

NOTICE IS HEREBY GIVEN that the Borough Council of the Borough of McSherrystown, Adams County, Pennsylvania, in accordance with Pennsylvania's Borough Code, 8 Pa.C.S. §§ 1001, *et seq.*, intends to consider for adoption and to vote upon enactment of an Ordinance, entitled and summarized hereinafter, at its regular meeting scheduled for April 8, 2026, at 6:30 p.m. at the McSherrystown Borough Building, 338 Main Street, McSherrystown, PA 17344. The title of the proposed Ordinance is:

**AN ORDINANCE OF MCSHERRYSTOWN BOROUGH,
ADAMS COUNTY, PENNSYLVANIA, AMENDING THE
MCSHERRYSTOWN BOROUGH POLICE PENSION PLAN
TO ESTABLISH EMPLOYEE CONTRIBUTION
REQUIREMENTS CONSISTENT WITH THE 2026-2028
COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE BOROUGH AND THE MCSHERRYSTOWN
BOROUGH POLICE OFFICERS' ASSOCIATION; AND
PROVIDING FOR RELATED MATTERS.**

A summary of the proposed Ordinance is as follows:

Amending the Borough of McSherrystown's police pension plan to implement the terms of the 2026-2028 CBA and to reflect the agreed-upon employee contribution requirements in the governing pension plan documents, and providing when this Ordinance will take effect.

The full text of the proposed Ordinance may be examined at the McSherrystown Borough Building, 338 Main Street, McSherrystown, PA 17344, during its regular business hours. A copy of the proposed ordinance has been filed with the newspaper publishing this notice and the Adams County Law Library.

**McSHERRYSTOWN BOROUGH
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-01

**AN ORDINANCE OF McSHERRYSTOWN BOROUGH,
ADAMS COUNTY, PENNSYLVANIA, AMENDING THE
McSHERRYSTOWN BOROUGH POLICE PENSION PLAN
TO ESTABLISH EMPLOYEE CONTRIBUTION
REQUIREMENTS CONSISTENT WITH THE 2026-2028
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THE BOROUGH AND THE McSHERRYSTOWN
BOROUGH POLICE OFFICERS' ASSOCIATION; AND
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WHEREAS, McSherrystown Borough (the “Borough”) maintains a police pension plan (the “Plan”) for the benefit of its police officers, established and administered pursuant to the Municipal Police Pension Law, 53 P.S. §§ 767 – 778 (“Act 600”), and such other applicable law; and

WHEREAS, the Borough has engaged in collective bargaining with the McSherrystown Borough Police Officers’ Association (the “Association”) pursuant to the Policemen and Firemen Collective Bargaining Act, 43 P.S. §§ 217.1 – 217.12 (“Act 111”); and

WHEREAS, the Borough and the Association have entered into a Collective Bargaining Agreement for the period of January 1, 2026 through December 31, 2028 (the “2026–2028 CBA”); and

WHEREAS, Article XX, Section 20.03, of the 2026–2028 CBA establishes a schedule of employee pension contributions, providing that the required contribution percentage shall be determined annually based upon the most recent actuarial analysis conducted pursuant to the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §§ 895.101 – 895.1131 (“Act 205”), and tied to the funded status of the Plan; and

WHEREAS, in order to implement the terms of the 2026–2028 CBA and to reflect the agreed-upon employee contribution requirements in the governing pension plan documents, the Borough Council of McSherrystown Borough finds it necessary and appropriate to amend the Plan by ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of McSherrystown Borough, Adams County, Pennsylvania, as follows:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are incorporated herein by reference as if fully set forth at length.

SECTION 2. Amendment to Police Pension Plan – Employee Contribution Requirements. Section 3.02 of the McSherrystown Borough Police Pension Plan is hereby amended to read as follows:

SECTION 3.02—REQUIRED CONTRIBUTIONS BY PARTICIPANTS

If determined by the Employer, each Active Participant shall make Required Contributions. These Contributions shall be made for each month in which he is an Active Participant.

The amount of each Participant’s Contributions shall be determined as follows:

(A) Employee Contributions – 2026. For 2026, each Active Participant shall be required to contribute one percent (1%) of his or her total compensation to the Plan.

(B) Employee Contributions – 2027 and Thereafter. Commencing with January 1, 2026, and for each year thereafter, the required Participant contribution rate shall be determined annually based upon the most recent actuarial analysis of the Plan conducted pursuant to Act 205, and shall be set in accordance with the following schedule based upon the funded status of the Plan as reflected in said actuarial analysis:

Funded Status of Plan	Required Participant Contribution Rate
90% or more	0% (zero percent)
80% or more but less than 90%	1% (one percent)
70% or more but less than 80%	3% (three percent)
Less than 70%	5% (five percent)

(C) Determination of Funded Status. The funded status of the Plan for purposes of Section 2(B) above shall be determined by reference to the most recent actuarial valuation of the Plan prepared pursuant to Act 205 and available at the commencement of the applicable plan year. The Borough shall notify each Active Participant of the applicable contribution rate for the upcoming year no later than December 1 of the preceding year, or as soon as practicable following receipt of the Act 205 actuarial analysis, whichever is later.

A Participant shall not make Required Contributions during the period he is receiving disability payments under the DISABILITY BENEFITS SECTION of Article V.

The Participant's Required Contribution Account is 100% vested and nonforfeitable at all times. The Employer may, on an annual basis, by resolution, reduce or eliminate Required Contributions.

SECTION 4. Relationship to Collective Bargaining Agreement. This Ordinance is adopted to implement and give effect to Article XX, Section 20.03 of the 2026–2028 CBA. The contribution schedule set forth herein is subject to and shall be interpreted consistently with the terms of said Agreement. In the event of any ambiguity between this Ordinance and the 2026–2028 CBA, the Parties shall meet and confer to resolve such ambiguity.

SECTION 6. Effective Date. This Ordinance shall take effect immediately, upon final enactment by the Borough Council of the Borough of McSherrystown.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. Repealer. All ordinances, resolutions, and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

ENACTED, ORDAINED and APPROVED this ___ day of _____, 2026.

Steve Pascoe
President, Borough Council

ATTEST:

Jessica Freiert
Borough Manager