

MOUNT JEWETT BOROUGH
MCKEAN COUNTY
ORDINANCE NO. 234

WHEREAS, the Mount Jewett Borough Authority (“Authority”) established a non-uniform pension plan (“Plan”) for its employees on or about January 1, 1990; and

WHEREAS, the Plan had a PERC number of 42-472-6 N; and

WHEREAS, the Pennsylvania Municipal System administered the Plan; and

WHEREAS, by way of a Resolution dated April 20, 2015, Mount Jewett Borough (“Borough”) agreed to acquire the assets of the Authority;

WHEREAS, the Plan does not have any active members, deferred/vested members or retirees; and

WHEREAS, the Borough has agreed to assume any legal and financial responsibility for the Plan; and

WHEREAS, the Pennsylvania Municipal Retirement Board (“Board”) has agreed to permit the sponsorship and assignment of the Plan (including the assets and liabilities thereunder) as described herein.

NOW, THEREFORE, IT IS HEREBY ORDAINED that:

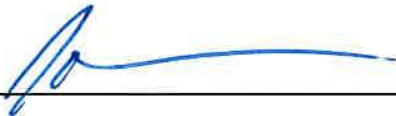
- 1) Borough hereby agrees to sponsor the Plan effective as of December 30, 2023.
- 2) Borough hereby accepts transfer of any and all of Authority’s rights, title and interest in and to the Plan, the duty and responsibility to perform any and all acts and obligations of the Authority under the Plan and applicable law and the liabilities arising thereunder, and Borough agrees to accept and assume the same as if Borough had been an original party to the Plan.
- 3) Borough hereby accepts the assignment of the Plan and agrees to be bound by all of the requirements and provisions of the Plan, the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (“Retirement Law”) and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all duties, obligations and responsibilities, financial and otherwise, placed upon member municipalities.
- 4) Borough agrees that the Board shall continue to administer and provide the benefits set forth in the amended Plan entered into between the Board and the Authority (the “Contract”).
- 5) Borough hereby assumes all responsibility and liability for any unfunded liability created due to the benefit structure set forth in the Contract and for all future benefit accruals and payments to the retired members and their beneficiaries and

for all acts performed directly or indirectly under the Plan, including acts committed by the Authority prior to the effective date of this assignment.

- 6) Payment for any contribution obligation established by the adoption of this Ordinance and the Contract shall be made by Borough in accordance with the Pennsylvania Municipal Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act.
- 7) The passage and adoption of this Ordinance by the Borough is an official acceptance of the Contract and the financial obligations resulting from the administration of the Contract.
- 8) Borough agrees to indemnify and hold the harmless PMRS, its Board, officers and employees from any liability arising under this assignment and/or any other actions taken to affect the intent of this Ordinance.
- 9) A duly certified copy of this Ordinance shall be filed with PMRS.
- 10) Any and all actions and decisions heretofore taken by any official of Borough or any person in connection with any transaction or objectives approved by the foregoing resolutions, and all transactions related thereto, were and are hereby authorized, affirmed, adopted, approved, ratified and confirmed in all respects; and any and all actions and decisions to be taken by such official or person in furtherance of the objectives of the preceding resolutions were and are hereby authorized, affirmed, adopted, approved, ratified and confirmed in all respects.

All ordinances and resolutions inconsistent with this action are hereby repealed. This ordinance shall become effective on December 30, 2023.

SO ORDAINED this 18th day of December, 2023

BY: 

ATTEST: Barbara Harp

ATTEST

**PENNSYLVANIA MUNICIPAL
RETIREMENT BOARD**

BY: _____
PMRS Secretary

BY: _____
PMRS Board Chair

DATE: _____

Approved as to form and legality:

BY _____
Chief Counsel, PMRS

BY: 49-FA-1.0
Office of General Counsel

BY: 49-FA-1.0
Office of Attorney General