

BOROUGH OF FOREST HILLS
ORDINANCE NO. 1112

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS, ALLEGHENY COUNTY, PENNSYLVANIA, RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES' PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE NON-POLICE EMPLOYEES OF SAID BOROUGH

WHEREAS, §1-411 of Chapter 1, Part 3 of the Forest Hills Borough Code of Ordinances, Non-uniformed Employee Pension Plan Established, authorizes and directs the Council of the Borough of Forest Hills to establish and maintain a pension plan for the non-uniformed employees of the Borough of Forest Hills (the "Borough") which complies with the laws of the Commonwealth of Pennsylvania and the United States of America;

WHEREAS, pursuant to §1-411 of the Forest Hills Borough Code of Ordinances, the Council of the Borough adopted Ordinance No. 1089 on December 16, 2020 which amended and restated the Borough of Forest Hills Employees Pension Plan ("Plan") for the benefit of the Borough's non-police employees; and

WHEREAS, the Council of the Borough desires to amend the Plan to delete and restate the definitions of "Average Monthly Compensation", "Compensation" and "Credited Service" pursuant to its authority set forth in Section 11.01.

NOW THEREFORE, the Council of the Borough of Forest Hills hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1: Effective for active Participants as of January 1, 2022, the Plan shall be amended by deleting Section 1.07 and substituting the text below in its place:

1.07 "Average Monthly Compensation" shall mean the average of the Compensation received by a Participant during the final 36 months immediately preceding his termination of employment ignoring any period of time on Workers' Compensation when arriving at the final 36 months of Average Monthly Compensation.

SECTION 2: Effective for employment on or after January 1, 2019, the Plan shall be amended by deleting Section 1.12 and substituting the text below in its place:

1.12 "Compensation" shall mean the gross compensation paid to the Employee, whether salary or hourly wages, including overtime pay, holiday pay, longevity pay, and any other form of remuneration paid by the Employer for services rendered in employment but shall exclude reimbursement for expenses and similar payments. Compensation shall not include any state or insurance paid proceeds for Workers' Compensation but shall include Employer paid wage restoration payments made while on Workers' Compensation. Compensation shall be limited on an annual basis to the amount specified for government plans pursuant to Code Section 401(a)(17).

SECTION 3: Effective active Participants as of January 1, 2022, the Plan shall be amended by deleting Section 1.14 and substituting the text below in its place:

1.14 "Credited Service" shall mean a Participant's completed years and months of Continuous Employment with the Employer, beginning with his Employment Commencement Date and ending with his termination of employment as an Eligible Employee but shall only include during any period of time during which the Participant made Participant Contributions if Participant Contributions were required by this Plan for that period of time. Regardless of any other Plan provision


Credited Service shall include any period on Workers' Compensation which is based upon or results from employment by the Employer.

SECTION 4: Any and all prior inconsistent ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 5: This Ordinance shall take effect in accordance with applicable law, provided that the terms of the Plan, as amended herein, shall take effect in accordance with applicable law.

ORDAINED and ENACTED this 17th day of January 2024, by the Council of the Borough of Forest Hills in lawful session duly assembled.

ATTEST: BOROUGH OF FOREST HILLS

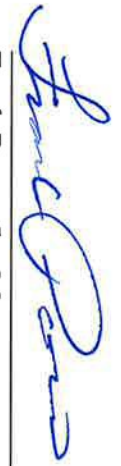


Steven J. Morlus
Borough Manager/Secretary
(Seal)



Barbara Martin
President/Borough Council

EXAMINED and APPROVED this 17th day of January 2024.



Frank Porco, Jr., Mayor