

NEW SEWICKLEY TOWNSHIP

ORDINANCE NO. 238

**AN ORDINANCE OF THE TOWNSHIP OF NEW SEWICKLEY, BEAVER COUNTY, PENNSYLVANIA, TERMINATING THE NEW SEWICKLEY TOWNSHIP ROAD DEPARTMENT NON-UNIFORMED EMPLOYEE PENSION PLAN**

**WHEREAS**, the Board of Supervisors (the “Board”) may make and adopt any ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the Township and its finances and the maintenance of peace, good government, health and welfare of the Township and its citizens, trade, commerce and manufacturers.

**WHEREAS**, by adoption of New Sewickley Township Ordinance No. 157, enacted on October 16, 2001, the Board created the New Sewickley Township Road Department Non-Uniform Employee Pension Plan; and

**WHEREAS**, Ordinance No. 157 established the “New Sewickley Township Road Department Non-Uniformed Employee Pension Plan” (“Plan”) and the “New Sewickley Township Road Department Non-Uniform Employee Pension Fund” (“Fund”);

**WHEREAS**, after the adoption of Ordinance No. 157, the New Sewickley Township Road Department affiliated with the International Union of Operating Engineers, Local No. 66, 66A, B, C, D, & R (the “Union”); and

**WHEREAS**, Article 20 of the January 1, 2023 Collective Bargaining Agreement between the Township and the Union provides for a pension plan for Road Department non-professional employees; and

**WHEREAS**, all amounts held under Fund created by Ordinance No. 157 have been properly paid-out and the Fund is now considered inactive; and

**WHEREAS**, the Board expects the Plan and Fund created by Ordinance No. 157 will not become useful to the Township, or any Road Department employees, for the foreseeable future; and

**WHEREAS**, the termination of the Plan and Fund created under Ordinance No. 157 will not be detrimental to any past or present Road Department employees; and

**WHEREAS**, the Bureau of Municipal Pension Audits Department of the Auditor General advised the Township to terminate the Plan; and

**WHEREAS**, the Board finds it to be in the best interest of administration of the Township to close-out the inactive Fund and terminate the Plan created under Ordinance No. 157.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** and it is hereby ordained and enacted by the Board of Supervisors of the Township of New Sewickley, Beaver County, Pennsylvania as follows:

**SECTION 1.** INCORPORATION. The foregoing “whereas” clauses are fully incorporated as set forth herein.

**SECTION 2.** ORDINANCE NO. 157. New Sewickley Township Ordinance No. 157 and its amendments are hereby repealed in their entirety.

**SECTION 3.** ACCOUNT CLOSURE. The account with Pittsburgh National Corporation (“PNC”), under which the Fund was established and maintained, shall be closed.

**SECTION 4.** ALL OTHER ACTIONS. The Township Manager and Secretary are hereby authorized to take all other actions necessary and reasonable to fully terminate the Fund and Plan.

**SECTION 5.** REPEALER. Any ordinance, chapter, section, subsection, paragraph, sentence, clause, phrase or portion of any ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.


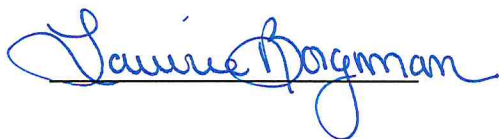
**SECTION 6.** SEVERABILITY. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

**SECTION 7.** EFFECTIVE DATE. This Ordinance shall take effect five (5) days after the date of adoption by the Board of Supervisors of New Sewickley Township, set forth below.

**ORDAINED, ADOPTED AND ENACTED**, by the Board of Supervisors of New Sewickley Township, Washington County, Pennsylvania the 4<sup>th</sup> day of March, 2025.

ATTEST

NEW SEWICKLEY TOWNSHIP  
BOARD OF SUPERVISORS



**Martin Bonzo**  
Chairman, Board of Supervisors