

**TOWNSHIP OF SALISBURY LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 02-2025-672**

**AN ORDINANCE OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, AMENDING §602 OF CHAPTER 1, PART 6, (POLICE PENSION FUND) OF THE SALISBURY TOWNSHIP CODE OF ORDINANCES WITH THE ADDITION OF SUB-SECTION 8 ENTITLED “PURCHASE OF NON-INTERVENING PRIOR POLICE SERVICE TIME” TO ALLOW A SERVICE BUY-BACK PROVISION AFFORDED BY ACT 49 PURSUANT TO 53 PA.C.S.A. § 9121 ET SEQ. AND THE PENNSYLVANIA FIRST CLASS TOWNSHIP CODE**

WHEREAS, the Township of Salisbury (the "Township") is a First Class Township of the Commonwealth of Pennsylvania and is governed by its Board of Commissioners (the "Board"); and

WHEREAS, on July 8, 2024, Act 2024-49 was enacted by the Commonwealth of Pennsylvania, now codified as 53 Pa.C.S.A. § 9121 et seq, to allow for vested full time officers of local municipalities to purchase up to five (5) years of service credit for prior part-time or full-time police service in a prior police department; and

WHEREAS, the Township, by and through its Board, values and supports the Salisbury Township Police Department and wishes to provide benefits to support said Department; and

WHEREAS, the Board is desirous of aligning their Police Pension Fund with Act 2024-49 in a fiscally and actuarially sound manner; and

WHEREAS, the Board has determined that the adoption of the provisions contained in the Act are for the public good of the Township and beneficial to the public interest of the Township; and

WHEREAS, the Board believes that amending Chapter 1, Part 6, §602 of the Salisbury Township Code of Ordinances will achieve these goals;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Salisbury Township Board of Commissioners as follows:

ARTICLE 1. All “Whereas” clauses are incorporated herein by reference.

ARTICLE 2. Section 602 of Chapter 1, Part 6 (Police Pension Fund) of the Salisbury Township Code of Ordinances shall be amended to include the addition of Subsection 8 to read as follows:

8. *Purchase of Non-Intervening Prior Police Service Time.*

A. *Non-Intervening Prior Police Service. Vested Members who have performed prior police service with other municipal police departments shall be permitted to buy back their service time consistent with the present provisions of Act 2024-49, and where not explicitly stated, in a means similar to Act 600 and Article 1, Chapter 6, Section 602, Subsection 7 of this Ordinance.*

(1) *A police officer may purchase prior police service time to be applied to his/her pension pursuant to the terms and conditions of 53 P.S. 9121. Every participant of the Police Pension Plan and of the Township, who has not served in such*

*employment prior to entering the prior police service of another municipality, shall be entitled to full service credit for each year of prior police service, or a fraction thereof, not to exceed five (5) years upon purchasing of credit for such non-intervening police service to be computed by applying the average normal cost rate for Borough and Township Police Pension Plans as certified by the Public Employee Retirement Commission, but not to exceed Ten Percent (10%), to the participant's averaged annual rate of compensation over the first three (3) years of municipal service and multiplying the result by the number of years and fractional part of a year of creditable non-intervening police service being purchased together with interest at the rate of 4 3/4% compounded annually from the date of initial entry into municipal service to the date of payment.*

(2) *Participants of the Police Pension Plan shall be eligible to receive prior police service credit as provided in this section provided that he/she is not entitled to receive, eligible to receive now or in the future, or is receiving retirement benefits for such service under a retirement system administered and wholly or partially paid for, by any other governmental agency with the exception of a participant eligible to receive or receiving military retirement pay earned by a combination of active duty and nonactive duty with a Reserve or National Guard component of the armed forces which retirement pay is payable only upon the attainment of a specified age and period of service under 10 U.S.C. Ch. 67 (related to retired pay for nonregular service).*

Section 3. If any provision, 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 of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such stricken provisions not been included herein.

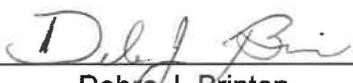
Section 4. All other Ordinances or parts thereof which are contradictory with the provisions hereof, are repealed to the extent of such inconsistencies.

Section 5. This Ordinance shall become effective five (5) days after its enactment. DULY ADOPTED this 27<sup>th</sup> day of February, 2025, by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, in lawful session duly assembled.

**ATTEST:**

  
Cathy Bonaskiewich  
Township Secretary

**BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF SALISBURY**

  
Debra J. Brinton  
President