

RESOLUTION NO. 2012-22

A **RESOLUTION** of the Board of Supervisors of Mt. Joy Township, Adams County, Pennsylvania declaring its intent to affirm its membership with the Pennsylvania State Association of Boroughs Municipal Retirement Trust and the establishment of The Township of Mount Joy General Employees Pension Plan, originally effective January 1, 1999.

WHEREAS, by official action taken September 29, 1999, the Township, agreed to ust and established The Township of Mt. Joy General Employees Pension Plan join the Pennsylvania State Association of Boroughs Municipal Retirement Treffective January 1, 1999 (Prior Plan); and

WHEREAS, by letter dated October 1, 1999, the Pennsylvania State Association of Boroughs acknowledged the Township-executed Joinder Agreement; and

WHEREAS, by Resolution No. 7 of 2001, the Board of Supervisors approved the eligibility of part-time employees with a minimum of 20 hours per week to participate in the Prior Plan and increased the Township's pension contribution; and

WHEREAS, by Ordinance 2001-04 the Township adopted amendments to the Prior Plan, the PSB 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 2005-02 the Township amended the then current Joinder Agreement to change the hours requirement for an eligible employee from 20 to 15 hours per week; 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WHEREAS, by Ordinance 2012-03 the Township repealed Ordinance 2001-04 for the express and limited purpose of readopting the 2001 Plan by resolution; and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 Employee's Pension Plan (2012 Plan), the 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; and

WHEREAS, the Township entered into the Trust and the Board of Supervisors thereafter took official actions to provide for the operative municipal pension plan, recognizing that the plan may be amended from time to time by official act of the Board of Supervisors and that 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; and

WHEREAS, the Board of Supervisors now desires to declare by resolution its membership with the Pennsylvania State Association of Boroughs Municipal Retirement Trust and the acceptance of the Prior Plan effective January 1, 1999; and

WHEREAS, the Board of Supervisors remains of the belief that the officially accepted 2012 Plan is in the best interests of the Township and its pension program; and

WHEREAS, Board of Supervisors intends to accept all financial obligations resulting from the administration of the 2012 Plan and assume all liability for any unfundedness created due to the benefit structure set forth in the 2012 Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mt. Joy Township that it hereby reaffirms its membership in the Trust and declares its acceptance of the Prior Plan and any financial obligations resulting from administration of the Prior Plan and successor plans, including the current 2012 Plan.

ADOPTED this ___ day of _____, 2012.

ATTEST:

MT. JOY TOWNSHIP

Susan C. Harbin, Secretary

By: _____
John E. Gormont
Chairman, Board of Supervisors

David R. Updyke, Vice-Chairman

Gilbert M. Clark, Supervisor

Michael E. Gearhart, Supervisor

Bradley Trostle, Supervisor