

Resolution No. 2011-04

**A RESOLUTION OF THE COUNCIL OF THE CITY OF COATESVILLE,
CHESTER COUNTY, PENNSYLVANIA, ESTABLISHING THAT THE CITY
SHALL “PICK UP” MEMBER CONTRIBUTIONS TO THE CITY OF
COATESVILLE FIREFIGHTERS PENSION PLAN**

WHEREAS, the City of Coatesville is a Chartered Third Class City in the Commonwealth of Pennsylvania (hereinafter the “City”); and,

WHEREAS, pursuant to the Third Class City Code and other applicable law, the City established the City of Coatesville Firefighters Pension Plan (“Plan”), effective as of May 12, 2008, by ordinance codified in Chapter 38 of the Administrative Code of the City of Coatesville; and,

WHEREAS, as required by the Third Class City Code, and as codified in Chapter 38 of the Administrative Code of the City of Coatesville, the Plan requires that participating Members shall contribute to the City of Coatesville Firefighters Pension Fund (“Fund”) to fund the pension benefits provided for under the Plan; and,

WHEREAS, as required by the Third Class City Code, and as codified in Chapter 38 of the Administrative Code of the City of Coatesville, no participating Member in the Plan may choose to forego his obligation under the Plan to contribute to the Fund; and,

WHEREAS, when the City first established the Plan, the City determined that the City shall “pick-up” participating Members’ required contributions to the Fund; and,

WHEREAS, when the City first established the Plan, the City further determined that the “picked-up” Member contributions to the Fund shall be treated as “employer” contributions pursuant to Section 414(h)(2) of the Internal Revenue Code of 1986; and,

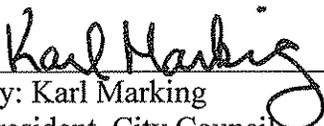
WHEREAS, the City now wishes to reaffirm its determination that the City shall “pick-up” Member contributions to the Fund, and that such Member contributions shall be treated as “employer” contributions pursuant to Section 414(h)(2) of the Internal Revenue Code of 1986.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Coatesville, that as of May 12, 2008, the City has “picked-up” and shall continue to “pick-up” Member contributions to the Fund.

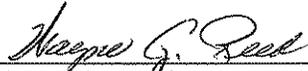
BE IT FURTHER RESOLVED, by the Council of the City of Coatesville, that as of May 12, 2008, participating Members’ required contributions to the Fund have been and shall continue to be paid by Members by way of periodic payroll deduction on a pre-tax basis.

BE IT FURTHER RESOLVED, by the Council of Coatesville, that the proper officers of the City are hereby authorized and directed to do all things necessary or desirable to implement this Resolution No. 2011-04.

IN WITNESS THEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution No. 2011-04 on this 10th day of January, 2011.

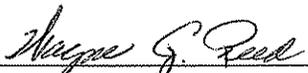

By: Karl Marking
President, City Council

ATTEST:


Wayne G. Reed
Interim City Manager

CERTIFICATION:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the Resolution duly adopted at the meeting of City Council on this 10th day of January 2011 and recorded in the Minutes as such.


Wayne G. Reed
Interim City Manager