

ORDINANCE NO. 386

AN ORDINANCE OF ORWIGSBURG BOROUGH, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO CHANGE THE POLICE PENSION 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 BOROUGH. IT IS HEREBY ORDAINED BY ORWIGSBURG BOROUGH, SCHUYLKILL COUNTY, AS FOLLOWS:

SECTION I. Orwigsburg Borough, being a member municipality of the Pennsylvania Municipal Retirement System, hereby elects to change its police pension benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, and does hereby agree to be bound by all the requirements and provisions of said Law, and to assume all obligations, financial and otherwise, placed upon member municipalities. 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 full-time police officers 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 III. Credit for prior service for original members is granted for each year or partial year thereof that the member was employed by the Borough from original date of hire or the expiration of the member's probationary period if one so existed. Benefits provided to members in the agreement dated JANUARY 10, ²⁰⁰⁶_{acc}, 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 Orwigsburg Borough 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 V. As part of this ordinance, the Borough agrees that the System shall provide the benefits set forth in the agreement between the Board and Orwigsburg Borough, dated JANUARY 10, ²⁰⁰⁶_{acc}. The passage and adoption of this ordinance by Orwigsburg Borough is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. Orwigsburg Borough 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. Orwigsburg Borough intends this ordinance to be the complete authorization of the Borough's police pension plan and it shall become effective and specifically repeal the Resolution dated December 8, 1982, either immediately or on September 1, 2006, which is the effective date of the amended agreement dated JANUARY 10, ²⁰⁰⁷~~2006~~, between the Pennsylvania Municipal Retirement System and Orwigsburg Borough, whichever is later.


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 police pension plan of Orwigsburg Borough in the Pennsylvania Municipal Retirement System shall be effective the first day of May, 1971, with the revised plan structure reflected in the agreement dated JANUARY 10, ²⁰⁰⁷~~2006~~, effective the first day of September, 2006.
2007

ORDAINED this 10 day of JANUARY, ²⁰⁰⁷~~2006~~

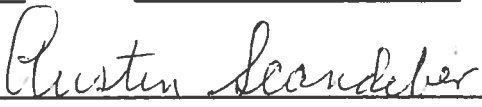
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ATTEST:


SHERRY M. EDWARDS
BOROUGH SECRETARY

BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA
BY: 
CHARLES J. STERNER
COUNCIL PRESIDENT

EXAMINED AND APPROVED THIS 10 DAY OF JANUARY, 2007.


AUSTIN SCANDIBER
MAYOR OF ORWIGSBURG