

## **ORDINANCE 2018-11**

**AN ORDINANCE AMENDING THE EXISTING LOWER ALLEN TOWNSHIP NON-UNIFORMED RETIREMENT PLAN (“PLAN”), CUMBERLAND COUNTY, PENNSYLVANIA, IN ORDER TO ADD DEFINED CONTRIBUTION FEATURES AND TO COMPLY WITH THE FEDERAL AND COMMONWEALTH OF PENNSYLVANIA LAWS AND REGULATIONS IN EFFECT.**

**WHEREAS**, the Township intends for this Plan to comply with the tax-exempt retirement plan requirement of the Internal Revenue Code of 1986 (as amended) Section 401(a), and, as a result, the Township adopts the attached Plan amendments.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by Lower Allen Township, Cumberland County, Pennsylvania and it is hereby ordained and enacted by the authority of the same as follows:

### **SECTION ONE: ESTABLISHMENT**

This Ordinance sets for the details of the defined contribution retirement plan provisions for full time non-uniformed employees of Lower Allen Township (“Employer”) hired after October 1, 2018 pursuant to the provisions of Exhibit A and updates and supplements the Internal Revenue Code provisions of the Plan as set forth in Exhibit A.

### **SECTION TWO: EXCLUSIVE BENEFIT**

The provisions of the Plan shall be maintained for the exclusive benefit of eligible employees and their beneficiaries.

### **SECTION THREE: TRUSTEE**

The Employer hereby agrees to serve as trustee under the provisions of the Plan and to invest funds held thereunder.

### **SECTION FOUR: PLAN ADMINISTRATOR**

The Township Manager shall be the Plan Administration; shall receive reports, notices, etc. on behalf of the Employer, any required votes under the Trust, may delegate any administrative duties relating to the Plan Administration to appropriate departments.

### **SECTION FIVE: AUTHORITY**

The Employer hereby authorizes the Township Manager to execute all necessary agreements incidental to the administration of the Plan. References to any entity hereunder shall include successors of such entity.

### **SECTION SIX: SAVINGS PROVISION**

In the event that any provisions, section, sentence, clause or part of this Plan shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of the Plan, it being the intent of Lower Allen Township that such remainder shall remain in full force and effect.

### **SECTION SEVEN: AUTHORIZED SIGNATURE**

The President of the Board of Township Commissioners is hereby authorized and directed to execute this amendment to the Plan document.

**ENACTED AND ORDAINED** this 26<sup>th</sup> day of November 2018.

**ATTEST:**  
**(Corporate Seal)**

**BOARD OF COMMISSIONERS**  
**LOWER ALLEN TOWNSHIP**

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(Assistant) Secretary

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H. Edward Black, President