

**STEWARTSTOWN BOROUGH  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2006-02**

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**AN ORDINANCE OF STEWARTSTOWN BOROUGH, YORK 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.**

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**BE IT ORDAINED AND ENACTED**, by the Stewartstown Borough Council, Stewartstown Borough, York County, Pennsylvania as follows:

**SECTION I.** Stewartstown Borough hereinafter “Borough”, being a member municipality of the Pennsylvania Municipal Retirement System hereinafter “System”, hereby elects to change its member benefits in that System as authorized by the Pennsylvania Municipal Retirement Law, as amended hereinafter “Law”, 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 Board and the Borough 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, 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 service toward the annuity of each original member (Borough full-time employee) shall begin to accrue upon the effective date of the member’s enrollment in any previous Borough pension plan. However, for the purposes of determining eligibility for early retirement and vesting, credited service shall accrue from each original member’s date of hire or the expiration of the member’s probationary period, if one so existed. Benefits provided to members in the agreement dated \_\_\_\_\_, 200, 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 Stewartstown 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 the Borough, dated \_\_\_\_\_, 200. The passage and adoption of this Ordinance by the Borough is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. Stewartstown 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.** Stewartstown 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 2002-002 either immediately or on December 1, 2005, which is the effective date of the Agreement dated \_\_\_\_\_ 20, between the Pennsylvania Municipal Retirement System and Stewartstown 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 Stewartstown Borough in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 2002, with the revised plan structure reflected in the agreement dated \_\_\_\_\_ 200, effective the first day of December, 2005.

**ENACTED AND ORDAINED,** this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

**ATTEST:**

**STEWARTSTOWN BOROUGH  
COUNCIL**

\_\_\_\_\_  
**Secretary**

By: \_\_\_\_\_  
**President**

**Approved this 3<sup>rd</sup> day of January 2006.**

By: \_\_\_\_\_  
**Mayor**