

TOWNSHIP OF AMITY
BERKS COUNTY, PENNSYLVANIA
ORDINANCE NO. # 91-128

AMENDING THE POLICE OFFICERS PENSION FUND AND PLAN FOR AMITY TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, ORDINANCE NO. #66, PROVIDING FOR SUPERANNUATION PENSION QUALIFICATIONS BEGINNING AT AGE 50 COMBINED WITH TWENTY-FIVE YEARS OF SERVICE; PROVIDING THAT SERVICE CONNECTED DISABILITY BENEFITS SHALL BE ESTABLISHED AT SEVENTY-FIVE PERCENT OF THE HIGHEST SINGLE YEAR'S COMPENSATION WITHOUT REGARD TO SERVICE REQUIREMENTS; PROVIDING THAT CONTRIBUTIONS TO THE PENSION PLAN BY POLICE OFFICERS SHALL NOT BE MANDATED FOR SO LONG AS THE FUND REMAINS ACTUARILY SOUND; AND REAFFIRMING AND REORDAINING THE REMAINING PROVISIONS OF THE PENSION FUND AND PLAN FOR THE POLICE OFFICERS OF AMITY TOWNSHIP AS ESTABLISHED IN ORDINANCE NO. #66.

WHEREAS, the Township of Amity hereinbefore established a pension fund and plan for the Police Officers of Amity Township being known as Ordinance No. #66 which established a plan for pension benefits, established requirements for eligibility and provided for payment of such benefits; and

WHEREAS, the Township of Amity did participate in an arbitration for police contract benefits under and pursuant to Act 111 as a result of which arbitration and award was entered dated January 7, 1991, which mandated and incorporated certain changes, clarifications, and revisions to said pension benefits enjoyed by the bargaining unit consisting of the Amity Township Police Officers; and

WHEREAS, the Board of Supervisors of Amity Township desire to amend Ordinance No. #66 to comply and comport with the terms and provisions of the Arbitration Award.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Board of Supervisors of Amity Township, Berks County, Pennsylvania, that Ordinance No. #66 establishing a pension fund and plan for the Police Officers of Amity Township is hereby amended as follows:

SECTION 1. Ordinance No. #66, SECTION 2, PAYMENTS INTO THE FUND, (c) which reads:

Payments from covered police officers at rates which conform with state law.

Is hereby amended as follows:

(c) Payments from covered police officers at rates which conform with state law, however, no members of the bargaining unit of the Amity Township Police Association, covered or eligible under this plan shall contribute to the fund during the duration of the Arbitration Award (extending through December 31, 1993) for so long as the fund remains actuarily sound.

SECTION 2. Ordinance No. #66, Section 4. PARTICIPATION OF BENEFITS which reads as follows:

Every full-time police officer who shall have served Amity Township honorably for at least twenty-five years and shall have attained at least the age of fifty-five years shall be eligible for a full life pension, commencing the first of the month following his retirement. The date of eligibility shall be his Normal Retirement Date hereunder. Such pension shall be paid monthly and shall be calculated

as fifty percent (50%) of the average monthly base salary of the police officer's final sixty (60) months of service. These payments shall be in addition to whatever social security or other pension benefits to which the retiree may be entitled. Should a retiree die before having received 120 monthly pension payments, his beneficiary(ies) shall be paid the remainder of these payments in the same amount and at the same time as the deceased retiree would have received these payments had he survived.

Is hereby amended to read as follows:

SECTION 4. PARTICIPATION OF BENEFITS.

Every full-time police officer who shall have served Amity Township honorably for at least twenty-five years and shall have attained at least the age of fifty years shall be eligible for a full life pension, commencing the first of the month following his retirement. The date of eligibility shall be his Normal Retirement Date hereunder. Such pension shall be paid monthly and shall be calculated as fifty percent (50%) of the average monthly base salary of the police officer's final thirty-six (36) months of service. These payments shall be in addition to whatever social security or other pension benefits to which the retiree may be entitled. Should a retiree die before having received one hundred twenty (120) monthly pension payments, his beneficiary(ies) shall be paid the remainder of these payments in the same amount and at the same time as the deceased retiree would have received these payments had he survived.

SECTION 3. - The Ordinance No. #66, Section 5, Vesting the third paragraph of which reads as follows:

The vesting requirement notwithstanding, should a police officer die or become permanently disabled through police service, he or his beneficiary shall become entitled to the applicable benefit described above but based on service and final average base salary to date of death or disability.

Is hereby amended to read as follows:

SECTION 5. Vesting.

The vesting requirement notwithstanding, should a police officer die, the officer or beneficiary shall become entitled to the applicable benefit described above but based on service and final average base salary to date of death or disablement. Further, vesting requirements notwithstanding, should a police officer become permanently disabled through police service, the officer or beneficiary shall become entitled to any benefit calculated at seventy-five percent (75%) of the highest single year's compensation received by such officer without regard to service requirements.

In all other respects, the terms, conditions, and provisions, of Ordinance No. #66 shall and are intended to remain in effect and the same are hereby reenacted and reordained this 4TH day of ~~October~~, 1991.
November

AMITY TOWNSHIP
BOARD OF SUPERVISORS

Thomas Kirchner

Thomas Kirchner, Chairman

Phillip Grillo

Phillip Grillo

D. Gene Hafer

D. Gene Hafer

Jacob Oxenford

Jacob Oxenford

Myron Wheeler

Myron Wheeler

ATTEST:

John P. Kamb
Secretary