

WESTTOWN TOWNSHIP

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AGENDA **Westtown Township Board of Supervisors** **Workshop Agenda**

Westtown Township Municipal Building
1039 Wilmington Pike, Westtown

Monday, March 4, 2024

Start time: 6:30 PM Workshop

- 1. Discussion with Environmental Advisory Council Regarding 2024 Priorities – 40 minutes**
- 2. Consider Draft Ordinance 2024-04 Amending the Non-Uniform Pension Plan – 5 minutes**
- 3. Consider 2024 Road Program – 5 minutes**
- 4. Public Comment on Workshop Items* - 10 minutes**

Tonight's Workshop will be viewable on Zoom via the following link:

<https://us02web.zoom.us/j/89939917814><https://us02web.zoom.us/j/89939917814>

Or by phone at: 646-558-8656

**The public comment period at the end of the Workshop will last approximately 10 minutes. The public will be asked to limit their remarks to two minutes each to allow others an opportunity to speak. To the extent that further public comment is required, speakers will be asked to save their remarks until the Public Comment - Non-Agenda Items portion of the Regular Board of Supervisors Meeting.*

Westtown Township Environmental Advisory Council Annual Report 2023

I. Introduction

The Westtown Township Environmental Advisory Council (“EAC”) provides advisement to the Board of Supervisors on matters dealing with protection, conservation, management, promotion, and use of natural resources. The natural resources include air, land, and water resources, located within the Township. In addition, the EAC serves an important role in providing local community outreach and education through regular programming and scheduled events. The EAC’s approach to enhancing sustainability and preserving the environment is to demonstrate leadership by example at the personal level and to inspire action at the citizen level.

The Westtown Township EAC consists of seven at large voting members and a liaison member from the Township Staff, Jon Altshul. The current members at the beginning of 2024 are: Bob Yeats (Chair) Ray Dandrea (Vice Chair) Russ Hatton, Meaghan Hanney, Adam Kapp, Joe Debes and one position left vacant with Paula Kline stepping down after serving for the first 3 years.

II. Activities of the EAC in 2023

a. Routine Participation at/or from the EAC

- Attend BOS meetings to give monthly reports.
- Attend BOS Workshop meetings to present advisement.
- Planning Commission report and summary review every month which is delivered by Russ Patton (Vice Chair of Planning Commission)
- Contributions to the quarterly issued Gazette.
- Propose Single-Use Plastics Ban
- Plumly Meadow Proposal has been reviewed several times and is now more viable with the recently passed Meadow Management Ordinance.
- Participated in a review of the Stokes Estate Conditional Use drawing set.
- Clean Energy recommendations.

- EV Charging Station Locations
- Recommended EV Charging Stations at Newly Renovated Oakbourne Park

b. Community Education and Outreach

- EAC and CRC Watershed jointly participated in the Riparian Buffer Installation Event at Pleasant Grove Open Space.
- EAC-CRC Native Bees Talk and Seed Ball Craft Event – (Hope this happens next year since 2023 was a rain out)
- EAC-CRC Tree ID Walk at Oakbourne Park,
- EAC and CRC Watershed jointly participated in the Riparian Buffer Installation Event in Cope Tract
- EAC had a Compost Demonstration next to our table at Westtown Day at Oakbourne Park.
- EAC had a sustainability tent with multiple pieces of information to inform residents how they can participate in a meaningful and impactful manner to make our community more sustainable in the future at the annual Westtown Day event at Oakbourne Park.
- EAC represented at the annual Westtown Day with a variety of handouts for Environmental Awareness. A signup sheet to volunteer for Birdtown USA collected potential volunteer's signatures to be on the committee. Another popular signup that collected signatures was for a Compost Exchange initiative.

c. Ordinances and Resolutions

- A resolution proposed by Ray Dandrea for Westtown Township to apply to become a formal Birdtown PA
- An Ordinance amending Chapter 170, Zoning, of the code of Westtown Township to permit Managed Meadows was submitted by Jon Altshul.
-

d. Other activities in 2023

- EAC members have participated in the following local events:
 - WeConservePA EAC fall gathering.
 - Chester County Sustainability Workshop / Expo
 - Chester County Community Composting Seminar
 - EAC Ordinance Adoption

III. Reminder of EAC 2022 Achievements and Goals

- Sustainability contest
- Support for biodiversity/stormwater management/riparian zones
- Review and consider existing or amended ordinances and provide online resources to encourage residences to plant native and avoid invasive and improve stormwater management.
- Encourage specific plantings for riparian zones to share with landowners.
- Create plans to transition land held by the township to native plants and effective stormwater management plants or managed meadows.
- Clean Energy Transition
- Continue to extend Outreach and Education
 - a. Possible monthly sessions divided between hands/in person and virtual coordination with CRC, Friends of Oakbourne, PECO, Stroud, Clean Energy Futures of West Chester Area Council of Governments, etc.

IV. Areas of Focus for 2024

- Crebilly Sale
 - We are concerned that there is still almost a \$3MM shortfall to complete the sale.
 - We see the completion of the sale of Crebilly to the township as the number one priority for the EAC.
 - What things do you, as the Board of Supervisors, see that we can do to participate in this process?
- Birdtown USA:
 - The Westtown EAC requests our Board to establish a Birdtown USA Committee through an official ordinance.
 - EAC members Ray Dandrea, Joe Debes and Bob Yeats, along with Westtown resident Allyson Debes have volunteered to serve on this committee.
 - We will be held accountable to the township for record-keeping and will propose a series of municipal actions to the Board prior to implementation.
- Composting
 - An article on various forms of composting was submitted to the Westtown Gazette for Spring publication.
 - In addition, our EAC is holding a hands-on composting exhibition on Sat May 4 from 10am-noon that is open to all Westtown residents.
 - Notice of this event is contained in the Gazette article and will be further publicized in April.
- Plumly Meadow Riparian Buffer Restoration
 - Targeted invasive plant removal along East Branch Chester Creek
 - Tree planting in early fall before Westtown Day
 - Trees will be provided Keystone 10,000,000 Trees Partnership

Memo

To: Board of Supervisors & Township Manager
From: Cindi King
Date: February 28, 2024
Re: Recommendation to increase the 2024 Pension Contribution rate to 9.0%

History – Over the past seven (7) years we have refunded a total of \$161,271.78 of state pension aid (as shown below) back to the Auditor General (AG). That is an average of \$23,038.82 that could have gone into Westtown employee pension funds

Annual State Aid refunds:

- 2023 \$27,669.79
- 2022 \$ 1,899.06
- 2021 \$16,594.50
- 2020 \$39,313.47
- 2019 \$26,545.26
- 2018 \$23,261.80
- 2017 \$25,987.90

I believe the goal has been for the Township to not incur any out-of-pocket responsibility for our pension contributions. Estimating in a manner in which we are consistently refunding large amounts of money back to the AG rather than ensuring the funds benefit our employees, does not fit the intent of pension aid.

The contributions paid by the township have historically been fully refunded by the state aid - meaning in September of each year when we receive our pension state aid, the township is made whole.

2024 % Rate recommendation: If we analyze 2024 contributions at 5%, fully staffed, with known forfeitures, we will potentially be refunding around \$59,000 to \$60,000 to the AG for 2024.

In order to avoid such a large refund to the AG, my recommendation would be to increase the pension contribution for 2024 to 9.0%. Depending on when the new Manager is hired and how much OT is worked, 9.0% would get us at just about the break-even point to minimize our refund to the AG. This takes into consideration a total of \$30,375.38 in forfeitures, which include forfeitures currently on record plus the additional forfeiture for Jon. Note that any reduction in wages on the attached estimate will result in a higher refund to the AG, and will not cause the Township to have any out of pocket expense.

Potential of a permanent % change in 2025: The Board may want to consider the possibility of a permanent increase to 7.0% - 7.5% in 2025 and beyond, based on the past 7 years and 2024 projection. With the data I have currently, 7.0% - 7.5% seems to get us in the range that will significantly reduce the AG refund. If forfeitures occur, the AG refund will increase. After we receive our 2024 state pension aid in September, we can review and discuss this as part of our 2025 budget preparation.

As always, I am available to answer any questions you may have.

Cindi

ORDINANCE NO. 2024-04

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF WESTTOWN TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO 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. IT IS HEREBY ORDAINED BY WESTTOWN TOWNSHIP, CHESTER COUNTY, AS FOLLOWS:

SECTION I. Westtown Township (the Township), having established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Non-Uniform Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II. As part of this Ordinance, the Township agrees that the System shall administer and provide the benefits set forth in the amended Non-Uniform Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Township effective as of the date specified in the adoption agreement (the Contract).

SECTION III. The Township acknowledges that by passage and adoption of this Ordinance, the Township officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV. Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the Township in accordance with the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act. The Township hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

SECTION V. The Township intends this Ordinance to be the complete authorization of the Contract, as amended and it shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

ORDINANCE NO. 2024-04
WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ENACTED AND ORDAINED this 18th day of March, 2024

Attest

WESTTOWN TOWNSHIP

Liudmila Carter, Interim Township Manager

Thomas Foster, Chair

Edward Yost, Vice Chair

Richard D. Pomerantz, Police Commissioner



**PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM
CASH BALANCE PLAN
Adoption Agreement Amendment**

The undersigned, **Westtown Township, Pennsylvania** ("Municipality") (and having a PERC number of 15-216-5 N), pursuant to Article XVI of the Base Plan Document, is amending its Adoption Agreement having the effective date and the expiration date as shown below. The Municipality makes the following elections granted under the provisions of the Base Plan Document:

PLAN AMENDMENT

Amendment Effective Date:	January 1, 2024
Adoption Agreement Effective Date:	September 1, 2020
Application:	Limited
Amendment Expiration Date:	December 31, 2024
General Description:	Increases the Required Municipal Contributions as otherwise specified in Section 3.01 of the Plan for all Compensation earnings periods ending between the Amendment Effective Date and the Amendment Expiration Date.
Affected Members:	Employees who are Active Members between the Amendment Effective Date and the Amendment Expiration Date.

AMENDED ADOPTION AGREEMENT SECTIONS

The Sections of the Adoption Agreement below are applicable to this Amendment and will be effective for the Affected Members between Amendment Effective Date and the Amendment Expiration Date. All other sections of the applicable Cash Balance Plan Adoption Agreement 001 remain the same during the period between the Amendment Effective Date and the Amendment Expiration Date.

3.01 CONTRIBUTION AMOUNT.

Required Municipal Contribution (Select One)

[--] Not Required

[X] Required in an amount equal to: (Select One)



Nine percent (9.00%) of each Member's Compensation

_____ dollars (_____) per period

Per Weekly Period

Per Bi-Weekly Period

Per Semi-Monthly Period

Per Calendar Monthly Period

Per Calendar Year Period

Per Other Period (Please Specify):

_____ dollars (\$_____) per hour of Service

5.06 CASH BALANCE ACCRUED BENEFIT CALCULATION RULES.

Cash Balance Contribution Credit Amount (Select All That Apply)

Accrued Benefit must be no less than one half of one percent (0.5%) of Compensation for each year of Credited Service. Additionally, the incremental accrual in any Plan year shall not exceed 133 1/3% of the accrual for any prior Plan year.

Nine percent (9.00%) of the Compensation earned by the Member during each Cash Balance Contribution Credit Period

_____ (\$_____) per each Cash Balance Contribution Credit Period

_____ dollars (\$_____) per each Hour of Service credited to the Member per Cash Balance Contribution Credit Period

Member Optional After-Tax Contributions



The Municipality hereby agrees to the provisions of this Adoption Agreement Amendment, and in witness of its agreement, the Municipality by its duly authorized officers has executed this Adoption Agreement Amendment, on the date specified below.

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

ATTEST:

WESTTOWN TOWNSHIP

BY _____
Liudmila Carter, Assistant Township Manager

BY _____
Head of Governing Authority – Thomas Foster, Chair

DATE: _____

ATTEST

PENNSYLVANIA MUNICIPAL
RETIREMENT BOARD

BY: _____
Secretary

BY _____
Board Chair

DATE: _____

Approved as to form and legality:

BY: _____
Chief Counsel, PMRS

BY: _____
49-FA-1.0
Office of General Counsel

BY: _____
49-FA-1.0
Office of Attorney General

This Plan is an important legal document. Failure to properly fill out this Adoption Agreement Amendment may result in disqualification of this Plan. PMRS will inform you of any amendments made to the Base Plan Document. The address of PMRS is 1721 North Front Street, Harrisburg, PA 17102.

You may rely on an opinion letter issued by the Internal Revenue Service as evidence that this Plan is qualified under Code Section 401 only to the extent provided in Revenue Procedure 2015-36.

You may not rely on the opinion letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the opinion letter issued with respect to the Plan and in Revenue Procedure 2015-36. In order to have reliance in such cases, an individual application for a determination letter must be made to Employee Plans Determinations of the Internal Revenue Service.

MEMO

Date: February 29, 2024
To: Board of Supervisors
From: Jonathan Altshul, Township Manager
Re: 2024 Road Program

Attached please find a list of streets that Mark is recommending be resurfaced this year. Mark expects that these roads can be done within the 2024 road budget (\$765,000), plus about \$61,000 in expected "in-lieu of" payments from Aqua.

If the Board is in agreement with this list, staff can ask Cedarville to develop a bid package for the 2024 road program.

2024 Suggested Roads for Paving

1. Jacqueline Drive – S. New to Supplee Wy. – restoration of a 2023 Aqua project.
2. Supplee Way – entire length – restoration of a 2023 Aqua project.
3. Dunvegan Road - #1023 to cul-de-sac – remove grass island, evaluate curbs and inlets.
4. W. Niels Lane – entire length – remove grass island, evaluate curbs and inlets.
5. S. New Street – W. Pleasant Grove to Street Road.
6. Russell Lane – entire length – evaluate curbs and inlets.
7. Creamery Lane – Russell Lane to Farm Lane – evaluate curbs and inlets.
8. Farm Lane – Stable Lane to cul-de-sac.

Add/Alt if budget allows – could be separate contract.

General Howe – reline/replace stormwater cross pipe at S. New intersection.