

ORDINANCE NO. 2024 - 2382

BOROUGH OF PHOENIXVILLE  
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1 "ADMINISTRATION AND GOVERNMENT," PART 7 "PENSIONS, RETIREMENT AND SOCIAL SECURITY," OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE.

The Council of the Borough of Phoenixville, Chester County, Pennsylvania, hereby ORDAINS that:

**Section 1:**

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 1, "Administration and Government", Part 7 "Pensions, Retirement and Social Security – C. Police Pension Plan" is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

**~~§ 1-755 — Deferred Retirement Option Plan (DROP) Established.~~**

~~Effective January 1, 2022, there is hereby established the "Borough of Phoenixville Deferred Retirement Option Plan" pursuant to Act 44 and hereinafter referred to as "the DROP Plan."~~

**~~§ 1-756 — DROP Plan Amendment and/or Restatement.~~**

~~A. The current DROP Plan as set forth in Exhibit C and is incorporated herein and made a part hereof as if fully set forth. A copy of the stated DROP Plan shall be kept on file at the Borough's office and be made available upon request.~~

~~B. The Borough has the right to amend the DROP Plan at any time to any extent that it may deem advisable. Such amendment shall be by resolution and in conformance with other applicable law or regulation. A copy of any amendment shall be kept on file at the Borough's office and be made available upon request.~~

**§ 1-755 Cessation of Additional Participation in Deferred Retirement Option Plan**

- A. Effective January 1, 2022, the "Borough of Phoenixville Deferred Retirement Option Plan" was established pursuant to Act 44 and thereafter referred to as "the DROP Plan."
- B. Pursuant to the Collective Bargaining Agreement between the Borough of Phoenixville and the Phoenixville Police Association effective January 1, 2024, the DROP Plan was removed from the Agreement.
- C. Effective January 1, 2024, the DROP Plan is hereby terminated and no additional employees shall commence participation in the plan on or after this date. This shall not prevent the payment of benefits to an alternate payee under the terms of a qualified domestic relations order.

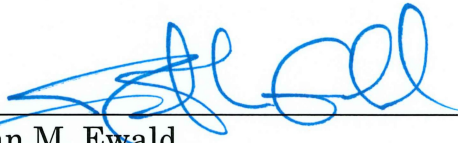
**Section 2.** Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

**Section 3.** Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.


**Section 4.** Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

**Section 5** Effective Date. This Ordinance shall become effective upon enactment as provided by law.

**PASSED** by Borough Council this 12th day of March, 2024.

By:   
Jonathan M. Ewald  
President, Borough Council

**APPROVED** by the Mayor, this 12th day of March, 2024.

By:   
Peter J. Urscheler  
Mayor

**ENACTED** this 12th day of March, 2024.

By:   
E. Jean Krack  
Borough Manager/Secretary

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 12th day of March, 2024.

By:   
E. Jean Krack  
Borough Manager/Secretary