

ORDINANCE No. 313, 2015

**AN ORDINANCE AMENDING THE EAST LAMPETER TOWNSHIP POLICE PENSION PLAN
WITH RESPECT TO CERTAIN DEATH BENEFITS**

BE IT ORDAINED AND ENACTED by the Board of Supervisors (“Board”) of East Lampeter Township (“Township”), Lancaster County, PA as follows:

The East Lampeter Township Police Retirement Plan (“Plan”) which was established as of December 31, 1975 under the provisions of Pub. Law 1804, 53 Pa. Con. Stat. Ann. 767, et seq., (sometimes referred to as Act 600) for the benefit of the Township’s police employees and which has been amended and restated by ordinances and resolutions of the Township’s Board of Supervisors thereafter, shall be, and hereby is, amended and supplemented in the following respects in order to conform the Plan to the terms of the collective bargaining agreement with the East Lampeter Township Police, as modified by the arbitration award effective May 16, 2012:

Section 5.01, Death Benefits is amended by deleting Section 5.01(a) in its entirety and replacing it with the following revised Section 5.01(a), effective May 16, 2012, to reflect the provisions of Act 51 of 2009 of the of the General Assembly of the Commonwealth of Pennsylvania, which amended Act 600 (as amended by Act 30) to no longer require plans to provide a pension to the survivors and/or eligible beneficiaries of officers killed in the line of duty:

(a) Survivor annuity death benefit:

A survivor annuity shall be payable if the following requirements are met:

- (1) The Participant is survived by a spouse on the date he dies or he has a Dependent Child on the date he dies who will still be a Dependent Child on the date the survivor annuity begins, and
- (2) The Participant (i) dies on or after the date on which his Vesting Percentage is 100%, or (ii) has met the requirements to receive a disability benefit in accordance with the DISABILITY BENEFITS SECTION of this article on the date of his death.

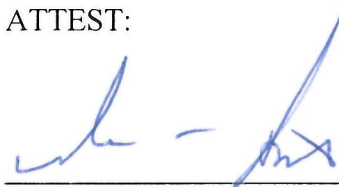
The survivor annuity shall be paid to the Participant's spouse until the date of the spouse's death. If the Participant is not survived by a spouse or the spouse dies and there is still a surviving Dependent Child, payments will be paid to the person who has assumed the principal support of any Dependent Child for as long as there is a Dependent Child. Each Dependent Child shall share equally in the survivor annuity. Upon the death of a Dependent Child any survivors shall share equally. When a Dependent Child ceases to be a Dependent Child, any children who continue to be a Dependent Child shall share equally.

If the Participant dies on or after his Annuity Starting Date or the date he has met the requirements to receive a disability benefit in accordance with the DISABILITY BENEFITS SECTION of this article, the survivor annuity shall begin on the first day of the month after the date of the Participant's death. The survivor annuity shall be equal to 50% of the amount that was payable to the Participant.

If the Participant dies before his Annuity Starting Date and before the date he has met the requirements to receive a disability benefit in accordance with the DISABILITY BENEFITS SECTION of this article, the survivor annuity shall begin on his Superannuation Retirement Date. The survivor annuity shall be equal to 50% of the amount that would have been payable to the Participant on his Superannuation Retirement Date. If he had not ceased to be an Employee prior to the date of his death, such amount shall be determined as if he had ceased to be an Employee on the date of his death and survived to retire.

DULY ORDAINED AND ENACTED this 17th day of August, 2015, by the Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania, in lawful session duly assembled, effective five (5) days thereafter, retroactive, however, to May 16, 2012, the date of the arbitration award modifying the collective bargaining agreement with the East Lampeter Township Police.

ATTEST:



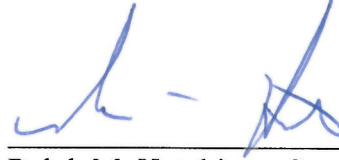
(Assistant) Secretary

BOARD OF SUPERVISORS OF
EAST LAMPETER TOWNSHIP

By: 

(Vice) Chairman

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on August 17, 2015, at which meeting a quorum was present and voted in favor thereof.



Ralph M. Hutchison, Secretary