

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 547

(Duly Adopted July 25, 2018)

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE ALBURTIS POLICE OFFICERS' ASSOCIATION TO AMEND THE HEALTH REIMBURSEMENT ARRANGEMENTS FOR POLICE EMPLOYEES AS PROVIDED IN THIS ORDINANCE; AND AMENDING CODIFIED ORDINANCES SECTIONS 20A-403, 20B-403, AND 20C-403 TO PROVIDE THAT REIMBURSEMENTS UNDER THE BOROUGH'S HEALTH REIMBURSEMENT ARRANGEMENTS DO NOT REQUIRE FINAL APPROVAL BY BOROUGH COUNCIL AND ARE NOT TO BE DELAYED BASED ON COUNCIL'S MEETING SCHEDULE.

Be it ORDAINED and **ENACTED** by the Borough Council of the Borough of Albur-
tis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Codified Ordinances § 11-201 (relating to Salaries and Compensation—Collective Bargaining Agreements—Police) is amended by adding the following new paragraphs (5) through (8) to subsection (f) thereof:

(f) **2018-2021.**

* * *

(5) **MOU Approved.** Borough Council hereby approves a memorandum of understanding with the Albur-
tis Police Officers' Association in the form attached to Ordinance 547.

(6) **Execution.** The President (or Vice President) of Borough Council and the Borough Manager are hereby authorized and directed to

execute the memorandum of understanding in the form approved under paragraph (5).

(7) Implementation. All officers, agents, and employees of the Borough are hereby directed to implement the terms and conditions of the executed memorandum of understanding.

(8) Inconsistent Ordinances Superseded. Any provision of the Alburdis Codified Ordinances or any other Ordinance or Resolution which is inconsistent with any of the terms of the executed memorandum of understanding is superseded to the extent of the inconsistency.

SECTION 2. The attached Memorandum of Understanding is incorporated into this Ordinance by reference.

SECTION 3. Codified Ordinances § 20A-403 (relating to Health Reimbursement Arrangement for Nonuniformed Employees—Benefits—Time of Reimbursement) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 20A-403 Time of Reimbursement.

Reimbursements under this Plan shall be made at such time and in such manner as the Administrator may prescribe. The Administrator need not make any particular reimbursement until an administratively reasonable period after a Participant submits an appropriate application and documentation under § 20A-402. ~~Payments shall be made following final approval by Borough Council at a public meeting.~~ Payments shall not require final approval by Borough Council, and shall not be delayed based on the meeting schedule of Borough Council.

SECTION 4. Codified Ordinances § 20B-403 (relating to Health Reimbursement Arrangement for Police Employees—Benefits—Time of Reimbursement) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 20B-403 Time of Reimbursement.

Reimbursements under this Plan shall be made at such time and in such manner as the Administrator may prescribe. The Administrator need not make any particular reimbursement until an administratively reasonable period after a Participant submits an appropriate application and documentation under § 20B-402. ~~Payments shall be made following final approval by Borough Council at a public meeting.~~ Payments shall not require final approval by Borough Council, and shall not be delayed based on the meeting schedule of Borough Council.

SECTION 5. Codified Ordinances § 20C-403 (relating to Health Reimbursement Arrangement for Dental and Vision Expenses—Benefits—Time of Reimbursement) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 20C-403 Time of Reimbursement.

Reimbursements under this Plan shall be made at such time and in such manner as the Administrator may prescribe. The Administrator need not make any particular reimbursement until an administratively reasonable period after a Participant submits an appropriate application and documentation under § 20C-402. ~~Payments shall be made following final approval by Borough Council at a public meeting.~~ Payments shall not re-

quire final approval by Borough Council, and shall not be delayed based on the meeting schedule of Borough Council.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Albur-
tis, this 25th day of July, 2018, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Ronald J. DeIaco, President

Attest:

Sharon Trexler, Borough Manager

AND NOW, this 25th day of July, 2018, the above Ordinance is hereby **APPROVED**.

Kathleen Palmer, Mayor

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made this 25th day of July, 2018 by and between:

The **Borough of Alburdis**, a Pennsylvania municipal corporation, with offices at 260 Franklin Street, Alburdis, Lehigh County, Pennsylvania (the "**Borough**"); and

The **Alburdis Police Officers' Association**, a Pennsylvania unincorporated association which maintains an address at 5426 Doris Drive, Allentown, Lehigh County, Pennsylvania (the "**Association**").

The Borough and the Association, as parties to a Collective Bargaining Agreement for calendar years 2018 through 2021 ("**CBA**"), hereby agree that the Borough shall adopt an ordinance amending §§ 20B-403 and 20C-403 of the Alburdis Codified Ordinances as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining), and shall maintain those provisions as so amended throughout the term of the CBA:

§ 20B-403 Time of Reimbursement.

Reimbursements under this Plan shall be made at such time and in such manner as the Administrator may prescribe. The Administrator need not make any particular reimbursement until an administratively reasonable period after a Participant submits an appropriate application and documentation under § 20B-402. ~~Payments shall be made following final approval by Borough Council at a public meeting.~~ Payments shall not require final approval by Borough Council, and shall not be delayed based on the meeting schedule of Borough Council.

§ 20C-403 Time of Reimbursement.

Reimbursements under this Plan shall be made at such time and in such manner as the Administrator may prescribe. The Administrator need

not make any particular reimbursement until an administratively reasonable period after a Participant submits an appropriate application and documentation under § 20C-402. ~~Payments shall be made following final approval by Borough Council at a public meeting.~~ Payments shall not require final approval by Borough Council, and shall not be delayed based on the meeting schedule of Borough Council.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding by their duly authorized officers the day and year first above written, intending to be legally bound.

Attest:

BOROUGH OF ALBURTIS

Sharon Trexler, Borough Manager

By: _____
Ronald J. DeIaco President of Borough Council

Witness:

ALBURTIS POLICE OFFICERS' ASSOCIATION

By: _____
Raymond Bulger, Authorized Representative

By: _____
Christopher Lubenetski, Authorized Representative