

**ORDINANCE NO. 2-01 of 2024**

**AN ORDINANCE OF THE TOWNSHIP OF PITTSTON  
AMENDING ORDINANCE NO. 702-2007 ESTABLISHING A REVISED PLAN AND  
TRUST FOR THE NON-UNIFORMED EMPLOYEES OF PITTSTON TOWNSHIP**

**WHEREAS**, Pittston Township, Luzerne County, Pennsylvania did by agreement dated October 5, 1992, adopt a Non-Uniformed Employees' Pension Plan for Pittston Township; and Pittston Township has amended said Ordinance 702-2007; and

**WHEREAS**, certain rulings, court decisions and Township ordinances and resolutions have made it desirable to amend and restate the Non-Uniformed Pension Plan for the Pittston Township; and

**WHEREAS**, it is the intent of the Pittston Township Board of Supervisors to amend Ordinance No. 702-2007; and

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Pittston Township that Ordinance No. 702-2007 entitled "Ordinance Establishing a Revised Plan and Trust for the Non-Uniformed Employees of Pittston Township" is amended as follows:

**Article VI titled "Method of Distribution of Benefits" is deleted in its entirety and replaced with new Article VI which reads as follows:**

**'ARTICLE VI**  
**METHOD OF DISTRIBUTION OF BENEFITS**

6.01 *Settlement Options: Distribution will be made in a lump sum at the time of:*

- A. *Retirement*
- B. *Termination*
- C. *Death*
- D. *Disability*

***In addition, a participant may elect at any time to withdraw mandatory and after-tax voluntary employee Contributions from such Participant's mandatory and qualified Voluntary employee Contribution Account. Any distribution shall be consistent with and satisfy all notice and consent requirements of Code Sections 417 and 411 (a) 11 and the regulations there-under.***

**SEVERABILITY.** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Board of Supervisors of Pittston Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

**REPEALER.** All ordinances or parts of ordinances inconsistent herewith, are hereby repealed to the extent of their inconsistency.

**EFFECTIVE DATE.** This Ordinance shall become effective five days after its adoption.

**DULY ENACTED AND ORDAINED,** by the Supervisors of the Township of Pittston, Luzerne County, Pennsylvania in lawful session duly assembled this 00<sup>th</sup> day of February, 2024.

Submitted by Mr./Ms. Hawk .....

Seconded by Mr./Ms. Slezak .....

ROLL CALL  
BOARD OF SUPERVISORS

<i>Supervisors:</i>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mr. David A. Slezak, Chairman	[X]	[ ]	[ ]	[ ]
Mr. Joseph Hawk	[X]	[ ]	[ ]	[ ]
Ms. Deborah Taroli	[X]	[ ]	[ ]	[ ]

By: David A. Slezak  
DAVID A. SLEZAK  
Chairman, Board of Supervisors

ATTEST:

[Signature]  
SECRETARY

(SEAL)

