

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 476

(Duly Adopted December 29, 2008)

AN ORDINANCE REVISING THE COMPENSATION OR COMPENSATION RANGES FOR CERTAIN POSITIONS OF EMPLOYMENT OR APPOINTMENT BY THE BOROUGH, EFFECTIVE JANUARY 1, 2009, INCLUDING CERTAIN ADMINISTRATION EMPLOYEES, MAINTENANCE EMPLOYEES, PROFESSIONALS, AND CODES ENFORCEMENT OFFICIALS; MAKING CHANGES TO THE CAFETERIA PLAN TO CONFORM TO RECENT PROPOSED FEDERAL REGULATIONS; AND CONFIRMING THE EXISTING FIDELITY BOND REQUIREMENTS FOR CERTAIN BOROUGH EMPLOYEES.

BE IT ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Codified Ordinances §§ 11-104, 11-106, 11-107, and 11-108 (relating to Salaries and Compensation—In General) are amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 11-104 Administration.

(a) Executive Secretary.

* * *

(7) 2009. The rate of compensation of the Executive Secretary for the year 2009 shall be \$18.03 per hour.

* * *

(c) Bookkeeper/Earned Income Tax Officer.

* * *

(7) 2009. The rate of compensation of the Bookkeeper/Earned Income Tax Officer for the year 2009 shall be within a range from

\$15.02 to \$17.74 per hour, with individual rates to be established by motion or resolution of Council.

* * *

§ 11-106 Maintenance Department.

* * *

(g) 2009. The rate of compensation for each member of the Maintenance Department for the year 2009 shall be established by motion or resolution of Council within the following range of compensation for the person's employment classification:

<u>Maintenance Supervisor.....</u>	<u>\$16.61 - \$22.13 / hour</u>
<u>Maintenance Full Time A</u>	<u>\$15.91 - \$19.50 / hour</u>
<u>Maintenance Full Time B</u>	<u>\$15.39 - \$16.32 / hour</u>
<u>Maintenance Full Time C</u>	<u>\$13.79* - \$15.39 / hour</u>
<u>Maintenance Part Time</u>	<u>\$ 7.36 - \$10.82 / hour</u>

* In the case of a person who has a current Class A or Class B commercial driver's license (CDL) when first hired by the Borough, the minimum hourly rate shall be \$14.85. In the case of a person who obtains such a license after being hired by the Borough, the minimum hourly rate shall be increased to \$14.85 after the later of the date the person obtains the license or the date three months after the person's first day of employment as a Borough maintenance department employee.

§ 11-107 Codes Enforcement.

(a) Zoning Officer.

* * *

(5) 1/1/2009. Effective January 1, 2009, the compensation of the Zoning Officer shall be \$400.00 per month plus \$5.00 for each permit issued.

(b) UCC and ~~Property Maintenance Code Officials/Inspectors.~~

The compensation of Code Officials, plan reviewers, and inspectors engaged by the Borough in its administration of the Uniform Construction Code (*see* Chapter 30), ~~the Property Maintenance Code (*see* Chapter 35),~~ and, where applicable, the Building Code (*see* Chapter 31) and the Plumbing Code (*see* Chapter 32), shall be established as such inspectors are engaged by the Borough and from time to time thereafter.

(c) Property Maintenance Code Official. The Borough shall engage an independent contractor to serve as the Borough's Code Official under the Property Maintenance Code (*see* Chapter 35). The Code Official shall be responsible for mileage expenses in performing his contractual duties, for maintaining at his own expense satisfactory errors and omissions and general liability insurance, for employer and employee portions of employment taxes, and for the other expenses of his business.

(1) 1/1/2009. Effective January 1, 2009, the compensation of the Code Official under the Property Maintenance Code (*see* Chapter 35) shall be \$48.00 per hour.

§ 11-108 Professionals.

(a) Borough Solicitor.

* * *

(6) 2009. The rate of compensation of the Borough Solicitor for the year 2009 shall be \$125.00 per hour.

* * *

SECTION 2. Codified Ordinances § 3-101 (relating to Fidelity Bonds) is ratified and confirmed for calendar year 2009.

SECTION 3. Effective January 1, 2009, Codified Ordinances § 14-115 (relating to Cafeteria Plan—Title, Establishment, and General Definitions—Qualified Employee) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 14-115 Qualified Employee

The term “Qualified Employee” shall mean, as of any given date, any person who is receiving remuneration for personal services rendered to the Employer as an employee (within the meaning of Code § 125 and the regulations thereunder) and not ~~(other than~~ as an independent contractor~~),~~ and whose customary employment is at least thirty-five (35) hours per week, *provided* such person is neither—

(a) a nonresident alien who receives no remuneration from the Employer which constitutes income from sources within the United States (within the meaning of the Code); nor

(b) a person who is included in a unit of employees covered by a negotiated collective bargaining agreement which does not expressly provide for his/her inclusion as a person eligible for participation in this Plan.

SECTION 4. Effective January 1, 2009, Codified Ordinances § 14-310 (relating to Cafeteria Plan—Election of Optional Benefits—Maximum Elective Contributions) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 14-310 Maximum Elective Contributions

The maximum amount of elective contributions (*i.e.*, salary reductions) under the Plan for any Participant for any Plan Year shall be the maximum coverage amount ~~of reimbursements~~ which the Participant may select for the Plan Year under the Medical Expense Reimbursement Plan

(\$2,600.00 for persons eligible under that plan), plus the Participant's share of the cost of the most expensive coverage(s) available to the Participant under the Health Plan for the Plan Year \$250.00 per month (\$3,000.00 for persons eligible for the entire 12-month Plan Year) for contribution of the monthly bonus under § 14-303(a)(1) as the Participant's contribution for coverage under the Health Plan.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Al-
burtis, this 29th day of December, 2008, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Sharon Trexler, Executive Secretary

AND NOW, this 29th day of December, 2008, the above Ordinance is hereby
APPROVED.

Robert W. Mader, Mayor