

AN ORDINANCE ESTABLISHING A POLICE PENSION PLAN FOR THE CITY OF JEANNETTE, TO BE MAINTAINED BY A CHARGE AGAINST EACH MEMBER OF THE POLICE DEPARTMENT AND BY ANNUAL APPROPRIATIONS MADE BY THE CITY OF JEANNETTE, INCLUDING THE APPROPRIATIONS FROM THE COMMONWEALTH OF PENNSYLVANIA.

BY IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY AUTHORITY OF THE SAME:

SECTION 1: ESTABLISHMENT OF PLAN

That pursuant to an actuarial evaluation prepared at the request of the Council of the City of Jeannette for the purpose of determining the past service liability and the future service cost of a Police Pension Plan, the City of Jeannette hereby establishes the City of Jeannette Police Pension Plan, hereinafter referred to as the Plan. The Plan is to be maintained by a charge against each permanent employee of the Police Department of the City of Jeannette, and by annual appropriations made from the general fund of the City, and partly by appropriations made from the Commonwealth of Pennsylvania.

SECTION 2: OPERATION

The Plan shall be operated as a self-administered plan under the direction of a Police Pension Board consisting of three members of Council appointed by the Mayor of the City of Jeannette; the City Controller, and three members of the Police Department to be selected by the members of said department. The above named Police Pension Board Members shall be appointed for two year terms; such terms to begin during the first month of each even numbered year under the terms of a trust indenture to be entered into wherein the Investors Diversified Services Incorporated shall serve as Investment Manager of, and the duly appointed Trustees shall act as custodian for the monies. The Trustees shall be the member of City

Council serving in charge of Accounts and Finance; the City Controller and a member of the Police Department selected by the members of said Department.

SECTION 3: ELIGIBLE EMPLOYEES

Each person, 21 years of age, or older, who is a permanent employee of the Police Department of the City of Jeannette, hereinafter referred to as the Police Department, shall be required to become a participant in the Plan as of December 2, 1959. Each participant shall authorize each monthly deduction from the compensation paid him for his services in the Police Department, as is specifically provided in the section relating to payments as given in Section 7 of this ordinance.

Each person who becomes a permanent employee after December 2, 1959, shall become a participant in the Plan as of the last day of the month coinciding with or next following his date of employment.

SECTION 4: RETIREMENT ELIGIBILITY

Any member of the Police Department who, on or after December 2, 1959, shall have a minimum period of total service of not less than an aggregate of 25 years of permanent service with the Police Department and has attained or passed the age of 60 years, and who has received an Honorable Discharge from the Police Department shall be eligible to retire, all in accordance with the requirements of the Act of Assembly of June 23, 1931, P. L. 932 as reenacted and amended and also designated as "The Third Class City Code."

SECTION 5: DISABILITY AND SURVIVORSHIP BENEFITS

In the case of the retirement of a participant in the Plan by reason of permanent disability or by reason of injuries received in service such participant shall be entitled to a monthly pension for life in an amount equal to one-half the average monthly salary of such participant during the sixty months of employment last preceding his termination for such disability.

In the event of the death of a participant, payment of benefits shall be made as set forth in this Ordinance under Section relating to Death Benefits and Section relating to Termination of Employment, unless specifically provided otherwise by resolution of Council of the City of Jeannette. In no event shall payment of benefits be less than the amount provided in Section 8 of this Ordinance relating to Death Benefits or Section 9 of this Ordinance relating to Termination of Employment, whichever is applicable.

SECTION 6: RETIREMENT BENEFITS

The amount of monthly retirement benefit for each participant in the plan who retire from the Police Department, and who meets the requirements of Retirement Eligibility as set forth in Section 4 of this Ordinance shall be equal to one-half the monthly average salary paid said participant for services in the Police Department during the last sixty months of his employment by the Police Department.

SECTION 7: PAYMENTS INTO THE PLAN

Each participant in the Plan shall contribute monthly an amount equal to not less than three percent (3%) of total earnings paid the participant for service in the Police Department. The percentages of contributions made shall be the same for each participant in the Plan and shall be determined annually by action of the Council of the City of Jeannette. The remainder of the needed annual cost of the Plan, as determined annually by the actuary, shall be the contribution of the City of Jeannette, payable annually.

The payments made by the Treasurer of the Commonwealth of Pennsylvania to the City of Jeannette from taxes paid upon premiums by foreign casualty insurance companies for the purpose of pension benefits or disability benefits for policemen shall be used as follows: First, to reduce an unfunded liability in the Plan. Second, after such liability has been funded, to reduce the annual contribution of the City of Jeannette. Third, any remainder to reduce the contributions required of the participants in the Plan.

Unless specifically provided otherwise, monies payable to the Plan from any other source shall be applied one-half toward the reduction of the contributions of participants in the Plan and one-half towards the reduction of the contribution of the City of Jeannette.

SECTION 8: DEATH BENEFITS

In the event a participant in the plan dies prior to retirement, and while still in the service of the Police Department, City of Jeannette, a monthly pension for life, or until her remarriage, shall be paid to his surviving widow. The amount of such pension shall be equal to one-half of the average monthly salary of such participant during the sixty (60) months of employment last preceding the date of death. Upon the death of a participant subsequent to normal retirement or disability retirement a monthly pension in the amount equal to his monthly pension shall be paid to his widow for life or until her remarriage. In the event of the remarriage or death of the participant's widow, and if, at the time of such remarriage or death, there shall be an unmarried child or unmarried children of the participant and his widow, under eighteen (18) years of age, then and in that event, the monthly pension shall continue and shall be paid to such child or distributed among such children, until such child, unmarried, or all of such children, unmarried, have attained the age of eighteen (18) years at which time all pension benefits hereunder shall cease.

SECTION 9: TERMINATION OF EMPLOYMENT

A participant in the Plan whose employment with the Police Department is terminated for any reason other than that of death or disability of the participant, and who is not receiving benefits from the Plan, shall have no further interest whatsoever in amounts credited to his account from employer contributions and shall be entitled only to a return of contributions made by him. If, however, the participant has attained fifty (50) years of age and has completed twenty (20) years of service as employee of the

Police Department of the City of Jeannette, he may elect not to withdraw his contributions and to receive in lieu thereof a monthly pension commencing at the time when he would have completed the requirements for retirement if his employment had not been terminated. The amount of such pension shall be 2% of his average monthly salary for the last five years preceding termination for each full year of service as an employee of the Police Department, City of Jeannette.

SECTION 10: ATTACHMENT OF FUNDS

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

SECTION 11: OPERATION OF THE PLAN

The proper officers of the City of Jeannette are hereby authorized and empowered to execute and deliver on behalf of the City, such documents as the Solicitor shall determine to be necessary and proper to effectuate and implement the Plan.

SECTION 12: SEVERABILITY

The provisions of this Ordinance shall be severable and if any of the provisions shall be held to be invalid for any reason, such decision shall not effect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted and such provision not been included therein.

SECTION 13: REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 14: EFFECTIVE DATE

This Ordinance shall take effect on December 27, 1959.

ORDAINED AND ENACTED at a meeting of Council held on the 17th
day of December, 1959.

A. B. Elias
Mayor and President of Council

ATTEST:

Helaine Murray
City Clerk

EXAMINED AND APPROVED this 17th day of December,
1959.

A. B. Elias
Mayor