all obligations, financial and otherwise, placed upon member municipalities by said Amendment, as the case may be. All references hereafter shall be based on benefits negotiated between the Pennsylvania Municipal Retirement Board (the Board) and the Township under the provisions of Article IV of the Pennsylvania Municipal Retirement Law.

SECTION II. Membership in the System shall be mandatory for all full-time municipal employees of the Township. Membership for part-time employees is optional. The election by part-time employees to join the System must be made within one year after the employee first enters the service of the Township. Membership for elected officials, employees hired on a temporary or seasonal basis, and individuals paid only on a fee basis is prohibited. Individual membership shall be effective as of the date the Township entered into the System or upon the expiration of the individual's probationary status, whichever is more recent.

SECTION III. Credit for service toward the annuity of each original member shall begin to accrue as of the original date of enrollment in the System. However, for the purposes of determining eligibility for vesting, credited service shall accrue from each original member's date of hire or the expiration of the member's probationary period, if one so existed. Benefits provided to members in the Agreement dated April 27, 2010 (the Agreement) shall accrue based on all credited service granted and earned in accordance with this section.

SECTION IV. Payment for any obligation established by the adoption of this Ordinance and the Agreement between the Board and the Township shall be made by the Township in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

SECTION V. As part of this Ordinance, the Township agrees that the System shall provide the benefits set forth in the Agreement. The passage and adoption of this Ordinance by the Township is an official acceptance of said Agreement and the financial obligations resulting

from the administration of said benefit package. The Township hereby assumes all liability for any unfundedness created or which may be created due to the acceptance of the benefit structure outlined in the above-referenced Agreement.

SECTION VI. The Township intends this Ordinance to be the complete authorization of the Township's municipal pension plan and it shall become effective and specifically repeal the Ordinance dated March 4, 1987 either immediately or on December 1, 2009, which is the effective date of the Agreement, whichever is later. The Township hereby repeals Ordinance No. 2009-06 enacted September 22, 2009, *ab initio*.

SECTION VII. A duly certified copy of this Ordinance and the referenced Agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of the Township in the System shall be effective the first day of January, 1987, with the revised plan structure reflected in the Agreement dated the same date as this Ordinance, effective the first day of December, 2009.

ORDAINED this 27th day of April, 2010.

TALLY OF VOTES – YEAS 5 NAYS 0

**BOARD OF SUPERVISORS OF
EAST FALLOWFIELD TOWNSHIP**


Chris Amentas, Chairman


Chris Makely, Vice-Chairman


Gary Barach, Member


George Broadbent, Member


Mark Toth, Member

ATTEST:


Denise Miller, Secretary

EAST FALLOWFIELD TOWNSHIP
MUNICIPAL EMPLOYEE PENSION PLAN AGREEMENT

This Agreement, dated this 27th day of April, 2010, by and between East Fallowfield Township (the Township) and the Pennsylvania Municipal Retirement Board (the Board);

WHEREAS, Article IV, Section 401 of the Act of February 1, 1974, No. 15, states:

“401. This article shall provide for the enrollment of those municipalities in the Pennsylvania Municipal Retirement System which want to offer retirement benefits to their employees . . .”; and,

WHEREAS, Article IV, Section 413 of the Act also provides:

“413. Procedures for Amending Contracts. Any municipality which has joined the System under this Article IV may, with the approval of the Board, amend the contract to increase any of the benefits enumerated in Article IV to its members. . .”; and,

WHEREAS, the Township has enrolled its municipal employees in the Pennsylvania Municipal Retirement System (the System) and desires to amend its pension plan for the municipal employees:

NOW THEREFORE, the Board and Township hereby agree to the following retirement pension plan for the municipal employees:

1. Coverage: This plan shall cover all full-time municipal employees, hereinafter referred to as member, of the Township. Membership for part-time employees is optional. The election by part-time employees to join the System must be made within one year after the employee first enters the service of the Township. Membership for elected officials, employees hired on a temporary or seasonal basis, and individuals paid only on a fee basis is prohibited. Individual membership shall be effective as of the date of the individual's date of hire or upon the expiration of the individual's probationary status, whichever is more recent.

Credited service for original members shall accrue from the member's date of enrollment in the System so long as there is continuous, uninterrupted employment. However, for purposes of determining eligibility for vesting, credited service shall accrue from each original member's date of hire or the expiration of the member's probationary period if one so existed, whichever is more recent. No credited service time shall be granted for time employed in a status other than as an active employee of the Township excluding credit for purchased military service time, reinstatement of previous service time or service earned and credited under Section 9, the portability section of this Agreement.

2. Superannuation Retirement: Eligibility for a superannuation retirement shall occur upon the member's attainment of sixty-two (62) years of age or older.

3. Basic Benefit: The basic benefit will be based on accumulated contributions, interest and excess investment monies credited to the member's account. Upon the election of a benefit, the member will receive an annuity equal to a single life annuity starting on the effective date of retirement with a present value equal to the accumulated municipal contributions and any member deductions, regular interest and all excess investment monies credited to the member's account.

4. Permanent Disability Benefits: In the event of a disability occurring, a member's account shall be vested and the member immediately eligible to receive a basic benefit calculated in accordance with Section 3 of this Agreement. A member may, upon application or on application of one acting in their behalf, or upon application of a responsible official of the Township, be retired by the Board on a disability allowance if the physician designated by the Board, after medical examination of the member shall certify to the Board that the member is unable to engage in any gainful employment and that said member ought to be retired.

5. Death Benefit: In the event of a member's death, the member's account shall be one hundred percent (100%) vested and the named beneficiary shall be entitled to receive the assets credited to the member's account. If the value of the account is five thousand dollars (\$5,000) or more, the beneficiary may elect, by application duly acknowledged and filed with the Board, to receive payment of such balance according to any one of the following provisions:

- (a) a lump-sum payment,
- (b) an annuity having a present value equal to the balance payable, or
- (c) a lump-sum payment and an annuity. Such annuity shall be of equivalent actuarial value to the balance payable less the amount of the lump-sum payment specified by the beneficiary.

6. Military Service: Any member employed by the Township who enters the uniformed services as defined by the 1994 Uniformed Services Employment and Re-Employment Rights Act (P.L. 103-353) and returns to the Township to again be a member of the plan within the authorized time period of the law, shall have the authorized time spent in such service credited to the member's employment record for pension or retirement benefits if the individual makes the required employee contributions.

An active member may also purchase credit for other than intervening military service performed for the United States in times of war, armed conflict or national emergency, so proclaimed by the President of the United States, for a period not to exceed five (5) years, provided the member has completed five (5) years of service to the Township subsequent to such military service. An active member may file an application with the Board for permission to purchase credit for nonintervening military service upon completion of five (5) years of subsequent service to the Township.

The amount due from the member shall be certified by the Board in accordance with methods approved by the actuary. It may be paid in a lump sum within thirty (30) days or it may be amortized with additional interest through salary deductions in amounts agreed upon by the member and the Board.

The rate of interest to be charged to a member on purchase of credit for non-intervening military service shall be the rate being credited by the System to members' accounts in effect on the date of the member's application, compounded annually.

A member may purchase credit for intervening or nonintervening military service only if discharge or separation from the service was granted under other than dishonorable conditions. A member may not purchase military credit for any service that is covered by another retirement system administered and wholly or partially paid for by any other government agency or private employer.

7. Contributions by Members: In addition to the municipal contributions made to the members' accounts, members may contribute up to, but no more than fifteen percent (15%) of their compensation. Optional contributions may be changed or stopped by the member by filing a PMRB-15 form with the System. Payment shall be made by payroll deductions and transmitted to the System by the Township in accordance with established System procedures. Member contributions will be treated as taxed at the time they are made to the System. These contributions will be tracked separately, and will not be treated as taxable when paid out to the member.

If a member terminates employment with the Township before becoming eligible for any benefit or if the member elects not to receive a benefit, the accumulated contributions personally made by the member plus regular interest and any excess investment monies credited on such contributions shall be returned. A withdrawal by a member of the amount which such member has contributed toward such member's pension shall make the member ineligible to receive the contribution which the Township has made on behalf of such member.

8. Vesting: After five (5) years of credited service, a member may vest by filing an application with the Board within ninety (90) days of separation from employment. Upon attainment of the superannuation age requirement found in Section 2 of this Agreement, a basic benefit will be calculated in accordance with Section 3 of this Agreement.

9. Portability: When a member leaves the employ of the Township and within one year enters into the employ of another municipality which has joined the System, the service credits of the member shall remain unimpaired. Should a member from the employ of another municipality that has joined the System separate from service and within one year of separation join the pension plan, the member's service credits will remain unimpaired. In such cases, any unpaid municipal liability for prior service shall be prorated by the System between the municipalities on an equitable basis.

10. Optional Forms of Benefit Payment: At the time a member elects to receive a retirement benefit allowance, the basic benefit will be payable throughout the member's life, in which case the benefit is known as a Single Life Annuity. The member may alternatively elect at the time of retirement to receive the equivalent actuarial value in a lesser allowance, payable throughout life with provisions that:

- (a) Option 1. If the member dies before receiving in payments the present value of the retirement allowance as it was at the time of retirement, the balance, if less than five thousand dollars (\$5,000), shall be paid in a lump sum to the designated beneficiary if living, or if the named beneficiary predeceased the member or if no beneficiary was named, then to the member's estate. If the balance is five thousand dollars (\$5,000) or more, the beneficiary may elect, by application duly acknowledged and filed with the Board to receive payment of such balance according to any one of the following provisions:
 - (i) in a lump-sum payment, or
 - (ii) in an annuity having a present value equal to the balance payable, or
 - (iii) in a lump-sum payment and an annuity. Such annuity shall be of equivalent actuarial value to the balance payable less the amount of the lump-sum payment specified by the beneficiary.
- (b) Option 2. Upon the annuitant's death, the retirement allowance shall be continued throughout the life of and paid to the survivor annuitant, if then living.
- (c) Option 3. Upon the annuitant's death, one-half of the retirement allowance shall be continued throughout the life of and paid to the survivor annuitant, if then living.
- (d) Option 4. A member may elect to receive, in one payment at the time of retirement, the full amount of the member's accumulated deductions (not to include excess investment monies) standing to the member's credit in the member's account. In so electing this option, the member forfeits the portion of the annuity paid for from the accumulated contributions, but shall continue to be entitled to an annuity comprised of the municipal contribution and any excess investment monies so credited to the account. Any member electing this option shall be entitled to receive the remaining annuity calculated in accordance with any of the other options provided for in this section.

Should a member who has elected a Single Life Annuity die before receiving in annuity payments the full amount of the total contributions personally made by the member and the regular and excess interest credited on such contributions as of the effective date of retirement, the balance shall be paid to the designated beneficiary.

11. Social Security Offset: There shall be no offset for Social Security retirement benefits received by a member.

12. Municipal Liability: The Township will contribute quarterly five percent (5%) of each member's compensation to the System. The contribution will be credited to each member's account. The Township may annually elect to contribute at a higher rate in future years by adopting a resolution and filing a copy of it with the Board.

13. Additional Provisions: In the event a member's service with the Township is terminated for any reason whatsoever before the funds set aside for such member are vested or if the member elects not to receive a benefit, then the amount of such funds which have not been contributed by the member and which are not vested shall be credited against the next contribution due from the Township for the remaining or future members of this Plan.

Additionally, any excess interest awarded in accordance with Act 15 of 1974, as may be amended, shall be proportionately divided between the active, vested and retired members, if any, based on the assets credited to the individual accounts.

14. Procedure: Matters or procedure not covered in this Agreement shall be as set forth in Act 15 of 1974 and as found in Act 205 of 1984, as they shall, from time to time, be amended.

Should any change or mistake in records result in any member, beneficiary or survivor annuitant receiving from the System more or less than the individual would have been entitled to receive had the records been correct, then regardless of the intentional or unintentional nature of the error and upon the discovery of such error, the Board will correct the error and so far as practicable will adjust the payments which may be made for and to such person, in such a manner that the actuarial equivalent of the benefit to which the individual was correctly entitled shall be paid.

15. Unfunded Liability: Any unfunded liability incurred by the creation of benefits under this Agreement shall be borne by the Township.

16. Effective Date: This Agreement shall be effective the first day of December, 2009, with the acceptance of the same by the Township and the Board. Termination of this Agreement shall be in accordance with Section 412 of Act 15 of 1974.

IN WITNESS WHEREOF, we have hereunto set our hands and seal the day, month and year above written.

ATTEST:

EAST FALLOWFIELD TOWNSHIP,
CHESTER COUNTY


BY: 
Secretary

BY: 
Chairman

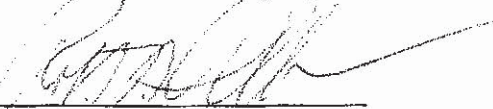
ATTEST:

PENNSYLVANIA MUNICIPAL
RETIREMENT BOARD

BY: 
Secretary

BY: 
Chairman

Approved as to form and legality:

BY: 
Office of Attorney General

BY: 
Office of General Counsel

BY: 
Chief Counsel

TAB:TME:tab
01/29/2010

Reviewed by PMRS Legal Counsel 

Vehicle Mileage Records

Month: Dec.-13

Roads Dept

Mileage

Start

End

Total

F-250						83,791	84,734	943
F-350						6,024	7,035	1,011
F-550						65,162	66,097	935
2011 Freight						3,754	4,475	721
2005 Freight						19,931	20,615	684
2006 Freight						12,037	12,835	798
1998 International						25,293	25,469	176
Louieville						32,962	33,348	386
Backhoe						3,171	3,188	17
Loader						1,331	1,399	68
TL 90						1,565	1,565	0
TN 70						1,229	1,229	0
08 Mower 5100						N/a	N/a	N/a
07 Mower 5100						N/a	N/a	N/a
Walk Behind						N/a	N/a	N/a

East Fallowfield Township

Road Department Monthly Report

December 2013

Sign Repair	14	114.5
Comp. Pick up	60	888.6
Road Maintenance	53	668.5
Brooks crossing	0	131.5
Gutter Work	5	259
Road Clean Up	13	465
Tree work	11	164.5
Storm Drains	50	446
Road Inspection	4	79
Mowing Twp Road	0	607.5
Parks	4	943.92
Plowing & Salting	128.5	229.5
Police Car Maint.	8	232.82
Equipment Maint.	226.5	1667.1
Office Admin.& PA 1 Call	12	120
Holiday	80	400
Vacation	59	898.33
Sick	31	520.39
Personal	0	117.74
Overtime	133	322.9
Building Maint.	57	574.2
Trash & Recycling	15	237
Total Hours	1016	10756.9

**York Waste Disposal, a division of Republic Services Inc.
Monthly Recycling Report**

Name of Municipality:
Year
Month of:

East Fallowfield Twp

2013

December

Material	RESIDENTIAL	COMMERCIAL
	Weight TONS	Weight TONS
Cardboard	0.00	0.00
Commingled (plastic, glass, metal, no paper)	0.00	0.00
Single Stream(plastic, glass, metal, news, misc paper)	0.00	0.00
Yard Waste	0.00	0.00
White Goods	0.00	0.00
Total Recycling	41.31	
Equivalent Tons	41.31	
Refuse Collected (Refuse and Oversized Items)	190.83	
Recycling Rate	17.80%	#DIV/0!

I, the undersigned, hereby certify that all the information on this monthly municipal report is accurate to the best of my knowledge.

Kathie Skilaris

Kathie Skilaris
York Waste Disposal, Inc.
3730 Sandhurst Drive
York, Pa 17406-1401

1/7/2014

East Fallowfield Twp PD Monthly Incident Count

DEC 2013

911	9-1-1 Hang Up Call	1
ACCHR	Hit & Run Crash	1
ACCPD	Property Damage Crash	8
ALARMF	Alarm Fire	1
ALARMP	Alarm Police	11
ANIMAL	Animal Complaint	13
ASSTAM	Assist Ambulance	18
ASSTFD	Assist Fire Department	1
ASSTO	Assist to Other Police Depart	10
BURG	Burglary	1
CRMMIS	Criminal Mischief/Vandalism	5
CUSTOD	CHILD CUSTODY DISPUTE	2
DEER	STRUCK/INJURED DEER	2
DISTUR	Disturbance	3
DOMEST	Domestic Disturbance	8
DRUGSI	Drug/Narcotic Investigation	1
DUI	Driving Under the Influence	1
ERRATI	Erratic Driver	4
ESCORT	Escort Person Or Money	3
FNGRPR	Fingerprinting	2
FPDI	For Police Department Information	3
HARASS	Harassment	1
IDTHFT	Identity Theft	2
KEY	Keys Locked (Veh House Etc.)	2
MISC	Miscellaneous Police Nature	2
MSGPET	Missing Domesticated Animal	2
NOISE	Noise Complaint	2

PARKV	Parking Violation	1
PFA	PFA Violation	1
PHONE	PHONE ASSIGNMENT	16
REPORT	Report Only (NIP Incident)	7
SEXCON	Indecent Sexual Contact (No Assault)	1
SHOTS	Shots Heard or Shooting (No Injuries)	3
SUSPCO	Suspicious Condition	12
THEFT	Theft	4
THEFTV	THEFT FROM VEHICLE	1
TRAFFI	Traffic General Hazards	20
TRESPA	Trespasser	3
TS	Traffic Stop	2
UNKFIR	Unknown Type Fire	2
WARRAN	Warrant Hit or Service	1
WELLBN	Well Being Check	3

Total Incidents: 187



DECEMBER 2013 MONTHLY POLICE REPORT

CITATIONS:

Speeding	1
Speeding in School Zone	3
INPAID	0
MCSA	0
Driving privilege suspended/revoked	2
Stop Sign Violation	2
Driver required to be licensed	1
Expired Registration	3
Expired/no Inspection	0
Expired Insurance	0
Miscellaneous	5
Parking Ticket	14
Total	31

TRAINING:

No training held this month.

Respectfully submitted,

Chris Porter
Chief of Police

East Fallowfield Historical Commission

Approved Meeting Minutes

November 6, 2013

I. Call to order

Meeting called to order at 6:30pm

II. Roll call

- Attendees: Joe McCormick, Garth Monaghan, Lee Schlingman, Buddy Rhoades, Sue Monaghan, Arthur DeLeo
- Absent: Arthur DeLeo

III. Approval of minutes from last meeting

- 1) Minutes of October 2013 Meeting were reviewed, and with minor corrections, the minutes were approved by unanimous vote
- 2) Garth commented on the notification to the BOS that there was no provision in the Historic Ordinance stating that a property 50 years of age or older was to be considered a “historic resource” – agreeing that the EF ordinance did not have such a provision, but thought that there may be a state provision concerning the 50 year age. Further investigation to be undertaken.

IV. Old Business

1) Mortonville Bridge

- a) No update. Senator Dinniman’s office has been contacted about potential for additional work to restore bridge’s appearance similar to original
- b) Arthur will follow-up
- c) Discussion of failure of Section 106 review process to include EF concerns with maintaining the aesthetic character of the bridge in the recently completed renovation process

2) Frog Hollow Bridge

- a) Reported that all legal impediments to PENNDOT restoration have been resolved and that the bridge is scheduled to be renovated before 2015
- b) Section 106 review process has been initiated, EF contacted for representation

3) Updates to Historic Resource Map and Windshield Survey

- a) Lee has provided a record of properties sold in the Township in recent years to see if any of the transferred properties are listed on the EF Windshield Survey (of historic resources), updates to Survey will be made accordingly

4) Photos/Memorabilia for Website

- a) Buddy presented a collection of old photographs which might be posted on website. Lee will scan the photos, and contact Denise about uploading them to the website

5) Memberships expiring in 2013

- a) Still need Fred’s credentials
- b) By a unanimous vote, the HC approved a motion to make a recommendation to the BOS that Fred Bissinger and Lee Schlingman be re-appointed for an additional term beginning in 2014

V. New Business

1) and 2) Discussion of changing Historical Ordinance and membership requirements

- a) Joe stated that the BOS was of the understanding that two new members to the HC were needed, and that the Ordinance requirement that one needed to be an architect and the other a real estate agent might make it difficult to find such interested persons, therefor the Ordinance requirement was being questioned. When Joe advised that there were no vacancies to fill as Fred and Lee desire to continue as members, the issue was dropped
- b) Although not put to a vote, there was discussion and agreement that the inclusion of both an architect and real estate professional had been invaluable in the past, and the idea of lowering the overall qualifications of the HC seemed contrary to the important role the HC plays in protection of historic resources.

2) PENNDOT - Representation for Speakman (Frog Hollow Bridge) Section 106 process

- a) Joe McCormick will represent the EFHC
- b) Arthur DeLeo will attend as a "concerned citizen"

3) Meeting Dates for 2014

- a) A unanimous vote to maintain the current meeting date and time, i.e. the first Wednesday of each month at 6:30pm was taken
- b) Joe will advise Denise Miller

4) Historic Society of PA request

- a) As the East Fallowfield Historic Commission holds most historic artifacts and memorabilia, it was agreed to forward the request to Rusty Young

5) HARB discussion

- a) Sue and Lee will investigate the requirements and restrictions

VI. Adjournment

Meeting was adjourned at 7:27pm

Staff are requesting BOS approval to work with Brandywine Valley Association (BVA) to apply for a grant from Delaware Department of Natural Resources and Environmental Control (DE-DNREC) to install a rain garden at the northeast corner of the Township building (behind the flag pole) where the downspout from the roof over the meeting room discharges onto the hill slope. If possible, the downspout from the south side of the roof over the meeting room could be redirected into the rain garden as well. By capturing the runoff from all or part of the meeting room roof in the rain garden, runoff from the roof from most rain events would be infiltrated into the ground, reducing the volume of runoff that runs off the Township property. Placing the rain garden by the flagpole would provide an attractive flower garden at the building entrance and flagpole area and would serve as an excellent public education opportunity to promote to residents and businesses to consider installing rain gardens as well. Although not yet designed, the size of the rain garden could be about 20-25 feet across and would be placed to ensure no disturbance to underground utilities.

A rain garden is an excavated depression, re-filled with well-draining but good-growing soils that are planted with attractive water-tolerant plants. The rain gardens are placed where they can receive runoff, and allow the runoff to temporarily gather in the depression and infiltrate through the soils into the subsurface, and eventually into the groundwater. By capturing this runoff and infiltrating it to ground water, the amount of stormwater – and stormwater pollutants - discharged from the property is reduced. And it provides an attractive garden for enjoyment by visitors.

Delaware Department of Natural Resources and Environmental Control (DE-DNREC) has a program with funding for small grants for rain garden projects in watersheds that drain to Delaware. The Brandywine Creek watershed drains to Delaware and therefore, DE-DNREC is willing to give grants for rain garden projects in the Brandywine Creek watershed in Chester County. Grants are generally for up to \$5,000 and any "match" ("in-kind" or financial) is helpful for consideration. DE-DNREC is meeting on/about Feb 19, 2014 to discuss applicants and they are aware that East Fallowfield may be interested in a grant. Grants are reimbursable grants. All match can be "in-kind".

The grant can be used to cover expenses for engineer, materials and plants, labor, etc. Any contribution of public works time for earth-work, etc. would count toward "in-kind". Some time will be needed from the Township Engineer to help determine the size and depth of the raingarden. Volunteers could be used for planting. Mr. Bob Struble (Brandywine Valley Association) is willing to assist East Fallowfield in coordinating the project and serving as liaison between the Township and DE-DNREC. BVA has recently completed several rain garden projects that took about ½ day to construct and plant, and with total costs below the \$5,000 level. Maintenance instructions will be provided.

Denise Miller

From: Brain, Rebecca L. [rbrain@chesco.org]
Sent: Friday, January 24, 2014 9:05 AM
To: Denise Miller
Subject: RE: County office closing procedure

It's paid time off – coded as work site closure.

From: Denise Miller [mailto:secretary@eastfallowfield.org]
Sent: Friday, January 24, 2014 8:35 AM
To: Brain, Rebecca L.
Subject: RE: County office closing procedure

Do the employees then have to take vacation time or is it paid time off.

Denise

From: Brain, Rebecca L. [mailto:rbrain@chesco.org]
Sent: Friday, January 24, 2014 8:26 AM
To: Denise Miller
Subject: County office closing procedure

Denise,

Following our phone conversation yesterday, here is the procedure that Chester County government currently undertakes when inclement weather (or any other incident) affects the opening/closing of County offices:

Our Chester County Chief Operating Officer contacts the director of the Chester County Department of Emergency Services, to receive an update on weather conditions/road conditions. If it is deemed necessary to consider an delayed opening/early closing or full day closure, then the COO contacts the Commissioners to make a recommendation. Once action is agreed with the Commissioners, the COO then contacts the President Judge of the Chester County Court of Common Pleas, to convey the recommendation and receive his/her feedback and approval.

The COO then contacts the Communications Coordinator for the County (me!). Messages are placed on the home page of the County's website, and as a voicemail on the County's main phone line. The message is also communicated to ReadyNotifyPA, which are then sent out as emails or texts to all citizens who sign up for that service.

If it is a delayed opening or a full closure of County offices being considered, the goal is to make all decisions/actions by 6:30 a.m.

As I mentioned yesterday, this isn't a written policy for the County, it is our procedure.

I hope this helps.

Becky Brain

*Rebecca Brain
Communications Coordinator
Chester County Commissioners' Office
313 W. Market Street, Suite 6202
West Chester, PA 19380*