

COMPLIANCE AUDIT

Whitehall Township Non-Uniformed Pension Plan Lehigh County, Pennsylvania For the Period January 1, 2015 to December 31, 2018

March 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 Board of Township Commissioners
Whitehall Township
Lehigh County
Whitehall, PA 18052

We have conducted a compliance audit of the Whitehall 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. Employer contributions that were deposited into the cash balance tier of the non-uniformed pension plan for the years ended December 31, 2015 to December 31, 2018, are presented on the Summary of Deposited State Aid and Employer Contributions.

- 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 also tested individual employee contributions for all 16 active employees employed and participating in the cash balance tier during the audit period amounting to \$283, \$2,323, \$9,317, and \$16,877 for the years 2015, 2016, 2017, and 2018, respectively.
- We determined whether retirement benefits calculated for 8 of the 18 plan members¹ 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 retired individuals and comparing these amounts to supporting documentation evidencing amounts determined and actually paid to recipients. We also determined whether retirement benefits calculated for the sole 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 the retired individual and comparing this amount to supporting documentation evidencing the amount 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 Municipal Retirement System 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.

¹ We selected plan members randomly from the population of plan members who retired during the current audit period in order to obtain a representative selection for the purpose of our testing to achieve the audit objective. While representative selection is a required factor of audit sampling methodologies, audit-sampling methodology was not applied to achieve this test objective; accordingly, the results of this audit procedure are not, and should not be, projected to the population.

The Whitehall Township Non-Uniformed Pension Plan participates in the Pennsylvania Municipal Retirement System (PMRS), which is an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for participating municipal pension plans. PMRS issues a separate Comprehensive Annual Financial Report, copies of which are available from the PMRS accounting office. PMRS's 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 Whitehall 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 Whitehall 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 Whitehall 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.

February 25, 2020



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 Whitehall 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 including, but not limited to, the following:

Act 15 - Pennsylvania Municipal Retirement Law, Act of February 1, 1974
(P.L. 34, No. 15), as amended, 53 P.S. § 881.101 et seq.

The Whitehall Township Non-Uniformed Pension Plan is a 2-tiered plan locally controlled by the provisions of Ordinance No. 2963, adopted pursuant to Act 15. The first tier is a single-employer defined benefit pension plan for members hired prior to April 1, 2013 and the second tier is a single-employer cash balance pension plan for members hired on or after April 1, 2013. The plan is also affected by the provisions of collective bargaining agreements between the township and its non-uniformed employees. The plan was established January 1, 1965. Active members hired prior to April 1, 2013 are required to contribute 1.5 percent of compensation to the plan. Active members hired on or after April 1, 2013 are required to contribute 2.0 percent of compensation to the plan. As of December 31, 2018, the plan had 57 active members, 1 terminated member eligible for vested benefits in the future, and 42 retirees receiving benefits funded through annuities purchased with plan assets.

BACKGROUND – (Continued)

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

Eligibility Requirements:

Normal Retirement	Available upon attainment of age 60.
Early Retirement	A voluntary early retirement is available after 24 years of service. An involuntary early retirement is available after 8 years of service.
Vesting	A member is 100% vested after 12 years of service.

Retirement Benefit:

For members hired prior to April 1, 2013, benefit equals 1.75% times credited service times Final Average Salary (FAS). FAS based upon final 3 years annualized salary. For members hired on or after April 1, 2013, benefit is equal to a single life annuity with a present value equal to the member's accumulated deductions and municipal contributions made on behalf of the member.

Survivor Benefit:

If eligible to retire at the time of death, beneficiary receives present value of accrued benefit. At retirement, member may select a survivor benefit.

Disability Benefit:

For members hired prior to April 1, 2013:

Service Related	A 50% disability benefit is provided to a member who is unable to perform gainful employment regardless of age or service, offset by available Workers' Compensation benefits.
Non-service Related	A 30% disability benefit is provided to a member who has at least 10 years of service and who is unable to perform gainful employment.

For members hired on or after April 1, 2013:

A disability benefit equal to a single life annuity with a present value equal to the member's accumulated deductions and municipal contributions made on behalf of the member.

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

The supplementary information contained on Pages 3 through 5 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 - DEFINED BENEFIT TIER
FOR THE YEARS ENDED DECEMBER 31, 2014, 2015, 2016, 2017, AND 2018

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Total Pension Liability					
Service cost	\$ 390,209	\$ 368,707	\$ 317,087	\$ 312,916	\$ 286,673
Interest	1,095,566	1,130,642	1,187,189	1,191,449	1,230,156
Difference between expected and actual experience	(442,058)	-	(166,947)	-	(601,261)
Changes of assumptions	-	194,687	555,265	-	165,040
Benefit payments, including refunds of member contributions	(341,897)	(428,207)	(805,410)	(752,275)	(729,122)
Net Change in Total Pension Liability	<u>701,820</u>	<u>1,265,829</u>	<u>1,087,184</u>	<u>752,090</u>	<u>351,486</u>
Total Pension Liability - Beginning	<u>19,697,842</u>	<u>20,399,662</u>	<u>21,665,491</u>	<u>22,752,675</u>	<u>23,504,765</u>
Total Pension Liability - Ending (a)	<u>\$ 20,399,662</u>	<u>\$ 21,665,491</u>	<u>\$ 22,752,675</u>	<u>\$ 23,504,765</u>	<u>\$ 23,856,251</u>
Plan Fiduciary Net Position					
Contributions - employer	\$ 262,072	\$ 345,446	\$ 355,475	\$ 346,539	\$ 314,206
Contributions - PMRS assessment	-	1,980	1,960	1,920	1,900
Contributions - member	54,131	53,915	53,491	49,130	45,018
PMRS investment income	1,068,060	1,101,453	1,177,449	1,128,721	1,165,209
Market value investment income	(99,326)	(1,144,497)	158,153	2,470,729	(2,645,978)
Benefit payments, including refunds of member contributions	(341,897)	(428,207)	(805,410)	(752,275)	(729,122)
PMRS administrative expense	(2,000)	(1,980)	(1,960)	(1,920)	(1,900)
Additional administrative expense	(40,960)	(45,917)	(57,685)	(51,909)	(51,998)
Net Change in Plan Fiduciary Net Position	<u>900,080</u>	<u>(117,807)</u>	<u>881,473</u>	<u>3,190,935</u>	<u>(1,902,665)</u>
Plan Fiduciary Net Position - Beginning	<u>19,089,406</u>	<u>19,989,486</u>	<u>19,871,679</u>	<u>20,753,152</u>	<u>23,944,087</u>
Plan Fiduciary Net Position - Ending (b)	<u>\$ 19,989,486</u>	<u>\$ 19,871,679</u>	<u>\$ 20,753,152</u>	<u>\$ 23,944,087</u>	<u>\$ 22,041,422</u>
Net Pension Liability - Ending (a-b)	<u>\$ 410,176</u>	<u>\$ 1,793,812</u>	<u>\$ 1,999,523</u>	<u>\$ (439,322)</u>	<u>\$ 1,814,829</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	97.99%	91.72%	91.21%	101.87%	92.39%
Estimated Covered Employee Payroll	\$ 3,848,721	\$ 3,594,369	\$ 3,566,015	\$ 3,275,916	\$ 3,001,173
Net Pension Liability as a Percentage of Covered Employee Payroll	10.66%	49.91%	56.07%	(13.41)%	60.47%

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

DEFINED BENEFIT TIER

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, 2014 and 2015, calculated using the discount rate of 5.50%, 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 (4.50%)	Current Discount Rate (5.50%)	1% Increase (6.50%)
Net Pension Liability - 12/31/14	\$ 2,500,503	\$ 410,176	\$ (1,400,417)
Net Pension Liability - 12/31/15	\$ 3,995,410	\$ 1,793,812	\$ (95,990)

In addition, the following presents the net pension liability of the township as of December 31, 2016, 2017, and 2018, calculated using the discount rate of 5.25%, 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 (4.25%)	Current Discount Rate (5.25%)	1% Increase (6.25%)
Net Pension Liability - 12/31/16	\$ 4,444,077	\$ 1,999,523	\$ (101,339)
Net Pension Liability - 12/31/17	\$ 2,086,037	\$ (439,322)	\$ (2,609,628)
Net Pension Liability - 12/31/18	\$ 4,282,667	\$ 1,814,829	\$ (313,583)

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

DEFINED BENEFIT TIER

SCHEDULE OF CONTRIBUTIONS

<u>Year Ended December 31</u>	<u>Actuarially Determined Contribution</u>	<u>Actual Contributions</u>	<u>Contribution Deficiency (Excess)</u>	<u>Covered- Employee Payroll</u>	<u>Contributions as a Percentage of Covered- Employee Payroll</u>
2014	\$ 259,036	\$ 262,072	\$ (3,036)	\$3,848,721	6.81%
2015	347,426	347,426	-	3,594,369	9.67%
2016	357,435	357,435	-	3,566,015	10.02%
2017	348,459	348,459	-	3,275,916	10.64%
2018	316,106	316,106	-	3,001,173	10.53%

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

DEFINED BENEFIT TIER

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	\$ 18,450,956	\$ 18,629,372	\$ 178,416	99.0%
01-01-15	20,360,044	20,399,662	39,618	99.8%
01-01-17	22,153,166	22,752,675	599,509	97.4%

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

DEFINED BENEFIT TIER

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.

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

DEFINED BENEFIT TIER

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	8 years
Asset valuation method	The Actuarial Value of Assets equals the plan's member, municipal, DROP (if applicable) reserve accounts plus the retiree actuarial liability. This asset smoothing is based on the unique legislative structure of PMRS and the administrative rules adopted by the PMRS Board in conjunction with Pennsylvania Municipal Retirement Law, all of which are subject to comply with the Actuarial Standards of Practice No. 44, Selection and Use of Asset Valuation Methods when defining the actuarial Value of Assets.

Actuarial assumptions:

Investment rate of return	5.25%, compounded annually, net of investment and administration expenses.
Salary scale	Total rate (including inflation) (e.g. age 25 – 7.05%; age 35 – 4.55%; age 45 – 3.97%; age 55 – 3.44%; age 65 – 2.80%).
Cost-of-living adjustments	2.8% per year, subject to plan limitations.

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

The supplementary information contained on Pages 9 through 11 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 - CASH BALANCE TIER
FOR THE YEARS ENDED DECEMBER 31, 2015, 2016, 2017, AND 2018

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Total Pension Liability				
Service cost	\$ 708	\$ 5,808	\$ 23,359	\$ 42,155
Interest	-	158	689	2,402
Change of benefit terms	-	-	-	307
Difference between expected and actual experience	-	1	-	1
Net Change in Total Pension Liability	<u>708</u>	<u>5,967</u>	<u>24,048</u>	<u>44,865</u>
Total Pension Liability - Beginning	-	708	6,675	30,723
Total Pension Liability - Ending (a)	<u>\$ 708</u>	<u>\$ 6,675</u>	<u>\$ 30,723</u>	<u>\$ 75,588</u>
Plan Fiduciary Net Position				
Contributions - employer	\$ 425	\$ 3,485	\$ 14,042	\$ 25,294
Contributions - PMRS assessment	40	-	180	320
Contributions - member	283	2,323	9,317	16,877
PMRS investment income	-	184	812	2,702
Market value investment income	(51)	(274)	2,043	(6,747)
PMRS administrative expense	(40)	-	(40)	(180)
Additional administrative expense	-	(9)	(37)	(121)
Net Change in Plan Fiduciary Net Position	<u>657</u>	<u>5,709</u>	<u>26,317</u>	<u>38,145</u>
Plan Fiduciary Net Position - Beginning	-	657	6,366	32,683
Plan Fiduciary Net Position - Ending (b)	<u>\$ 657</u>	<u>\$ 6,366</u>	<u>\$ 32,683</u>	<u>\$ 70,828</u>
Net Pension Liability - Ending (a-b)	<u>\$ 51</u>	<u>\$ 309</u>	<u>\$ (1,960)</u>	<u>\$ 4,760</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	92.80%	95.37%	106.38%	93.70%
Estimated Covered Employee Payroll	\$ 14,164	\$ 116,157	\$ 366,500	\$ 601,962
Net Pension Liability as a Percentage of Covered Employee Payroll	0.36%	0.27%	(0.53%)	0.79%

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

CASH BALANCE TIER

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, calculated using the discount rate of 5.50%, 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 (4.50%)	Current Discount Rate (5.50%)	1% Increase (6.50%)
Net Pension Liability - 12/31/15	\$ 193	\$ 51	\$ (90)

In addition, the following presents the net pension liability of the township as of December 31, 2016, 2017, and 2018, calculated using the discount rate of 5.25%, 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 (4.25%)	Current Discount Rate (5.25%)	1% Increase (6.25%)
Net Pension Liability - 12/31/16	\$ 1,643	\$ 309	\$ (1,026)
Net Pension Liability - 12/31/17	\$ 4,185	\$ (1,960)	\$ (8,104)
Net Pension Liability - 12/31/18	\$ 19,877	\$ 4,760	\$ (10,358)

WHITEHALL TOWNSHIP NON-UNIFORMED PENSION PLAN
SUMMARY OF DEPOSITED STATE AID AND EMPLOYER CONTRIBUTIONS

CASH BALANCE TIER

Year Ended December 31	State Aid	Employer Contributions
2015	None	\$ 465
2016	None	3,485
2017	None	14,222
2018	None	25,614

WHITEHALL TOWNSHIP 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 Michael P. Harakal, Jr.
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