

BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 909

INTRODUCED BY COUNCIL –January 8, 2019

ADOPTED BY COUNCIL –January 8, 2019

AN ORDINANCE OF THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA, AMENDING SECTION A225-8 OF THE CODE OF THE BOROUGH OF COLUMBIA TO RE-ADOPT THE BOROUGH OF COLUMBIA POLICE PENSION PLAN RESTATED AS OF JANUARY 1, 2008, TO AUTHORIZE AN AMENDMENT TO SUCH PENSION PLAN; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, as follows:

SECTION 1. The Code of the Borough of Columbia, Section A225-8 – Establishment (of a Police Pension Plan) be and hereby is amended to read as follows:

“This Ordinance establishes the Borough of Columbia Police Pension Plan restated January 1, 2008, for the uniformed employees of Columbia Borough through the adoption of the Borough of Columbia Police Pension Plan restated January 1, 2008, attached hereto and incorporated herein as Exhibit “A,” effective January 1, 2008, as amended from time to time.”

SECTION 2. The Borough Manager and other appropriate officers of the Borough of Columbia be and hereby are authorized to execute Amendment No. 3 to the Borough of Columbia Police Pension Plan, a copy of which is attached hereto and incorporated herein as Exhibit “B” and to direct that the same be incorporated into the Columbia Borough Police Pension Plan.

SECTION 3. All actions taken by the Borough of Columbia, its elected officials and officers, with respect to the Columbia Police Pension Plan reinstated January 1, 2008 for the Uniformed Employees of the Borough of Columbia prior to the adoption of this Ordinance be and hereby are ratified and affirmed.


SECTION 4. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 5. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the Borough of Columbia that the remainder of the Ordinance shall be and shall remain in full force and effect.


SECTION 6. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 8 day of January 2019, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.


BOROUGH OF COLUMBIA,
LANCASTER COUNTY, PENNSYLVANIA

By: 
Kelly Murphy,
President of Borough Council

ATTEST:


Rebecca S. Denlinger,
Borough Manager/Secretary

Examined and approved this 8th day of January , 2019.


Leo S. Lutz, Mayor

AMENDMENT NO. 3

BOROUGH OF COLUMBIA POLICE PENSION PLAN

The Plan named above gives the Employer the right to amend it at any time. According to that right, the plan is amended effective 8th day of January 2019, as follows:

**ARTICLE IV
RETIREMENT BENEFITS**

Section 4.01(c): SERVICE INCREMENT

By striking Section 4.01(c) and replacing with the following:

"An amount equal to \$75 multiplied by his complete years of Accrual Service in excess of 25 years on such date, not to exceed \$450"

**ARTICLE IV(A)
2019 COST OF LIVING ADJUSTMENT**

Section 4A.01 IMPORTANT TERMS

For purposes of determining the cost-of-living adjustment of benefits, the following terms are defined.

Adjustment Date means, each January 1 as of which a cost-of-living adjustment (COLA) is granted.

Adjustment Factor means, as of the Adjustment Date, the quotient of (a) divided by (b):

(a): The Price Index as of such Adjustment Date

(b) The Price Index as of the last Adjustment Date.

Annuitant means an inactive participant whose *NORMAL RETIREMENT DATE* has commenced and who is receiving a monthly retirement benefit payment from the pension plan.

Section 4A.02 2019 COST-OF-LIVING ADJUSTMENT (COLA)

The Act 111 Award dated July 11, 2015 provides that the Pension Board has authority to vote and approve a cost-of-living adjustment (COLA) in any one year. Pursuant to the power granted it. The Pension Board has approved a COLA in accordance with the following factors and eligibility requirements:

- (a) An actuarial study has been prepared showing the impact of the COLA on the plan's contribution requirements.
- (b) Members eligible for a COLA must have retired after January 1, 2015 and after their Normal Retirement Date and have been retired for at least one full year on the Adjustment Date.
- (c) The measure used for the determining the COLA will be the CPI-U, U.S. City Average-All Urban Consumers based on the CPI percentage effective yearly every September.

Section 4A.03 CHANGE IN MONTHLY RETIREMENT BENEFIT

{5500-18R-1172/00158220-1}

As of each Adjustment Date as to an Annuitant, the amount of monthly retirement benefit payments payable to such Annuitant will be increased by an amount determined by multiplying such payments by the Adjustment Factor as of such Adjustment Date.

- (a) If such change results in an increase in the amount of monthly retirement benefit payments to an Annuitant, an amount of monthly retirement benefit will be provided for he/she under the retirement benefit in the amount of such increase with payments consistent with the payments being made as to the monthly retirement annuity provided under the retirement benefit on the Participant's Retirement Date.

In no event will the amount of monthly retirement benefit payments for an Annuitant after the date of the increase be more than 130% of the amount, he would have received had the provisions of this article not been in effect.

- (b) No cost-of-living increase will result in a monthly retirement benefit which exceeds 75% of the Annuitant's Average Compensation as determined on the date his monthly retirement benefit was first calculated.
- (c) No cost-of-living increase will be made if such increase would impair the actuarial soundness of the Plan.

This amendment is made an integral part of the aforesaid plan and is controlling over the terms of said plan with the respect to particular items addressed expressly herein. All other provisions of the Plan remain unchanged and controlling.

Unless otherwise stated on any page of this amendment, eligibility for benefits and the amounts of any benefits payable to or on behalf of an individual who is an Active Participant on the effective date(s) stated above, shall be determined according to the provisions of the aforesaid Plan as in effect on the date before he/she became an Inactive Participant.

Signing this amendment, the undersigned has made the decision to adopt this plan amendment. The undersigned is acting in reliance on their own discretion and on the legal and tax advice of their own advisors, and not that of any member of Principal Financial Group or any representative of a member company of Principal Financial Group.

Approved On: January 8, 2019.

BOROUGH OF COLUMBIA

LANCASTER COUNTY, PENNSYLVANIA



Approved By



Seconded By

Attest
