

Chapter 19

RETIREMENT SYSTEM, MUNICIPAL EMPLOYEES'

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[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 11-1-2004 by Ord. No. 6-04, which ordinance also repealed former Ch. 19, Retirement System, Municipal Employees', adopted 11-7-1994 by Ord. No. 8-94. Amendments noted where applicable.]

§ 19-1. Change of benefits.

Pennsburg 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, Act 15 of 1974, as amended,¹ 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.

§ 19-2. Membership qualifications.

Membership in the Pennsylvania Municipal Retirement 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.

§ 19-3. Credit for prior service.

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 November 1, 2004, shall accrue based on all credited service granted and earned in accordance with this section.

1. Editor's Note: See 53 P.S. § 881.101 et seq.

§ 19-4. Payments.

Payment for any obligation established by the adoption of this chapter and the agreement between the Board and the Pennsburg 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.²

§ 19-5. Benefits provided; acceptance of agreement; liability for unfundedness.

As part of this chapter, the Borough agrees that the system shall provide the benefits set forth in the agreement between the Board and the Pennsburg Borough, dated November 1, 2004. The passage and adoption of this chapter by Pennsburg Borough is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. Pennsburg Borough hereby assumes all liability for any unfundedness created due to the acceptance of the benefit structure outlined in the above-referenced agreement.

§ 19-6. Intent; repealer.

Pennsburg Borough intends this chapter to be complete authorization of the Borough's municipal pension plan and it shall become effective and specifically repeal Ordinance No. 8-94 either immediately or on October 1, 2004, which is the effective date of the Agreement dated November 1, 2004, between the Pennsylvania Municipal Retirement System and Pennsburg Borough, whichever is later.

§ 19-7. Filing of certified copy; effective date of membership.

A duly certified copy of this chapter and the referenced agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of Pennsburg Borough in the Pennsylvania Municipal Retirement System shall be effective the first day of March, 1970, with the revised plan structure reflected in the agreement dated November 1, 2004, effective the first day of October, 2004.

2. Editor's Note: See 53 P.S. § 895.101 et seq.