

ORDINANCE No. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF ATHENS TOWNSHIP, BRADFORD COUNTY, PENNSYLVANIA TO AMEND CHAPTER 35 (PENSIONS) OF THE ATHENS TOWNSHIP CODE TO ADOPT A NEW NON-UNIFORMED EMPLOYEES PENSION PLAN; CONTAINING REPEALER PROVISIONS; PROVIDING FOR A SAVINGS CAUSE; AND STATING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, the Township of Athens previously established the Athens Township Non-Uniformed Employees Pension Plan; and

WHEREAS, in order to continue compliance with the tax-exempt retirement plan requirements of section 401(a) of the Internal Revenue Code of 1986 (as amended), the Township of Athens desires to enact an amendment to the said plan; and

WHEREAS the Board of Supervisors of Athens Township, find the following necessary for the health, safety and welfare of the citizens of the Township of Athens;

NOW, THEREFORE, be it ORDAINED and ENACTED by the Board of Supervisors of Athens Township and it is hereby Ordained and Enacted under authority of the same as follows:

Section 1– Amendment to the Non-Uniformed Employees Pension Plan

The attached amendment and restatement of the Athens Township Non-Uniformed Employees Pension Plan is hereby enacted. The Chairman of the Board of Supervisors as the agent of the Employer (Athens Township) is authorized and directed to execute the attached amendment and restatement of the Plan.

Section 2- Repealer

All ordinances or parts of ordinances which are inconsistent with this Ordinance are repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 3- Savings Clause

If any sentence, clause part or section of this Ordinance is found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalid sentence, clause, part or section shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared the intent of the Board of Supervisors to have enacted this Ordinance if such unconstitutional, illegal or invalid sentence, clause, part or sections have not been included therein.

Section 4- Effective Date

This Ordinance shall become effective five (5) days after adoption.

ORDAINED and ENACTED this _____ day of October, 2008 by the Board of Supervisors of Athens Township.

ATHENS TOWNSHIP SUPERVISORS

Chairman

ATTEST BY:

Supervisor

Township Secretary (seal)

Supervisor

Supervisor

Supervisor