



Ordinance 687

AN ORDINANCE AMENDING A POLICE OFFICERS ABILITY TO PARTICIPATE IN THE “STATE OF DELAWARE COUNTY AND MUNICIPAL PENSION PLAN”

Sponsored By:

First and Second Reading: March 12, 2026

Results: **Passed** 6 In Favor, 0 Opposed, 1 Absent

Third and Final Reading: April 9, 2026

Results: **Passed** In Favor, 0 Opposed

ORDINANCE 687

AN ORDINANCE AMENDING A POLICE OFFICERS ABILITY TO PARTICIPATE IN THE “STATE OF DELAWARE COUNTY AND MUNICIPAL PENSION PLAN”

WHEREAS, On August 11, 2011 the Mayor and Council adopted Ordinance 538 which established the "Elsmere Police Secondary Pension Plan"; and

WHEREAS, On August 11, 2011 the Mayor and Council adopted Ordinance 538 which established the "Elsmere Police Secondary Pension Plan" and required officers hired after July 01, 2011 to participate in that plan; and

WHEREAS, On June 16, 2011 the Mayor and Council also adopted Resolution 11-05 which authorized the Town and a certain group of Police Officers to participate in the State of Delaware County and Municipal Pension Plan; and

WHEREAS, On March 09, 2017 the Mayor and Council adopted Ordinance 624 allowing Police Officers who have completed five years of service to participate in the State of Delaware County and Municipal Pension Plan and leave the "Elsmere Police Secondary Plan"; and

WHEREAS, On January 11, 2018 the Mayor and Council adopted Ordinance 631 allowing Police Officers who already possess the Delaware Council On Police Training (COPT) certification upon being hired to be exempt from the five years of service requirement allowing them to participate in the State of Delaware County and Municipal Pension Plan after successfully completing one year of probation.

WHEREAS, The Mayor and Council now wish to freeze new participation in the “Elsmere Police Secondary Pension Plan” and allow every sworn member of the Elsmere Police Department to participate in the State of Delaware County and Municipal Pension Plan immediately and upon being hired after the ratification of the collective bargaining agreement effective July 01, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

That the Participation Section of the Elsmere Police Secondary Pension Plan be amended to read as follows.

PARTICIPATION:

- a. Officers hired after July 01, 2011 must participate in the plan as a condition of employment and must contribute a % of their base salary as a participant’s contribution

as established and set forth by the State of Delaware County and Municipal Pension Plan annually.

b. Police Officers hired after April 9, 2026, who possess a Post Officer Standards and Training Commission Certification (POST) f/k/a Delaware Council On Police Training (COPT) certification upon being hired shall participate in the State of Delaware County and Municipal Pension Plan.

**ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE,
THIS 9th DAY OF APRIL 2026.**

First and Second Reading
March 12, 2026

Third and Final Reading
April 9, 2026

Joann I. Personti, Mayor

Jane McDaniel, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS

This Ordinance allows sworn members of the Elsmere Police Department and Police Officers who possess a Post Officer Standards and Training Commission (POST) certification f/k/a Delaware Council On Police Training (COPT) certification to participate in the State of Delaware County and Municipal Pension Plan immediately upon hire.

FISCAL IMPACT

This ordinance will increase the costs the Town must pay for participants in the plan upon hiring. While the actual amount will vary based upon issues beyond the control of the Town, an example of the increased cost based upon the figures known at the time of this ordinance is introduced are as follows.

The Town currently contributes 7.5% of an officer's base salary to comply with the Elsmere Police Secondary Pension Plan. If the same officer were participating in the State of Delaware County and Municipal Pension Plan, the Town would be contributing 15.20% of their base salary per the State of Delaware Office of Management Budget FY26 Employer Contribution Rate. This is an increase of 7.7% of the Officer's Salary.