

**ORDINANCE NO. 1 OF 2014**

**AN ORDINANCE OF THE BOROUGH OF PLYMOUTH, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATEING THE BOROUGH OF PLYMOUTH POLICE PENSION PLAN EFFECTIVE AND RETROACTIVE TO JANUARY 1, 2014**

**WHEREAS**, the Borough originally established a Police Pension Plan on December 3, 1956 and amended the same over the years;

**WHEREAS**, said plan including amendments thereto provide for the administration, eligibility for benefits, source and allocation of funds, calculations of retirement benefits, return of participant contributions, disability retirement, death benefit, and other matters associated with the establishment and continuation of the Police Pension Plan pursuant to the terms and conditions of the attached amendment and restatement of the Borough of Plymouth Police Pension Plan;

**WHEREAS**, the Borough in order to clarify the exact status, terms and conditions of the Plan and continue its compliance with the tax-exempt retirement plan requirements of the Internal Revenue Code of 1986, as amended, section 401(a) as well as Act 600 of 1956, 53 P. S. § 761 et seq. desires to enact a restatement of the Plan in its entirety with appropriate amendments;

**NOW THEREFORE**, be it resolved, ordained and adopted by the Plymouth Borough Council as follows:


That all previous ordinances or resolutions relating to the Borough of Plymouth Police Pension Plan with an effective date prior to the adoption and effective date of this amendment and restatement of the Plan are hereby repealed with respect to the benefits accruing on or after the amendment and restatement effective date and the amendment and restatement of the Plan attached hereto, marked Exhibit "1", and incorporated herein by reference is enacted. It is further ordained and enacted by the Borough of Plymouth that the previous ordinances or resolutions relating to the Plan's Trust Fund with an effective date prior to the adoption and effective date of the amendment and restatement of the Trust are hereby repealed and the amendment and restatement of the Trust attached hereto, marked Exhibit "2" and incorporated herein by reference thereto is enacted. Furthermore, Councilman Frank Coughlin is hereby appointed as Chief Administrative Officer of the Plan. Thomas McTague, President of Council, as agent for the employer, Plymouth Borough, is authorized and directed to execute the attached amendment and restatement of the Plan and the attached amendment and restatement of the Trust. AFG Pension Administration, 575 Pierce Street, Suite 301, Kingston, PA is hereby confirmed as the Trustee of the Trust.

This Ordinance shall become effective and is retroactive to January 1, 2014 immediately upon adoption.

ENACTED AND ORDAINED this 11<sup>th</sup> day of March, 2014 at a Regular Meeting of the  
Plymouth Borough Council.

**BOROUGH OF PLYMOUTH**

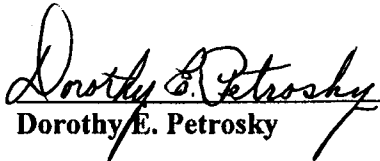
By:

  
Thomas McTague, President of Council

ATTEST:

  
Holly Speer, Secretary

APPROVED BY THE MAYOR

  
Dorothy E. Petrosky

Dated: March 13, 2014