

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 577

(Duly Adopted December 28, 2022)

AN ORDINANCE REVISING THE COMPENSATION OR COMPENSATION RANGES FOR CERTAIN POSITIONS OF EMPLOYMENT OR APPOINTMENT BY THE BOROUGH, EFFECTIVE JANUARY 1, 2023, INCLUDING CERTAIN ADMINISTRATION EMPLOYEES, MAINTENANCE EMPLOYEES, THE CHIEF OF POLICE, AND PROFESSIONALS; MAKING THE POSITION OF CHIEF OF POLICE A SALARIED POSITION WORKING A MINIMUM OF FORTY (40) HOURS PER WEEK; CLARIFYING THE EFFECT OF SALARIED STATUS; AND CONFIRMING THE EXISTING FIDELITY BOND REQUIREMENTS FOR CERTAIN BOROUGH EMPLOYEES.

WHEREAS, Borough Council desires to revise the compensation or compensation ranges for certain positions of employment or appointment by the Borough as set forth below, effective January 1, 2023; and

WHEREAS, Borough Council desires to make the position of Chief of Police a salaried position; and

WHEREAS, Borough Council desires to confirm the existing fidelity bond requirements for certain Borough employees; and

WHEREAS, on December 21, 2022, the Borough published a public notice in the *East Penn Press*, a newspaper of general circulation in the Borough of Alburtis, of its intention to consider and adopt this Ordinance on December 28, 2022;

NOW, THEREFORE, 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, 11-104.1, 11-106, 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) Borough Manager.

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(21) 2023. The annual salary of the Borough Manager for the year 2023 shall be \$74,353.

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(c) Borough Treasurer.

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(20) 2023. The rate of compensation of the Borough Treasurer for the year 2023 shall be \$20.80 per hour.

(d) Administrative Assistant.

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(7) 2023. The rate of compensation of the Administrative Assistant for the year 2023 shall be \$15.00 per hour.

§ 11-104.1 Chief of Police.

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(i) 2023. The annual salary of the Chief of Police for the year 2023 shall be \$81,823.

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§ 11-106 Maintenance Department.

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(v) 2023. The rate of compensation for each member of the Maintenance Department for the year 2023 shall be established by motion or resolution of Council within the following range of compensation for the person's employment classification:

Maintenance Supervisor\$25.49 - \$33.94 / hour
Maintenance Full Time A.....\$24.41 - \$29.92 / hour
Maintenance Full Time B.....\$23.61 - \$25.03 / hour
Maintenance Full Time C.....\$21.15* - \$23.61 / hour
Maintenance Part Time.....\$10.98 - \$16.60 / hour

* 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 \$22.79. 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 \$22.79 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.

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§ 11-108 Professionals.

(a) Borough Solicitor.

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(20) 2023. The rate of compensation of the Borough Solicitor for the year 2023 shall be \$200.00 per hour.

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SECTION 2. Codified Ordinances § 3-101 (relating to Fidelity Bonds) is ratified and confirmed for calendar year 2023.

SECTION 3. Effective January 1, 2023, Codified Ordinances § 12-102(b) (relating to Personnel Policies—Title and Scope—Scope—Chief of Police) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-102 Scope.

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(b) Chief of Police. The following provisions of the collective bargaining agreement for police employees for 2022-2024, to the extent applicable to full-time police officers, shall apply to the Chief of Police notwithstanding the fact that the Chief of Police is not in the bargaining unit covered by that collective bargaining agreement, and shall supersede any contradictory provisions of this Chapter, except that, since the Chief of Police is a salaried position, any such provisions of the collective bargaining agreement providing for paid time off only apply to excuse the Chief of Police from working such days or hours, and do not apply to the extent they would provide any payments to the Chief in addition to his/her annual salary:

- (1) ~~§ 4 (relating to Overtime)~~ § 1 (relating to Definitions);
- (2) ~~§ 5 (relating to Shift Differential)~~; [RESERVED]
- (3) § 5A (relating to Longevity Pay);
- (4) § 6(c) (relating to Witness Fees at Hearings);
- (5) ~~§ 8A (relating to Training)~~; [RESERVED]
- (6) § 9(a) (relating to definition of Holidays);
- (7) § 10(f), (g), (h), and (i) (relating to Vacations—scheduling and use);
- (8) § 11 (relating to Personal Days);
- (9) § 12 (relating to Sick or Injury Leave);
- (10) § 13 (relating to Bereavement Leave);

- (11) § 17 (relating to Life Insurance);
- (12) § 17A (relating to Funeral Cost Donation Campaign);
- (13) § 19A (relating to Educational Merit Award);
- (14) § 21 (relating to Uniforms and Equipment);
- (15) § 21A (relating to Voluntary Payroll Deductions); and
- (16) § 22 (relating to Physical and Mental Examinations).

SECTION 4. Effective January 1, 2023, Codified Ordinances § 12-201(c) (relating to Personnel Policies—General Working Time & Pay Rules—Working Hours—Chief of Police) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-201 Working Hours.

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(c) **Chief of Police.** The Chief of Police shall work a minimum of forty (40) hours per week (except for authorized paid or unpaid time off under Article III or § 12-102(b)), ordinarily from 7:00 AM to 3:00 PM from Monday through Friday (including one-half hour of paid lunch when possible), ~~except for paid time off and authorized leave.~~ Deductions from salary for working fewer hours may be made only to the extent permitted for employees paid on a salary basis under the federal Fair Labor Standards Act. The Chief of Police shall also work additional hours as he/she deems necessary, unless explicitly directed to the contrary by the Mayor or Council.

SECTION 5. Effective January 1, 2023, Alburtis Codified Ordinances § 12-203(e) (relating to Personnel Policies—General Working Time & Pay Rules—Overtime and Compensatory Time Off—Salaried Employees) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-203 Overtime and Compensatory Time Off.

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(e) **Salaried Employees.** Notwithstanding anything to the contrary in this Section, salaried employees (including the Borough Manager and the Chief of Police) shall not be paid overtime pay or credited with compensatory time off.

SECTION 6. Effective January 1, 2023, Alburtis Codified Ordinances § 12-301 (relating to Personnel Policies—Paid or Unpaid Time Off—Holidays) is amended by adding the following new subsection (e) thereto:

(e) **Salaried Employees.** Notwithstanding anything to the contrary in this Section, salaried employees (including the Borough Manager and the Chief of Police) shall be excused from working eight (8) hours for a Borough holiday, but shall not be paid any amount in addition to their annual salary if they work on a Borough holiday.

SECTION 7. Effective January 1, 2023, Alburtis Codified Ordinances Chapter 12, Article III (relating to Personnel Policies—Paid or Unpaid Time Off) is amended by adding the following new section at the end thereof:

§ 12-306 Salaried Employees.

Notwithstanding anything to the contrary in this Article III, for salaried employees (including the Borough Manager and the Chief of Police) the provisions of this Article III which provide for paid time off (*e.g.*, vacation days, personal days, sick days, and funeral leave) only apply to excuse the salaried employee from working such days or hours, and do *not* apply to the extent they would provide any payments to the salaried employee in addition to his/her annual salary.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Albur-
tis, this 28th day of December, 2022 in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Ronald J. DeIaco, President

Attest:

Sharon Trexler, Borough Manager

AND NOW, this 28th day of December, 2022, the above Ordinance is hereby AP-
PROVED.

Kathleen Palmer, Mayor