

Disclosure Form

Elizabethtown Borough

Pension Plan Investment Advisory and Management Services

Appendix "A" – Act 44 Disclosure
ACT 44 DISCLOSURE FORM FOR INDIVIDUALS/ENTITIES

SUBMITTING PROPOSALS FOR PROFESSIONAL PENSION SERVICES TO
ELIZABETHTOWN BOROUGH

CHAPTER 7-A OF ACT 44 OF 2009 MANDATES the disclosure of certain information by every entity (hereinafter "**Consultant**") which is a party to a professional services contract with Elizabethtown Borough (hereinafter the "**Requesting Municipality**") funded by one or more of the pension funds of the **Requesting Municipality**. Act 44 disclosure requirements apply to **Consultants** who currently provide professional pension services or are submitting proposals to provide professional services and do or may receive payment of any kind from the **Requesting Municipality's** pension fund(s). The **Requesting Municipality** has determined that your company falls under the requirements of Act 44 and must complete this disclosure form. You are expected to submit this completed form along with a proposal to provide professional services to Elizabethtown Borough to the address below. Consultants who are under contract with Elizabethtown Borough must submit a completed form on or before May 6th of each year under contract:

Elizabethtown Borough
Roni Ryan
Borough Manager
600 S. Hanover Street
Elizabethtown, PA 17022
717-367-1700
rryan@etownonline.com

REQUIRED UPDATES:

Where noted, information in this form must be updated in writing as changes occur.

Appendix “A” – Act 44 Disclosure

DEFINITIONS FOR DISCLOSURE

TERM:	DEFINITION:
CONSULTANT	Any person, company, or other entity that receives payments, fees, or any other form of compensation from a municipal pension fund in exchange for rendering professional services for the benefit of the municipal pension fund. The term “Consultant” also applies to any person, company, or other entity that is submitting a proposal to perform professional services for payment.
SUBCONSULTANT OR ADVISOR	Anyone who is paid a fee or receives compensation from a municipal pension system – directly or indirectly from or through a Consultant.
AFFILIATED ENTITY	Any of the following: 1. A subsidiary or holding company of a lobbying firm or other business entity owned in whole or in part by a lobbying firm. 2. An organization recognized by the Internal Revenue Service as a tax-exempt organization under section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501 (c)) established by a lobbyist or lobbying firm or an affiliated entity.
CONTRIBUTIONS	As defined in section 1621 of the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code
POLITICAL COMMITTEE	As defined in section 1621 of the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code
EXECUTIVE LEVEL EMPLOYEE	Any employee or person or the person’s affiliated entity who: 1. Can affect or influence the outcome of the person’s or affiliated entity’s actions, policies, or decisions relating to pensions and the conduct of business with a municipality or a municipal pension system; or 2. Is directly involved in the implementation or development policies relating to pensions, investments, contracts or procurement or the conduct of business with a municipality or municipal pension system.
MUNICIPAL PENSION SYSTEM	Any qualifying pension plan, under Pennsylvania state law, for any municipality within the Commonwealth of Pennsylvania; includes the Pennsylvania Municipal Retirement System. <i>Examples: Elizabethtown Borough Police Plan and Elizabethtown Borough Non-uniformed Employees’ Pension Plan</i>
MUNICIPAL PENSION SYSTEM OFFICIALS AND EMPLOYEES; MUNICIPAL OFFICIALS AND EMPLOYEES	Specifically , those listed in TABLE 2 titled: “ <i>List of Pension System and Municipal Officials and Employees</i> ” on the next page. Where applicable, includes any employee of the Requesting Municipality .
PROFESSIONAL SERVICES CONTRACT	A contract to which the municipal pension system is a party that is: (1) for the purchase of professional services including investment services, legal services, real estate services, and other consulting services; and, (2) not subject to a requirement that the lowest bid be accepted.

Appendix "A" – Act 44 Disclosure

LIST OF MUNICIPAL OFFICIALS FOR THE REQUESTING MUNICIPALITY

Certain requests for information in this form will refer to a **"List of Municipal Officials."** To assist you in preparing your answers, you should consider the following names to be a complete list of pension system and municipal officials and employees. Throughout this Disclosure Form, the below names will be referred to as the **"List of Municipal Officials."**

Elected Officials:

- 1) Clarence S. Mummert, Jr.- Mayor
- 2) J. Marc Hershey- Council President
- 3) J. Neil Ketchum- Council Vice President
- 4) Phillip P. Clark- Council Member
- 5) Jeffrey K. McCloud- Council Member
- 6) Thomas A. Shaud- Council Member
- 7) William Troutman- Council Member

Appointed Officials:

- 8) Roni Ryan - Borough Manager
- 9) Ann Roda – Assistant Borough Manager
- 10) Josele Cleary- Solicitor

IDENTIFICATION OF CONSULTANTS & RELATED PERSONNEL

CONSULTANTS: (See **"Definitions"** – page 2) Any entity who currently provides service(s) or is submitting a proposal to provide services by means of a Professional Services Contract to the Municipal Pension System(s) of the **Requesting Municipality**, please complete all of the following:

Identify the Municipal Pension System(s) for which you are providing information:

Indicate all that apply with an "X": Non- Uniformed Employee Plan: X

Police Plan: X

****NOTE:** For all that follow, you may answer the questions / items on a separate sheet of paper and attach it to this Disclosure if the space provided is not sufficient. Please reference each question / item you are responding to by the appropriate number. (example: REF – Item #1.)

Appendix "A" – Act 44 Disclosure

1. Please provide the names and titles of all individuals providing or prospectively providing professional services to the **Requesting Municipality's** pension plan(s) identified above. Also include the names and titles of any advisors and sub consultants of the Consultant who provide or may provide professional services related to the **Requesting Municipality's** pension plan(s) identified above, identifying them as such. After each name provide a description of the responsibilities of that person with regard to the professional services being provided or to be provided to each designated pension plan.

Brian Graff
Bridget Casher
David Lytle
Laurie Pardon
Stephan Troy

Jennifer Becker
Jodi Nenninger
Whitney Brewbaker
Shannon Mann

Sean Duffy
Kelsey Moore
Tara Mashack-Behney
Nicholas Frankenstein

Ashley A. Wise
Brian N. Graff
Casey B. Krady
Charles A. Eberlin
Daniel S. Hollinger
David H. Killick
Edward L. Holroyd

Elizabeth N. Goodhart
Ethan G. Hartranft
Gregory G. College
J. Scott Gehman
Jay-David Bazzo
Jeffrey D. Boyer
Jeffrey S. Myers

John D. Vargo
Jonathan D. Cramer
Laura V. Hess
Michael M. Howard
Sean M. Gallen
Trevor S. Bare

2. Please list the name and title of any *Affiliated Entity* and their *Executive-level Employee(s)* that require disclosure; after each name, include a brief description of their duties. (**See: Definitions**)

N/A - Neither CSIA nor Conrad M. Siegel, Inc. is an Affiliated Entity.

3. Are any of the individuals named in **Item 1 or Item 2** above, a current or former official or employee of the **Requesting Municipality**?

No.

4. Are any of the individuals named in **Item 1 or Item 2** above a current or former registered Federal or State lobbyist?

No.

NOTICE: All information provided for items 1- 4 above must be updated as changes occur.

5. In the two year period immediately preceding the submission of this Disclosure Form, has the **Consultant** or an **Affiliated Entity** paid compensation to or employed any third party intermediary, agent, or lobbyist that is to directly or indirectly communicate with an official or employee of the **Municipal Pension System** of the **Requesting Municipality** (OR), any municipal official or employee of the **Requesting Municipality** in connection with any transaction or investment involving the **Consultant** and the Municipal Pension System of the **Requesting Municipality**?

This question does not apply to an officer or employee of the **Consultant** who is acting within the scope of the firm's standard professional duties on behalf of the firm, including the actual provision of legal, accounting, engineering, real estate, or other professional advice, services, or assistance pursuant to the professional services contact with municipality's pension system.

No. Neither CSIA nor Conrad M. Siegel, Inc. pays or employs any third party individuals.

Appendix "A" – Act 44 Disclosure

6. In the two-year period immediately preceding the submission of this Disclosure Form, has the **Consultant** or **Affiliated Entity**, or any agent, officer, director or employee of the **Consultant**, or an **Affiliated Entity** solicited any contribution to any municipal officer or candidate for municipal office in the **Requesting Municipality**, or to the political party or political action committee of that official or candidate?

No.

7. In the two-year period immediately preceding the submission of this Disclosure Form, has the **Consultant** or an **Affiliated Entity** made any contributions to a municipal official or any candidate for municipal office in the **Requesting Municipality**?

No.

8. Does the **Consultant** or an **Affiliated Entity** have any direct financial, commercial or business relationship (other than the contract to provide professional services to the pension plan(s) of the **Requesting Municipality**) with any official identified on the **List of Municipal Officials**, of the **Requesting Municipality**?

No.

****NOTE:** A written letter is required from the **Requesting Municipality** acknowledging the relationship and consenting to its existence. The letter must be attached to this disclosure. Contact the **Requesting Municipality** to obtain this letter and attach it to this disclosure before submission.

9. Has the **Consultant** or an **Affiliated Entity** given any gifts having more than a nominal value to any official, employee or fiduciary – specifically, those on the **List of Municipal Officials** of the **Requesting Municipality**?

No.

10. Disclosure of contributions to any political entity in the Commonwealth of Pennsylvania
Applicability: A "yes" response is required and full disclosure is required **ONLY WHEN ALL** of the following applies:

- a) The contribution was made within the last 5 years.
- b) The contribution was made by an officer, director, executive-level employee or owner of at least 5% of the **Consultant** or **Affiliated Entity**.
- c) The amount of the contribution was at least \$500 and in the form of:
 - 1. A single contribution by a person in (b) above, **OR**
 - 2. The aggregate of all contributions by all persons in (b) above;
- d) The contribution was for
 - 1. Any candidate for any public office or any person who holds an office in the Commonwealth of Pennsylvania;
 - 2. The political committee of a candidate for public office or any person that holds an office in the Commonwealth of Pennsylvania.

None.

Appendix "A" – Act 44 Disclosure

11. With respect to your provision of professional services to the Municipal Pension plan(s) of the

Requesting Municipality:

Are you aware of any apparent, potential or actual conflicts of interest with respect to any officer, director or employee of the **Consultant** and officials or employees of the **Requesting Municipality**?

NOTE: If, in the future, you become aware of any apparent, potential, or actual conflict of interest, you are expected to update this **Disclosure Form** immediately in writing by:

- Providing a brief synopsis of the conflict of interest (and);
- An explanation of the steps taken to address this apparent, potential, or actual conflict of interest.

No, neither CSIA nor Conrad M. Siegel, Inc. is aware of any conflict or potential conflict.

12. To the extent that you believe that **Chapter 7-A of Act 44 of 2009** requires you to disclose any additional information beyond what has been requested above, please provide that information below or on a separate piece of paper.

None.

Please provide the name(s) and position(s) of the person(s) participating in the completion of this Disclosure. **One of the individuals** identified by the **Consultant** in **Item #1** above must participate in completing this Disclosure and must sign the below verification attesting to the participation of those individuals named below.

Name: David Lytle

Position: Investment Consultant and Actuary



SIGNATURE

Investment Consultant & Actuary

TITLE

05/02/2019

DATE

Appendix "A" – Act 44 Disclosure

VERIFICATION

I, David P. Lytle, FSA, CFA, MAAA, hereby state that I am an Investment Consultant for Conrad Siegel Investment Advisors, Inc. and I am authorized to make this verification.

I hereby verify that the facts set forth in the foregoing Act 44 Disclosure Form for Individuals/Entities Submitting Proposals for Professional Pension Services to Elizabethtown Borough are true and correct to the best of my knowledge, information and belief. I also understand that knowingly making material misstatements or omissions in this form could subject the responding Consultant to the penalties in Section 705-A(e) of Act 44.

I understand that false statements herein are made subject to the penalties of 18 P.A.C.S. § 4904 relating to unsworn falsification to authorities.

Handwritten signature of David P. Lytle in black ink, written over a horizontal line.

Signature

5/2/2019

Date