

ORDINANCE NO. 1996-4

AN ORDINANCE OF WEST NEWTON BOROUGH, WESTMORELAND 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. IT IS HEREBY ORDAINED BY WEST NEWTON BOROUGH, WESTMORELAND COUNTY, AS FOLLOWS:

SECTION I. West Newton 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, 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 Board and the municipality under the provisions of Article IV.

SECTION II. 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.

SECTION III. 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 3/11, 1996, 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 System and West Newton 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.

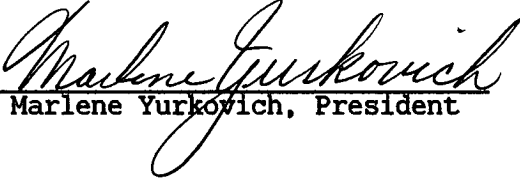
SECTION V. As part of this ordinance, the Borough agrees that the System shall provide the benefits set forth in the agreement between the Board and West Newton Borough, dated 3/11, 1996. The passage and adoption of this ordinance by West Newton Borough is an official acceptance of said agreement and the financial obligations resulting from the administration of said benefit package. West Newton 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. West Newton Borough intends this ordinance be the complete authorization of the Borough plan and therefore specifically repeals the previous agreement and Ordinance Number 1993-2.

SECTION VII. A duly certified copy of this Ordinance and the references agreement shall be filed with the Pennsylvania Municipal Retirement System of the Commonwealth of Pennsylvania. Membership for the municipal employees of West Newton Borough in the Pennsylvania Municipal Retirement System shall be effective the first day of January, 1993, with the revised plan structure reflected in the agreement dated June 10, 1996, effective the first day of March 1996.

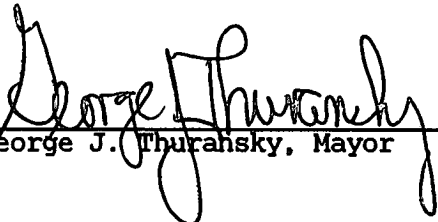
Ordained this 10th day of June, 1996.


Marlene Yurkovich, President

ATTEST:


Pamela M. Fleshman, Secretary

ORDAINED AND ENACTED BY ME THIS 10TH DAY OF JUNE, 1996


George J. Thuras, Mayor