

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO.: 4 - 2009

AN ORDINANCE OF MIDDLESEX TOWNSHIP, CUMBERLAND 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 AND STATING WHICH OF CERTAIN OPERATIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE TOWNSHIP

IT IS HEREBY ORDAINED BY MIDDLESEX TOWNSHIP, CUMBERLAND COUNTY, AS FOLLOWS:

SECTION 1: Middlesex Township (the "Township"), being a member municipality of the Pennsylvania Municipal Retirement System (the "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 (the "Board") and the Township under the provisions of Article IV of the Pennsylvania Municipal Retirement Law.

SECTION 2: Membership in the System shall be mandatory for all full-time municipal employees of the Township. 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. Individual membership shall be effective as of the date

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the Township entered into the System or upon expiration of the individual's probationary status, whichever is more recent.

SECTION 3: Credit for service toward the annuity of each original member shall begin to accrue as of May 1, 1992 or from each original member's date of hire or upon the expiration of the probationary period, whichever is more recent. Benefits provided to members in the Agreement dated March 4, 2009 (the "Agreement"), shall accrue based on all credited service granted and earned in accordance with this section.

SECTION 4: Payment for any obligation established by the adoption of this Ordinance and the Agreement between the Board and Middlesex 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 5: As part of this Ordinance, the Township agrees that the System shall provide the benefits set forth in the Agreement. The passage and adoption of this Ordinance by the Township is an official acceptance of said Agreement and the financial obligations resulting from the administration of said benefit package. The 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 6: The Township intends this Ordinance to be the complete authorization of the Township's municipal pension plan and it shall become effective and specifically repeal Ordinance Number 7-99 either immediately or on December 1, 2008, which is the effective date of the Agreement, whichever is later.

SECTION 7: A duly certified copy of this Ordinance and the referenced Agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of

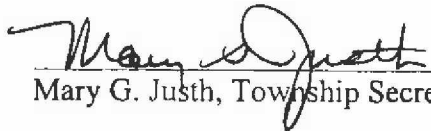
Pennsylvania. Membership for the municipal employees of the Township in the System shall be effective the first day of May, 1992, with the revised plan structure reflected in the Agreement dated March 4, 2009, effective the first day of December, 2008.

ORDAINED this 4th day of March, 2009.

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ATTEST:

MIDDLESEX TOWNSHIP


Mary G. Justh, Township Secretary

By: 
Victor P. Stabile, Chairman
Middlesex Township Board of Supervisors

(Township Seal)

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