

ORDINANCE NO. 2008-09

AN ORDINANCE OF HAMILTONBAN TOWNSHIP, ADAMS 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 TOWNSHIP. IT IS HEREBY ORDAINED BY HAMILTONBAN TOWNSHIP, ADAMS COUNTY, AS FOLLOWS:

SECTION I. Hamiltonban Township, 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 Pennsylvania Municipal Retirement 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 Township. Membership for elected officials, part-time officers, 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 Township from original date of hire or the expiration of the member's probationary period if one so existed, whichever is more recent. Benefits provided to members in the agreement dated _____, 2008, 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 Hamiltonban 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 Hamiltonban Township, dated _____, 2008. The passage and adoption of this ordinance by Hamiltonban Township is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. Hamiltonban 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. Hamiltonban Township intends this ordinance to be the complete authorization of the Township's police pension plan and it shall become effective and specifically repeal Ordinance Number 2008-04 either immediately or on October 1, 2008, which is the effective date of the amended agreement dated _____, 2008, between the Pennsylvania Municipal Retirement Board and Hamiltonban Township, 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 Hamiltonban Township in the Pennsylvania Municipal Retirement System shall be effective the first day of July, 2008, with the revised plan structure reflected in the agreement dated _____, 2008, effective the first day of October, 2008.

ORDAINED this _____ day of _____, 2008

TALLY OF VOTES - YEAS _____ NAYS _____

ATTEST: