

ORDINANCE NO. 8

AN ORDINANCE ESTABLISHING A POLICE DEATH AND DISABILITY FUND, PROVIDING FOR THE TRANSFER TO SAID FUND OF INSURANCE TAX MONIES ALREADY RECEIVED FROM THE COMMONWEALTH OF PENNSYLVANIA, RESTRICTING THE USE OF SAME SOLELY FOR THE PURPOSES OF SAID FUND, PROVIDING FOR THE MANAGEMENT OF SAID FUND, AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the Council of the Borough of Monroeville has heretofore, by duly enacted Resolution No. 3, on November 17, 1952, terminated its Police Pension Fund System and in connection therewith, has divested itself of the Police Officers contracts of insurance on the retirement income plan, purchased for the full time paid policemen employed by the Borough; and

WHEREAS, the Department of Justice of the Commonwealth of Pennsylvania by Attorney General's Opinion, dated October 17, 1952, has ruled that where a Borough repeals a retirement or pension system for its policemen, neither the Commonwealth nor the Borough has any claim to insurance tax monies already received from the Commonwealth, if such monies are used by a local police association for the payment, inter alia, of disability benefits or death benefits; and

WHEREAS, the Borough of Monroeville has on hand certain monies received from the Commonwealth of Pennsylvania as its share of insurance tax monies and desires to devote the same exclusively for the payment of death or disability benefits to its policemen; and

WHEREAS, it therefore becomes necessary to establish a death benefit and disability fund for the exclusive benefit of Borough Policemen and to provide for the proper administration of said Fund.

NOW THEREFORE, it is hereby ordained and enacted by the Borough Council of the Borough of Monroeville, as follows:

SECTION 1. That there shall be, and there is hereby created a Monroeville Borough Police Disability and Death Benefit Fund, for the purpose of providing disability benefits to all full time paid policemen, employed by the Borough or death benefits to the surviving dependents of such policemen.

SECTION 2. That the Fund hereby created, under the terms hereof shall, in accordance with the provisions of Section 38 of the Act of 1947 P.L. 1621, be

under the direction of a Police Disability and Death Benefit Fund Committee. The said Committee shall be composed of the Chairman of the Police Committee of Council, the Chairman of the Finance Committee of Council, the Burgess of the Borough, and the Borough Treasurer. The members of said Committee shall serve until the first Monday of January, 1954 and shall be re-appointed for a term and period of two years and shall be re-appointed biannually thereafter. The said Committee shall elect their own Administrative Officers.

SECTION 3. That the proper officers of the Fund shall, and they are hereby authorized and directed, to establish rules and regulations for the conduct, procedure and administration of said Fund and the payment of benefits due in accordance with the uniform scale or rates established, set up and prescribed by Borough Council for the payment of benefits, to the full time members or their dependents of the police force, disabled or killed, as aforesaid.

SECTION 4. The proper Officers of the Fund shall and they are hereby authorized to draw warrants, as they shall be directed, for the payments of disability or death benefits to the said members of the police force, or their dependents, entitled thereto.

SECTION 5. That any and all monies hereby transferred to said Police Disability and Death Benefit Fund shall be used exclusively for the purposes of said Fund, as aforesaid, and solely for the purposes of paying disability benefits to Borough Policemen and death benefits to the families of such as may be killed in the performance of their duties. Such benefits shall be paid as hereinbefore directed in Section 3 hereof.

SECTION 6. The Fund Committee shall prepare and submit a report to Borough Council, of the status and affairs of the Fund, on or before the first Monday of January, 1954, and at least biennially thereafter.

SECTION 7. That all Ordinances or parts of an Ordinance, conflicting with the terms and provisions of this Ordinance be and the same are hereby repealed

Ordinance No. 8 - page 3

insofar as the same are in conflict or inconsistent with this Ordinance.

ORDAINED AND ENACTED this 6th day of July, 1953.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Edyth J. Amalong
Borough Secretary

(Signed) Wm. J. Caughey
President of Council

EXAMINED AND APPROVED this 6th day of July, 1953.

(Signed) Samuel Jenkins
Burgess