

ORDINANCE No. 2018-02

AN ORDINANCE OF CAMP HILL BOROUGH, CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS POLICE PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO 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. IT IS HEREBY ORDAINED BY CAMP HILL BOROUGH, CUMBERLAND COUNTY, AS FOLLOWS:

SECTION I. Camp Hill Borough (the Borough), having established a pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Police Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension 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 Police Pension Plan Contract and Deferred Retirement Option Program Addendum entered into between the Pennsylvania Municipal Retirement Board and the Borough effective January 1, 2018 (the Contract).

SECTION III. The Borough acknowledges that by passage and adoption of this Ordinance, the Borough officially accepts the Contract in the form attached hereto 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 unfundedness 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 and it shall become effective and specifically repeal Ordinance Number 2010-0001 either immediately or on January 1, 2018, which is the effective date of the Contract, whichever is later.

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

ORDAINED this 09 day of MAY, 2018.

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ATTEST:



PRESIDENT OF BOROUGH COUNCIL



**PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM
DEFINED BENEFIT PLAN
Adoption Agreement 001**

The undersigned, **Camp Hill Borough, Cumberland County, Pennsylvania** ("Municipality"), pursuant to Article XVI and Addendum C of the Base Plan Document, is amending the Base Plan Document with an effective date and an expiration date (if applicable) as shown below.

Amendment Effective Date:	January 1, 2018
Adoption Agreement Effective Date:	January 1, 2018
Application:	General
Amendment Expiration Date:	Ongoing
General Description:	Municipality Election for participation in the System's Deferred Retirement Option Program (DROP) for Affected Members. This DROP amendment is for the Borough's Police pension plan.
Affected Members:	If the Municipality elects to offer DROP participation, then as of the Amendment Effective Date, Active Members who subsequently Retire from the Municipality and meet the DROP eligibility requirements may affirmatively elect to participate in the DROP.

If elected by the Municipality in its Adoption Agreement, the Municipality shall offer the Deferred Retirement Option Program ("DROP") established and offered by the System under the following conditions and in accordance with Addendum C of the Base Plan Document.

Addendum C: Municipal Participation in DROP.

- The Municipality shall offer DROP participation to Affected Members
 The Municipality shall not offer DROP participation to Affected Members

Disclaimer Regarding Tax Qualified Status

The PMRS Base Plan and Adoption Agreements have been submitted to the IRS for approval as satisfying the "volume submitter" documentation requirements for tax-qualification under the Internal Revenue Code. A plan adopted under a pre-approved volume submitter document is deemed to be automatically "tax-qualified." The IRS does not, however, extend automatic tax-qualified status to a plan that contains a DROP, even if established under pre-approved volume submitter documents. Therefore, a Municipality that establishes a plan that contains a DROP cannot rely on the IRS approval granted to the PMRS Base Plan and Adoption Agreements for tax qualification purposes. A Municipality can, however, obtain a tax-qualification determination for a plan with a DROP feature by submitting an application to the IRS as an "individually designed plan" as documented by the appropriate PMRS Adoption Agreement and the PMRS Base Plan with the additional Addendum C containing the necessary DROP language.

[Signatures on the following page]

The Municipality hereby agrees to the provisions of this Adoption Agreement Amendment, and in witness of its agreement, the Municipality by its duly authorized officers has executed this Addendum Agreement, on the date specified below.

IN WITNESS WHEREOF, we have hereunto set our hands and seal the day, month and year above written.

ATTEST:

CAMP HILL BOROUGH

BY _____

BY  _____

Head of Governing Authority

DATE: _____

ATTEST

PENNSYLVANIA MUNICIPAL
RETIREMENT BOARD

BY: _____

Secretary

BY _____

Board Chair

DATE: _____

Approved as to form and legality:

BY: _____

Chief Counsel, PMRS

BY _____

Office of General Counsel

BY: _____

Office of Attorney General

This Plan is an important legal document. Failure to properly fill out this Adoption Agreement may result in disqualification of this Plan. PMRS will inform you of any amendments made to the Base Plan Document. The PMRS mailing address for U.S. Postal Delivery Service is P.O. Box 1165, Harrisburg, PA 171078-1165. The PMRS Street Address for overnight/courier service delivery is 1721 North Front Street, 3rd Floor, Harrisburg, PA 17102-2315.

You may rely on an opinion letter issued by the Internal Revenue Service as evidence that this Plan is qualified under Code Section 401 only to the extent provided in Revenue Procedure 2015-36.

You may not rely on the opinion letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the opinion letter issued with respect to the Plan and in Revenue Procedure 2015-36. In order to have reliance in such cases, an individual application for a determination letter must be made to Employee Plans Determinations of the Internal Revenue Service.