

**NOTICE OF PUBLICATION BY POSTING**

**PITTSFIELD CHARTER TOWNSHIP ORDINANCE #264**

The Ordinance will amend Chapter 20 Personnel, Articles III and IV, of the Pittsfield Charter Township Code which is summarized as follows:

An ordinance to amend the Township code to establish annuity or pension plans, a cafeteria benefits plan, and other employment benefits.

Ordinance #264 was introduced at the Township Board of Trustees on April 12, 2005, and was considered an amendment to Chapter 20 Personnel, Articles III and IV. The Ordinance was subsequently adopted as an amendment to Chapter 20 Personnel at the regular meeting held on April 26, 2005. This ordinance shall take effect upon this publication by summary.

NOTICE IS HEREBY GIVEN that the complete text of the ordinance has been posted at the Township Clerk's Office, and at the following locations: Pittsfield Administration Building, 6201 W. Michigan Ave.; Lillie Park North, Corner of Platt Rd. and Ellsworth Rd.; Utilities Building, 4467 Concourse Drive; Pittsfield Community Center, 701 W. Ellsworth Rd.; Montibeller Park, 4305 Ellsworth Rd.; and at [www.pittsfieldtwp.org](http://www.pittsfieldtwp.org) under "Official Notices" "Ordinance 264, second reading".

s/Feliziana Meyer, Clerk  
Pittsfield Charter Township  
734-822-3120

First Reading: April 12, 2005  
Ordinance Posted & Notice Published: April 21, 2005  
Second Reading: April 26, 2005  
Ordinance Posted & Notice Published: May 5, 2005

PITTSFIELD CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN

ORDINANCE NO. 264  
SECOND READING

AN ORDINANCE TO AMEND THE TOWNSHIP CODE TO ESTABLISH ANNUITY OR PENSION PLANS, A CAFETERIA BENEFITS PLAN, AND OTHER EMPLOYMENT BENEFITS.

**PITTSFIELD CHARTER TOWNSHIP ORDAINS:**

**Section 1. That the Pittsfield Charter Township Code, Chapter 20, Articles III and IV, is hereby amended as follows:**

Chapter 20 Personnel
----------------------

**ARTICLE III. Employee Benefits**

**Sec. 20-66. Purpose and Intent**

To create and establish an annuity or pension plan(s), a cafeteria plan under Section 125 of the Internal Revenue Code, and group insurance or prepayment plan(s) covering life, accident, dental care, vision care, health, hospitalization, medical and surgical service and expense, and long-term disability insurance, and to authorize the Board of Trustees of Pittsfield Charter Township to create and establish plans under which other employment benefits authorized by state or federal laws are offered to certain officers and employees of the Township; to authorize the Township Supervisor and the Township Clerk to contract, in the name of the Township, for such plans and benefits; to define those classes of officers and employees who shall be covered by such plans; to ratify and confirm the validity of any of such plans in existence as of the effective date of this ordinance; and to give the Township Board the authority to amend, modify, or terminate such plans.

**Sec. 20-67. Pension Plan established.**

Pursuant to Act No. 77 of the Public Acts of 1989 (MCL 41.110b, MSA 5.159(2)), the Township hereby creates and establishes an annuity or pension plan(s) for the pensioning of its officers and employees, as enumerated below; and, for such purposes, also authorizes the Township Supervisor and the Township Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the State of Michigan for annuities or pensions.

**Sec. 20-68. Persons covered.**

The annuity or pension plan(s) established and contracted for under this ordinance shall cover each person within the following classes of officers and employees:

Class I: Full-time elected officials and full-time and regular part time employees of the Township not covered by collective bargaining agreements.

Class II: Full-time employees and regular part time employees of the Township covered by collective bargaining agreements, each bargaining unit constituting a separate class.

**Sec. 20-69. Contributions by township, employee; eligibility.**

- (a) *Contributions by township, employee.* For those persons in Class I, the Township and each individual in Class I shall contribute annually to said annuity or pension plan(s) an amount equal to the respective percentages of each person's pay, salary or compensation as are determined from time to time by resolution of the Township Board. For those persons in Class II, the Township and each individual in Class II shall contribute annually to said annuity or pension plan(s) an amount equal to the respective percentages of each person's pay, salary or compensation as are determined by the applicable collective bargaining agreement(s).

The contributions to be paid by the Township shall be secured from the general fund of the Township. Each person within the class of officers and employees covered by the plans shall be responsible for the remainder of the premium or charges; and the Township Treasurer is authorized to deduct the charges from each person's pay, salary or compensation and to apply the amount to such person's responsibility.

- (b) *Eligibility.* Each officer and employee who is employed on the effective date of the applicable annuity or pension plan shall be immediately eligible for coverage under the plan.

Every officer and employee who subsequently becomes employed shall be immediately eligible for coverage under the applicable annuity or pension plan on his or her date of hire.

The normal retirement date of an eligible officer or employee shall be the date he or she reaches the retirement age established under the applicable annuity or pension plan, provided the employee satisfies the service requirement for normal retirement established under the plan.

**Sec. 20-70. Vested Rights.**

Each person so covered under the annuity or pension plan(s) shall have a vested right or interest in such plan upon reaching the eligibility or service requirement established under the applicable plan.

**Sec. 20-71. Previous plans.**

The Township ratifies and confirms the validity of any annuity or pension plan(s) in existence as of the effective date of this ordinance.

**Sec. 20-72. Authority to modify or terminate plan.**

The Township Board shall have the authority, by resolution, to amend, modify or even terminate the annuity or pension plan(s) at any future time as may be needed or desired to conform with applicable federal and state statutes, regulations and common law, or otherwise as the Board may determine.

**Sec. 20-73. Cafeteria plan established.**

Pursuant to Act 77 of the Public Acts of 1989 (MCL 41.110b, MSA 5.159(2)), the Township hereby establishes a cafeteria plan(s) authorized under Section 125 of the Internal Revenue Code of 1986, as amended, for its officers and employees, as enumerated below, and dependents of those officers and employees.

**Sec. 20-74. Persons covered.**

The Section 125 cafeteria plan established under this ordinance shall cover each person within the following classes of officers and employees:

Class I: Full-time elected officials and full-time employees of the Township not covered by collective bargaining agreements.

Class II: Full-time employees of the Township covered by collective bargaining agreements, each bargaining unit constituting a separate class.

**Sec. 20-75. Previous Plan.**

The Township ratifies and confirms the validity of any Section 125 cafeteria plan in existence as of the effective date of this ordinance.

**Sec. 20-76. Authority to modify or terminate plan.**

The Township Board shall have the authority, by resolution, to amend, modify or even terminate the Section 125 cafeteria plan at any future time as may be needed or desired to conform with applicable federal and state statutes, regulations and common law, or otherwise as the Board may determine.

**Sec. 20-77. Group insurance plans established.**

Pursuant to Act 77 of the Public Acts of 1989 (MCL 41.110b, MSA 5.159(2)), the Township hereby creates and establishes a group insurance or prepayment plan(s) covering life, accident, dental care, vision care, health, hospitalization, medical and surgical service and expense, and/or long-term disability insurance for its officers and employees, dependents of those officers and employees, retired officers and employees, and dependents of those retired officers and employees, as enumerated below; and for such purposes, also authorizes the Township Supervisor and the Township Clerk, to contract, in the name of the Township Board, with any company(s) authorized to transact such business within the State of Michigan for such group insurance or prepayment plan(s).

**Sec. 20-78. Persons covered.**

The group insurance or prepayment plan(s) established and contracted for under this ordinance shall cover, subject to the terms of the applicable plan, each person within the following classes of officers and employees:

Class I: All full-time elected officials and full-time and regular part-time employees of the Township not covered by collective bargaining agreements.

Class II: All full-time and regular part-time employees of the Township covered by collective bargaining agreements, each bargaining unit constituting a separate class.

Class III: Retired elected officials and employees of the Township who meet the eligibility requirements for coverage under the applicable plan, as determined by resolution of the Township Board or by applicable collective bargaining agreement. If necessary, there shall be separate classes for eligible retired non-union employees and eligible retirees in each bargaining unit.

**Sec. 20-79. Previous plans.**

The Township ratifies and confirms the validity of any group insurance or prepayment plan(s) in existence as of the effective date of this ordinance.

**Sec. 20-80. Authority to modify or terminate plan.**

The Township Board shall have the authority, by resolution, to amend, modify or even terminate the group insurance or prepayment plan(s) at any future time as may be needed or desired to conform with applicable federal and state statutes, regulations and common law, or otherwise as the Board may determine.

**Sec. 20-81. Other employment benefits authorized.**

Pursuant to Act 77 of the Public Acts of 1989 (MCL 41.110b, MSA 5.159(2)), the Township hereby authorizes the Township Board to create and establish, by resolution, plans under which other employment benefits authorized by state or federal law are offered to the Township's officers and employees, as enumerated below.

**Sec. 20-82. Persons covered.**

The other employment benefits authorized under this ordinance shall cover, subject to the terms of the applicable plan, each person with the following classes of officers and employees:

Class I: Full-time elected officials and full-time and regular part-time employees of the Township not covered by a collective bargaining agreement.

Class II: Full-time and regular part-time employees of the Township covered by collective bargaining agreements, each bargaining unit constituting a separate class.

**Sec. 20-83. Previous plans.**

The Township ratifies and confirms the validity of any plans under which other employment benefits are offered to its officers and employees, in existence as of the effective date of this ordinance.

**Sec. 20-84. Authority to modify or terminate employment benefits.**

The Township Board shall have the authority, by resolution, to amend, modify or terminate the other employment benefits provided to Township officers and employees as may be needed or desired to conform with applicable federal and state statutes, regulations and common law, or as otherwise as the Board may determine.

**Section 2. Effective Date: This ordinance shall take effect upon publication by summary.**

Ayes: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter  
Nays: None  
Absent: None

Adopted by the Pittsfield Charter Township Board of Trustees at a Regular meeting on the 26<sup>th</sup> day of April, 2005.

\_\_\_\_\_  
s/James R. Walter  
Pittsfield Township Supervisor

\_\_\_\_\_  
s/Feliziana Meyer  
Pittsfield Township Clerk

First Reading: April 12, 2005  
First Publication (Posting): April 21, 2005  
Second Reading: April 26, 2005  
Second Publication (Posting): May 5, 2005  
Effective Date: May 5, 2005

State of Michigan     )  
                                  ) ss  
County of Washtenaw)

I, the undersigned, the duly qualified Clerk of the Charter Township of Pittsfield, Washtenaw County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings taken by the Township Board at a Regular meeting held on the 26<sup>th</sup> day of April, 2005.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 5<sup>th</sup> day of May, 2005.

\_\_\_\_\_  
s/Feliziana Meyer  
Pittsfield Township Clerk