

CARROLL VALLEY BOROUGH
ADAMS COUNTY, PENNSYLVANIA

Ordinance No. 11-2008

AN ORDINANCE OF CARROLL VALLEY BOROUGH, ADAMS COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO CHANGE THE 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 CARROLL VALLEY BOROUGH, ADAMS COUNTY, AS FOLLOWS:

SECTION I. Carroll Valley Borough, being a member municipality of the Pennsylvania Municipal Retirement System, hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, as amended, and 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 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 municipal employees of the Borough. Membership for elected officials, part-time employees not currently members, 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. Benefits provided to members in the agreement dated November 11, 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 Board and Carroll Valley 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 Carroll Valley Borough, dated November 11, 2008. The passage and adoption of this ordinance by Carroll Valley Borough is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. Carroll Valley 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. Carroll Valley Borough intends this ordinance to be the complete authorization of the Borough's municipal pension plan and it shall become effective and specifically repeal Ordinance Number 11-89 either immediately or on November 1, 2008, which is the effective date of the Agreement dated November 11, 2008, between the Pennsylvania Municipal Retirement Board and Carroll Valley 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 municipal employees of Carroll Valley Borough in the Pennsylvania Municipal Retirement System shall be effective the first day of October, 1989, with the revised plan structure reflected in the agreement dated November 11, 2008, effective the first day of November, 2008.

ENACTED AND ORDAINED this 11th day of November, 2008.

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ATTEST:

CARROLL VALLEY BOROUGH COUNCIL

Barbara M. Hertz
Secretary

By: [Signature]
Council President

APPROVED:

By: [Signature]
Mayor

11/11/08
Date

CERTIFICATION OF ADOPTION

I hereby certify that the foregoing ordinance was advertised in The Gettysburg Times, a newspaper of general circulation in the municipality, on October 31, 2008, and was duly enacted and approved as set forth at a regular meeting of the Borough Council of the Borough of Carroll Valley on November 11, 2008.

Barbara M. Hertz
Borough Secretary