

**EAST WHITELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. #356-2023**

AN ORDINANCE OF EAST WHITELAND TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING EAST WHITELAND TOWNSHIP CODE, ARTICLE I, "BOARD OF SUPERVISORS," CHAPTER 36, "SALARIES AND COMPENSATION," SECTION 36-2, "SCHEDULE OF COMPENSATION" TO REAFFIRM AND RESTATE THE SCHEDULE OF COMPENSATION FOR THE BOARD OF SUPERVISORS, AND TO PROVIDE SUPERVISORS THE OPTION TO REQUEST TO ENROLL THEMSELVES AND THEIR DEPENDENTS IN THE TOWNSHIP HEALTH INSURANCE PLAN PURSUANT TO 53 P.S. § 65606.

WHEREAS, the Board of Supervisors of the Township of East Whiteland has heretofore adopted a comprehensive compilation of ordinances of the Township entitled the "Code of the Township of East Whiteland" (the "Code"); and

WHEREAS, any and all additions, amendments, deletions, or supplements to the Code, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such changes; and

WHEREAS, whenever such additions, amendments, deletions, or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the post-bound book containing said Code as amendments and supplements thereto; and

WHEREAS, Section 606 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, as amended by the Act of February 14, 2012, P.L. 180, No. 14, effective April 16, 2012, found at 53 P.S. Section 65606, entitled "Compensation of Supervisors", authorizes the Board of Supervisors (the "Board") to make and adopt ordinances pertaining to the compensation of Supervisors; and

WHEREAS, pursuant to the Second Class Township Code, 53 P.S. 65606, Supervisors, whether employed by the Township or not, may be permitted to participate in the Township's group life, health, hospitalization, medical service, and accident insurance plans paid in whole or in part by the Township; and

WHEREAS, pursuant to the Second Class Township Code, 53 P.S. 65606, where no existing policy exists in the Township to include Supervisors on the Township's insurance plan, the Board of Supervisors may act to implement such a policy; and

WHEREAS, the Second Class Township Code, 53 P.S. 65606, does not count Township health insurance benefits to Supervisors and their dependents toward the maximum permitted compensation based on population; and

WHEREAS, the Second Class Township Code, 53 P.S. 65606 provides that to any such change in salary, compensation, or emoluments of the elected office of Township Supervisor shall not become effective until the beginning of the next term of said office; and

WHEREAS, the Board of Supervisors wishes to reaffirm and Restate the adjustment to the Schedule of Compensation based on population contained in Section 36-2 of the Code of East Whiteland Township; and

WHEREAS, the Board of Supervisors wishes to formalize a policy to allow members of the Board of Supervisors and their dependents, upon request, to be included in the Township's group life, health, hospitalization, medical service, and accident insurance plans, paid in whole or in part by the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of East Whiteland Township, Chester County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of the same, to wit:

SECTION 1: Section 36-2, "Schedule of compensation," of Article I, "Board of Supervisors," of Chapter 36, "Salaries and Compensation," of the Code is restated, in part, and amended, in part, to state, in its entirety, as follows:

§ 36-2. Schedule of compensation.

A. Beginning January 1, 2021, any East Whiteland Township Supervisor elected, re-elected or appointed to office on or after November 3, 2020, shall receive compensation as a Supervisor in the annual sum of \$3,250, payable quarterly on a pro rata basis.

B. Supervisors elected, re-elected or appointed to office after the effective date of Ordinance No. 77-85, as amended by Ordinance No. 121-97, but before November 3, 2020, shall continue to receive annual compensation in the amount therein provided for, subject to their right to such greater compensation as provided for herein upon their reelection to office subsequent to the effective date hereof.

C. Supervisors elected, re-elected or appointed to office on or after November 7, 2023, and their dependents, upon a written request presented to the Board of Supervisors and approved by the Board of Supervisors, are eligible for inclusion in group life, health, hospitalization, medical service, and accident insurance

plans, paid in whole or in part by the Township, in addition to their monetary compensation.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 5. REVISIONS. The East Whiteland Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.


SECTION 6. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

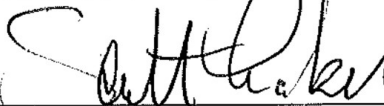
SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after date of adoption.

ENACTED AND ORDAINED this 13 day of October, 2023 by the Board of Supervisors of East Whiteland Township.

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

ATTEST:

By: 
Steven Brown, Manager

By: 
Scott Lambert

By: 
Richard Orlow

By: 
Peter Fixler