

BOROUGH OF ORWIGSBURG  
SCHUYLKILL COUNTY, PENNSYLVANIA  
ORDINANCE NO. 297

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO JOIN 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 JOINING UNDER THE PROVISIONS OF THIS ARTICLE: STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE BOROUGH.

BE IT ORDAINED AND ENACTED by the BOROUGH COUNCIL of the BOROUGH OF ORWIGSBURG, Schuylkill County, Pennsylvania, and it is hereby ORDAINED and ENACTED by the authority of the same, as follows:

SECTION 1.00

The Borough of Orwigsburg hereby elects to enroll its municipal employees in the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, with the express purpose of having the Pennsylvania Municipal Retirement System administer the pension plan established for the municipal employees of the Borough. The Borough of Orwigsburg 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.

SECTION 2.00

Membership in the Pennsylvania Municipal Retirement System shall be mandatory for all permanent municipal employees of the Borough. 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 3.00

Credit for prior service for original employees is granted for each year or partial year thereof that the member was employed by the Borough from original date of hire. Benefits provided to members in the agreement dated November 14, 1990, shall accrue based on all credited service granted and earned in accordance with this section.

The Borough of Orwigsburg hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

### SECTION 4.00

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

### SECTION 5.00

As part of this Ordinance, the Borough agrees that the System shall provide the benefits set forth in the agreement between the Board and the Borough of Orwigsburg, dated November 14, 1990. The passage and adoption of this Ordinance by the Borough of Orwigsburg is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package.

### SECTION 6.00


By adoption of this Ordinance, the Borough agrees to terminate, upon the effective date of membership in the Pennsylvania Municipal Retirement System, any previously maintained municipal pension program applicable to those employees identified as members in Section II of this Ordinance and to transfer any assets from any existing plan to offset the established liability. The Borough also hereby acknowledges that an affirmative vote representing at least seventy-five percent (75%) of the previous plan members indicated the members were in agreement with the establishment of the plan with the Pennsylvania Municipal Retirement System.

SECTION 7.00


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 the Borough of Orwigsburg in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 1991.

DULY ORDAINED AND ENACTED INTO AN ORDINANCE this 14<sup>TH</sup> day of NOVEMBER, A.D., 1990 by the Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.


BOROUGH OF ORWIGSBURG

BY:   
President of Council  
Borough of Orwigsburg

ATTEST:

  
Secretary of the Borough  
of Orwigsburg

EXAMINED AND APPROVED this 14<sup>TH</sup> day of NOVEMBER, A.D., 1990.

  
Mayor of the Borough of Orwigsburg  
Schuylkill County, Pennsylvania