

ORDINANCE NO. 1205

(3 of 1983)

AN ORDINANCE AMENDING ORDINANCE 1135 WHICH ESTABLISHES A POLICE PENSION FUND AND PROVIDES FOR A PENSION TRUST COMMITTEE, A PENSION TRUSTEE AND A PENSION TRUST INDENTURE.

WHEREAS, the aforesaid Ordinance 1135 was promulgated by the Council of the Borough of Donora on July 5, 1973 and that Section One of Article VII stated that pension benefits shall be one-half the monthly average salary of each participating member during his last sixty months of employment; and

WHEREAS, Borough Council and the Donora Police Department entered into a collective bargaining agreement in September 1974, a term of which included the bargained for provision that pension benefits for participants in the Donora Police Pension Fund shall be one-half the monthly average salary during the last thirty-six months of employment; and

WHEREAS, an additional term in this Agreement provided for increments to monthly pensions of \$20.00 per month for each year worked after twenty-five years service up to a maximum of \$100.00 per month; and

WHEREAS, the terms of the September 1974 Agreement were never promulgated into an Ordinance or Resolution as required by the Act of May 29, 1956, P.L. (1955) 1804; and

WHEREAS, the rights and liabilities of the Borough of Donora and the participants in the Police Pension Fund were fixed and have been governed by the September 1974 Agreement.

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Council of the Borough of Donora as follows:

SECTION ONE: That Article VII, Section One of Ordinance 1135 is hereby amended to read that "Monthly pension or retirement benefits shall be one-half the monthly average salary of such member during the last thirty-six months of employment."

SECTION TWO: That Article VII of Ordinance 1135 is hereby amended by the addition of Section Five which shall be stated as follows: "Each Police Officer who shall continue his course of employment with the Borough after being entitled to his pension by retirement shall be entitled to an increment of \$20.00 per month to his pension for each year worked after twenty-five years service up to a maximum increment of \$100.00 per month.

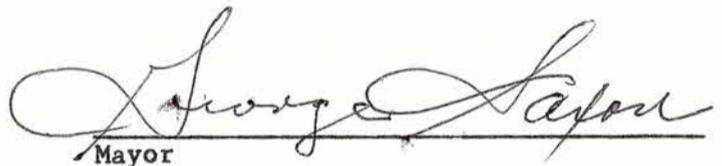
SECTION THREE: That this amendment shall have retroactive application and effect to govern and fix the rights and liabilities of the Borough of Donora and the Participants in the Police Pension Fund from January 1, 1975 on.

SECTION FOUR: That all actions taken by Borough officials in bona fide reliance on the Agreement of September 11, 1974 are hereby approved and ratified.

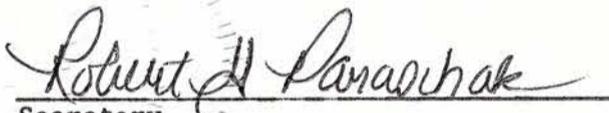
ORDAINED and ENACTED into Ordinance on this 10th day of March, 1983.


President of Council

EXAMINED and APPROVED on this 10 day of March, 1983.


Mayor

ATTEST:


Secretary