BOARD OF SUPERVISORS
EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2010-

AN ORDINANCE OF EAST FALLOWFIELD TOWNSHIP, CHESTER 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 TOWNSHIP. IT IS HEREBY ORDAINED BY EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, AS FOLLOWS:

SECTION I. East Fallowfield 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 II. Membership in the System shall be mandatory for all full-time municipal employees of the Township. Membership for part-time employees is optional. The election by part-time employees to join the System must be made within one year after the employee first enters the service of the Township. Membership for elected officials, employees hired on a temporary or seasonal basis, and individuals paid only on a fee basis is prohibited. Individual membership shall be effective as of the date the Township entered into the System or upon the expiration of the individual's probationary status, whichever is more recent.

SECTION III. Credit for service toward the annuity of each original member shall begin to accrue as of the original date of enrollment in the System. However, for the purposes of determining eligibility for 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 March 23, 2010 (the Agreement) 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 the 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 V. 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 VI. 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 the Ordinance dated March 4, 1987 either immediately or on December 1, 2009, which is the effective date of the Agreement, whichever is later. The Township hereby repeals Ordinance No. 2009-06 enacted September 22, 2009, *ab initio*.

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 the Township in the System shall be effective the first day of January, 1987, with the revised plan structure reflected in the Agreement dated the same date as this Ordinance, effective the first day of December, 2009.

ORDAINED this _____day of _____, 2010.

TALLY OF VOTES – YEAS ____ NAYS ____

BOARD OF SUPERVISORS OF
EAST FALLOWFIELD TOWNSHIP

_____
Chris Amentas, Chairman

_____
Chris Makely, Vice Chairman

_____
Gary Barach, Member

_____
George Broadbent, Member

_____
Mark Toth, Member

ATTEST:

_____
Denise Miller, Secretary