

ORDINANCE NO. 602

ORDINANCE AMENDING CHAPTER 63 OF
THE CODE OF THE TOWNSHIP OF
MUHLENBERG TO AMEND THE
PROVISIONS OF THE POLICE PENSION
PLAN ORDINANCE

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Muhlenberg, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same, as follows:

1. Section 63-6.02 (formerly Section 31-6.02) of the Code of the Township of Muhlenberg shall be amended and restated to state in its entirety, the following:

“63-6.02 Survivor Benefit – The surviving spouse of a Participant or a Participant who has obtained eligibility to receive a Pension, whether or not upon retirement or on a deferred date, who dies, or if no spouse survives or if the spouse survives and subsequently dies, then the child or children under the age of eighteen years or if attending college, age 23 or younger, of a Participant or a Participant who has obtained eligibility to receive a Pension, whether or not upon retirement or on a deferred date, who dies, shall during his or her lifetime, in the case of a surviving spouse, or until reaching the age of eighteen years, or if attending college, age 23 or younger, in the case of a child or children, be entitled to receive a Pension calculated at fifty percent (50%) of the Pension that the Participant was receiving, or would have received at a deferred date, in the case of retirees, or would have been receiving had the Participant retired on the date of the Participant’s death, in the case of active, non-retired Participants. In the case of surviving children eligible hereunder, the aggregate benefit for all such children combined shall be the survivor benefit amount of 50% of the Participant’s pension, divided equally among all eligible surviving children. The shares payable to the surviving dependent children who are eligible hereunder shall be adjusted as each child ceases to be eligible to receive a share of the benefit hereunder. Instead of, and in lieu of, the Survivor Benefit set forth herein, the surviving spouse of a Participant who shall have died prior to commencement of payment of a retirement pension benefit shall be permitted to elect to receive a distribution of the Participant’s Accumulated Contributions and no additional benefits shall thereafter be due and payable under the Plan.”

2. Section 63-6.04 (formerly Section 31-6.04) of the Code of the Township of Muhlenberg shall be amended and restate to state in its entirety, the following:

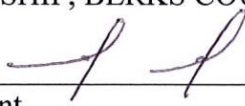
“63-6.02 Payment of Survivor Benefits -- The Survivor Benefit commences as of the first day of the month coincident with, or immediately following, the date of the death of the Participant, in the case of a retired Participant receiving pension retirement payments at the time he or she died and in the case of an active, non-retired Participant. The Survivor Benefit commences on the date upon which the Participant would have received

Pension retirement payments, in the case of a Participant who has obtained eligibility to receive Pension retirement payments on a deferred date. The Survivor Benefit shall be paid monthly to the surviving spouse of the Participant, if any, until the date of death of the surviving spouse. Upon the date of death of the surviving spouse, or if there is no surviving spouse, the Survivor Benefit shall be paid monthly, in equal shares to each eligible surviving dependent child of the Participant. The shares payable to the eligible surviving dependent children shall be adjusted as each child ceases to be eligible to receive a share of the benefit hereunder.

3. Except as amended hereby, the rest and remainder of Chapter 63 (formerly Chapter 31) of the Code of the Township of Muhlenberg, as the same may heretofore have been amended, is confirmed as in effect as of the date of enactment hereof.
4. This Ordinance shall take effect immediately, or on such later date as is the earliest date permitted by law.

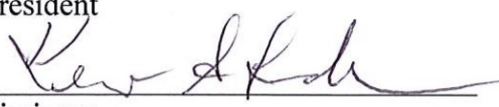
DULY ENACTED AND ORDAINED, the 19th day of July 2021.

BOARD OF COMMISSIONERS OF MUHLENBERG
TOWNSHIP, BERKS COUNTY, PENNSYLVANIA




President

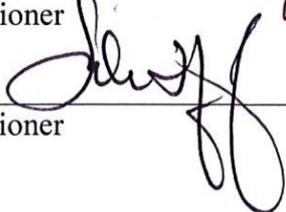
Vice President



Commissioner



Commissioner



Commissioner

Attest: 

Secretary