

ORDINANCE NO. 5 - 2019

AN ORDINANCE OF THE BOROUGH OF SOUTH GREENSBURG, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA, AMENDING THE RETIREMENT PLAN FOR THE NON-UNIFORM EMPLOYEES OF THE BOROUGH; AUTHORIZING THE EXECUTION OF A JOINDER AGREEMENT TO SAID PLAN AND TRUST; AND AUTHORIZING THE APPROPRIATE BOROUGH OFFICIALS TO DO AND PERFORM ALL ACTS NECESSARY OR DESIRABLE TO EFFECTUATE THE SAME

WHEREAS, the Borough Council of the Borough of South Greensburg (the "Employer"), has adopted official Ordinance No. 94-7 establishing a retirement plan for certain of its employees known as the Borough of South Greensburg Police Pension Plan (the "Pension Plan"); and

WHEREAS, the Employer now desires to amend the plan currently administered by the Pennsylvania State Association of Boroughs Municipal Retirement Trust (the "PSAB Municipal Retirement Trust"), effective January 1, 2019; and

WHEREAS, in accordance with such purpose, the Employer hereby adopts the PSAB Municipal Retirement Trust and the accompanying Joinder Agreement attached hereto as Exhibit "A", which documents together shall constitute the retirement plan known as the Borough of South Greensburg Non-Uniform Pension Plan (the "Plan"); and

WHEREAS, said Plan shall be deemed to be a continuation of and a successor to the Prior Plan;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Counsel of the Borough of South Greensburg, County of Westmoreland and Commonwealth of Pennsylvania, as follows:

SECTION 1: AMENDMENT OF PLAN AND TRUST.

Effective as of January 1, 2019, the terms of the Pennsylvania State Association of Boroughs Municipal Retirement Trust are hereby amended to include the terms of the Joinder Agreement attached hereto as Exhibit "A".

SECTION 2: AUTHORIZATION OF BOROUGH OFFICIALS.

The appropriate Borough Officials are hereby authorized and directed to execute the Joinder Agreement to the PSAB Municipal Retirement Trust and to execute such other documents or perform any acts which are necessary or desirable to effectuate the terms of the within Ordinance.

SECTION 3: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstance within the Borough of South Greensburg is for any reason held to be invalid, illegal, or unconstitutional, said invalidity, illegality or unconstitutionality shall not affect or impair any other provision or application of this Ordinance which can be given effect without the invalid, illegal or unconstitutional provision or application of the Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had said invalid, illegal or unconstitutional provision not been included herein.

SECTION 4: REPEALER.

Any ordinance, resolution or motion or other matter in the nature thereof, or any part of the same, inconsistent with the terms of this Ordinance, is hereby repealed to the extent that it is inconsistent herewith.

ORDAINED AND ENACTED into an Ordinance of the Borough of South Greensburg this 14th day of October, 2019, by the Council for the Borough of South Greensburg.

ATTEST:

BOROUGH OF SOUTH GREENSBURG

By: Jaime Peticca
Jaime Peticca, Secretary

By: Clentin C. Martin
Clentin C. Martin, President of Council

READ AND APPROVED by me this 14th day of October, 2019.

By: Kevin Fajt
Kevin Fajt, Mayor