

RESOLUTION NO. 20 of 2013

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MT. JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA DECLARING ITS INTENT TO AMEND THE TOWNSHIP OF MOUNT JOY GENERAL EMPLOYEES' PENSION PLAN

WHEREAS, the Township, through its membership with the Pennsylvania State Association of Boroughs Municipal Retirement Trust (Trust) established The Township of Mt. Joy General Employees' Pension Plan effective January 1, 1999 (Prior Plan); and

WHEREAS, the Township entered into the Trust and the Board of Supervisors took official actions thereafter to provide for the operative municipal pension plan to be the plan then in existence, recognizing that the plan may be amended from time to time by official act of the Board of Supervisors, and the Board of Supervisors intended that the plan, then current, be administered in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. § 881.101 *et seq.*, and agreed to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. § 895.101 *et seq.*, and to assume all obligations, financial and otherwise, placed upon the Township as a member municipality, including accepting all financial obligations resulting from the administration of the then current plan and all liability for any unfundedness created due to the benefit structure set forth in the then current plan; and

WHEREAS, by Ordinance 2001-04 the Township adopted the plan administered by the Pennsylvania State Association of Boroughs Master Retirement Trust and an associated joinder agreement, together constituting the Township of Mount Joy General Employees' Pension Plan (2001 Plan), effective January 1, 2001, as the continuation of and a successor to the Prior Plan; and

WHEREAS, by Ordinance 2012-03 the Township repealed Ordinance 2001-04 for the express and limited purpose of readopting the 2001 Plan by resolution; and

WHEREAS, by Resolution 2012-20 the Board of Supervisors readopted the 2001 Plan as the continuation of and a successor to the Prior Plan; and

WHEREAS, by Resolution 2012-21 the Board of Supervisors approved and adopted, as the Township of Mount Joy General Employees' Pension Plan, the associated Joinder Agreement (Joinder Agreement), which clarified that participation in the Plan is voluntary, amended Part I-5 (1.08) to change the requirement for participation from 15 to 20 hours, and amended Part II-1 (2.01) to specifically exclude temporary part-time employees from participation in the Plan (2012 Plan); and

WHEREAS, by Resolution 2012-22 the Board of Supervisors reaffirmed its membership in the Trust and declares its acceptance of the Prior Plan and successor plans, including the current 2012 Plan.

WHEREAS, the Board of Supervisors desires to amend the 2012 Plan and, in accordance with such purpose, to approve and adopt, as the Township of Mount Joy General Employees' Pension Plan, the Joinder Agreement attached hereto and marked as **ATTACHMENT A**, which amends Part III-1 Employer Contributions to limit the employer contribution to 50% of the employee contribution amount up to a maximum of 3% of the Eligible Participant's Compensation; Part III-2 Participant Contributions to require contribution of no less than 1% and no more of 10% of Compensation as a condition of an employee's participation in the Pension Plan; and Part IV-1 Definition of Eligible Participants to include (i) those employed on the last day of the Plan Year, (ii), participants who retire, die or become disabled during the Plan Year, and (iii) participants who are making mandatory contributions as required by Part III-2(A) of the Joinder Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mt. Joy Township that it hereby adopts the Plan as herein described, that the hereby adopted Plan shall be deemed to be a continuation of and a successor to the 2012 Plan, and that it shall be hereafter known as the Mt. Joy General Employees' Pension Plan.

ADOPTED this ___ day of _____, 2013

ATTEST:

Sue Harbin, Secretary

MT. JOY TOWNSHIP

By: _____
John Gormont
Chairman, Board of Supervisors

I, Susan Harbin, Secretary for Mt. Joy Township, do hereby attest that the foregoing Resolution No. 20 of 2013 was voted upon and approved by unanimous vote of the Board of Supervisors on the 19th day of December, 2013.

(SEAL)