

**BOROUGH OF GREENCASTLE
FRANKLIN COUNTY PENNSYLVANIA**

ORDINANCE NO. 2011-01

**AN ORDINANCE OF THE BOROUGH OF GREENCASTLE,
FRANKLIN COUNTY, PENNSYLVANIA,
AMENDING THE POLICE PENSION PLAN DOCUMENT**

WHEREAS, the Greencastle Police Pension Plan states that the Employer has the right to amend the Police Pension Plan at any time; and

WHEREAS, the Pennsylvania Legislature enacted Act 51 of 2009, which provides in part for a killed-in-service benefit to be funded by the Commonwealth of Pennsylvania equal to the monthly salary of the deceased officer, adjusted annually for the cost of living; and

WHEREAS, the Borough of Greencastle desires to replace the killed-in-service benefit provided in the Act 600 Greencastle Police Pension Plan with the Act 51 of 2009 killed-in-service benefit.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: The following shall be added to the DEFINITIONS SECTION of Article 1 of the Greencastle Police Pension Plan:

Act 51 means the act of October 9, 2009, amending the act of June 24, 1976 (P.L. 424, No. 101) referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefit eligibility; and repealing certain provisions of the Municipal Police Pension Law and the Municipal Pension Plan Funding Standard and Recovery Act.

SECTION II: The following paragraph shall be stricken from subsection (a) in the DEATH BENEFITS SECTION of Article V of the Greencastle Police Pension Plan:

If the participant dies in the line of duty, the survivor annuity shall begin on the first day of the month on or after the date of the Participant's death. The survivor annuity shall be equal to one hundred percent (100%) of the Participant's Salary as of the date of his death.

And replaced with the following:

If the participant dies in the line of duty, any survivor benefit shall be payable outside of the Plan in accordance with Act 51 by the Commonwealth of Pennsylvania.

SECTION III: Repealer. All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.

SECTION IV: Savings Clause. In all other respects, the Police Pension Plan of the Borough of Greencastle shall remain as previously enacted and ordained.

SECTION V: Effective Date. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED 1st day of August 2011 by the Council of

ATTEST:

/S/ Kenneth W. Womack
Kenneth W. Womack, Secretary

/S/ Charles R. Eckstine
Charles R. Eckstine, President

/S/ Robert E. Eberly
Robert E. Eberly, Mayor