

SOUTH BEAVER TOWNSHIP**ORDINANCE NO. 69**

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 66 OF THE TOWNSHIP RELATIVE TO THE TOWNSHIP'S NONUNIFORM EMPLOYEES' RETIREMENT PROGRAM AND THE ENROLLMENT THEREOF IN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; NAMELY TO AMEND SECTION I OF ORDINANCE NO. 66 BY REPLACEMENT OF THE WORD "FULL-TIME" WITH THE WORD "PERMANENT"; TO AMEND SECTION II BY DELETING OF THE WORD "PART-TIME"; TO AMEND SECTION V BY REPLACEMENT OF THE DATE 'JANUARY 1, 2002" WITH THE DATE "JULY 1, 2004"; AND TO AMEND SECTION VIII BY REPLACEMENT OF THE DATE "JANUARY 1, 2002" WITH THE DATE "JULY 1, 2004".

The Supervisors of the Township of South Beaver in and of the County of Beaver and Commonwealth of Pennsylvania, under the authority of the Second Class Township Code and the provisions of the "Pennsylvania Municipal Retirement Law," being Act No. 15 of 1974, as amended, have and do hereby enact the following:

SECTION I. Section I of Ordinance No. 66 is hereby amended to replace the word "full-time" with the word "permanent". Following this amendment said Section I shall read, state and provide as set forth on Exhibit "A" hereto attached and made part hereof.

SECTION II. Section II of Ordinance No. 66 is hereby amended to delete the word "part-time". Following this amendment said Section II shall read, state and provide as set forth on Exhibit "A" hereto attached and made part hereof.

SECTION III. Section V of Ordinance No. 66 is hereby amended to replace the date "January 1, 2002" with the date "July 1, 2004". Following this amendment said Section V shall read, state and provide as set forth on Exhibit "A" hereto attached and

made part hereof.

SECTION IV. Section VIII of Ordinance No. 66 is hereby amended to replace the date "January 1, 2002" with the date "July 1, 2004". Following this amendment said Section VIII shall read, state and provide as set forth on Exhibit "A" hereto attached and made part hereof.

SECTION V. All other Sections, clauses and phrases of Ordinance No. 66 are hereby ratified and confirmed, which Sections, clauses and phrases are here incorporated by reference.

ENACTED, ORDAINED AND ADOPTED this 9TH day of November, 2004.

ATTEST:

SOUTH BEAVER TOWNSHIP

Carol Miller
Secretary, South Beaver Township

Maureen P. Baird
Supervisor

Robert Gray
Supervisor

Willis
Supervisor

EXHIBIT "A"

SECTION I. South Beaver Township hereby elects to enroll its permanent municipal employees (hereinafter referred to as "municipal employees") in the Pennsylvania Municipal Retirement System, as authorized by the said "Pennsylvania Municipal Retirement Law," as now or hereafter amended, with the express purpose of having the Pennsylvania Municipal Retirement System by the Pennsylvania Municipal Retirement Board administer the retirement plan established by the Township for the municipal employees of the Township. The Township 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.

A. All references hereafter shall be based on benefits negotiated between the Pennsylvania Municipal Retirement Board and the Board of Supervisors of South Beaver Township under and pursuant to the provisions of Article IV of the said "Pennsylvania Municipal Retirement Law."

B. For the purpose of this Ordinance, the use of words herein or any agreement made pursuant to the authority of this Ordinance, masculine words shall include feminine and the singular shall include plural whenever the person or context shall plainly so require, and the meaning of words and/or phrases set forth and contained in the definitions provisions of the said "Pennsylvania Municipal Retirement Law," as now or hereinafter amended, and the Pennsylvania "Municipal Pension Plan Funding Standard and Recovery Act," being Act No. 205 of 1984, as amended and/or as hereafter amended, shall be applicable in the administration and implementation of the Pension Plan hereby authorized and created, unless a different meaning is otherwise clearly required by the context of the Ordinance, the agreement hereby attached as "Addendum No. 1," or any other applicable statutory law of the Commonwealth of Pennsylvania.

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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 V. As part of this Ordinance, the Township agrees that the Pennsylvania Municipal Retirement System shall provide the benefits set forth in the proposed agreement between the Pennsylvania Municipal Retirement Board and South Beaver Township, a copy of which is hereto attached as "Addendum No. 1." Upon the enactment of this Ordinance the Chairman of the Board of Supervisors and the Secretary of the Township are hereby authorized and directed to execute an agreement for and on behalf of the Township of South Beaver with the Pennsylvania Municipal Retirement Board, which agreement shall be substantially in form and provision as the proposed agreement hereto attached and made part hereof as "Addendum No. 1," providing the , and which agreement shall be effective as of and from July 1, 2004. The passage and adoption of this Ordinance by South Beaver Township is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. South Beaver Township hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure set forth and detailed in the agreement hereby authorized.

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SECTION VIII. A duly certified copy of this Ordinance and the attached agreement, following execution by the aforesaid officials of the Township, shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal pension plan of South Beaver Township in the Pennsylvania Municipal Retirement System shall be effective the first day of July, 2004.

END OF
EXHIBIT "A"