

LONDON GROVE TOWNSHIP

CHESTER COUNTY

RESOLUTION NO. 761

WHEREAS, the London Grove Township Municipal Authority (“Authority”) established a non-uniform pension plan for its employees on or about January 1, 2013 and with a PERC number of 15-188-8 N (“Plan”); and

WHEREAS, the Pennsylvania Municipal System administered the Plan; and

WHEREAS, effective January 1, 2021, London Grove Township (“Township”) has agreed to assume any legal and financial responsibility for the Plan; and

WHEREAS, the Pennsylvania Municipal Retirement Board (“Board”) has agreed to permit the sponsorship and assignment of the Plan (including the assets and liabilities thereunder) as described herein.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED that:

- 1) Township hereby agrees to sponsor the Plan effective as of January 1, 2021.
- 2) Township hereby accepts transfer of any and all of Authority’s rights, title and interest in and to the Plan, the duty and responsibility to perform any and all acts and obligations of Authority under the Plan and applicable law and the liabilities arising thereunder, and Township agrees to accept and assume the same as if Township had been an original party to the Plan.
- 3) Township hereby accepts the assignment of the Plan and agrees to be bound by all of the requirements and provisions of the Plan, the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (“Retirement Law”) and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all duties, obligations and responsibilities, financial and otherwise, placed upon member municipalities.
- 4) Township hereby assumes full responsibility and liability for all future benefit payments to the existing retired members and their beneficiaries and for all acts performed directly or indirectly under the Plan, including acts committed by Authority prior to the effective date of this assignment.
- 5) Township agrees that the Board shall continue to administer and provide the benefits set forth in the amended Plan entered into between the Board and Township (the “Contract”).
- 6) Township hereby assumes all responsibility and liability for any unfunded liability created due to the benefit structure set forth in the Contract and for all future benefit accruals and payments to the retired members and their

beneficiaries and for all acts performed directly or indirectly under the Plan, including acts committed by the Authority prior to the effective date of this assignment.

- 7) Payment for any contribution obligation established by the adoption of this Resolution and the Contract shall be made by Township in accordance with the Pennsylvania Municipal Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act.
- 8) The passage and adoption of this Resolution by Township is an official acceptance of the Contract and the financial obligations resulting from the administration of the Contract.
- 9) Township agrees to indemnify and hold the harmless PMRS, its Board, officers and employees from any liability arising under this assignment and/or any other actions taken to affect the intent of this Resolution.
- 10) A duly certified copy of this Resolution shall be filed with PMRS.
- 11) Any and all actions and decisions heretofore taken by any official of Township or any person in connection with any transaction or objectives approved by this Resolution, and all transactions related thereto, were and are hereby authorized, affirmed, adopted, approved, ratified and confirmed in all respects; and any and all actions and decisions to be taken by such official or person in furtherance of the objectives of the preceding resolutions were and are hereby authorized, affirmed, adopted, approved, ratified and confirmed in all respects.

All ordinances and resolutions inconsistent with this action are hereby repealed. This Resolution shall become effective immediately.

RESOLVED this 4th day of January, 2021.

ATTEST:

**LONDON GROVE TOWNSHIP
BOARD OF SUPERVISORS**

Dawn Maciejczyk
Dawn Maciejczyk, Secretary

[Signature]
David Connors, Chairman

[Signature]
Stephen Zurl, Vice-Chairman

[Signature]
John Lee Irwin, Member

[Signature]
Kevin Runey, Member

[Signature]
Christina Fanning, Member

ATTEST

**PENNSYLVANIA MUNICIPAL
RETIREMENT BOARD**

BY: _____
PMRS Secretary

BY: _____
PMRS Board Chair

DATE: _____

Approved as to form and legality:

BY _____
Chief Counsel, PMRS

BY: 49-FA-1.0
Office of General Counsel

BY: 49-FA-1.0
Office of Attorney General