

REPEALED BY 89-3

ORDINANCE NO. 85 - /

TOWNSHIP OF SCHUYLKILL

AN ORDINANCE ESTABLISHING A POLICE PENSION FUND FOR THE BENEFIT OF THE SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY POLICE FORCE WHO RECEIVE HONORABLE DISCHARGE THEREFROM BY REASON OF AGE AND SERVICE.

BE IT ORDAINED by the Board of Supervisors of Schuylkill Township, Schuylkill County, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

Section 1. ESTABLISHMENT OF PLAN

A Police Pension Plan is hereby established pursuant to the Act of May 1, 1933, P.L. 103, Art. V, § 595, as amended (53 P.S. § 65595). Such fund shall be applied under such regulations as Schuylkill Township may prescribe.

Section 2. ELIGIBILITY FOR PARTICIPATION IN PROGRAM

Each full-time police officer now or hereafter employed by Schuylkill Township shall be eligible to participate and shall be a participant in the Police Pension Plan.

Section 3. AGE AND SERVICE REQUIREMENTS

Each participant who has been employed by Schuylkill Township as a police officer for twenty-five (25) years in the aggregate, and who has attained the age of fifty-five (55) years may retire and shall, upon his actual retirement from his employment with Schuylkill Township be entitled to receive pension or retirement benefits as are hereinafter provided.

Section 4. MILITARY LEAVE CREDIT

Any member of the police force employed by Schuylkill Township who has been a regular appointed policeman of Schuylkill Township for a period of at least six (6) months and who thereafter shall enter into the military service

of the United States, shall have credited to his employment record for pension or retirement benefits all of the time spent by him in such military service, if such person returns or has heretofore returned to his employment within six (6) months after his separation from the service.

Section 5. RETIREMENT OR PENSION BENEFITS

The pension or retirement benefits shall be payable during the balance of the participant's life following actual retirement, and after fulfillment of the age and service requirements set forth above. The monthly benefit shall be a sum equal to one-half (1/2) of the average monthly salary of the participant during the last thirty-six (36) months of his employment.

Such pension or retirement benefit shall be payable from the assets of the Fund established pursuant to this Ordinance and the pension or retirement benefit shall be computed as the sum of:

(1) all pension benefits from pension plans heretofore established by a private organization or association for the member of the police force, but only to the extent that the Commonwealth or any of its municipalities shall have contributed to such pension plan monies.

(2) twenty-five (25%) percent of the primary benefits under the Federal Social Security laws for which the member may be eligible because of age, and in determining such eligibility and such amount of Social Security, only compensation for services actually rendered by the officer and covered by the police pension fund shall be included, and

(3) benefits from the police pension fund hereby established to the extent necessary to bring the total benefits in any month to one-half (1/2) of the aforesaid monthly average salary.

Section 6. ALLOCATION OF COMMONWEALTH FUNDS

The payments by the State Treasurer to the Schuylkill Township treasurer from the monies received from taxes paid upon the premiums of foreign casualty insurance companies for purposes of pension retirement shall be used in the following order:

(1) To reduce the unfunded liability, if any;

(2) To apply against the annual obligation of the Township for future service costs, or to the extent that the payment may be in excess of such obligation.

Section 7. GIFTS

The Schuylkill Township shall be authorized to take by gift, grant, devise or bequest, any money or property, real, personal or mixed, in trust, for the benefit of such fund and the care, management, investment and disposal of such trust funds or property shall be vested in Schuylkill Township and the said trust funds shall be governed thereby subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe,

Section 8. PENSION BENEFITS NOT SUBJECT TO LEGAL PROCESS GENERALLY

The pension payments, herein provided for, shall not be subject to attachment, execution, levy, garnishment, or other legal process, and shall be payable only to the member or his designated beneficiary and shall not be subject to assignment or transfer.

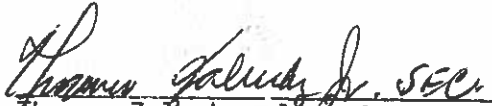
Section 9. EXPENSES OF ADMINISTRATION

The expenses of administering this act, including the compensation of an actuary and the custodian of the fund, exclusive of the payments of

retirement allowances shall be paid by Schuylkill Township by appropriations made by Schuylkill Township.

ENACTED BY THE BOARD OF SUPERVISORS OF SCHUYLKILL TOWNSHIP this 7th day of August, 1985, in lawful session duly assembled.

Attest:


Thomas Zalusky, Jr., Secretary

BOARD OF SUPERVISORS OF THE TOWNSHIP
OF SCHUYLKILL

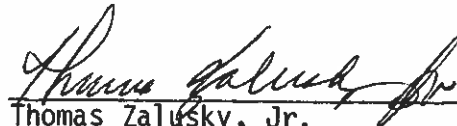

Joseph Zelinsky, Chairman


John Bashago, Vice-Chairman


Joseph Rudy, Supervisor

CERTIFICATION

Thomas Zalusky, Jr., being duly sworn deposes and says that he is the Secretary of Schuylkill Township Board of Supervisors, and that the foregoing is a true and correct copy of the Ordinance adopted by the Schuylkill Township Board of Supervisors at a meeting held August 7, 1985.



Thomas Zalusky, Jr.