

## Chapter 24

### PENSIONS

**[HISTORY: Adopted by the Borough Council of the Borough of Upland: Art. I, 9-16-1969 as Part II of the Appendix of the 1969 Code; Art. II, 7-3-1984 as Ord. No. 3-1984 (Ch. 35A of the 1969 Code). Amendments noted where applicable.]**

#### ARTICLE I

##### **Municipal Employees' Retirement System**

**[Adopted 9-16-1969 as Part II of the Appendix of the 1969 Code]**

##### **§ 24-1. Election to join Municipal Employees' Retirement System.**

The Borough of Upland, having placed all of its employees, as far as they are eligible, under the Federal Social Security Act, hereby elects to join the Municipal Employees' Retirement System, established by the Act of June 4, 1943, P.L. 886, as last amended by the Act of August 24, 1963, No. 485,<sup>1</sup> and does hereby agree to be bound by all the requirements and provisions of said Act and to assume all obligations, financial and otherwise, placed upon member municipalities by said Act.

##### **§ 24-2. Eligibility for membership.**

Membership for elected officials shall be prohibited and membership for employees paid on a per diem basis shall be prohibited. Officers and employees paid wholly on a fee basis shall not be eligible for membership in the system.

##### **§ 24-3. Credit for prior service.**

Credit for prior service toward the municipal annuity of each original member shall be for all years of service to the Borough of Upland. The Borough of Upland does hereby assume the liability for payment of one hundred per centum (100%) of the member's contributions for all years of service toward the member's annuity for the prior service of each original member.

##### **§ 24-4. Payment for prior service.**

Payment for the prior service noted in § 24-3 hereof shall be made by the Borough of Upland in accordance with Section 14 of said Act and may be spread over a period of thirty (30) years if the Borough of Upland so chooses and with the consent of the Municipal Employees' Retirement Board.

##### **§ 24-5. Retirement law part of Article.**

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1. Editor's Note: See 53 P.S. § 881.101 et seq.

The Borough of Upland does hereby incorporate said Municipal Employees' Retirement Law, as last amended by the Act of August 24, 1963, No. 485, as a part of this Article insofar as said Act, as amended, applies to a member municipality, having accepted the options set out in this Article.

**§ 24-6. Extension of provisions.**

The Borough of Upland does hereby elect to extend the provisions of Section 20.1 of the Municipal Employees' Retirement Law, Act of June 4, 1943, P.L. 886, added by the Act of August 24, 1963, No. 485, so that the contributors to the retirement system shall have the options and enjoy the protections of the provisions set forth in Subsections (a) and (b) of Section 20.1 of the Municipal Employees' Retirement Law, and Section 20.1 is hereby incorporated and made a part hereof by reference thereto.

**§ 24-7. Article to be filed; effective date.**

A duly certified copy of this Article shall be filed with the Municipal Employees' Retirement Board of the Commonwealth of Pennsylvania and membership for the Borough of Upland in the Municipal Employees' Retirement System shall become effective the first day of October 1965.

ARTICLE II

**Employee Pension Plan**

[Adopted 7-3-1984 as Ord. No. 3-1984 (Ch. 35A of the 1969 Code)]

**§ 24-8. Establishment and adoption.**

The Borough of Upland hereby establishes and adopts a pension plan for its full-time nonuniform employees of the borough.

**§ 24-9. Plan designated.**

The plan adopted is the Pennsylvania State Association of Boroughs' Pension Plan and Trust in effect on the date of this Article and as amended from time to time in the future.

**§ 24-10. Execution of agreement.**

The proper officers of the borough are hereby directed and authorized to execute the joinder agreement with the Trustees of the Pennsylvania State Association of Boroughs' Pension Plan and Trust; a copy of said joinder agreement is attached to this Article and shall be adopted by reference as a part of this Article.<sup>2</sup>

**§ 24-11. Performance of duties.**

The borough shall perform all of the duties and responsibilities assigned to it and may, at the discretion of Council, exercise all powers vested in it by the joinder agreement.

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2. Editor's Note: Said joinder agreement is on file in the borough offices.

**§ 24-12. Rights and duties of nonuniformed employees.**

The nonuniformed employees of the borough shall have all rights and duties and may exercise any or all options granted them by the terms of the joinder agreement.