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PART 1
AUTHORITIES

A. Spring-Benner-Walker Joint Authority

§101. INTENTION AND DESIRE TO ORGANIZE AUTHORITY.

1. The Board of Supervisors of this Township signifies its intention and desire to organize an authority, jointly, with a certain other municipality, under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945" (the "Authorities Act"), for the purpose of exercising any and all powers conferred by the Authorities Act.
2. The authority shall be organized, jointly, by the Townships of Benner and Spring, both situate in Centre County, Pennsylvania.

(Ord. 255-1976, 1/3/1977, §1)

§102. ARTICLES OF INCORPORATION.

The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively of this Township, are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for the authority in the following form:

ARTICLES OF INCORPORATION

TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with requirements of the Act of Assembly approved May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented, and pursuant to ordinances duly enacted by the municipal authorities of the Townships of Benner and Spring, both situate in Centre County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize an authority, jointly, under provisions of said Act, said conforming municipalities certify:

1. The name of the authority is "Spring-Benner-Walker Joint Authority." [Res. 33-1983]
2. The authority is formed under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945."
3. No other authority has been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945," or under the Act of Assembly approved

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June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for an incorporating municipality, except that the following municipality authorities heretofore have been organized under provisions of the Act of Assembly, approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945," and are in existence in or for the incorporating municipalities:

- A. The following authority heretofore was organized by the Township of Spring, Centre County, Pennsylvania: Spring Township Authority.
 - B. The following authority heretofore was organized by the Township of Benner, Centre County, Pennsylvania: Spring Creek Water Authority.
4. The names of the incorporating municipalities are:
- A. Township of Benner, Centre County, Pennsylvania; and,
 - B. Township of Spring, Centre County, Pennsylvania.
5. The names and addresses of all of the municipal authorities of said incorporating municipalities are: [Here followed the names and addresses of all of the municipal authorities of said incorporating municipalities].
6. The members of the Board of the Authority shall be seven in number, with two members being appointed by the Township of Benner, Centre County, Pennsylvania, and five members being appointed by the Township of Spring, Centre County, Pennsylvania.
7. The names and addresses and terms of office of the first members of the Board of Authority, each of whom is a citizen of the incorporating municipality by which he is appointed, are as follows: [Here followed the names and addresses and terms of office of the first members of the Board of Authority].
8. The term of existence of the authority shall be for a period ending December 31, 2032. [Res. 33-1983]

IN WITNESS WHEREOF, the Townships of Benner and Spring, both situate in Centre County, Pennsylvania, each have caused these Articles of Incorporation to be duly executed in its name and in its behalf by its duly authorized officers and its corporate seal to be affixed hereunto and attested by its Secretary, all as of the ___ day of _____, 1976.

(Ord. 255-1976, 1/3/1977, §2; as amended by Res. 33-1983, 11/7/1983)

§103. NOTICE.

The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting jointly with appropriate officers of the other municipality set forth in §101 of this Part, are authorized and directed to cause notice of the substance of this

Part, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation, to be published as required by the Authorities Act.

(Ord. 255-1976, 1/3/1977, §3)

§104. FILING.

The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting joint with appropriate officers of the other municipality set forth in §101 of this part, are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to the incorporation of such authority, including payment of the required filing fee.

(Ord. 255-1976, 1/3/1977, §4)

§105. FIRST MEMBERS.

The following named persons are appointed as first members to represent this Township on the Board of such authority: [Here followed the names and addresses and terms of office of the first members appointed to represent this Township on the Board of the authority].

(Ord. 255-1976, 1/3/1977, §5)

§106. PURPOSE.

The enactment of this Part is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of citizens of this Township.

(Ord. 255-1976, 1/3/1977, §6)

B. Spring Township Authority

§111. INTENTION AND DESIRE TO ORGANIZE AUTHORITY.

The Board of Supervisors of this Township signifies its intention and desire to organize an authority, under the provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented (the "Authorities Act"), for the purpose of acquiring, holding, constructing, improving, maintaining and operating and owning projects for water supply works, water distribution systems, sewers, sewer systems and sewage treatment works, and all powers incident thereto as conferred by the Authorities Act.

(Ord. 68-1966, 3/7/1966, §1)

§112. ARTICLES OF INCORPORATION.

The President and Secretary of the Township are authorized and directed to execute on behalf of this Township, Articles of Incorporation for such authority in substantially the following form:

ARTICLES OF INCORPORATION

TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with requirements of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented and pursuant to an ordinance enacted by the municipal authorities of the Township of Spring, Centre county, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipality to organize under said Act, the incorporating municipality does certify:

1. The name of the authority is "Spring Township Authority."
2. The authority is formed under the provisions of the Act of May 2, 1945, known as the "Municipality Authorities Act of 1945," as amended and supplemented.
3. No other authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemented, or under the Act of June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or from the incorporating municipality.
4. The name of the incorporating municipality is Township of Spring, Centre County, Pennsylvania.
5. The names and addresses of the municipal authorities of said incorporating municipality are: [Here followed the names and addresses of the municipal authorities of said incorporating municipality].

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6. The names, addresses and terms of office of the first members of the Board. [Here followed the names, addresses and terms of office of the first members of the Board.]
7. The term of existence of the authority shall be for a period ending on March 15, 2034. [Res. 42-1984]

IN WITNESS WHEREOF, the Township of Spring, Centre County, Pennsylvania, has caused these Articles of Incorporation to be executed by its President and attested by its Secretary, and its official seal to be affixed hereto this ____ day of March, 1966.

(Ord. 68-1966, 3/7/1966, §2; as amended by Res. 42-1984, 3/30/1984)

§113. NOTICE.

The President and Secretary of the Board of Supervisors of this Township are authorized and described to cause notice of the substance of this Part, including the substance of the foregoing Articles of Incorporation, and the proposed filing of such Articles of Incorporation, to be published as required by the Authorities Act.

(Ord. 68-1966, 3/7/1966, §3)

§114. FILING.

The President and Secretary of this Township are authorized and directed to cause such Articles of Incorporation, together with necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania, and to do all other acts and things necessary or appropriate to effect the incorporation of the authority, including payment of any filing fees necessary in connection therewith.

(Ord. 68-1966, 3/7/1966, §4)

§115. FIRST MEMBERS.

The following named persons shall be and they are appointed as first members of the Board of the authority for the following terms of office: [Here followed the names, addresses and terms of office of the persons appointed as first members of the Board of the authority].

(Ord. 68-1966, 3/7/1966, §5)

§116. PURPOSE.

The enactment of this Part is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of citizens of this Township.

(Ord. 68-1966, 3/7/1966, §6)

PART 2

COMMISSIONS AND AGENCIES

A. Planning Commission

§201. CREATION OF COMMISSION.

A Township Planning Commission to be composed of seven members, appointed as provided by law (53 P.S. §10202), is hereby created in and for the Township of Spring. The Planning Commission shall perform all duties and may exercise all powers conferred by law upon Township planning agencies; provided, the Planning Commission previously created in and for the said Township shall constitute the tenure of any of the members thereof, but any and all vacancies in the said Commission hereafter occurring shall be filled in the manner and for the term provided in the law governing Township planning commissions in effect at the time of the happening of the said vacancy.

(Ord. 52-1962, 7/5/1962; as revised by Ord. 09-00, 10/2/2000)

B. Educational Service Agency

§211. ESTABLISHMENT OF EDUCATIONAL SERVICE AGENCY.

1. The Spring Township Board of Supervisors hereby resolves that an Educational Service Agency is established as provided for in Act 108 and further in conformity with §66915 of the Second Class Township Code, 53 P.S. §66915. The Educational Service Agency is established and operates exclusively for the purpose of providing such service of school crossing guards, appointed in conjunction with the Bellefonte School District. [Ord. 09-00]
2. The Board, therefore, recognizes the Educational Service Agency as the Spring Township agency for management and control of crossing guards.
3. Therefore, the Board resolves that we have employed an employee in accordance with §66915 of the Second Class Township Code, 53 P.S. §66915 and will establish and operate as amended in Act 108. [Ord. 09-00]
4. The new Act excludes workers of nonprofessional status of school districts who are actual employees of the Township.

(Res. 40-1980, 6/2/1980; as amended by Ord. 09-00, 10/2/2000)

C. Mid-County Recreation Commission

§221. ESTABLISHMENT OF COMMISSION.

There is hereby created and established a joint recreation commission to be known as "Mid-County Recreation Commission," which said commission is to consist of 12 members.

(Agr. 3/2/1970, §1)

§222. MEMBERSHIP.

Each member of the Mid-County Recreation Commission shall serve for a term of 2 years, with appointments to be made in the month of April of each year. Two members shall be appointed by the School District, two members by Bellefonte Borough, two members by Spring Township, two members by Benner Township, two members by Walker Township and two members by Marion Township. The number of members of the commission shall be reviewed at the expiration of 3 years after the effective date of this agreement to determine if more members shall be needed, and the number of members of said commission shall be mutually agreed upon at that time.

(Agr. 3/2/1970, §2)

§223. RESIDENCY REQUIREMENTS.

All members of the commission shall reside within the area of Bellefonte Borough, Spring Township, Benner Township, Walker Township and Marion Township; provided, however, that each member appointed by his respective municipality shall reside in that particular municipality. The members shall serve without compensation or pay, although they may be reimbursed for necessary expenses in the performance of their duties.

(Agr. 3/2/1970, §3)

§224. VACANCIES.

Any vacancies in said commission shall be filled by the municipality or school district making the original appointment for the unexpired portion of the term. All appointees shall serve for their full term, unless they voluntarily resign or unless the township or school district making the appointment, after a public hearing, removes any member of the commission for inefficiency, neglect of duty or malfeasance in office.

(Agr. 3/2/1970, §4)

§225. OFFICERS.

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The commission shall elect its own Chairman and a Secretary and a Treasurer, and create and fill such other offices as it may determine, said officers to serve for a term of 1 year. The Secretary and/or Treasurer need not be a member of the commission. They may be paid for their services. They shall also be bonded with sufficient bond as determined by the commission, as all monies appropriated by the commission shall pass through their hands.

(Agr. 3/2/1970, §5)

§226. BY-LAWS; RULES AND REGULATIONS.

The commission may adopt by laws and make and alter rules and regulations for its procedure consistent with the laws of the Commonwealth of Pennsylvania and of the codes governing the parties creating the commission. The commission shall keep a record of its resolutions and transactions, which record shall be a public record. It shall submit a report at least annually to each of the municipalities and the school district creating the commission, which report shall set forth the financial receipts and expenditures of the commission, an analysis of the community recreation areas, facilities and leadership, the adequacy of the program and its effectiveness and any recommendations for a recreation program. All financial receipts shall be deposited in an account in the name of Mid-County Recreation Commission, and it shall account to all municipalities annually in its report. All financial records of the commission shall be subject to audit by the municipalities.

(Agr. 3/2/1970, §6)

§227. RESPONSIBILITIES.

The Mid-County Recreation Commission shall have the responsibility of preparing and submitting to the parties hereto a comprehensive plan for recreational activities and the use of such capital facilities throughout the district as shall be necessary to provide a full and adequate recreation program for all citizens of the district within reasonable proximity of all areas of the district; provided, that nothing contained herein shall be construed as requiring any particular party or municipality to contribute to the construction of a particular facility without the approval of its governing body. Copies of any plans, reports and recommendations relating to use and operation of recreation facilities and parks or other property owned by the participating boroughs or townships shall be submitted to the appropriate officer in such borough or township, and those relating to the school district to its superintendent.

(Agr. 3/2/1970, §7)

§228. OWNERSHIP OF REAL ESTATE PROHIBITED.

Unless the parties creating the commission hereafter specifically agree thereto, the commission shall not have power to purchase or own any real estate. Any real estate used by the commission in carrying out its function shall remain the property of the municipal-

ity or school district owning the same or shall be leased from private parties under a written lease.

(Agr. 3/2/1970, §8)

§229. FISCAL AFFAIRS.

1. The commission shall plan its fiscal affairs on a calendar year basis, submit its financial reports on a calendar year basis and submit its requested budget to the parties hereto by the first day of November for the year following. The Recreation Commission must not spend any money or obligate themselves beyond that which is appropriated to it annually by the parties hereto.
2. The amounts designed in the annual budget of the commission shall not be binding on the parties hereto until approved by the governing boards of the parties hereto.
3. The parties agree that they will, for the year beginning January, 1970, appropriate the sum of money set forth below:

Borough of Bellefonte	\$150.00
Township of Spring	150.00
Township of Benner	100.00
Township of Walker	50.00
Township of Marion	25.00
Bellefonte School District	50.00

4. Thereafter, the parties agree that they will exert their best efforts to agree on a formula for the allocation among themselves for the costs of operating the Recreation Commission, which formula may be based on either assessed valuation, population or such other factors as may appear proper.
5. The Recreation Commission may accept any grant, gift, bequest or donation of services, equipment or money from any individual or group to be used as specified by the donor, or by the terms of acceptance.

(Agr. 3/2/1970, §9)

§230. AGREEMENT.

This agreement shall remain in effect and bind all parties thereto from year to year, except that this agreement may be terminated by the mutual consent of all parties hereto, and except that this agreement may be terminated by any municipality or school district party thereto giving notice in writing of its intention to terminate this agreement, said notice in writing to be delivered to the other parties hereto at least 3 months before the beginning of any calendar year hereafter, and the agreement shall thereupon be terminated at the beginning of said year, insofar as the notice-giving party is concerned.

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(Agr. 3/2/1970, §10)

D. Shade Tree Commission

§231. CREATION OF COMMISSION; MEMBERSHIP, POWERS, DUTIES AND OBLIGATIONS

The Township of Spring hereby creates a Shade Tree Commission to be composed of three residents of the Township, who shall be appointed by the Board of Supervisors and shall serve without compensation for their terms of office and will the rights, powers, duties and obligations provided for by law.

(Ord. 97-07, 7/7/1997, §1)

§232. APPOINTMENTS; TERM OF OFFICE

The members of the commission shall be appointed by the Board of Supervisors for terms of 5 years each; provided, for the members of said commission, one member shall be appointed for a term of 3 years, one for a term of 4 years and one for a term of 5 years. On the expiration of the term of any commissioner, a successor shall be appointed by the Board of Supervisors to serve for a term of 5 years. Vacancies in the office of commissioner shall be filled by the Township Supervisors for the unexpired term.

(Ord. 97-07, 7/7/1997, §2)

§233. EXPRESS AUTHORITY OF SHADE TREE COMMISSION

The collection of assessments, the filing of liens, the levying of taxes and the collection of penalties, expressly authorized as provided for by law.

(Ord. 97-07, 7/7/1997, §3)

§234. RULES AND REGULATIONS AUTHORIZED; PENALTY FOR VIOLATION

The commission is hereby authorized to prescribe such rules and regulations to impose such penalties for the violation of the same as it may deem necessary and proper; provided that the rules and regulations are approved by the Board of Supervisors and are not in conflict with other ordinances of the Township.

(Ord. 97-97, 7/7/1997, §4)

§235. ANNUAL REPORT

The Shade Tree Commission shall report annually to the Board of Supervisors on all transactions and expenses for the preceding fiscal year.

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(Ord. 97-07, 7/7/1997, §5)

PART 3

POLICE DEPARTMENT

A. Police Department

§301. ESTABLISHMENT OF POLICE DEPARTMENT.

There is hereby established for the Township of Spring a Police Department to exercise all of the rights, duties and privileges and powers as set forth in the Second Class Township Code.

(Ord. 92-1968, 1/22/1968, §1)

§302. CHIEF OF POLICE.

The Chief of Police of the Police Department of Spring Township shall be the person who from time to time is designated as such by the Board of Supervisors.

(Ord. 92-1968, 1/22/1968, §2; as amended by Ord. 103-1968, 5/6/1968, §§1,2; and by Ord. 09-00, 10/2/2000)

§303. TOWNSHIP EMPLOYEES SERVICE COMMITTEE.

There is hereby established a Township Employees Service Committee, which shall consist of not less than three nor more than five residents and electors of the Township of Spring, which committee shall be charged with the administration and control of the Police Department and all personnel thereunder, shall prescribe the duties, shall fix the salary for the policemen in conjunction with the specific authority and authorization of the Township Supervisors and shall exercise all the necessary powers over the police force and the policemen. The Township Employees' Service Committee shall also exercise the power and administration over all Township employees and shall be charged by the Supervisors with the responsibility of making investigations and conducting hearings in the event of the proposed dismissal of any of the police officers and employees of the Township. Appointments to said committee shall be made for 1 year terms by the Township Supervisors.

(Ord. 92-1968, 1/22/1968, §3)

§304. AUXILIARY POLICE.

The Chief of Police is authorized to employ not more than three auxiliary police to assist in carrying out the police functions of the Department for the Township in accordance with the Act of Assembly of the Commonwealth of Pennsylvania, which auxiliary police shall

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serve at the discretion of the Chief of Police and shall exercise all of the powers and duties as set forth in the Act of Assembly.

(Ord. 92-1968, 1/22/1968, §4)

§305. APPROPRIATION OF FUNDS.

There is hereby appropriated from the general funds of the Township to the specific purpose of providing police duty, such amount as may be necessary to defray the expenses of the police in accordance with the terms of the agreement between the Township and the Chief of Police.

(Ord. 92-1968, 1/22/1968, §5)

B. Police Pension Fund

§311. ESTABLISHMENT OF POLICE PENSION FUND.

There is hereby established a police pension fund for the members of the police force of Spring Township.

(Ord. 133-1969, 10/6/1969, §1)

§312. CONTROL OF FUND.

The said pension fund shall be under the direction of the Spring Township Supervisors and shall be further applied under such regulations as herein set forth and as the Spring Township Supervisors may adopt, and shall be for the benefit of such members of the police force of Spring Township as shall receive honorable discharge therefrom by reason of age and service or disability, and the families of such as may be killed in the service. All such pensions as shall be allowed to those who are retired by reason of disabilities shall be in conformity with a uniform scale.

(Ord. 133-1969, 10/6/1969, §2)

§313. RETIREMENT AGE AND SERVICE.

All policemen employed by the Township of Spring for a period of 25 years and having attained the age of 50 years may retire from active duty and be entitled to a pension created herein. Such members as are retired shall be subject to service from time to time as a police reserve in cases 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.

(Ord. 133-1969, 10/6/1969, §3; as amended by Ord. 92-006, 12/7/1992, §1)

§314. DETERMINATION OF MONTHLY BENEFIT.

Monthly pension or retirement benefits, other than length of service increments, shall be computed at 1/2 the monthly average salary of such member during the last 36 months of employment. Monthly wages shall include, but not during the last 36 months of employment. Monthly wages shall include, but not be limited to, base salary, night time hours compensation, overtime, longevity bonuses and any other bonuses (gross compensation as shown on employee's W-2). Such pension or retirement benefits for any month shall be computed as the sum of: [Ord. 2-1990]

- A. Any pension benefits from pension plans heretofore established by a private organization or association for the members of the police force but only to the extent that this Commonwealth or any of its municipalities shall have contributed to such pension plan moneys raised by taxation.

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- B. Benefits from the police pension fund established pursuant to this Part to the extent necessary to bring the total benefits in any month up to 1/2 the aforesaid monthly salary.

(Ord. 133-1969, 10/6/1969, §4; as amended by Ord. 56-1988, 9/11/1988, §1.44; and by Ord. 2-1990, 5/7/1990, §1)

§315. DISABILITY OR DEATH BENEFIT.

In the case of payment of pension for permanent injuries incurred in service and to families of members killed in service or who die after having obtained eligibility to receive a pension benefit, the amount and eligibility requirements shall be determined as follows:

- A. A widow or child or children under 18 years of age of a police officer who is killed in service is entitled to all of the pension benefits the officer would have been entitled to receive had he been retired when he died, until such time as she would remarry, or such child or children would reach 18 years of age. This benefit shall commence immediately after the death of the officer.
- B. A widow or child or children under 18 years of age of a police officer who dies after having obtained eligibility to receive a pension benefit (meaning that the police officer was pensioned when he died or was eligible for a retirement pension when he died) is entitled to 1/2 of the pension the officer was receiving or would have been entitled to receive had he been retired when he died, until such time as she would remarry, or the child or children reach 18 years of age.
- C. If a police officer that is retired under a disability pension dies, his widow or children or children under the age of 18 years, is entitled to 1/2 of the pension the officer was receiving, until such time as she would remarry, or the child or children reach 18 years of age.

(Ord. 133-1969, 10/6/1969, §5; as amended by Ord. 2-1990, 5/7/1990, §2)

§316. ACTUARY.

The Board of Supervisors of Spring Township may employ an actuary and fix his compensation, if any. The actuary shall determine the present value of the liability on account of pensions payable under this subpart for service prior to the date of the establishment of the fund, and shall offset the value of any assets transferred to the fund from any previous pension fund to determine the unfunded liability. The unfunded liability shall be paid entirely by Spring Township; provided, however, that it may be funded over a period not to exceed 25 years. The actuary shall also determine the amount which shall be contributed annually into the fund for the service of members subsequent to the establishment of the fund.

(Ord. 133-1969, 10/6/1969, §6)

§317. MEMBER'S CONTRIBUTIONS; VESTING BENEFIT.

1. Member's Contributions. Members of the Spring Township police force shall each pay into the fund monthly an amount equal to not less than 5% nor more than 8% of monthly compensation. Where positions covered by the fund are included in an agreement under the Federal Social Security Act, members shall pay into the fund, monthly, an amount equal to not less than 2% of that portion of monthly compensation on which Social Security allowances are payable and 5% on any monthly compensation in excess of that on which Social Security allowances are payable. The remainder of the needed annual contributions, as determined by the actuary, shall be the obligation of the Township, and shall be deducted from the salary of each employee the necessary amounts to comply with the provisions herein.
2. Vesting Benefit. Should a police officer, before completing superannuation requirement age and service requirements, but after having completed 12 years of total service, for any reason cease to be employed as a full time police officer by the Township in whose pension fund he has been a member, he shall be entitled to vest his retirement benefits by filing with the Board of Supervisors within 90 days of the date he ceases to be a full time police officer a written notice on his intention to vest. Upon reaching the date which would have been his superannuation retirement date if he had continued to be employed as a full time police officer he shall be paid a partial superannuation retirement allowance determined by applying the percentage his years of service bears to the years of service which he would have rendered had he continued to work until his superannuation retirement date to the gross pension using, however, the monthly average salary during the appropriate period prior to his termination of employment. Such pension or retirement benefit for any month shall be determined in §314 of this Part (basis for determining amount of pension). [Ord. 2-1990]

(Ord. 133-1969, 10/6/1969, §7; as amended by Ord. 2-1990, 5/7/1990, §3)

§318. FUNDING.

1. The payments made by the State Treasurer of the Commonwealth of Pennsylvania to Spring Township from the monies received from taxes paid upon premiums by foreign casualty insurance companies for the purposes of pension retirement or disability benefits for policemen shall be used as follows:
 - A. To reduce the unfunded liability or, after such liability has been funded;
 - B. To apply against the annual obligation of the Township for future service cost, or to the extent that the payment may be in excess of such obligation;
 - C. To reduce member contributions.
2. Unless otherwise specifically provided, any other monies paid into the police pension fund shall be applied equally against the member and the Township portions of the future service cost. It shall be the duty of the Supervisors of Spring Township to

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apply said payments in accordance with the provisions of this Part and the Act of Assembly hereinbefore set forth.

(Ord. 133-1969, 10/6/1969, §8)

§319. INCIDENTAL DEATH BENEFIT.

There shall also be established as part of this pension fund, and the premiums to be paid for out of said fund, an incidental death benefit on the life of such policeman while employed full time by Spring Township. The said Township of Spring shall be the owner of all such policies of retirement income endowments. The Spring Township Police Pension, Death and Disability Fund shall be named the beneficiary in all such retirement income policies. From the proceeds of these policies the Spring Township Police Pension, Death and Disability Fund shall pay the sum of \$50,000 death benefit to the named beneficiary or beneficiaries of the deceased policeman named by him, provided such beneficiary shall have an insurable interest therein.

(Ord. 133-1969, 10/6/1969, §9; as amended by Ord. 20-1979, 4/2/1979, §1; by Res. 44-1980, 8/4/1980; and by Ord. 09-00, 10/2/2000)

§320. EXCESS BENEFITS.

Any excess over and above the \$50,000 to be paid to the said named beneficiary is to remain in the said Spring Township Police Pension, Death and Disability Fund and credited to any future payments due the said fund by the said Township of Spring. Upon the retirement of any policeman under this pension plan, there shall be no death benefits paid by the said pension plan except as provided for in the settlement options of the retirement contract.

(Ord. 133-1969, 10/6/1969, §10; as amended by Res. 44-1980, 8/4/1980; and by Ord. 09-00, 10/2/2000)

§321. RIGHTS UNDER PREVIOUSLY ESTABLISHED FUND.

Notwithstanding any provision of this Part, members of the Spring Township police force for whom a pension fund has heretofore been established, shall be entitled to their rights under the previously established fund.

(Ord. 133-1969, 10/6/1969, §11)

§322. SOCIAL SECURITY OFFSET.

The provision be added to this Part to allow and to take into account the 25% offset under Social Security for all full time police officers, as per the effective date of June 15, 1974, of Act 118, with our present carrier of the current policies in effect.

(Ord. 133-1969, 10/6/1969; as added by Res. 202-1974, 6/3/1974; and amended by Ord. 09-00, 10/2/2000)

§323. INTEREST ON REFUNDS.

Interest at the rate of 5% per annum shall be paid to a member of the police pension fund upon termination of employment by death, resignation or otherwise, at the rate of 5% on the amount of such refund.

(Ord. 133-1969, 10/6/1969; as added by Res. 82-1986, 10/6/1986; and amended by Ord. 09-00, 10/2/2000)

PART 4

FIREMEN'S RELIEF ASSOCIATION

§401. RECOGNITION OF FIREMEN'S RELIEF ASSOCIATION.

1. The following associations are hereby recognized as actively engaged in providing fire protection and/or emergency services in the Township of Spring:

<u>Fire Company</u>	<u>Municipality</u>	<u>Percentage</u>
Pleasant Gap	Pleasant Gap	70%
Logan Fire Co.	Bellefonte Borough	30%
Undine Fire Co.	Bellefonte Borough	

2. The above named associations have been formed for the benefit of their members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.
3. The above named associations of the Township of Spring are designated the proper associations to receive such funds as are due and payable to the Township Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

(Ord. 09-00, 10/2/2000)

§402. CERTIFICATION TO AUDITOR GENERAL.

The Board of Supervisors shall annually certify to the Auditor General of the Commonwealth, the names of the active associations and the percentage of service they contribute to the protection of the Township of Spring. Such certification shall be on forms prescribed by the Auditor General.

(Ord. 09-00, 10/2/2000)

§403. ANNUAL APPROPRIATION.

There is annually appropriated from the Township Treasury all such sums of money that may hereafter be paid into the Township Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of the Act of December 18, 1984, No. 205, §701 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Township Treasurer from the State Treasurer shall be distributed

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to the duly recognized associations within 60 days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act.

(Ord. 09-00, 10/2/2000)