

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

FIFTH AMENDMENT TO
ORDINANCE NO. 152

AN ORDINANCE ESTABLISHING THE POLICE PENSION FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY OF NORTHAMPTON, AND COMMONWEALTH OF PENNSYLVANIA.

BE IT ENACTED AND ORDAINED by the authority of the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, and it is hereby ordained and enacted by the same:

SECTION 1: Pursuant to an Act of the General Assembly of Pennsylvania of May 12, 1943 P.L. 259, as supplemented and amended, the Police Pension Fund of the Township of Washington, hereinafter referred to as "Fund", is hereby established.

SECTION 2: The Fund shall be administered under the direction and management of the Board of Supervisors of Washington Township as Trustees.

SECTION 3: All life and health insurance benefits available to the participants in the Police Pension Fund shall be paid by the Township of Washington from its General Fund. No portion of the said life and health insurance benefits shall be paid in whole or in part from the funds designated as Police Pension Funds.

SECTION 4: All expenses of administration of the Fund, including the reasonable compensation of any actuary and the custodian of the Fund, shall be paid from the Fund and not by the Township of Washington.

SECTION 5: Authorization for the release of the payment of administrative and actuarial fees from the Fund shall be by recommendation of the Chief Administrative Officer for the Police Pension Fund and by Resolution of the Board of Supervisors of Washington Township.

SECTION 6: Vesting. After ten (10) years of credited service as a full time Police Officer of the Township of Washington, a member may file an application to vest by filing said application with the Chief Administrative Officer for the Police Pension Fund within ninety (90) days of separation from employment with the Township. Authorization for approval of said application for vesting shall be by recommendation of the Chief Administrative Officer for the Police Pension Fund and by Resolution of the Board of Supervisors of Washington Township. Under no circumstances shall vesting be permitted if said vesting would impair the actuarial soundness of the Police Pension Fund of Washington Township.

SECTION 7: Cost of Living Increase. Subject to recommendation by the Chief Administrative Officer, and subject to Resolution by the Board of Supervisors of Washington Township, all retirees under the Washington Township Police Pension Plan shall be entitled to cost of living increases for all benefits payable to members of the Police force receiving said retirement benefits. Provided, however, that said cost of living increase shall not exceed the percentage increase in the Consumer Price Index from the year in which the Police member last worked. Provided, further, that in

no case shall the total Police Pension benefits exceed seventy-five (75%) percentum of the salary for computing retirement benefits, and provided, further, that the total cost of living increase shall not exceed thirty (30%) percentum. Under no circumstances shall a cost of living increase be granted which would impair the actuarial soundness of the Police Pension Fund of Washington Township. Provided, further, that under no circumstances shall the cost of living increase in any given calendar or fiscal year exceed ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on an annual basis.

SECTION 8: Eligibility For Benefits. Any member of the police force who has served as a regular full time police officer for a minimum period of service not less than an aggregate of twenty (20) years for the Township of Washington, and shall have attained the age of at least fifty (50) years of age 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 unfit for such service, when they may be finally discharged by reason of age or disability. Benefits from this Police Pension Fund may also be payable to:

- (a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees, are determined to have become physically unfit for active duty;
- (b) A police officer who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the

performance of his duties as a police officer of this Township;

- (c) Police officers who, in the sole discretion of the Trustees, are determined to have become special cases of distress or necessity by reason of disability resulting from injury or illness other than connected with service; and
- (d) A widow and child, or children under eighteen (18) years of age, of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

SECTION 9: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors of Washington Township.

SECTION 10: To the extent inconsistent with the amendments contained in this Fifth Amended Ordinance No. 152, the provisions of Ordinance No. 152 and amendments to Ordinance No. 152 are hereby repealed.


ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 10th day of August, 1994.

By: Ignatz Klausz, Jr.
Ignatz Klausz, Jr., Chairman

By: Clayton D. Rutt
Clayton D. Rutt

By: David L. Hess
David Hess

ATTEST:

By: 
Township Secretary

WASHINGTON TOWNSHIP

ORDINANCE NO. 152

AN ORDINANCE TO ESTABLISH A MUNICIPAL POLICE PENSION FUND FOR WASHINGTON TOWNSHIP, PROVIDING FOR THE REGULATION AND ADMINISTRATION THEREOF, ESTABLISHING BENEFITS, PROVIDING FOR CONTRIBUTIONS BY THE MEMBERS AND THE TOWNSHIP, FOR THE APPOINTMENT OF TRUSTEES AND AN ACTUARY AND FOR THE EXPENSES OF ADMINISTRATION.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, that by authority of the same the Washington Township Police Pension Fund Ordinance is hereby adopted as follows:

SECTION 1. Establishment of Police Pension Fund.

A municipal police pension fund is hereby established by Washington Township as provided by the Act of May 29, 1956, P.L. 1804, 53 P.S. 767-778, and amended by the Act of July 10, 1957, P.L. 676, and the Act of September 15, 1961, P.L. 1342.

SECTION 2. Administration.

The Police Pension Fund shall be administered under the direction and management of the Board of Supervisors of Washington Township as Trustees. The Trustees may appoint a corporate fiduciary to act with them as a co-trustee. The trusts shall be managed and administered under an appropriate deed of trust to be prepared by the Township Solicitor and approved by the Township Supervisors. The trustees may also within their discretion purchase a pension annuity contract from a life insurance company authorized to do business in Pennsylvania, which may provide life insurance, pension, retirement and disability benefits to the policemen employed by the Township or to their dependents, provided that said contr

tract shall only cover full time Township policemen.

SECTION 3. Source of Funds.

The Police Pension Fund shall consist of such moneys as may be received from the Commonwealth of Pennsylvania by reason of the collection of taxes upon premiums paid by foreign casualty insurance companies for purposes of pension retirement for policemen; from appropriations made by the Township; from monthly payments made by members of the fund in an amount equal to not less than five (5%) per centum nor more than eight (8%) per centum of their monthly compensation, and from gifts, grants, devises or bequests to the fund.

SECTION 4. Eligibility for benefits.

Any member of the police force who has served as a regular full time police officer for a minimum period of service not less than an aggregate of twenty-five (25) years for the Township of Washington, and shall have attained the age of at least fifty-five (55) years 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. However, police officers who have attained the age of sixty (60) years may retire after a period of total service of twenty (20) years. Benefits from this Police Pension Fund may also be payable to:

(a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees are determined to have become physically unfit for active duty;

(b) A police officer who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the performance of his duties as a police officer of this Township;

(c) Police officers who, in the sole discretion of the Trustees, are determined to have become special cases of distress or necessity by reason of disability resulting from injury or illness other than connected with service; and

(d) A widow and child, or children under eighteen (18) years of age of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

SECTION 5. Benefits.

Payments made under the provisions of this Ordinance shall not be a charge on any other fund in the treasury of the Township, or under its control, save the Police Pension Fund. The basis for determining 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 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 the aforesaid monthly average salary. In the case of the payment of pensions for permanent injuries incurred in service and to families of members killed in service, the amount and commencement of the payments shall be fixed by regulations of the said Board of Supervisors.)

SECTION 6. Employment of Actuary.

The Board of Supervisors may employ an actuary and may fix his compensation. The expenses of management and administration of the Police Pension Fund, including the compensation of the Trustees and the actuary, shall be paid by the Township.

SECTION 7. Refund.

Any member of the police force of the Township of Washington, who, for any reason whatsoever, shall be ineligible to receive a pension after having contributed to the Police Pension Fund, shall be entitled to a refund of all such moneys paid by him into such fund immediately upon discontinuance due to death, such moneys shall be paid to his designated beneficiary, in the manner directed by him, or in the absence thereof, to his estate.

SECTION 8. Credit for military service.

Any member of the police force who has been a regularly appointed employee of the Township of Washington 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 9. Validity.

Should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or of any other part thereof.

SECTION 10. Effective Date.

This Ordinance shall become effective five (5) days after the enactment hereof.

ENACTED and ORDAINED as an Ordinance of Washington Township this 30th day of December, 1968.

Earle R. Jennings
Chairman

Walter Lutz

Paul B. Wagner
Board of Supervisors of
Washington Township

ATTEST:

Paul B. Wagner
Secretary

WASHINGTON TOWNSHIP

AMENDED ORDINANCE

NO. 152

AN ORDINANCE ESTABLISHING THE POLICE PENSION
FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY OF
NORTHAMPTON, STATE OF PENNSYLVANIA.

BE IT ENACTED AND ORDAINED by the Supervisors of the
Township of Washington and it is hereby ordained and enacted by
authority of the same:

SECTION 1: There is hereby established the Police Pension
Fund of the Township of Washington, hereinafter referred to as the
Fund, under the provisions of the Act of the General Assembly of
Pennsylvania of May 12, 1943 P.L. 259, as supplemented and amended,
and any other statutes now or hereafter pertaining or applicable
thereto.

SECTION 2: All assets presently held by the Board of
Supervisors of Washington Township for the benefit of Police Pens-
ions, whether derived from the Commonwealth of Pennsylvania or
otherwise and whether consisting of cash, cash in the bank, insurance
policies, or of any other nature, are hereby set aside and earmarked
as assets of said Fund.

SECTION 3: The Fund is hereby authorized to receive all
monies hereafter transmitted to the Board of Supervisors by the
Commonwealth of Pennsylvania and to take and hold any money or

other property, real or personal, acquired by gift, grant, devise or bequest, or contribution, in trust for the benefit of the Police of the Township of Washington.

SECTION 4: The care, management, investment, administration, distribution and disposal of the Fund shall be vested in the members of the Board of Supervisors of Washington Township, as now and hereafter constituted as Trustees for said Fund. Monies in said Fund may be invested in insurance and/or Annuity Policies or in investment legal for Trust Funds in Pennsylvania. Said Trustees may permit a part of said money to remain in an insured banking institution, at interest, pending further and different investment thereof.

SECTION 5: All full time, regular salaried members of the police force of Washington Township shall be members of the Fund and entitled to each and every advantages accruing as a result of said membership.

SECTION 6: Any member of the police force who has served as a regular full time Police office for a minimum period of service not less than an aggregate of twenty-five (25) years for the Township of Washington, and shall have attained the age of at least fifty-five (55) years may retire from active duty and such members as are retired shall be subject to serve 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 be discharged finally

by reason of age or disability. However, police officers who have attained the age of sixty (60) years may retire after a period of total service of twenty (20) years. Benefits from this Police Pension Fund may also be payable to:

(a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees are determined to have become physically unfit for duty;

(b) A police officer who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the performance of his duties as a police officer of this Township;

(c) A widow and child, or children under eighteen (18) years of age of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

SECTION 7: Payments made under the provisions of this Ordinance shall not be a charge on any other fund in the treasury

of the Township, or under its control, save the Police Pension Fund. the basis for determining 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 the monthly average salary of such member during the last sixty (60) months of employment.

SECTION 8: Any 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 or beneficiaries and shall not be subject to assignment or transfer.

SECTION 9: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions, and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors.

THIS ORDINANCE shall be effective five (5) days after enactment thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and State of Pennsylvania, on this 14th day of November, 1977.

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

Barbara J. Hallet
Secretary

Paul B. Wagner Chairman
Paul T. Miller

WASHINGTON TOWNSHIP

AMENDED #2

ORDINANCE NO. 152

AN ORDINANCE ESTABLISHING THE POLICE PENSION
FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY
OF NORTHAMPTON AND STATE OF PENNSYLVANIA.

BE IT ORDAINED AND ENACTED by the authority of the
Supervisors of the Township of Washington and it is hereby ordained
and enacted by the same:

SECTION 1: There is hereby established the police
Pension Fund of the Township of Washington, hereinafter referred to
as the Fund, under the provisions of the Act of the General Assembly
of Pennsylvania of May 12, 1943 P.L. 259; as supplemented and
amended, and any other statutes now or hereafter pertaining or
applicable thereto.

SECTION 2: All assets presently held by the Board of
Supervisors of Washington Township for the benefit of Police
Pensions, whether derived from the Commonwealth of Pennsylvania
or otherwise and whether consisting of cash, cash in the bank,
insurance policies, or of any other nature, are hereby set aside
and earmarked as assets of said Fund.

SECTION 3: The Fund is hereby authorized to receive all
monies hereafter transmitted to the Board of Supervisors by the
Commonwealth of Pennsylvania and to take and hold any money or
other property, real or personal, acquired by gift, grant, devise
or bequest, or contribution, in trust for the benefit of the
Police of the Township of Washington.

SECTION 4: The care, management, investment, adminis-

tration, distribution and disposal of the Fund shall be vested in the members of the Board of Supervisors of Washington Township, as now and hereafter constituted as Trustees for said Fund. Monies in said Fund may be invested in insurance and/or Annuity Policies or in investments legal for Trust Funds in Pennsylvania. Said Trustees may permit a part of said money to remain in an insured banking institution, at interest, pending further and different investment thereof.

SECTION 5: All full time, regular salaried members of the police force of Washington Township shall be members of the Fund and entitled to each and every advantage accruing as a result of said membership.

SECTION 6: Any member of the police force who has served as a regular full time police officer for a minimum period of service not less than an aggregate of twenty-five (25) years for the Township of Washington, and shall have attained the age of at least fifty-five (55) years may retire from active duty and such members as are retired shall be subject to serve 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 be discharged finally by reason of age or disability. However, police officers who have attained the age of sixty (60) years may retire after a period of total service of twenty (20) years. Benefits from this Police Pension Fund may also be payable to:

(a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees are

determined to have become physically unfit for duty.

(b) A police officer who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the performance of his duties as a police officer of this Township.

(c) A widow and child, or children under eighteen (18) years of age of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

SECTION 7: Payments made under the provisions of this Ordinance shall not be a charge on any other fund in the treasury of the Township, or under its control, save the Police Pension Fund. The basis for determining 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 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 the aforesaid monthly average salary. In the case of the payment of pensions for permanent injuries incurred in service and to families of members killed in service, the amount and commencement of the payments shall be fixed by regulations of the said Board of Supervisors.

SECTION 8: Any 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 or beneficiaries and shall not be subject to assignment or transfer.

SECTION 9: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions, and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors.

THIS ORDINANCE shall be effective five (5) days after enactment thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and State of

Pennsylvania, on this Fourteenth day of May, 1979.

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

Paul B. Wagner Chairman
Carl [unclear]
Paul T. Miller

ATTEST:

Barbara J. Hallet
Secretary

WASHINGTON TOWNSHIP

AMENDED ~~1~~ 3

ORDINANCE NO. 152

AN ORDINANCE ESTABLISHING THE POLICE PENSION
FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY
OF NORTHAMPTON AND STATE OF PENNSYLVANIA.

BE IT ORDAINED AND ENACTED by the authority of the
Supervisors of the Township of Washington and it is hereby ordained
and enacted by the same:

SECTION 1: There is hereby established the Police
Pension Fund of the Township of Washington, hereinafter referred to
as the Fund, under the provisions of the Act of the General Assembly
of Pennsylvania of May 12, 1943 P.L. 259; as supplemented and
amended, and any other statutes now or hereafter pertaining or
applicable thereto.

SECTION 2: All assets presently held by the Board of
Supervisors of Washington Township for the benefit of Police
Pensions, whether derived from the Commonwealth of Pennsylvania
or otherwise and whether consisting of cash, cash in the bank,
insurance policies, or of any other nature, are hereby set aside
and earmarked as assets of said Fund.

SECTION 3: The Fund is hereby authorized to receive all
monies hereafter transmitted to the Board of Supervisors by the
Commonwealth of Pennsylvania and to take and hold any money or
other property, real or personal, acquired by gift, grant, devise
or bequest, or contribution, in trust for the benefit of the

Police of the Township of Washington.

SECTION 4: The care, management, investment, administration, distribution and disposal of the Fund shall be vested in the members of the Board of Supervisors of Washington Township, as now and hereafter constituted as Trustees for said Fund. Monies in said Fund may be invested in insurance and/or Annuity Policies or in investments legal for Trust Funds in Pennsylvania. Said Trustees may permit a part of said money to remain in an insured banking institution, at interest, pending further and different investment thereof.

SECTION 5: All full time, regular salaried members of the police force of Washington Township shall be members of the Fund and entitled to each and every advantage accruing as a result of said membership.

SECTION 6: Any member of the police force who has served as a regular full time police officer for a minimum period of service not less than an aggregate of twenty-five (25) years for the Township of Washington, and shall have attained the age of at least fifty-five (55) years may retire from active duty and such members as are retired shall be subject to serve 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 be discharged finally by reason of age or disability. However, police officers who have attained the age of sixty (60) years may retire after a period of total service of twenty (20) years. Benefits from this Police Pension Fund may also be payable to:

- (a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have

attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees are determined to have become physically unfit for duty.

- (b) A police officer, who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the performance of his duties as a police officer of this Township.
- (c) A widow and child, or children under eighteen (18) years of age of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

SECTION 7: Payments made under the provisions of this Ordinance shall not be a charge on any other fund in the treasury of the Township, or under its control, save the Police Pension Fund. The basis for determining 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 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 the aforesaid monthly average salary. In the case of the payment of pensions for permanent injuries incurred in service and to families of members killed in service, the amount and commencement of the payments shall be fixed by regulations of the said Board of Supervisors.

SECTION 7(A): Upon the death of any policeman prior to his retirement, the Township shall pay to his beneficiary or to his estate, as the case may be, a lump sum death benefit in the amount provided by it in a life insurance contract on his life in effect at such time. In no event shall the beneficiary be entitled to receive, nor shall the Pension Fund be liable for payment of, more than the actual amount of the death benefits provided by said life insurance contract in force at the time of his death. Payment of such lump sum death benefit shall be in lieu of and constitute full satisfaction of the right of a member to receive monthly retirement benefits, as well as all other rights and interest of the participation in this fund. All such life insurance policies shall designate Washington Township as its owner.

SECTION 8: Any 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 or beneficiaries and shall not be subject to assignment or transfer.

SECTION 9: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions, and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors.

This Ordinance shall be effective five (5) days after enactment thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and State of Pennsylvania, this Thirteenth day of April, 1983.

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS.

Paul B. Wagner Chairman
Paul T. Mellis
Richard A. Lane

ATTEST:

Barbara J. Hallet
Secretary

WASHINGTON TOWNSHIP
~~FOURTH~~ SECOND AMENDMENT TO
ORDINANCE NO. 152

#4

AN ORDINANCE ESTABLISHING THE POLICE PENSION
FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY
OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA.

BE IT ORDAINED AND ENACTED by the authority of the
Supervisors of the Township of Washington and it is hereby ordained and
enacted by the same:

SECTION 1: Pursuant to an Act of the General Assembly of
Pennsylvania of May 12, 1943 P.L. 259, as supplemented and amended, the
Police Pension Fund of the Township of Washington, hereinafter referred
to as "Fund", is hereby established.

SECTION 2: The Fund shall be administered under the
direction and management of the Board of Supervisors of Washington
Township as Trustees.

SECTION 3: All life and health insurance benefits available
to the participants in the Police Pension Fund shall be paid by the
Township of Washington from its General Fund. No portion of the said
life and health insurance benefits shall be paid in whole or in part
from the funds designated as Police Pension Funds.

SECTION 4: All expenses of administration of the Fund,
including the reasonable compensation of an actuary and the custodian
of the fund, shall be paid from the Fund and not by the Township of
Washington.

SECTION 5: Authorization for the release of the payment of administrative and actuarial fees from the fund shall be by recommendation of the Chief Administrative Officer for the Police Pension Fund and by Resolution of the Board of Supervisors of Washington Township.

SECTION 6: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors.

SECTION 7: To the extent inconsistent with the amendments contained in this Second Amended Ordinance No. 152, the Provisions of Ordinance No. 152 and Amended Ordinance No. 152 are hereby repealed.

SECTION 8: This Ordinance shall be effective five (5) days after enactment thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and State of Pennsylvania, this
11th day of April, 1990.

ATTEST:

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

Barbara J. Hallet
Barbara Hallet, Secretary

Richard A. Lane
Richard Lane, Chairman

Clayton Rutt
Clayton Rutt, Vice-Chairman

Ignatz Klausz
Ignatz Klausz, Supervisor

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

FIFTH AMENDMENT TO
ORDINANCE NO. 152

AN ORDINANCE ESTABLISHING THE POLICE PENSION FUND OF THE TOWNSHIP OF WASHINGTON, COUNTY OF NORTHAMPTON, AND COMMONWEALTH OF PENNSYLVANIA.

BE IT ENACTED AND ORDAINED by the authority of the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, and it is hereby ordained and enacted by the same:

SECTION 1: Pursuant to an Act of the General Assembly of Pennsylvania of May 12, 1943 P.L. 259, as supplemented and amended, the Police Pension Fund of the Township of Washington, hereinafter referred to as "Fund", is hereby established.

SECTION 2: The Fund shall be administered under the direction and management of the Board of Supervisors of Washington Township as Trustees.

SECTION 3: All life and health insurance benefits available to the participants in the Police Pension Fund shall be paid by the Township of Washington from its General Fund. No portion of the said life and health insurance benefits shall be paid in whole or in part from the funds designated as Police Pension Funds.

SECTION 4: All expenses of administration of the Fund, including the reasonable compensation of any actuary and the custodian of the Fund, shall be paid from the Fund and not by the Township of Washington.

SECTION 5: Authorization for the release of the payment of administrative and actuarial fees from the Fund shall be by recommendation of the Chief Administrative Officer for the Police Pension Fund and by Resolution of the Board of Supervisors of Washington Township.

SECTION 6: Vesting. After ten (10) years of credited service as a full time Police Officer of the Township of Washington, a member may file an application to vest by filing said application with the Chief Administrative Officer for the Police Pension Fund within ninety (90) days of separation from employment with the Township. Authorization for approval of said application for vesting shall be by recommendation of the Chief Administrative Officer for the Police Pension Fund and by Resolution of the Board of Supervisors of Washington Township. Under no circumstances shall vesting be permitted if said vesting would impair the actuarial soundness of the Police Pension Fund of Washington Township.

SECTION 7: Cost of Living Increase. Subject to recommendation by the Chief Administrative Officer, and subject to Resolution by the Board of Supervisors of Washington Township, all retirees under the Washington Township Police Pension Plan shall be entitled to cost of living increases for all benefits payable to members of the Police force receiving said retirement benefits. Provided, however, that said cost of living increase shall not exceed the percentage increase in the Consumer Price Index from the year in which the Police member last worked. Provided, further, that in

no case shall the total Police Pension benefits exceed seventy-five (75%) percentum of the salary for computing retirement benefits, and provided, further, that the total cost of living increase shall not exceed thirty (30%) percentum. Under no circumstances shall a cost of living increase be granted which would impair the actuarial soundness of the Police Pension Fund of Washington Township. Provided, further, that under no circumstances shall the cost of living increase in any given calendar or fiscal year exceed ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS on an annual basis.

SECTION 8: Eligibility For Benefits. Any member of the police force who has served as a regular full time police officer for a minimum period of service not less than an aggregate of twenty (20) years for the Township of Washington, and shall have attained the age of at least fifty (50) years of age 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 unfit for such service, when they may be finally discharged by reason of age or disability. Benefits from this Police Pension Fund may also be payable to:

- (a) Police officers who have served in this Township for an aggregate total of at least twenty (20) years and have attained the age of at least fifty (50) years and who, in the sole discretion of the Trustees, are determined to have become physically unfit for active duty;
- (b) A police officer who, in the sole discretion of the Trustees, is determined to have become permanently disabled through no fault of his own while in the

performance of his duties as a police officer of this Township;

(c) Police officers who, in the sole discretion of the Trustees, are determined to have become special cases of distress or necessity by reason of disability resulting from injury or illness other than connected with service; and

(d) A widow and child, or children under eighteen (18) years of age, of a police officer whose death, in the sole discretion of the Trustees, is determined to have resulted from injuries received while in the performance of his duties as a police officer of this Township.

The determination by the Trustees in each case shall be based upon the submission of such evidence as the Trustees shall require. The determination of the Trustees in each case shall be final and conclusive.

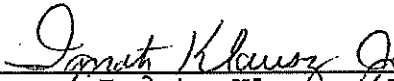
SECTION 9: Insofar as the provisions of this Ordinance are the same as statutory provisions, they shall be subject to change or repeal to comply with any future statutory provisions and the provisions of this Ordinance may be amended or rescinded if statutory restrictions or mandates are eliminated and discretion vested in the Board of Supervisors of Washington Township.

SECTION 10: To the extent inconsistent with the amendments contained in this Fifth Amended Ordinance No. 152, the provisions of Ordinance No. 152 and amendments to Ordinance No. 152 are hereby repealed.


SECTION 11: This Ordinance shall be effective five (5) days after enactment hereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 10th day of August, 1994.

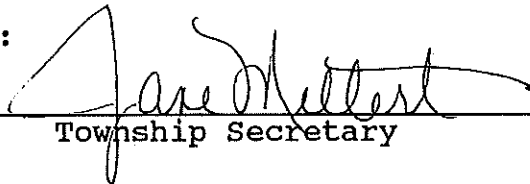
WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

By: 
Ignatz Klausz, Jr., Chairman

By: 
Clayton D. Rutt

By: 
David Hess

ATTEST:

By: 
Township Secretary