

COMPLIANCE AUDIT

Middletown Borough Non-Uniformed Pension Plan Dauphin County, Pennsylvania For the Period January 1, 2015 to December 31, 2017

March 2019



Commonwealth of Pennsylvania
Department of the Auditor General

Eugene A. DePasquale • Auditor General



**Commonwealth of Pennsylvania
Department of the Auditor General
Harrisburg, PA 17120-0018
Facebook: Pennsylvania Auditor General
Twitter: @PAAuditorGen
www.PaAuditor.gov**

**EUGENE A. DePASQUALE
AUDITOR GENERAL**

The Honorable Mayor and Borough Council
Middletown Borough
Dauphin County
Middletown, PA 17057

We have conducted a compliance audit of the Middletown Borough Non-Uniformed Pension Plan for the period January 1, 2015 to December 31, 2017. 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 the plan member 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 benefit due to the retired individual and comparing this amount to supporting documentation evidencing the amount determined and actually paid to the recipient. We also determined whether retirement benefits calculated for all 3 of the plan members 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 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 contracts with the plan's provisions, investment policies, and state regulations.

Middletown Borough contracted with an independent certified public accounting firm for annual audits of its basic financial statements 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 Middletown 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 Middletown 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 Middletown 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.

March 22, 2019

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

EUGENE A. DEPASQUALE
Auditor General

CONTENTS

	<u>Page</u>
Background.....	1
Supplementary Information	3
Report Distribution List	10

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 Middletown 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 Middletown Borough Non-Uniformed Pension Plan is a single-employer defined benefit pension plan locally controlled by the provisions of Ordinance No. 1249, as amended and a separately executed revised plan agreement with the plan's custodian with an effective date of January 1, 2008 for non-uniformed employees hired prior to January 1, 2016. The plan is also affected by the provisions of collective bargaining agreements between the borough and its non-uniformed employees. The plan was established January 1, 1962. Active members are required to contribute 5 percent of each participant's compensation to the plan. As of December 31, 2017, the plan had 10 active members, 28 terminated members eligible for vested benefits in the future, and 43 retirees receiving pension benefits from the plan.

BACKGROUND – (Continued)

As of December 31, 2017, selected plan benefit provisions are as follows:

Eligibility Requirements:

Normal Retirement	Age 60
Early Retirement	Age 50 and 12 years of service.
Vesting	100% after 5 years of service.

Retirement Benefit:

2% of final average monthly compensation based on the final five plan years of compensation multiplied by the number of years of credited service.

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.

Disability Benefit:

If a participant with 10 years of vesting service becomes totally and permanently disabled prior to normal retirement age, he is eligible to receive a monthly amount equal to 50% of his current salary at the time of disablement, reduced by worker's compensation.

MIDDLETOWN 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	\$ 133,234	\$ 93,055
Interest	801,569	749,532
Difference between expected and actual experience	-	(821,832)
Benefit payments, including refunds of member contributions	<u>(782,861)</u>	<u>(850,715)</u>
Net Change in Total Pension Liability	151,942	(829,960)
Total Pension Liability – Beginning	11,709,790	11,861,732
Total Pension Liability – Ending (a)	<u>\$ 11,861,732</u>	<u>\$ 11,031,772</u>
Plan Fiduciary Net Position		
Contributions – employer	\$ 2,740,716	\$ 466,593
Contributions – member	63,544	46,809
Net investment income	454,439	(159,130)
Benefit payments, including refunds of member contributions	<u>(782,861)</u>	<u>(850,715)</u>
Administrative expense	<u>(1,976)</u>	<u>(19,621)</u>
Net Change in Plan Fiduciary Net Position	2,473,862	(516,064)
Plan Fiduciary Net Position – Beginning	9,471,903	11,945,765
Plan Fiduciary Net Position – Ending (b)	<u>\$ 11,945,765</u>	<u>\$ 11,429,701</u>
Net Pension Liability – Ending (a-b)	<u>\$ (84,033)</u>	<u>\$ (397,929)</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	100.71%	103.61%
Estimated Covered Employee Payroll	\$ 1,025,163	\$ 704,523
Net Pension Liability as a Percentage of Covered Employee Payroll	(8.20)%	(56.48)%

MIDDLETOWN 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 AND 2017

	<u>2016</u>	<u>2017</u>
Total Pension Liability		
Service cost	\$ 110,737	\$ 58,911
Interest	775,385	790,707
Difference between expected and actual experience	406,282	27,869
Changes of assumptions	-	176,297
Benefit payments, including refunds of member contributions	(943,740)	(695,407)
Net Change in Total Pension Liability	<u>348,664</u>	<u>358,377</u>
Total Pension Liability – Beginning	11,031,772	11,380,436
Total Pension Liability – Ending (a)	<u>\$ 11,380,436</u>	<u>\$ 11,738,813</u>
Plan Fiduciary Net Position		
Contributions – employer	\$ 120,323	\$ -
Contributions – member	29,242	28,242
Net investment income	915,579	1,696,239
Benefit payments, including refunds of member contributions	(943,740)	(695,407)
Administrative expense	(8,584)	-
Net Change in Plan Fiduciary Net Position	<u>112,820</u>	<u>1,029,074</u>
Plan Fiduciary Net Position – Beginning	11,429,701	11,542,521
Plan Fiduciary Net Position – Ending (b)	<u>\$ 11,542,521</u>	<u>\$ 12,571,595</u>
Net Pension Liability – Ending (a-b)	<u>\$ (162,085)</u>	<u>\$ (832,782)</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	101.42%	107.09%
Estimated Covered Employee Payroll	\$ 847,479	\$ 564,846
Net Pension Liability as a Percentage of Covered Employee Payroll	(19.13)%	(147.44)%

MIDDLETOWN 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, and 2017, calculated using the discount rate of 7.0%, 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 (6.0%)	Current Discount Rate (7.0%)	1% Increase (8.0%)
Net Pension Liability – 12/31/15	\$ 869,485	\$ (397,929)	\$ (1,457,413)
Net Pension Liability – 12/31/16	\$ 1,152,300	\$ (162,085)	\$ (1,262,861)
Net Pension Liability – 12/31/17	\$ 429,139	\$ (832,782)	\$ (1,893,501)

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	\$ 42,249	\$ 42,250	\$ (1)	\$2,249,761	1.88%
2009	74,370	74,370	-	2,356,782	3.16%
2010	84,559	84,560	(1)	2,364,683	3.58%
2011	381,750	381,750	-	2,354,008	16.22%
2012	476,417	476,417	-	2,520,120	18.90%
2013	417,962	420,612	(2,650)	1,557,088	27.01%
2014	398,710	2,740,716	(2,342,006)	1,025,163	267.34%
2015	450,848	466,593	(15,745)	704,523	66.23%
2016	95,764	120,323	(24,559)	847,479	14.20%
2017	-	-	-	564,846	0.00%

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

SCHEDULE OF INVESTMENT RETURNS

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

2016	8.4%
2015	(1.8)%
2015	4.33%

MIDDLETOWN 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	\$ 8,356,015	\$ 11,635,686	\$ 3,279,671	71.8%
01-01-15	11,737,484	11,040,507	(696,977)	106.3%
01-01-17	11,964,027	11,584,601	(379,426)	103.3%

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 minimum of 80 percent and a maximum of 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.

MIDDLETOWN BOROUGH 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.

MIDDLETOWN 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	5-year smoothing, subject to a corridor between 80-120% of market value.
Actuarial assumptions:	
Investment rate of return	7.0%
Projected salary increases	4.0%
Cost-of-living adjustments	Limited to a maximum annual increase of 3%, with a lifetime increase of 30%.

MIDDLETOWN BOROUGH NON-UNIFORMED PENSION PLAN
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Tom W. Wolf
Governor
Commonwealth of Pennsylvania

The Honorable James H. Curry, III
Mayor

Ms. Angela Lloyd
Council President

Mr. Michael Woodworth
Council Vice President

Ms. Dawn Knull
Council Member

Mr. Robert Reid
Council Member

Mr. Ian Reddinger
Council Member

Ms. Jenny Miller
Council Member

Ms. Ellen Willenbecher
Council Member

Mr. Kenneth Klinepeter
Borough Manager

Mr. Kevin Zartman
Director of Finance and Administration

MIDDLETOWN BOROUGH NON-UNIFORMED PENSION PLAN
REPORT DISTRIBUTION LIST

This report is a matter of public record and is available online at www.PaAuditor.gov. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.