

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 8 -2005

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA ADOPTING PLAN DOCUMENTS UNDER INTERNAL REVENUE CODE IRC SECTION 457 REGULATIONS FOR PURPOSES OF COMPLYING WITH INTERNAL REVENUE SERVICE PROCEDURE 2004-56.

WHEREAS, Middlesex Township is a local governmental employer maintaining a deferred compensation retirement plan for certain employees pursuant to Internal Revenue Code Section 457 Regulations; and

WHEREAS, recent Internal Revenue Service Procedure 2004-56 provides model plan amendments to be used by Section 457(b) plan sponsors that were drafted to comply with applicable Section 457(b) requirements specifying that an eligible plan must include all material terms and conditions for benefits under the plan; and

WHEREAS, in order to comply with Section 457(b) requirements and Internal Revenue Service Procedure 2004-56, Middlesex Township by this Ordinance adopts a plan document to include certain model amendments as required and noted above.

NOW THEREFORE, be it hereby ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of Middlesex Township, Cumberland County, Pennsylvania as follows:

SECTION 1: The legislative intent, background and legal authority of this Ordinance is set forth in the Preamble set forth above, which Preamble is incorporated by reference herein.

SECTION 2: The Middlesex Township Deferred Compensation Plan attached hereto and incorporated by reference herein as "Exhibit A" is hereby adopted as the deferred compensation

plan for the eligible employees of Middlesex Township.

SECTION 3: The provisions of this Ordinance and the plan adopted hereby are severable. If any provisions of this Ordinance or the adopted plan are held to be unconstitutional, illegal or otherwise invalid, such a decision shall not affect the validity of any of the remaining provisions of the Ordinance or the plan hereby adopted.

SECTION 4: This Ordinance shall take effect in accordance with applicable law.

DULY ENACTED AND ORDAINED this 30 day of December 2005, by
the Board of Township Supervisors of the Township of Middlesex in public session duly assembled.

TOWNSHIP OF MIDDLESEX

By: Charles W. Sugrue
Chairman

ATTEST:

Marys J. Jett
Township Secretary

(Township Seal)