

ORDINANCE NO. 95-01

AN ORDINANCE OF WEST PENNSBORO TOWNSHIP, CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO CHANGE THE BENEFITS IT HAS IN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW: AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES CHANGING BENEFITS UNDER THE PROVISIONS OF THIS ARTICLE: STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE TOWNSHIP. IT IS HEREBY ORDAINED BY WEST PENNSBORO TOWNSHIP, CUMBERLAND COUNTY, AS FOLLOWS:

SECTION I. West Pennsboro Township, being a member municipality of the Pennsylvania Municipal Retirement System, hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, as amended, and does hereby agree to be bound by all the requirements and provisions of said Article and the Law, as the case may be, and to assume all obligations, financial and otherwise, placed upon member municipalities by said Amendment, as the case may be. All references hereafter shall be based on benefits negotiated between the Board and the municipality under the provisions of Article IV of the Pennsylvania Municipal Retirement Law.

SECTION II. Membership in the Pennsylvania Municipal Retirement System shall be mandatory for all permanent, municipal employees of the Township. Membership for elected officials and employees hired on a temporary or seasonal basis is prohibited, as is membership for individuals paid only on a fee basis.

SECTION III. Credit for service toward the annuity of each original member shall begin to accrue as of January 1, 1995.

However, for the purposes of determining eligibility for early retirement and vesting, credited service shall accrue from each original members date of hire or the expiration of the member's probationary period, if one so existed. Benefits provided to members in the agreement dated August 3, 2004, shall accrue based on all credited service granted and earned in accordance with this section.

SECTION IV. Payment for any obligation established by the adoption of this ordinance and the agreement between the System and West Pennsboro Township shall be made by the Township in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act.

SECTION V. As part of this ordinance, the Township agrees that the System shall provide the benefits set forth in the agreement between the Board and West Pennsboro Township, dated August 3, 2004. The passage and adoption of this ordinance by West Pennsboro Township is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. West Pennsboro Township hereby assumes all liability for any unfundedness created or which may be created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

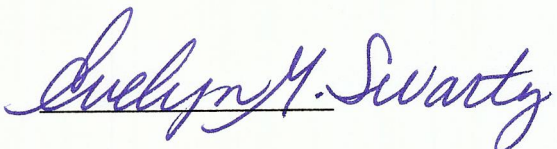
SECTION VI. West Pennsboro Township intended this ordinance to be the complete authorization of the Township plan and therefore specifically repeals the previous agreement and Ordinance Number 2001-03.

SECTION VII. A duly certified copy of this ordinance and the referenced agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of West Pennsboro Township in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 1995, with the revised plan structure reflected in the agreement dated August 3, 2004, effective the first day of December, 2003.

ORDAINED this 3 day of August, 2004.

TALLY OF VOTES – YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST:



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