

**YOE BOROUGH ORDINANCE
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020 - 02

AN ORDINANCE ELECTING TO AMEND YOE BOROUGH'S NON-UNIFORM PENSION PLAN, ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW, AND AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND APPLICABLE TO MEMBER MUNICIPALITIES

WHEREAS, Yoe Borough (the "Borough") has established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the "System") for the benefit of its employees.

WHEREAS, the Borough was recently notified by a representative of the System that the Borough would need to amend the terms of its pension plan administered through the System in order to bring it into compliance with the provisions of the Pennsylvania Municipal Retirement Law (53 P.S. §881.101 *et. seq.*).

WHEREFORE, the Borough does hereby elect to amend its non-uniform pension plan administered through the System as follows:

SECTION I: Yoe Borough elects to amend its Non-Uniform Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law (the "Retirement Law"), 53 P.S. §881.101 *et seq.*, and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pensions Plan Funding Standard and Recovery Act, 53 P.S. §895.101 *et seq.*, and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II: As part of this Ordinance, the Borough agrees that the System shall administer and provide the benefits set forth in the amended Non-Union Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Borough effective as of the date specified in the adoption agreement (the "Contract").

SECTION III: The Borough acknowledges that by passage and adoption of this Ordinance, the Borough officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV: Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the Borough in accordance with the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act. The Borough hereby assumes all liability for any funding deficiency created due to the benefit structure set forth in the Contract.

SECTION V: The Borough intends this Ordinance to be the complete authorization of the Contract, as amended, and it shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI: A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

BE IT HEREBY ENACTED AND ORDAINED this 2nd day of June 2020, by the Borough Council of the Borough of Yoe, York County, Pennsylvania.

YOE BOROUGH COUNCIL

Diana Dvorak
Attested by: Diana Dvorak, Yoe
Borough Secretary/Treasurer

John Sanford
John Sanford, Yoe Borough Mayor

Samuel Snyder
Samuel Snyder, Yoe Borough Council
President