

AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO JOIN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW: AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES JOINING UNDER THE PROVISIONS OF THIS ARTICLE: STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE TOWNSHIP. ORDAINED AND ENACTED, IT IS HEREBY ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF SCHUYLKILL, SCHUYLKILL COUNTY, AS FOLLOWS:

SECTION I. The Township of Schuylkill hereby elects to enroll its police officers in the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, with the express purpose of having the Pennsylvania Municipal Retirement System administer the pension plan established by the Board of Supervisors for the police officers of the Township. The Township of Schuylkill does hereby agree to be bound by all the requirements and provisions of said Article and the Law, as the case may be, and to assume all obligations, financial and otherwise, placed upon member municipalities by said Amendment, as the case may be. All references hereafter shall be based on benefits negotiated between the Board and the municipality under the provisions of Article IV.

SECTION II. Membership in the Pennsylvania Municipal Retirement System shall be mandatory for all full-time police officers of the Township.

SECTION III. Credit for prior service for original employees is granted for each year or partial year thereof that the member was employed by the Township from original date of hire. Benefits provided to members in the agreement dated December 19, 1989, shall accrue based on all credited service granted and earned in accordance with this section.

The Township of Schuylkill hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

SECTION IV. Payment for any obligation established by the adoption of this ordinance and the agreement between the System and the Township of Schuylkill shall be made by the Township in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

SECTION V. As part of this ordinance, the Township agrees that the System shall provide the benefits set forth in the agreement between the Board and the Township of Schuylkill, dated December 19, 1989. The passage and adoption of this ordinance by the Board of Supervisors of the Township of Schuylkill is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package.

SECTION VI. By adoption of this ordinance, the Township agrees to terminate, upon the effective date of membership in the Pennsylvania Municipal Retirement System, any previously maintained municipal pension program applicable to those employees identified as members in Section II of this ordinance and to transfer any assets from any existing plan to offset the established liability. The Board of Supervisors also hereby acknowledges that an affirmative vote representing at least seventy-five percent (75%) of the previous plan members indicated the members were in agreement with the establishment of the plan with the Pennsylvania Municipal Retirement System.

SECTION VII. The Township of Schuylkill intends this ordinance to be the complete authorization of the Township plan and, therefore, specifically repeals Ordinances 85-1 and 87-4 of the Township of Schuylkill.

SECTION VIII. A duly certified copy of this ordinance and the referenced agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the police officers of the Township of Schuylkill in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 1990.

1989      ORDAINED AND ENACTED this 19th. day of December,

TALLY OF VOTES - YEAS 2 NAYS 0

ATTEST:

Henry P. Shoener

Henry P. Shoener, Secretary

REPEALED BY 89-3

ORDINANCE NO. 87 - 4

TOWNSHIP OF SCHUYLKILL

AN ORDINANCE AMENDING ORDINANCE NO. 85 - 1 WHICH ESTABLISHED 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. Section 5 of Ordinance No. 85 - 1 is hereby amended to read as follows:

Section 5. RETIREMENT OR PENSION BENEFITS



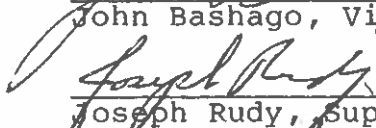
The Township shall purchase annuity contracts through an annuity purchase plan to fund retirement benefits in accordance with Act 120.

ENACTED BY THE BOARD OF SUPERVISORS OF SCHUYLKILL TOWNSHIP this 1st day of July, 1987, 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

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.

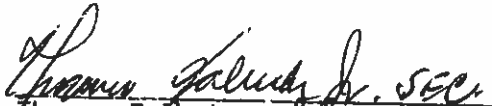
Section 9. EXPENSES OF ADMINISTRATION

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

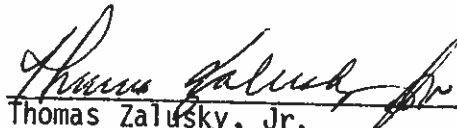
  
Joseph Zelinsky, Chairman

  
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.