

## **ARTICLE II**

### **PENSION PLAN**

*History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 95-5-3, May 10, 1995 and amended by Ordinance No. 2000-1-1 of January 4, 2000 and Ordinance No. 2004-12-11, December 8, 2004.*

#### **§12-201. Establishment of Plan**

A Municipal Employees' Pension Plan is established for the benefit of all full time, non-uniformed employees of Center Township as to whom the Township is required to make contributions under the Federal Social Security Act. All part-time employees of Center Township are hereby excluded from membership in said Plan.

#### **§12-202. Revenue Sources**

The Municipal Employees' Pension Plan hereby created and established shall derive the revenue necessary to maintain its operation in conformity with law from the following sources:

- A. Any sum or sums paid to Center Township from any official or Department of the Commonwealth of Pennsylvania under any present or future law pertinent thereto.
- B. Annual appropriations made by Center Township in amounts additionally required to fund the Plan.
- C. Any and all amounts accumulated under any insurance or annuities accumulated under any prior plan.
- D. Any money or property, real, personal, or mixed, in trust for the benefit of such plan, received by the plan through gift, devise or bequest.
- E. The total of all monies or property derived from the sources above specified, together with the Group Annuity Contract herein authorized to be purchased, shall constitute the Municipal Employees' Pension Plan of Center Township.

#### **§12-203. Group Annuity Contract**

The Group Annuity Contract shall be owned by Center Township on behalf of the Center Township Municipal Employees' Pension Fund and shall be held in the possession of the Township.

**§12-204. Participation in the Plan**

All full-time, non-uniformed employees of Center Township shall be eligible to participate in the Plan. Any full-time, non-uniformed employee hired after the effective date of the Plan shall be eligible to participate in the Plan the first day of the month coinciding with or next following the participant's date of employment and the attainment of the age of eighteen (18) years.

**§12-205. Participant Account Balance**

Each participant shall have his/her individual account balance maintained under the group annuity contract. The participant's account balance shall represent the total contributions, plus interest earned under the group annuity contract, that have been made on behalf of the participant under Section 12-202 of this Article.

**§12-206. Source of Benefit**

The amount of benefit payable to, or in respect of a participant shall, to the extent hereof, be paid out of the Group Annuity contract or an Individual Immediate Annuity contract that is elected to be purchased by the participant.

**§12-207. Accrued Benefit**

The Accrued Benefit is the monthly income that may be purchased by the value that has accumulated in the participant's account balance.

**§12-208. Normal Retirement Benefit**

The Normal Retirement Benefit shall equal the participant's accrued benefit at the time an election to retire is made.

**§12-209. Late Retirement**

Late Retirement may be permitted with the consent of the Center Township Supervisors.

**§12-210. Vesting**

- A. An employee who became a participant under the Center Township Municipal Employees Pension Plan upon the adoption of and the effective date of the Pension Plan shall have been one hundred percent (100%) vested. Should the participant be discharged or voluntarily terminate employment, the participant shall be entitled to one hundred percent (100%) of his or her account balance. The accrued account balance shall be payable to the terminated employee within sixty (60) days of the date of discharge or termination.
- B. Any employee who become eligible to participate in the Pension Plan after the effective date of the Plan shall become one hundred percent (100%) vested after one (1) year of service.

**§12-211. Disability Benefit**

If a participant under the Plan becomes totally and permanently disabled due to accident or sickness, the participant may elect to retire under total disability. The disability shall be based on the accrued benefit at the time the election to retire under total disability is made by the participant. The disability benefit is payable regardless of whether or not the disability was incurred on or off the job.

**§12-212. Annuity Income Options**

Each participant shall have the option to elect any settlement option provided by the group annuity contract or individual annuity contract at retirement. The following options are available:

- A. Life Only.
- B. Refund.
- C. Life with Time Certain.
- D. Joint and Survivor.

**§12-213. Survivors Benefit**

Each participant shall have the right to name the beneficiary or beneficiaries for pre-retirement death benefits incidental to their individual account balance held under the group annuity contract. The survivors benefit shall equal the participant's account balance plus interest at the time of death of the participant.

**§12-214. Supervisors in Charge**

The proper officers of Center Township are hereby authorized and empowered to execute and deliver on behalf of Center Township agreements, annuity contracts and such other documents as the Supervisors shall determine to be necessary and proper to effectuate and implement the Center Township Municipal Employees' Pension Plan hereby established.

**§12-215. Inalienability of Pension Payments: Nontransferable**

The pension 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, and shall not be subject to assignment or transfer.

**§12-216. Administrative Expenses**

The expenses of the administration of the Plan, if any, may be paid for by the Plan.