

CITY OF JEANNETTE  
WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 19-07

ORDINANCE NO. 19-09

AN ORDINANCE OF CITY OF JEANNETTE, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW, AS AMENDED AND AS APPLICATION TO MEMBER MUNICIPALITIES.

WHEREAS, the City Council of the City of Jeannette adopted a pension plan for non-uniform employees, which plan is administered by the Pennsylvania Municipal Retirement System; and

WHEREAS, the Pennsylvania Municipal Retirement System has requested that the City of Jeannette amend its non-uniform pension plan in order to ensure that such pension plan continues to maintain its status as a tax-qualified pension plan pursuant to applicable federal and state laws and regulations; and

WHEREAS, the City Council of the City of Jeannette desires to ensure that said pension plan is a tax-qualified pension plan pursuant to applicable federal and state laws and regulations.

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Jeannette, Westmoreland County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Amendment of Non-Uniform Pension Plan. Jeannette City (the City), having established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Non-Uniform 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), to include the Base Plan Document, attached hereto and incorporated herein as Exhibit A, the Adoption Agreement applicable to eligible employees hired on or before December 31, 2012 (providing for a superannuation retirement age of 58 in Section 5.01 therein), attached hereto and incorporated herein as Exhibit B, and the Adoption Agreement applicable to eligible employees hired on or after January 1, 2013 (providing for a superannuation retirement age of 60 in Section 5.01 therein), attached hereto and incorporated herein as Exhibit C, 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 2.** Administration by System. As part of this Ordinance, the City agrees that the System shall administer and provide the benefits set forth in the amended Non-Uniform Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the City effective as of the date specified in the adoption agreement (the Contract).

**Section 3.** Acceptance of Contract. The City acknowledges that by passage and adoption of this Ordinance, the City officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

**Section 4.** Payment of Obligations. Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the City in accordance with the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act. The City hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

**Section 5.** Effective Date. The City 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 6.** Filing Certified Copy with System. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

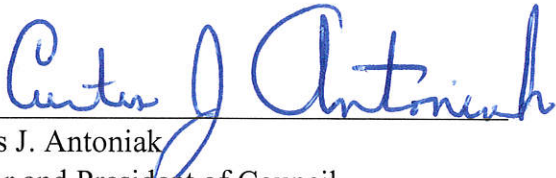
**Section 7.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 8.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance, including, without limitation, Ordinance 00-13, Ordinance 10-01, and Ordinance 16-05, is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

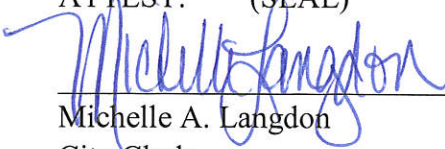
This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the 12<sup>th</sup> day of September, 2019.

CITY OF JEANNETTE

By:

  
Curtis J. Antoniak  
Mayor and President of Council

ATTEST: (SEAL)

  
Michelle A. Langdon  
City Clerk