

ORDINANCE NO. 11-2004

AN ORDINANCE OF COALDALE BOROUGH, 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. IT IS HEREBY ORDAINED BY COALDALE BOROUGH, SCHUYLKILL COUNTY, AS FOLLOWS:

SECTION I. Coaldale Borough hereby elects to enroll its municipal employees in the Pennsylvania Municipal Retirement System hereinafter referred to as "System", established by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, with the express purpose of having the System administer the pension plan established for the municipal employees of the Borough. Coaldale Borough 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 by said Law. 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 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 III. Credit for service toward the annuity of each original member shall begin to accrue upon the effective date of the agreement between the Borough and the System. However, for the purposes of determining eligibility for 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 December 7, 2004, shall accrue based on all credited service granted and earned in accordance with this section.

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

SECTION IV. Payment for any obligation established by the adoption of this ordinance and the agreement between the Board and Coaldale 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 Coaldale Borough, dated December 7, 2004. The passage and adoption of this ordinance by the Borough is an official acceptance of

said agreement and the financial obligations resulting from the administration of said benefit package.

SECTION VI. Coaldale Borough intends this ordinance to be the complete authorization of the Borough's municipal pension plan and it shall become effective either immediately or on January 1, 2005, which is the effective date of the Agreement dated December 7, 2004, between the System and Coaldale Borough, whichever is later.

SECTION VII. A duly certified copy of this ordinance and the referenced agreement shall be filed with the System of the Commonwealth of Pennsylvania. Membership for the municipal employees of Coaldale Borough in the System shall be effective the first day of January, 2005.

ORDAINED this 7th day of December, 2004.

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BOROUGH OF COALDALE

BY: Susan Solt
Susan Solt, President

ATTEST:

Louise Lill
Louise Lill, Secretary

Claire Remington
Claire Remington, Mayor