

BOROUGH OF WEST WYOMING  
LUZERNE COUNTY, PENNSYLVANIA

ORDINANCE NO. 3-06

AN ORDINANCE OF THE BOROUGH OF WEST WYOMING AMENDING THE  
NON-UNIFORMED PENSION PLAN

WHEREAS, the Borough of West Wyoming, Luzerne County, Pennsylvania, did by Ordinance No. 9 of 1992, establish a defined benefit pension plan for its full-time non-uniformed employees; and;

WHEREAS, Article IV of Ordinance No. 9 of 1992 set forth the provisions for a normal retirement benefit and actuarial equivalent optional benefits; and

WHEREAS, the Council of the Borough of West Wyoming are now desirous to restate the normal retirement benefits, eliminate actuarial equivalent optional benefits, and institute survivor benefits; and

NOW, THEREFORE, the Council of the Borough of West Wyoming does hereby ordain and enact that the following subsections of Article IV of Ordinance No. 9 of 1992 shall be amended as follows:

Section 1

Article IV - Retirement Requirements and Benefits

Article IV, Subsection 4.3 is amended to read as follows:

Normal Retirement Benefit. A Participant who shall complete the age and service requirements as set forth in Article IV shall receive a pension for life, payable in equal monthly installments in an amount to be computed by applying two percent (2%) credit for each year of service (maximum 25 years) times the average monthly compensation for the thirty-six (36) months immediately preceding the Participant's retirement.

Article IV, Subsection 4.4 is amended to read as follows:

Pension Benefit to Surviving Spouse and Dependent Children. If a PARTICIPANT dies survived by a spouse or dependent children, after having become eligible to receive a pension benefit, (i.e., he was eligible because (a) he was already receiving a pension (b) he met the age and service requirement, but he had not yet retired), then a monthly pension benefit shall be provided.

The amount of the monthly pension benefit shall be fifty percent (50%) of the pension the PARTICIPANT was receiving or would have been entitled to receive if he had been retired at the time of his death.

The monthly pension benefit is payable to the surviving spouse until death or remarriage, then to surviving dependent children under the age of eighteen (18) years. Dependent children shall include, step-children, adopted children, and any child conceived before the time of the PARTICIPANT'S date and thereafter born to the PARTICIPANT'S spouse.

Section 2

All ordinances or parts of ordinances conflicting with the provisions of this Ordinance be and the same are hereby repealed.

Section 3

Should any portion whatsoever of this Ordinance be held invalid or unenforceable for any reason by any Court of competent jurisdiction, such portion shall be deemed severable, but only to the extent of such holding and such holding shall not effect the remaining portions of this Ordinance.

ORDAINED AND ENACTED this 12<sup>th</sup> day of June, 2006.

[Signature]  
President of Council

Approved By: [Signature]  
Mayor

Attest  
[Signature]  
Secretary

