

BOROUGH OF MILLVILLE
COLUMBIA COUNTY, PENNSYLVANIA
ORDINANCE NO. 99

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND REGULATION OF A
PENSION FUND FOR THE NON-UNIFORMED FULL-TIME EMPLOYEES OF THE
BOROUGH OF MILLVILLE.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Millville, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. Establishment of Pension Fund. A defined contribution retirement fund for the non-uniformed full-time municipal employees of the Borough of Millville is hereby established, and shall be known as the "Borough of Millville Non-Uniformed Employee Pension Fund."

Section 2. Incorporation of Prior Funds. Any and all municipal employees' pension plans or retirement funds for the non-uniformed employees of the Borough of Millville heretofore established by the Borough of Millville shall be and are hereby transferred to the fund established under the provisions of this ordinance. Any previous ordinance of the Borough of Millville is hereby repealed, to the extent that it is inconsistent with this ordinance.

Section 3. Revenue Sources. The funds for this pension fund shall be derived from any or all of the following sources:

- a. By a charge against each participant in the Fund to be collected by payroll deduction or otherwise.
- b. Any sum or sums paid to the Borough of Millville and inuring to the plan fund from any official or department of the United States of America or the Commonwealth of Pennsylvania under any present or future law pertinent thereto.
- c. Any money or property, real, personal or mixed, which the Borough may by gift, grant, devise or bequest, receive for the benefit for the Fund.
- d. By annual appropriations made by the Borough.
- e. Receipts from investments of said plan funds.

Section 4. Fund Administrator. Columbia Life Insurance Company is hereby designated as Administrator of the Borough of Millville Non-Uniformed Employee Pension Fund, and shall serve as such in accordance with a written Group Annuity Contract to be entered into by the Borough of Millville and the said Columbia Life Insurance Company, as Administrator, and to be approved by the Council of the Borough of Millville.

Section 5. Retirement Committee. A Non-Uniformed Municipal Employees' Retirement Committee is hereby established, which shall consist of three members. The Mayor

shall be the president of the Non-Uniformed Municipal Employees' Retirement Committee and the remaining two members shall be appointed annually by him, one from the members of the Borough Council, and one from the body of non-uniformed Borough employees, their appointment to be approved by the Borough Council. The Committee members shall serve without compensation for a period of one year, or until their successors are duly designated as herein above set forth.

Section 6. Actuary Designated. The Actuarial Department of the Columbia Life Insurance Company is designated as the Actuary until its services are no longer required or its designation as such is terminated by action of the Borough Council. The Borough Council may from time to time, by Resolution, designate another actuary for the purposes of this Fund.

Section 7. Definition: Compulsory Membership. A "Non-Uniformed Municipal Employee" is a person holding an office, position, or employment at a definite salary or wage (subject to reasonable vacation and sick leave), whether hired, elected or appointed, with the Borough of Millville, or an institution supported and maintained by the Borough in any capacity other than as Mayor, member of the Borough Council, or member of the Millville Police Department. Membership in the plan by all non-uniformed municipal employees of the Borough of Millville is compulsory and all persons who were non-uniformed municipal employees of the Borough on the date of enactment of this ordinance be original members of the Borough of Millville Non Municipal Employees Pension Fund and shall receive credit toward the municipal annuity for all past services.

Section 8. Plan to be Adopted by Resolution. A printed Municipal Employees' Retirement Plan shall be adopted by Resolution of the Council of the Borough of Millville, which Resolution shall implement the purposes of this ordinance.

Section 9. Determination of Contributions. The non-uniformed Municipal Employees' Retirement Committee, with the aid of the Actuary and/or the Fund Administrator shall, at least, once in each year, make the necessary determination as to what contributions are to be made to the Fund by the members and the Borough, and shall determine any payments to be made from said fund.

Section 10. Severability. The provisions of this ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal, or invalid, such declaration shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as the legislative intent of the Borough Council that the remainder of this ordinance would have been enacted had such unconstitutional, illegal, or invalid provision not been included herein.

Section 11. Effective Date. This ordinance shall become effective upon enactment.

ENACTED this 19th day of April, 1988.

ATTEST: BOROUGH OF MILLVILLE:

Robert E. Adams
SECRETARY

Millard C. Ludwig
PRESIDENT, BOROUGH COUNCIL

Approved this 19th day of April, 1988.

Jerre W. Wright
MAYOR

19880419.099 Pension, non-uniformed