

COMPLIANCE AUDIT

Brookhaven Borough Non-Uniformed Pension Plan Delaware County, Pennsylvania For the Period January 1, 2015 to December 31, 2018

August 2019



Commonwealth of Pennsylvania
Department of the Auditor General

Eugene A. DePasquale • Auditor General



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**EUGENE A. DePASQUALE
AUDITOR GENERAL**

The Honorable Mayor and Borough Council
Brookhaven Borough
Delaware County
Brookhaven, PA 19015

We have conducted a compliance audit of the Brookhaven Borough 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 that there were no employee contributions required by the plan's governing document and applicable laws and regulations for the years covered by our audit period.
- We determined whether retirement benefits calculated for the lone plan member who elected to vest during the current audit period, represent payments to all (and only) those entitled to receive them and were properly determined in accordance with the plan's governing document, applicable laws and regulations by recalculating the amount of the pension benefit due to retired individuals and comparing these amounts to supporting documentation evidencing amounts determined.
- We determined whether the January 1, 2015 and January 1, 2017 actuarial valuation reports were prepared and submitted by March 31, 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 contractual agreement with the Pennsylvania State Association of Boroughs were in accordance with the plan's governing document, if separately stated, and applicable laws and regulations by comparing the terms of the contractual agreement with the plan's governing document, if separately stated, and applicable laws and regulations.

Borough officials are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the Brookhaven Borough 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 borough's internal controls as they relate to the borough'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 Brookhaven Borough 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 Brookhaven Borough and, where appropriate, their responses have been included in the report. We would like to thank borough officials for the cooperation extended to us during the conduct of the audit.

August 6, 2019

A handwritten signature in black ink, appearing to read "Eugene A. DePasquale". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

EUGENE A. DEPASQUALE
Auditor General

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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 Brookhaven Borough 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 Brookhaven Borough Non-Uniformed Pension Plan is a single-employer defined benefit pension plan locally controlled by the provisions of Resolution No. 82-10, as amended. The plan was established January 1, 1982. Active members are not required to contribute to the plan. As of December 31, 2018, the plan had 11 active members, 2 terminated members eligible for vested benefits in the future, and 2 retirees receiving pension benefits from the plan.

BACKGROUND – (Continued)

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

Eligibility Requirements:

Normal Retirement	Age 65 and 10 years of service.
Early Retirement	Later of age 60 and 10 years of service.
Vesting	4 years – 40%, 5 years – 45%, 6 years – 50%, 7 years – 60%, 8 years – 70%, 9 years – 80%, 10 years – 90%, 11 years – 100%

Retirement Benefit:

The annual retirement benefit shall be 1.0% of compensation, multiplied by the participant's total number of years of service with a maximum of 25 years. Final 5 year average compensation used.

Survivor Benefit:

Death to a participant who is entitled to a vested accrued benefit, survivor shall receive 50% of the retirement benefit.

Service Related Disability Benefit:

Present value of accrued benefits if totally disabled.

BROOKHAVEN BOROUGH 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

	<u>2014</u>	<u>2015</u>
Total Pension Liability		
Service cost	\$ 21,848	\$ 15,968
Interest	39,091	44,729
Difference between expected and actual experience	-	3,258
Changes of assumptions	-	15,220
Benefit payments, including refunds of member contributions	(3,061)	(3,061)
Net Change in Total Pension Liability	<u>57,878</u>	<u>76,114</u>
Total Pension Liability – Beginning	468,320	526,198
Total Pension Liability – Ending (a)	<u>\$ 526,198</u>	<u>\$ 602,312</u>
Plan Fiduciary Net Position		
Contributions – state aid	\$ 31,064	\$ 34,512
Net investment income	29,587	(3,953)
Benefit payments, including refunds of member contributions	(3,061)	(3,061)
Administrative expense	(6,198)	(10,302)
Net Change in Plan Fiduciary Net Position	<u>51,392</u>	<u>17,196</u>
Plan Fiduciary Net Position – Beginning	477,697	529,089
Plan Fiduciary Net Position – Ending (b)	<u>\$ 529,089</u>	<u>\$ 546,285</u>
Net Pension Liability – Ending (a-b)	<u>\$ (2,891)</u>	<u>\$ 56,027</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	100.5%	90.7%
Estimated Covered Employee Payroll	\$ 438,462	\$ 503,150
Net Pension Liability as a Percentage of Covered Employee Payroll	(0.7%)	11.1%

BROOKHAVEN BOROUGH 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, 2017, AND 2018

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Total Pension Liability			
Service cost	\$ 16,766	\$ 19,877	\$ 20,871
Interest	49,404	48,949	54,289
Difference between expected and actual experience	-	(74,125)	-
Changes of assumptions	-	2,214	-
Benefit payments, including refunds of member contributions	(3,061)	(3,061)	(3,061)
Net Change in Total Pension Liability	<u>63,109</u>	<u>(6,146)</u>	<u>72,099</u>
Total Pension Liability – Beginning	<u>602,312</u>	<u>665,421</u>	<u>659,275</u>
Total Pension Liability – Ending (a)	<u>\$ 665,421</u>	<u>\$ 659,275</u>	<u>\$ 731,374</u>
 Plan Fiduciary Net Position			
Contributions – state aid	29,449	28,800	30,293
Net investment income	25,766	77,821	(33,490)
Benefit payments, including refunds of member contributions	(3,061)	(3,061)	(3,061)
Administrative expense	(8,065)	(11,638)	(8,495)
Net Change in Plan Fiduciary Net Position	<u>44,089</u>	<u>91,922</u>	<u>(14,753)</u>
Plan Fiduciary Net Position – Beginning	<u>546,285</u>	<u>590,374</u>	<u>682,296</u>
Plan Fiduciary Net Position – Ending (b)	<u>\$ 590,374</u>	<u>\$ 682,296</u>	<u>\$ 667,543</u>
 Net Pension Liability – Ending (a-b)	<u>\$ 75,047</u>	<u>\$ (23,021)</u>	<u>\$ 63,831</u>
 Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	88.7%	103.5%	91.3%
 Estimated Covered Employee Payroll	\$ 577,706	\$ 559,264	\$ 563,760
 Net Pension Liability as a Percentage of Covered Employee Payroll	13.0%	(4.1%)	11.3%

BROOKHAVEN BOROUGH 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 borough as of December 31, 2015, 2016, 2017 and 2018, calculated using the discount rate of 8.0%, as well as what the borough'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 (7.0%)	Current Discount Rate (8.0%)	1% Increase (9.0%)
Net Pension Liability – 12/31/15	\$ 113,612	\$ 56,027	\$ 6,576
Net Pension Liability – 12/31/16	134,183	75,047	24,270
Net Pension Liability – 12/31/17	39,463	(23,021)	(76,655)
Net Pension Liability – 12/31/18	128,593	63,831	8,306

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
2014	\$ 31,064	\$ 31,064	\$ -	438,462	7.08%
2015	34,512	34,512	-	503,150	6.86%
2016	29,449	29,449	-	577,706	5.10%
2017	28,800	28,800	-	559,264	5.15%
2018	30,293	30,293	-	563,760	5.37%

BROOKHAVEN BOROUGH NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF INVESTMENT RETURNS

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

2018	(4.91%)
2017	13.18%
2016	4.72%
2015	(0.75%)
2014	6.24%

BROOKHAVEN BOROUGH 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	\$ 480,781	\$ 415,769	\$ (65,012)	115.6%
01-01-15	586,682	544,676	(42,006)	107.7%
01-01-17	708,449	593,510	(114,939)	119.4%

Note: The market value of the plan’s assets at 01-01-13 has been adjusted to reflect the smoothing of gains and/or losses at 130 percent of market value and the market values of the plan’s assets at 01-01-15 and 01-01-17 have been adjusted to reflect the smoothing of gains and/or losses at 120 percent of market value. 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.

BROOKHAVEN BOROUGH NON-UNIFORMED PENSION PLAN
SUPPLEMENTARY INFORMATION
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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.

BROOKHAVEN BOROUGH 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	N/A
Remaining amortization period	N/A
Asset valuation method	Plan assets are valued using the method described in Section 210(a) of Act 44, as amended, subject to a ceiling of 120% of the market value of assets.
Actuarial assumptions:	
Investment rate of return	8.0%
Projected salary increases	5.0%
Cost-of-living adjustments	None assumed

BROOKHAVEN BOROUGH NON-UNIFORMED PENSION PLAN
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

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