

TOWNSHIP OF UPPER MACUNGIE  
Lehigh County, Pennsylvania

COPY

ORDINANCE # 2014-10

Duly Adopted October 20, 2014

AN ORDINANCE OF THE TOWNSHIP OF UPPER MACUNGIE “(TOWNSHIP)”, LEHIGH COUNTY, PENNSYLVANIA, AGREEING TO ACCEPT ALL LIABILITY AND ASSETS OF THE BERKS LEHIGH REGIONAL POLICE COMMISSION’S (“COMMISSION”) POLICE PENSION PLAN AND AGREEING TO PROVIDE FOR ALL FUTURE BENEFIT PAYMENTS TO THE EXISTING ACTIVE, INACTIVE, VESTED AND RETIRED MEMBERS AND THEIR BENEFICIARIES WHICH ARE PRESENTLY MAINTAINED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM (“PMRS”) IN THE COMMISSION’S POLICE PENSION PLAN AS OF THE EFFECTIVE DATE OF THE COMMISSION’S WITHDRAWAL FROM THE PMRS SYSTEM SHALL BE TRANSFERRED TO THE TOWNSHIP’S POLICE PENSION PLAN.

WHEREAS, Upper Macungie Township (“Township”), Lehigh County, Pennsylvania is a participating municipality of the Berks-Lehigh Regional Police Commission (“Commission”); and

WHEREAS, the Commission elected to join the Pennsylvania Municipal Retirement System (“PMRS”) to administer a police pension plan effective the first day of January, 1991 (“Commission’s Police Pension Plan”); and

WHEREAS, the Commission intends to formally dissolve all business of the Commission, including the disbandment of the Berks-Lehigh Regional Police Department and the withdrawal of the Commission’s Police Pension Plan from PMRS; and

WHEREAS, the Township established a police pension plan administered by PMRS effective the twentieth day of August, 2012 (“Township’s Police Pension Plan”); and

WHEREAS, upon the dissolution of the Commission, the Commission and the Township have agreed to transfer all members, assets and liabilities of the Commission’s Police Pension Plan to the Township’s Police Pension Plan.

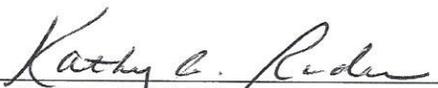
NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Upper Macungie, Lehigh County, Pennsylvania, by the

authority of the same as follows:

- 1) The Township hereby accepts all liability and assets of the Commission's Police Pension Plan and agrees to provide for all future benefit payments to the existing active, inactive, vested and retired members and their beneficiaries.
- 2) All assets and liabilities, including but not limited to the member accounts, municipal account and retired members' reserve account, presently maintained by PMRS in the Commission's Police Pension Plan as of the effective date of the Commission's withdrawal from PMRS shall be transferred to the Township's Police Pension Plan.
- 3) This Ordinance shall be effective five (5) days after its passage by the Board of Supervisors.
- 4) The provisions of this Ordinance are severable, and of any provisions or part thereof shall be held invalid, unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions or parts thereof, of this Ordinance.

**DULY ADOPTED** this 20th day of October, 2014, by the Board of Supervisors of Upper Macungie Township, in lawful session duly assembled.

ATTEST

  
KATHY A. RADER, Secretary

UPPER MACUNGIE TOWNSHIP  
BOARD OF SUPERVISORS

  
JAMES M. BRUNELL, Chairman