

TOWNSHIP OF WASHINGTON

Franklin County, Pennsylvania

ORDINANCE NO. 60

AN ORDINANCE

OF THE BOARD OF SUPERVISORS FOR THE TOWNSHIP OF WASHINGTON, FRANKLIN COUNTY, PENNSYLVANIA, ESTABLISHING A POLICE PENSION FUND.

WHEREAS, the Second Class Township Code, Act of May 1, 1933, 53 P.S. Section 65595 et seq, as amended, authorizes townships of the second class to establish Police Pension Funds where police forces are maintained in said townships; and

WHEREAS, the Township of Washington, Franklin County, Pennsylvania, presently maintains a police force consisting of a full time Chief of Police, one full time officer, and one part time officer; and

WHEREAS, it is the desire and intent of the Supervisors of this Township to establish a Police Pension Fund for the benefit of said Chief of Police and such other full time police officers as may be employed by the Township from time to time.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township as follows:

SECTION 1. There is hereby established a Police Pension Fund (hereinafter called "Pension Fund") for the Chief of Police of this township and such other full time policemen as may be employed by the Township (hereinafter called "Participants"), the same to be financed and maintained by payments made by the State Treasurer to the Treasurer of the Township from the monies received from taxes paid on premiums by foreign casualty insurance companies pursuant to the provisions of the Act of May 12, 1943, P.L. 259, as amended, and by gifts, grants, devises, or bequests made to the Pension Fund.

SECTION 2. The Pension Fund shall be under the direction and control of the Board of Supervisors of this Township and shall be subject to such rules and regulations as the Supervisors may, from time to time, establish.

SECTION 3. The Pension Fund shall be maintained for the benefit of such full time members of the Township Police Force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as shall be injured or killed in service.

SECTION 4. Participants may be retired from active duty after a minimum period of twenty (20) years of continuous service in the Township Police Force, but in no event earlier than age fifty five (55), which shall be the normal retirement age for participants. Participants so retired shall be subject to service as police reserves until unfit by reason of age or disability, when they may be finally discharged. While on duty as police reserves, they shall be paid, in addition to their pension benefits, such wages as the Board of Supervisors may determine.

SECTION 5. The Board of Supervisors may, in their discretion, retire a participant for disability reasons.

SECTION 6. The amount to be apportioned to each participant or his family from said pension fund shall be one-half of the monthly pay of the participant at the date of retirement, honorable discharge or death.

SECTION 7. A participant entitled to receive a benefit from said pension fund shall not be deprived of his right to an equal or proportionate share therein upon the basis upon which he first became entitled thereto, except for the following reasons:

1. If he has been convicted of a crime or misdemeanor;
2. If he has become an habitual drunkard;
3. If he has become a non-resident of the Commonwealth of Pennsylvania or
4. He fails to comply with such general regulations relating to the management of said pension fund as the Supervisors may adopt from time to time.

Provided, however, that all participants shall be entitled to a full hearing before the Board of Supervisors as set forth in Section 8 below.

SECTION 8. Any participant aggrieved by any ruling or action of the Board of Supervisors with regard to his right to receive benefits from the pension fund may request a hearing before the Board of Supervisors. Such request shall be made in writing within 30 days of the ruling or action of the Board of Supervisors. The hearing shall be held within ten (10) days of the receipt of said request. The participant shall have the right to be represented by counsel and to require the attendance of any witnesses on his behalf by subpoena to be issued by the Board of Supervisors on his written request. A stenographic record shall be made of the proceedings and the Board of Supervisors shall thereupon in written form make such lawful order and ruling in the matter as is equitable and just.

SECTION 9. All actions previously taken by the Board of Supervisors with regard to a pension fund are hereby ratified.

SECTION 10. This ordinance shall become effective in accordance with law.

DULY ENACTED AND ORDAINED this 23rd. day of May, 1977, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Washington Township Board of Supervisors

Shirley D. Groer
Secretary

Merle C. Eigenbrode
Merle C. Eigenbrode, Chairman

Andrew S. Fitz
Andrew S. Fitz, Vice Chairman

Melvin T. Sease
Melvin T. Sease, Supervisor