

COMPLIANCE AUDIT

Hatboro Borough Police Pension Plan Montgomery County, Pennsylvania For the Period January 1, 2015 to December 31, 2018

January 2020



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
Hatboro Borough
Montgomery County
Hatboro, PA 19040

We have conducted a compliance audit of the Hatboro Borough Police 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 findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and 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 all three of the plan members who retired during the current audit period, and through the completion of our fieldwork procedures, 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 benefit due to retired individuals and comparing these amounts to supporting documentation evidencing amounts determined and actually paid to recipients.
- 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 all annual special ad hoc postretirement reimbursements received by the municipality were authorized and appropriately deposited in accordance with Act 147 by tracing information to supporting documentation maintained by plan officials.
- We determined whether provisions of the Deferred Retirement Option Plan (DROP) were in accordance with the provisions of Act 205 by examining provisions stated in the plan's governing documents.

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

Borough officials are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the Hatboro Borough Police 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 Hatboro Borough Police Pension Plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies, except as noted in the following findings further discussed later in this report:

Finding – Plan’s Governing Document Contains An Unauthorized Cost-Of-Living Adjustment Benefit Provision For Survivors

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 Hatboro Borough and, where appropriate, their responses have been included in the report.

December 31, 2019



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 Hatboro Borough Police 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 including, but not limited to, the following:

Act 147 - Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, Act of December 14, 1988 (P.L. 1192, No. 147), as amended, 53 P.S. § 896.101 et seq.

Act 600 - Police Pension Fund Act, Act of May 29, 1956 (P.L. 1804, No. 600), as amended, 53 P.S. § 767 et seq.

The Hatboro Borough Police Pension Plan is a single-employer defined benefit pension plan locally controlled by the provisions of Ordinance No. 989, as amended, adopted pursuant to 600. The plan is also affected by the provisions of collective bargaining agreements between the borough and its police officers. The plan was established June 20, 1977. Active members are required to contribute 5 percent of compensation to the plan. As of December 31, 2018, the plan had 14 active members, no terminated members eligible for vested benefits in the future, and 16 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 50 and 25 years of service.
Early Retirement	Eligible with 20 years of service.
Vesting	A member is 100% vested after 12 years of service.

Retirement Benefit:

Benefit equals 50% of final 36 months average salary, plus a service increment of \$100 per month for each year of service in excess of 25 years, up to a maximum of \$500 per month.

Survivor Benefit:

Before Retirement Eligibility	Refund of member contributions plus interest.
After Retirement Eligibility	A monthly benefit equal to 50% of the pension the member was receiving or was entitled to receive on the day of the member's death.

Service Related Disability Benefit:

Benefit equals 50% of the member's salary at the time of disability.

HATBORO BOROUGH POLICE PENSION PLAN
FINDINGS AND RECOMMENDATIONS

Finding – Plan’s Governing Document Contains An Unauthorized Cost-Of-Living Adjustment Benefit Provision For Survivors

Condition: The pension plan’s governing document, Ordinance No. 989, at Section 3.2(f), inappropriately contains a provision for a cost-of-living adjustment (COLA) benefit for survivors. This provision is not authorized by Act 600.

Criteria: Section 5(g) (1) of Act 600 states, in part:

The ordinance or resolution establishing the police pension fund may provide for a cost-of-living increase for members of the police force receiving retirement benefits. [Emphasis added]

Therefore, Act 600 does not provide for COLAs for surviving spouses.

Cause: Plan officials were not aware that Act 600 does not authorize cost-of-living adjustments for survivors.

Effect: Unauthorized benefit provisions could result in improper benefit payments being paid from the pension plan.

Recommendation: We recommend that municipal officials amend the plan’s governing document to eliminate the unauthorized benefit provision and to bring the plans benefit structure into compliance with Act 600.

Management’s Response: Municipal officials agreed with the finding without exception.

Auditor’s Conclusion: Compliance with the finding will be verified through our next audit of the plan.

HATBORO BOROUGH POLICE PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

The supplementary information contained on pages 4 through 7 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, 2015, AND 2016

	<u>2014</u>	<u>2015</u>	<u>2016</u>
Total Pension Liability			
Service cost	\$ 156,349	\$ 155,338	\$ 164,166
Interest	197,897	813,172	738,048
Benefit payments, including refunds of member contributions	<u>(328,192)</u>	<u>(467,067)</u>	<u>(358,210)</u>
Net Change in Total Pension Liability	26,054	501,443	544,004
Total Pension Liability – Beginning	<u>8,796,894</u>	<u>8,822,948</u>	<u>9,324,391</u>
Total Pension Liability – Ending (a)	<u>\$ 8,822,948</u>	<u>\$ 9,324,391</u>	<u>\$ 9,868,395</u>
 Plan Fiduciary Net Position			
Contributions – employer/state aid	\$ 354,119	\$ 398,403	\$ 357,883
Contributions – member	58,262	60,007	63,312
Investment income	179,048	295,840	-
Market value investment income	211,373	(121,678)	429,999
Benefit payments, including refunds of member contributions	<u>(328,192)</u>	<u>(467,067)</u>	<u>(358,210)</u>
Administrative expense	<u>(37,630)</u>	<u>(39,904)</u>	<u>(4,260)</u>
Net Change in Plan Fiduciary Net Position	436,980	125,601	488,724
Plan Fiduciary Net Position – Beginning	<u>6,852,850</u>	<u>7,289,830</u>	<u>7,415,431</u>
Plan Fiduciary Net Position – Ending (b)	<u>\$ 7,289,830</u>	<u>\$ 7,415,431</u>	<u>\$ 7,904,155</u>
 Net Pension Liability – Ending (a-b)	<u>\$ 1,533,118</u>	<u>\$ 1,908,960</u>	<u>\$ 1,964,240</u>
 Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	82.6%	79.5%	80.1%
 Estimated Covered Employee Payroll	\$ 1,129,966	\$ 1,200,179	\$ 1,271,028
 Net Pension Liability as a Percentage of Covered Employee Payroll	135.7%	159.1%	154.5%

HATBORO BOROUGH POLICE PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF CHANGES IN THE NET PENSION
LIABILITY AND RELATED RATIOS
FOR THE YEARS ENDED DECEMBER 31, 2017 AND 2018

	<u>2017</u>	<u>2018</u>
Total Pension Liability		
Service cost	\$ 163,886	\$ 172,080
Interest	812,542	802,026
Difference between expected and actual experience	(142,956)	-
Changes of assumptions	296,143	-
Benefit payments, including refunds of member contributions	(622,280)	(699,427)
Net Change in Total Pension Liability	<u>507,335</u>	<u>274,679</u>
Total Pension Liability – Beginning	9,868,395	10,375,730
Total Pension Liability – Ending (a)	<u>\$ 10,375,730</u>	<u>\$ 10,650,409</u>
 Plan Fiduciary Net Position		
Contributions – employer/state aid	\$ 369,172	\$ 382,107
Contributions – member	69,448	80,249
Market value investment income	1,160,442	(486,512)
Benefit payments, including refunds of member contributions	(622,280)	(699,427)
Administrative expense	(5,960)	(3,500)
Net Change in Plan Fiduciary Net Position	<u>970,822</u>	<u>(727,083)</u>
Plan Fiduciary Net Position – Beginning	7,904,155	8,874,977
Plan Fiduciary Net Position – Ending (b)	<u>\$ 8,874,977</u>	<u>\$ 8,147,894</u>
 Net Pension Liability – Ending (a-b)	<u>\$ 1,500,753</u>	<u>\$ 2,502,515</u>
 Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	85.5%	76.5%
 Estimated Covered Employee Payroll	\$ 1,453,678	\$ 1,439,805
 Net Pension Liability as a Percentage of Covered Employee Payroll	103.2%	173.8%

HATBORO BOROUGH POLICE 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, 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 – 12/31/16	\$ 3,017,839	\$ 1,964,240	\$ 1,093,273
Net Pension Liability – 12/31/17	\$ 2,654,700	\$ 1,500,753	\$ 533,361
Net Pension Liability – 12/31/18	\$ 3,679,231	\$ 2,502,515	\$ 1,497,419

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
2009	\$ 208,112	\$ 208,112	\$ -		
2010	217,707	217,707	-		
2011	334,526	414,805	(80,279)		
2012	338,147	338,147	-		
2013	352,195	352,195	-		
2014	354,119	354,119	-		
2015	398,403	398,403	-	\$1,200,179	33.20%
2016	357,883	357,883	-	1,271,028	28.16%
2017	369,172	369,172	-	1,453,678	25.40%
2018	382,107	382,107	-	1,439,805	26.54%

* Due to GASB Statement No. 67, *Financial Reporting for Pension Plans*, being implemented only recently, the amount of Covered-Employee Payroll was not provided for years prior to 2015.

HATBORO BOROUGH POLICE PENSION PLAN
SUPPLEMENTARY INFORMATION
(UNAUDITED)

SCHEDULE OF INVESTMENT RETURNS

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

2018	-5.48%
2017	12.61%
2016	5.74%
2015	-1.84%
2014	5.84%

HATBORO BOROUGH POLICE 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	\$ 5,811,544	\$ 7,928,239	\$ 2,116,695	73.3%
01-01-15	7,146,034	8,822,948	1,676,914	81.0%
01-01-17	8,320,506	10,021,582	1,701,076	83.0%

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 five-year averaging period, which will be limited to a maximum of 115 percent and a minimum of 85 percent of the fair market value of the 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.

HATBORO BOROUGH POLICE 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.

HATBORO BOROUGH POLICE 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 115% and a minimum of 85% of the fair market value of assets.
Actuarial assumptions:	
Investment rate of return	8.0%
Projected salary increases	5.0%
Cost-of-living adjustments	3.0%

HATBORO BOROUGH POLICE PENSION PLAN
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

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