

## ORDINANCE NO. 82

AN ORDINANCE ESTABLISHING A POLICE PENSION FUND FOR THE BOROUGH OF MONROEVILLE TO BE MAINTAINED BY A CHARGE AGAINST EACH MEMBER OF THE POLICE FORCE, BY ANNUAL APPROPRIATIONS MADE BY THE BOROUGH, BY PAYMENTS MADE BY THE STATE TREASURER TO THE BOROUGH OF MONROEVILLE TREASURER FROM THE MONEYS RECEIVED FROM TAXES PAID UPON PREMIUMS BY FOREIGN - CASUALTY INSURANCE COMPANIES FOR PURPOSES OF PENSION RETIREMENT, FOR POLICEMEN AND BY GIFTS, GRANTS, DEVISES OR BEQUESTS GRANTED TO THE PENSION FUND, PURSUANT TO THE PROVISIONS OF ACT NO. 600, MAY 29, P.L. (1955) --, 1956; AND PROVIDING FOR THE TRANSFER TO SUCH FUND OF THE EXISTING POLICE PENSION FUND OF THE BOROUGH OF MONROEVILLE, PURSUANT TO THE PROVISIONS OF SUCH ACT; AND FURTHER AUTHORIZING AND EMPOWERING THE PROPER OFFICERS OF THE BOROUGH OF MONROEVILLE TO EXECUTE AND DELIVER ON BEHALF OF THE BOROUGH OF MONROEVILLE SUCH DOCUMENTS AS THE SOLICITOR OF THE BOROUGH SHALL DETERMINE TO BE NECESSARY AND PROPER TO EFFECTUATE AND IMPLEMENT THE POLICE PENSION FUND HEREBY ESTABLISHED.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Monroeville, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

SECTION 1. That pursuant to the provisions of Act No. 600, May 29, P.L. (1955) --, 1956, of the General Assembly of the Commonwealth of Pennsylvania, the Borough of Monroeville hereby establishes a Police Pension Fund to be maintained by a charge against each member of the police force, by annual appropriations made by the Borough of Monroeville, by payments made by the State Treasurer to the Borough of Monroeville Treasurer from the moneys received from taxes paid on premiums by foreign-casualty insurance companies for purposes of pension retirement, for policemen and by gifts, grants, devises or bequests granted to such pension fund pursuant to the provisions of such Act.

SECTION 2. Such Police Pension Fund shall be under the direction of the Council of the Borough of Monroeville and shall be applied under such regulations as the Council of the Borough Monroeville may, by ordinance or resolution, prescribe for the benefit of such members of the Borough of Monroeville police force as shall receive honorable discharge therefrom, by reason of age and service.

SECTION 3. The Borough of Monroeville Police Pension Fund is hereby 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 FIDELITY TRUST COMPANY, MONROEVILLE, PENNSYLVANIA (the person or persons having the management of such Police Pension Fund), 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 4. The Borough of Monroeville hereby prescribes a minimum period of total service not less than an aggregate of twenty-five (25) years in the Borough of Monroeville and a minimum age of sixty (60) years after which members of the police force of the Borough of Monroeville may retire from active duty, and such members as are retired shall be subject to service, from time to time, as a police reserve, in case of riot, tumult or preservation of the public peace until unfitted for such service, when they may be finally discharged by reason of age or disability.

SECTION 5. Any member of the police force employed by the Borough of Monroeville, who has been a regular appointed employee of the Borough of Monroeville 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 6. Payments made to such Police Pension Fund shall not be a charge on any other fund in the treasury of the Borough of Monroeville or under its control, save the police pension fund herein provided for. The basis for determining any pension payable under this Ordinance, following retirement of any member of the force meeting the service and age qualifications of this Ordinance shall be as follows:

Monthly pension or retirement benefits shall be one-half (1/2) the monthly average salary of such member during the last sixty (60) months of employment.

Such pension or retirement benefits for any month shall be computed as the sum of (1) any pension benefits from pension plans heretofore established by a private organization or association for the members of the police force, (2) primary benefits under Federal Social Security laws for which the officer may be eligible because of age, and (3) benefits from the police pension fund established pursuant to this Ordinance to the extent necessary to bring the total benefits in any month up to one-half (1/2) the aforesaid monthly average salary.

SECTION 7. The actuary to be employed by the Borough of Monroeville with respect to the Police Pension Fund hereby established shall determine the present value of the liability on account of pensions payable under Paragraph 6 of this Ordinance to original members for service prior to the date of the establishment of this fund, and shall off-set the value of any assets transferred to this fund from the previous fund established by the Borough of Monroeville, to determine the unfunded liability. The unfunded liability shall be paid entirely by the Borough of Monroeville, provided, that it may be funded over a period not to exceed twenty-five (25) years. The actuary shall also determine the amount which shall be contributed annually into the fund for the service of members subsequent to the establishment of the fund (to be known as "future service cost").

Members shall pay into the fund monthly, an amount equal to two percent (2%) of the monthly compensation on which Social Security contributions are deducted and as to such monthly compensation as shall not be subject to Social Security deductions, they shall pay an amount equal to two per cent (2%) plus the current percentage for said Social Security deductions. This shall be effective January 1, 1957, so that the second percentage amount shall be five and one quarter (5-1/4) percent and increased on each occasion that the Social Security Taxes are increased.

The payments made by the State Treasurer to the municipal treasurer from the moneys received from taxes paid upon premiums by foreign casualty insurance companies for purposes of pension retirement or disability benefits for policemen shall be used as follows: (1) to reduce the unfunded liability or, after such liability has been funded, (2) to apply against the annual obligation of the Borough of Monroeville for future service cost to or to the extent that the payment may be in excess of such obligation, (3) to reduce member contribution. Any other moneys paid into the police pension fund shall be applied equally against the member and the municipal portions of the future service cost.

SECTION 8. The members' assets and liabilities of the existing Borough of Monroeville Police Pension Fund shall be transferred to the fund established by this Ordinance.

After such transfer the Borough of Monroeville Police Pension Fund established by this Ordinance shall assume the liability of continuing the payment of pensions to members of the police force retired prior to such transfer in accordance with the laws and regulations under which such members, if any, were retired.

SECTION 9. No person participating in a police pension fund established pursuant to the provisions of this Ordinance, who becomes entitled to receive a benefit therefrom, shall be deprived of his right to an equal proportionate share therein upon the basis upon which he first became entitled thereto.

SECTION 10. Any member of a police force of the Borough of Monroeville, who for any reason whatsoever, shall be ineligible to receive a pension after having contributed any charges to a police pension fund established pursuant to the provisions of this Ordinance, or to a police pension fund existing on the effective date of this Act supplanted by the police pension fund established pursuant to the provisions of this ordinance, shall be entitled to a refund of all such moneys paid by him into such funds immediately upon discontinuance of

his employment with the police force. If such discontinuance is due to death, such moneys shall be paid to his designated beneficiary, or, in the absence thereof, to his estate.

SECTION 11. 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 12. The expense of the administration of this Ordinance, including the compensation of the actuary and the custodian of the fund, exclusive of the payments of retirement allowances, shall be paid by the Borough of Monroeville by appropriations made by the Council thereof.

SECTION 13. The Police Pension Fund provided for herein is hereby established immediately, but no payment shall be ade from the fund established by this Ordinance until January 1, 1958.

SECTION 14. The proper officers of the Borough of Monroeville are hereby authorized and empowered to execute and deliver on behalf of the Borough such documents as the Solicitor of the Borough shall determine to be necessary and proper to effectuate and implement the Police Pension Fund hereby established under the provisions of such Act No. 600 of the 1955 legislature of the Commonwealth of Pennsylvania.

SECTION 15. Any ordinance or part of ordinance conflicting with the provisions of this ordinance are hereby repealed.

ORDAINED AND ENACTED into law this 31st day of December 1956.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Gladys Diller  
Borough Secretary

By (Signed) Edgar Giles  
President of Council

EXAMINED AND APPROVED by me this 31st day of December, 1956.

(Signed) Samuel Jenkins  
Burgess