

ORDINANCE NO. 1285

**FOURTH AMENDMENT TO THE
BOROUGH OF DONORA POLICE PENSION PLAN
(as amended and restated, effective January 1, 1989)**

AN ORDINANCE OF THE BOROUGH OF DONORA RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE EMPLOYEES OF SAID BOROUGH:

WHEREAS, the Borough of Donora (the "Borough") has previously enacted an Ordinance establishing the Borough of Donora Police Pension Plan (the "Plan"); and

WHEREAS, the Plan was totally amended and restated, effective January 1, 1989; and

WHEREAS, the Employer reserved the right to amend the Plan pursuant to Section 10.01; and

WHEREAS, the Employer now desires the Plan to be further amended;

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL AND IT IS HEREBY ORDAINED AND ENACTED by authority of the same:


Effective January 1, 1996, section 7.02 is amended in its entirety by deleting the said section and substituting a new section 7.02 as follows:

7.02 Surviving Spouse Benefit - If a Participant shall die after commencement of benefit payments hereunder or after the Participant is eligible to retire under section 5.01 and before retirement benefit payments commence, a benefit shall be paid to the surviving spouse, if any, of the Participant in an amount equal to fifty percent (50%) of the Participant's Accrued Benefit as of the date of death. This Surviving Spouse Benefit shall be paid to the surviving spouse until the earlier of the date of death or remarriage of the surviving spouse. If there is no surviving spouse or after the surviving spouse dies or remarries the Surviving Spouse Benefit shall be paid monthly in equal shares to the surviving children of the deceased Participant until death or attainment of age eighteen (18) of each child. The shares payable to the surviving children shall be adjusted as each child ceases to be eligible to receive a share of the benefit hereunder due to death or attainment of age eighteen (18).

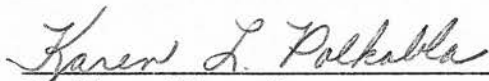
In the event that a Participant was receiving a cost of living adjustment under the special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, the Surviving Spouse Benefit hereunder shall also include fifty percent (50%) of that cost of living adjustment. There shall be no Surviving Spouse Benefit payable hereunder upon the Death of a Participant receiving disability benefits under section 6.01.

ORDAINED AND ENACTED this 14th day of NOVEMBER, A.D., 1996.

ATTEST:


Secretary of Council

BOROUGH OF DONORA


President of Council

EXAMINED AND APPROVED this 21st day of NOVEMBER, A.D., 1996.


Mayor