

## ORDINANCE 2024 – 3

### AN ORDINANCE OF THE TOWN COUNCIL OF THE MUNICIPALITY OF KINGSTON, LUZERNE COUNTY, PENNSYLVANIA A HOME RULE MUNICIPALITY, AMENDING THE MUNICIPALITY OF KINGSTON POLICE PENSION PLAN

---

**WHEREAS**, the Municipality of Kingston has heretofore adopted Ordinance number 2012-11 which amended and restated the Municipality of Kingston Police Pension Plan; and,

**WHEREAS**, the aforementioned amendment and restatement of the Kingston Police Pension Plan sets forth at Section 6.2 (a) as follows:

*As a condition of participation in this plan, each active participant must contribute, on an after-tax basis, a percentage of his compensation as established each year. In general, this mandatory contribution shall be 5.00% of the participant's compensation. The employer may reduce or eliminate the contribution required provided any reduction or elimination of contributions is authorized on an annual basis by an ordinance or resolution by the employer.;* and,

**WHEREAS**, the aforementioned Section does not comply in its wording with the Collective Bargaining of the Municipality and its Police Department which provides at Article 20 Section 1 as follows:

*The contribution rate of the members of the Department shall be 6% and shall remain in effect for the term of this contract.;* and,

**WHEREAS**, the aforementioned Section of the Ordinance does not comply in its wording with the Collective Bargaining Agreement of the Municipality and its Police Department; and,

**WHEREAS**, The Municipality of Kingston does, by this Ordinance, intend to bring the provisions of the Ordinance into conformance with the Collective Bargaining Agreement between the Municipality of Kingston and the Kingston Municipal Police Department.

**NOW THEREFORE, BE IT ORDAINED**, that the Town Council of the Municipality of Kingston does hereby amend Section 6.2 of the Municipality of Kingston Police Pension Plan to read as follows:

- 1. As a condition of participation in this plan, each active participant must contribute, on an after-tax basis, a percentage of his compensation as established each year. In general, this mandatory contribution shall be 6.00%*


*of the participant's compensation. The employer may reduce or eliminate the contribution required provided any reduction or elimination of contributions is authorized on an annual basis by an ordinance or resolution by the employer.*

2. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but the same shall remain in full force and effect, it being the intent that this Ordinance shall stand, notwithstanding the invalidity of any part thereof.
3. This Ordinance shall become effective in conformity with Kingston Charter Section 213.

**INTRODUCED** at a special meeting of the Town Council of the Municipality of Kingston held the 18<sup>th</sup> day of March, 2024.

**ADOPTED** at a regular meeting of the Town Council of the Municipality of Kingston, Luzerne County, Pennsylvania held the 2nd day of April, 2024.

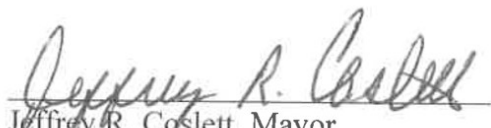
FOR THE TOWN COUNCIL OF THE  
MUNICIPALITY OF KINGSTON

  
Robert Jacobs, President

**ATTEST:**

  
Angela Sallami, Secretary

**APPROVED:**

  
Jeffrey R. Coslett, Mayor