

ORDINANCE NO. 689

AN ORDINANCE OF THE TOWNSHIP OF PENN, YORK COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 465 WHICH ESTABLISHES AND REGULATES A POLICE PENSION FUND ALONG WITH ADDITIONAL RIGHTS AND PRIVILEGES OF THE MEMBERS OF THE PENN TOWNSHIP POLICE FORCE ACCORDING TO THE PROVISIONS OF THE ACT OF MAY 29, 1956, P.L. 1804, AS AMENDED, BY PROVIDING FOR A COST OF LIVING ADJUSTMENT AND A MONTHLY SERVICE INCREMENT FOR EACH COMPLETE YEAR OF SERVICE.

BE IT ENACTED AND ORDAINED, by the Penn Township Board of Commissioners, York County, Pennsylvania, and it is hereby ordained by the authority of the same that Ordinance No. 465 shall be amended as follows:

SECTION AMENDMENTS

Section 8. Normal Retirement Benefits and Vesting

The following Paragraphs shall be added to Section 8:

C. A cost -of-living adjustment, as defined herein, shall be granted to retiring police officers in accordance with and subject to the limitations of the provisions of this Paragraph and of Act 600.

1. Cost of Living Adjustment Definition: The cost of living adjustment shall be an increase of the same percentage as the increase in the consumer Price Index for All Urban Consumers (CPI-U), as maintained by the United States Bureau of Labor Statistics, for the 12-month period ending November 30 of the year prior to the effective date of the cost of living adjustment.

2. Annual Maximum Cost of Living Adjustment: The Cost of Living Adjustment shall not exceed the following percentages:

2008—The Cost of Living Adjustment shall not exceed a maximum of 15%.

2009—The Cost of Living Adjustment shall not exceed a maximum of 15%.

2010—The Cost of Living Adjustment shall not exceed a maximum of 20%.

2011—The Cost of Living Adjustment shall not exceed a maximum of 20%.

3. Other Limits on the Cost of Living Adjustment: Notwithstanding the Cost of Living Adjustment Definition and the Annual Maximums as set forth above, the cost-of-living adjustments granted herein shall be subject to all requirements and limits imposed by Act 600, including but not limited to, the limit on total cost-of-living adjustments granted to any retired police officer of 30% of his or her initial pension benefit; the limit that no cost-of-living adjustment shall cause any retired police officer to receive a pension greater than seventy-five

(75%) of the salary on which his or her retirement benefits are computed; and no cost-of-living adjustment will be granted if such adjustment would impair the actuarial soundness of the Police Pension Fund. In the event of a conflict between the pension calculation under this ordinance and under Act 600, the calculation resulting in the lower benefit shall control.

4. Cost of Living Adjustment Calculation: The Cost of Living Adjustment shall be calculated such that the percentage of the Cost of Living Increase is the lowest amount calculated when paragraphs 1, 2, and 3 of this Paragraph C are applied. By way of example, the cost of living adjustment for 2008 shall be measured by the increase in the Consumer Price Index for All Urban Consumers (CPI-U) for the 12 month period from December 1, 2006 to November 30, 2007, not to exceed 15% (the limit in paragraph 2 hereof) or the amount of increase allowed under Act 600 (the limit in paragraph 3 hereof), whichever is less.

D. A monthly service increment of One Hundred Dollars (\$100.00) for each complete year of service beyond twenty-five years up to a maximum of \$300 shall be added to a retiring Officer's pension benefit.

SECTION 2. REPEALER

All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. Ordinance No. 687 is repealed in its entirety.

SECTION 3. SEVERABILITY

If any provision of this ordinance is held invalid, said invalidity shall not affect any other provision or application of this ordinance.

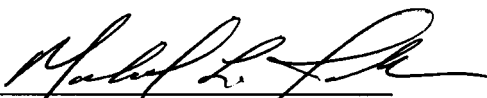
SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective on January 1, 2008.

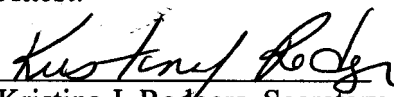
ENACTED AND ORDAINED this 21st day of April 2008.

Board of Commissioners of Penn Township

By:


Michael L. Johnson, Jr., President

Attest:


Kristina J. Rodgers, Secretary