

BOROUGH OF TRAFFORD

ORDINANCE NO. 3 of 2023

AN ORDINANCE OF THE BOROUGH OF TRAFFORD, COUNTY OF ALLEGHENY AND WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE POLICE PENSION FUND AT CHAPTER 35 RELATING TO PENSIONS AND EMPLOYEE BENEFITS IN ORDER TO PROVIDE FOR EARLY RETIREMENT BENEFITS.

WHEREAS, the Borough of Trafford (the “Employer”) has previously enacted Ordinances establishing the Borough of Trafford Police Pension Plan (the”Plan”); and

WHEREAS, the Employer reserves the right to amend the Plan; and

WHEREAS, the Employer now desires the Plan to be amended;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of Trafford, County of Allegheny, and Westmoreland, and it is hereby Ordained by and with authority of the same:

SECTION 1. Plan amendment.

Effective January 1, 2022, Chapter 35 of the Plan is hereby amended to add § 35-14 C, relating to early retirement benefits, as follows:

§ 35-14

C. Early Retirement Benefits.

The Borough of Trafford Police Pension Plan hereby provides for an early retirement benefit. The early retirement benefit shall be provided to a full-time police officer with twenty (20) or more years of full-time service who terminates employment prior to the completion of superannuation retirement age and service requirements and who files a written application for an early retirement benefit. The early retirement benefit shall become effective as of the date the application is filed with the Borough of Trafford or the date designated on the application, whichever is later, and shall be the actuarial equivalent of a partial superannuation retirement benefit calculated as follows:

- (1) A partial superannuation retirement benefit shall be determined by applying the percentage that the police officer's years of service bear to the years of service that the police officer would have rendered had he or she continued to be employed until his or her superannuation retirement date to the gross pension amount calculated using the monthly average salary during the appropriate period prior to his or her termination of employment.
- (2) The actuarial equivalent of the partial superannuation retirement benefit shall be determined by actuarially reducing the partial superannuation retirement benefit to reflect that it will commence on the effective date of the early retirement rather than on the date on which the police officer would have completed superannuation age and service requirements. The actuarial reduction shall be calculated using the actuarial assumptions reported in the last actuarial valuation report filed with the Public Employee Retirement Commission under the Act of December 18, 1984 (P.L. 1005, No. 205), known as the "Municipal Pension Plan Funding Standard and Recovery Act."

SECTION 2. Severability.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough of Trafford hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. Pending matters

That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 4. Repealer

All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed to the extent inconsistent with this Ordinance.

SECTION 5. Effective Date

This ordinance shall take effect immediately upon its approval in accordance with the Borough Code.

THIS ORDINANCE **ORDAINED AND ENACTED** BY THE COUNCIL OF THE BOROUGH OF TRAFFORD ON THIS 13th DAY OF June, 2023.

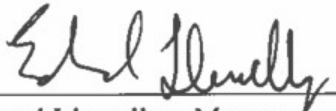
ATTEST:

THE BOROUGH OF TRAFFORD


Jaime Peticca, Borough Manager


Kristopher R. Cardiff, President

EXAMINED AND APPROVED this 13th day June, 2023.


Edward Llewellyn, Mayor

APPROVED AS TO FORM:


Craig H. Alexander, Esquire
Solicitor