

CITY OF JEANNETTE

BILL NO. 80-3

ORDINANCE NO. 80-5

AN ORDINANCE ESTABLISHING A FIREMAN'S PENSION PLAN; CREATING A BOARD OF MANAGERS TO ADMINISTER THE PLAN; PROVIDING FOR THE OPPORTUNITY TO BUY BACK MILITARY TIME; ESTABLISHING PENSION RATES AND SERVICE INCREMENTS; APPOINTING AN ACTUARY TO ADVISE THE MANAGERS ON PAST SERVICE LIABILITY AND FUTURE SERVICE COSTS; AND PROVIDING FOR THE REPAYMENT TO FIREMEN WHO CEASE TO BE MEMBERS OF THE DEPARTMENT PRIOR TO BEING ELEGIBLE TO RETIRE.

BE IT ORDAINED, and it is hereby ordained and enacted by the Council of the City of Jeannette, at a regular meeting thereof, held on the 13<sup>TH</sup> day of MARCH, 1980, that,

WHEREAS, the City of Jeannette is a third-class city, organized and existing under the laws of the Commonwealth of Pennsylvania; and,

WHEREAS, the City of Jeannette is desirous of establishing a fireman's pension plan.

NOW, THEREFORE, in consideration of the above, the following is adopted:

SECTION I. There is hereby established the City of Jeannette Firemen's Pension Plan, hereafter referred to as the plan. The plan is to be maintained in part by an equal and proportionate monthly charge against each member of the Fire Department, and by annual appropriations made from the general fund of the City and from contributions from the Commonwealth of Pennsylvania.

SECTION II. The plan shall be operated as a self-administered plan under the direction and control of a board of managers, consisting of the Mayor, The Director of Accounts and Finance, the Director of the department having charge of the Fire Department, the City Controller, and the Chief of the Fire Department, ex officio, and two members of the Fire Department, to be chosen by members of the Fire Department. Of the first managers so chosen by the Fire Department, one shall be chosen for a term to two years and one for a term of four years. Biennially, therefore, one manager shall be chosen for a term of four years to take the place of the one whose term expires.

SECTION III. Each person, 18 years of age or older, who is a permanent employee of the City Fire Department shall be required to become a participant in the plan as of April 1, 1980. Each participant shall authorize such monthly deduction from the compensation paid him for his services in the Fire Department as is specifically provided in Section I of this Ordinance. Each person who becomes a permanent employee after April 1, 1980, 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 IV. In the event of the retirement of a participant in the plan by reason of his becoming totally and permanently disabled from performing his duties as a fireman, regardless of how this total and permanent disability occurred, he shall be entitled to a monthly pension for life in an amount equal to one-half the rate of the monthly pay of the participant at the date of his retirement as determined by the managers, or one-half of the highest average annual monthly salary which the member received during any five years of service preceding the date of his retirement as determined by the managers, whichever is higher. In order for a participant to be eligible to retire under this section, he must first apply to the managers in writing, requesting such retirement and setting forth his reasons for this request. Upon receipt of this application, the managers, at the expense of the plan, will select and appoint two medical doctors who are to examine the applicant in conjunction with a medical doctor to be selected and appointed by the applicant at his own expense, and the medical findings and reports of these three medical doctors are to be submitted in writing to the managers in order that the managers may make a determination as to the eligibility of the participant to retire because of the disability. In the event that the managers determine that the participant is eligible to retire because of the disability, the managers reserve the right to have the participant re-examined at any future time if so desired in order to be sure

that the participant's disability is still total and permanent.

SECTION V. The amount of monthly retirement benefits for each participant in the plan who retires from the Fire Department, shall be equal to one-half the rate of the monthly pay of the participant at the date of retirement or one-half of the highest average annual salary which the member received during any five years of service preceding his retirement, whichever is higher. Payments to surviving spouses of members retired, on pension, or killed in the service on or after April 1, 1980, shall be the amount payable to the member or which would have been payable had he been retired at the time of his death.

SECTION VI. In addition to the amount of the monthly retirement benefit authorized to be paid to the participant every participant shall be entitled to the payment of a service increment. The computation of this service increment shall be in accordance with the provisions of the Third Class City Code, and the same is adopted herein by reference, incorporated herein and made a part hereof.

SECTION VII. In the event a participant in the plan dies prior to retirement, and while still in the service of the Fire Department, a monthly pension for life, or until remarriage, shall be paid to the surviving spouse. The amount of such pension shall be equal to one-half of the average monthly salary of such participant during the sixty months of employment last preceding the date of death. Upon the death of a participant subsequent to normal retirement, the payment to retirement benefits to the surviving as directed in SECTION V herein is controlling, providing however, there are no minor children, under the age of eighteen, residing with the surviving spouse. If there is an unmarried minor child or children of the participant, then 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 years at which time all pension benefits hereunder shall cease.

SECTION VIII. The actuary firm of MOCKENHAUPT INCORPORATED is hereby appointed as actuary to advise the managers as to past service liability and future service costs to the plan.

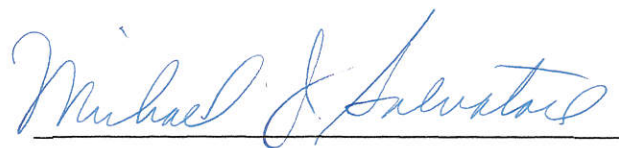
SECTION IX. There shall be paid to the plan by the City of Jeannette an annual amount not less than one-half of one per centum nor more than three per centum of all city taxes levied by the city, other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof.

SECTION X. If for any cause any member of the Fire Department contributing to the pension fund shall cease to be a member of the Fire Department before he becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such member shall be refunded to him in full without interest.

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

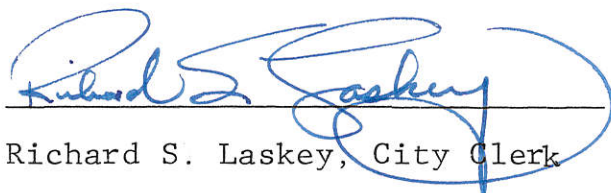
SECTION XII. Any provision of this ordinance which is determined to be unconstitutional or unlawful shall be severable and such determination shall not effect the validity of the remaining portions of this ordinance.

IN WITNESS WHEREOF, I MICHAEL SALVATORE, Mayor, have set my hand and seal this 13<sup>TH</sup> day of MARCH, 1980.



Mayor, City of Jeannette

Attest:



Richard S. Laskey, City Clerk