COMPLIANCE AUDIT

Newberry Township
Non-Uniformed Pension Plan

York County, Pennsylvania

For the Period
January 1, 2015 to December 31, 2018

April 2019

Commonwealth of Pennsylvania
Department of the Auditor General

Eugene A. DePasquale • Auditor General

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EUGENE A. DEPASQUALE
AUDITOR GENERAL

Board of Township Supervisors
Newberry Township
York County
Etters, PA 17319

We have conducted a compliance audit of the Newberry Township Non-Uniformed Pension Plan for the period January 1, 2015 to December 31, 2018. We also evaluated compliance with some requirements subsequent to that period when possible. The audit was conducted pursuant to authority derived from Section 402(j) of Act 205 and in accordance with the standards applicable to performance audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objective.

The objective of the audit was to determine if the pension plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies.

Our audit was limited to the areas related to the objective identified above. To determine whether the pension plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies, our methodology included the following:

- We determined whether state aid was properly determined and deposited in accordance with Act 205 requirements by verifying the annual deposit date of state aid and determining whether deposits were made within 30 days of receipt for all years within the period under audit.

- We determined whether annual employer contributions were calculated and deposited in accordance with the plan's governing document and applicable laws and regulations by examining the municipality's calculation of the plan's annual financial requirements and minimum municipal obligation (MMO) and comparing these calculated amounts to amounts actually budgeted and deposited into the pension plan as evidenced by supporting documentation.

- We determined whether annual employee contributions were calculated, deducted, and deposited into the pension plan in accordance with the plan's governing document and applicable laws and regulations by testing total members' contributions on an annual basis using the rates obtained from the plan's governing document in effect for all years within the period under audit and examining documents evidencing the deposit of these employee contributions into the pension plan.

- We determined whether retirement benefits calculated for both of the plan members who retired during the current audit period, represent payments to all (and only) those entitled to receive them and were properly determined and disbursed in accordance with the plan's governing document, applicable laws and regulations by recalculating the amount of the monthly pension benefits due to the retired individuals and comparing these amounts to supporting documentation evidencing amounts determined and actually paid to the recipients.

- We determined whether the January 1, 2013, January 1, 2015 and January 1, 2017 actuarial valuation reports were prepared and submitted by March 31, 2014, 2016 and 2018, respectively, in accordance with Act 205 and whether selected information provided on these reports is accurate, complete, and in accordance with plan provisions to ensure compliance for participation in the state aid program by comparing selected information to supporting source documentation.

- We determined whether the terms of the plan's unallocated insurance contract, including ownership and any restrictions, were in compliance with plan provisions, investment policies, and state regulations by comparing the terms of the contract with the plan's provisions, investment policies, and state regulations.

Newberry Township contracted with an independent certified public accounting firm for annual audits of its basic financial statements for the years ended December 31, 2017, 2016 and 2015, which are available at the township's offices. Those financial statements were not audited by us and, accordingly, we express no opinion or other form of assurance on them.

Township officials are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the Newberry Township Non-Uniformed Pension Plan is administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies. In conducting our audit, we obtained an understanding of the township's internal controls as they relate to the township's compliance with those requirements and that we considered to be significant within the context of our audit objective, and assessed whether those significant controls were properly designed and implemented. Additionally and as previously described, we tested transactions, assessed official actions, performed analytical procedures, and interviewed selected officials to provide reasonable assurance of detecting instances of noncompliance with legal and regulatory requirements or noncompliance with provisions of contracts, administrative procedures, and local ordinances and policies that are significant within the context of the audit objective.

The results of our procedures indicated that, in all significant respects, the Newberry Township Non-Uniformed Pension Plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies.

The accompanying supplementary information is presented for purposes of additional analysis. We did not audit the information or conclude on it and, accordingly, express no form of assurance on it.

The contents of this report were discussed with officials of Newberry Township and, where appropriate, their responses have been included in the report. We would like to thank township officials for the cooperation extended to us during the conduct of the audit.

April 1, 2019

EUGENE A. DEPASQUALE
Auditor General

CONTENTS

BACKGROUND

On December 18, 1984, the Pennsylvania Legislature adopted the Municipal Pension Plan Funding Standard and Recovery Act (P.L. 1005, No. 205, as amended, 53 P.S. § 895.101 et seq.). The Act established mandatory actuarial reporting and funding requirements and a uniform basis for the distribution of state aid to Pennsylvania's public pension plans. Section 402(j) of Act 205 specifically requires the Auditor General, as deemed necessary, to make an audit of every municipality which receives general municipal pension system state aid and of every municipal pension plan and fund in which general municipal pension system state aid is deposited.

Annual state aid allocations are provided from a 2 percent foreign (out-of-state) casualty insurance premium tax, a portion of the foreign (out-of-state) fire insurance tax designated for paid firefighters and any investment income earned on the collection of these taxes. Generally, municipal pension plans established prior to December 18, 1984, are eligible for state aid. For municipal pension plans established after that date, the sponsoring municipality must fund the plan for three plan years before it becomes eligible for state aid. In accordance with Act 205, a municipality's annual state aid allocation cannot exceed its actual pension costs.

In addition to Act 205, the Newberry Township Non-Uniformed Pension Plan is also governed by implementing regulations adopted by the former Public Employee Retirement Commission published at Title 16, Part IV of the Pennsylvania Code and applicable provisions of various other state statutes

The Newberry Township Non-Uniformed Pension Plan is a single-employer defined benefit pension plan locally controlled by the provisions of Ordinance No. 380 and a separately executive plan agreement with the plan's custodian. The plan is also affected by the provisions of collective bargaining agreements between the township and employees of the Highway Department. The plan was established June 1, 1980. Active members of the Highway Department were required to contribute 1 percent of compensation in 2016, 2 percent of compensation in 2017, and 3 percent of compensation in 2018. All other active members are required to contribute 5 percent of compensation to the plan. As of December 31, 2018, the plan had 13 active members, 12 terminated members eligible for vested benefits in the future, and 12 retirees receiving pension benefits from the plan.

As of December 31, 2018, selected plan benefit provisions are as follows:

Eligibility Requirements:

Normal Retirement	Age 65
Early Retirement	Age 55 and 10 years of service.
Vesting	Member is 100% vested immediately.

Retirement Benefit:

Benefit equals 1.67% of average compensation (last 5 years prior to retirement) multiplied by accrual service (maximum of 25 years).

Survivor Benefit:

Monthly annuity payable to spouse in the amount of 50% of the accrued benefit and deferred to the participant's earliest retirement date if later than date of death.

Service Related Disability Benefit:

None

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

The supplementary information contained on Pages 3 through 6 reflects the implementation of GASB Statement No. 67, *Financial Reporting for Pension Plans*. The objective of this statement is to improve financial reporting by state and local governmental pension plans.

SCHEDULE OF CHANGES IN THE NET PENSION
LIABILITY AND RELATED RATIOS
FOR THE YEARS ENDED DECEMBER 31, 2014 AND 2015

	2014	2015
Total Pension Liability		
Service cost	$ 42,631	$ 41,603
Interest	130,926	140,711
Difference between expected and actual experience	-	(42)
Changes of assumptions	-	82,710
Benefit payments, including refunds of member contributions	(73,827)	(78,478)
Net Change in Total Pension Liability	99,730	186,504
Total Pension Liability – Beginning	1,630,860	1,730,590
Total Pension Liability – Ending (a)	$ 1,730,590	$ 1,917,094
Plan Fiduciary Net Position		
Contributions – employer	$ 53,151	$ 49,811
Contributions – member	19,334	20,787
Net investment income	67,779	(25,242)
Benefit payments, including refunds of member contributions	(73,827)	(78,478)
Administrative expense	(5,875)	(5,915)
Other	-	
Net Change in Plan Fiduciary Net Position	60,562	(39,037)
Plan Fiduciary Net Position – Beginning	1,456,743	1,517,305
Plan Fiduciary Net Position – Ending (b)	$ 1,517,305	$ 1,478,268
Net Pension Liability – Ending (a-b)	$ 213,285	$ 438,826
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	87.7%	77.1%
Estimated Covered Employee Payroll	$ 644,294	$ 552,649
Net Pension Liability as a Percentage of Covered Employee Payroll	33.1%	79.4%

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF CHANGES IN THE NET PENSION
LIABILITY AND RELATED RATIOS
FOR THE YEARS ENDED DECEMBER 31, 2016 AND 2017

	2016	2017
Total Pension Liability		
Service cost	$ 43,579	$ 52,691
Interest	149,346	150,849
Difference between expected and actual experience	-	(114,205)
Changes of assumptions	-	5,796
Benefit payments, including refunds of member contributions	(67,261)	(81,207)
Net Change in Total Pension Liability	125,664	13,924
Total Pension Liability – Beginning	1,917,094	2,042,758
Total Pension Liability – Ending (a)	$ 2,042,758	$ 2,056,682
Plan Fiduciary Net Position		
Contributions – employer	$ 64,446	$ -
Contributions – state aid	-	64,412
Contributions – member	22,197	28,676
Net investment income	73,851	227,919
Benefit payments, including refunds of member contributions	(67,261)	(81,207)
Administrative expense	(5,875)	(5,875)
Net Change in Plan Fiduciary Net Position	87,358	233,925
Plan Fiduciary Net Position – Beginning	1,478,268	1,565,626
Plan Fiduciary Net Position – Ending (b)	$ 1,565,626	$ 1,799,551
Net Pension Liability – Ending (a-b)	$ 477,132	$ 257,131
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	76.6%	87.5%
Estimated Covered Employee Payroll	$ 593,370	$ 639,696
Net Pension Liability as a Percentage of Covered Employee Payroll	80.4%	40.2%

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the township as of December 31, 2015, 2016 and 2017, calculated using the discount rate of 7.75%, as well as what the township's net pension liability would be if it were calculated using a discount rate that is 1 percentage-point lower or 1 percentage-point higher than the current rate:

	1% Decrease (6.75%)	Current Discount Rate (7.75%)	1% Increase (8.75%)
Net Pension Liability – 12/31/15	$ 646,385	$ 438,826	$ 261,651
Net Pension Liability – 12/31/16	$ 689,660	$ 477,132	$ 295,347
Net Pension Liability – 12/31/17	$ 478,472	$ 257,131	$ 67,751

SCHEDULE OF CONTRIBUTIONS

Year Ended December 31	Actuarially Determined Contribution	Actual Contributions	Contribution Deficiency (Excess)	Covered-Employee Payroll	Contributions as a Percentage of Covered-Employee Payroll
2008	$ 66,982	$ 66,982	$ -	$ 817,770	8.2%
2009	62,257	62,257	-	765,613	8.1%
2010	85,824	95,789	(9,965)	871,075	11.0%
2011	86,355	86,355	-	878,199	9.8%
2012	66,506	66,506	-	891,694	7.5%
2013	56,587	56,587	-	655,524	8.6%
2014	53,151	53,151	-	644,294	8.2%
2015	49,811	49,811	-	552,649	9.0%
2016	64,446	64,446	-	593,370	10.9%
2017	64,412	64,412	-	639,696	10.1%
2018	68,371	75,871	(7,500)	*	*

* Due to the timing of this audit, covered-employee payroll for 2018 was not provided in this schedule.

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF INVESTMENT RETURNS

Annual Money-Weighted Rate of Return, Net of Investment Expense:

2017	14.81%
2016	5.10%
2015	-1.68%
2014	4.76%

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF FUNDING PROGRESS

Historical trend information about the plan is presented herewith as supplementary information. It is intended to help users assess the plan's funding status on a going-concern basis, assess progress made in accumulating assets to pay benefits when due, and make comparisons with other state and local government retirement systems.

The actuarial information is required by Act 205 biennially. The historical information, beginning as of January 1, 2013, is as follows:

	(1)	(2)	(3)	(4)
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) - Entry Age (b)	Unfunded (Assets in Excess of) Actuarial Accrued Liability (b) - (a)	Funded Ratio (a)/(b)
01-01-13	$ 1,260,483	$ 1,523,001	$ 262,518	82.8%
01-01-15	1,513,455	1,813,258	299,803	83.5%
01-01-17	1,688,302	1,934,349	246,047	87.3%

Note: The market values of the plan's assets at 01-01-13, 01-01-15, and 01-01-17 have been adjusted to reflect the smoothing of gains and/or losses over a 5 year averaging period subject to a corridor between 80 and 120 percent of the market value of assets. This method will lower contributions in years of less than expected returns and increase contributions in years of greater than expected returns. The net effect over long periods of time is to have less variance in contribution levels from year to year.

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

The comparability of trend information is affected by changes in actuarial assumptions, benefit provisions, actuarial funding methods, accounting policies, and other changes. Those changes usually affect trends in contribution requirements and in ratios that use the actuarial accrued liability as a factor.

Analysis of the dollar amount of the actuarial value of assets, actuarial accrued liability, and unfunded (assets in excess of) actuarial accrued liability in isolation can be misleading. Expressing the actuarial value of assets as a percentage of the actuarial accrued liability (Column 4) provides one indication of the plan’s funding status on a going-concern basis. Analysis of this percentage, over time, indicates whether the system is becoming financially stronger or weaker. Generally, the greater this percentage, the stronger the plan.

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
NOTES TO SUPPLEMENTARY SCHEDULES
(UNAUDITED)

The information presented in the supplementary schedules was determined as part of the actuarial valuation at the date indicated. Additional information as of the latest actuarial valuation date follows:

Actuarial valuation date	January 1, 2017
Actuarial cost method	Entry age normal.
Amortization method	Level dollar.
Remaining amortization period	10 years
Asset valuation method	5-year smoothing the actuarial value of assets will be limited to a maximum of 120% and a minimum of 80% of the fair market value of assets.
Actuarial assumptions:	
Investment rate of return	7.75%
Projected salary increases	4.75%

NEWBERRY TOWNSHIP NON-UNIFORMED PENSION PLAN
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

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