

**AMENDMENT TO THE
RUSH TOWNSHIP, SCHUYLKILL COUNTY
POLICE PENSION PLAN
(As Amended Effective January 1, 2013)**

RESOLUTION 2013-17

WHEREAS, the Rush Township, Schuylkill County (Township) established the Rush Township, Schuylkill County Police Pension Plan, effective January 1, 1989,

AND WHEREAS, by Section 14.01 of the Basic Plan Document, the Employer reserves the right to amend the Plan at any time;

NOW THEREFORE, the Township has determined that it is desirable to amend the Plan in accordance with Act 2002-30, amending the Municipal Police Pension Plan Law (Act 600) to permit a surviving spouse's pre-retirement death benefit to continue for life even if the spouse remarries, and to correct the commencement date of such benefit to be the date that would have been the Participant's earliest retirement date under the Plan.

In addition, Section 9-1, Available Forms of Distribution, has been corrected to eliminate any and all alternate forms of distribution. Effective immediately, upon the retirement of a married Participant, any annuity distribution shall be in the form of a Joint and Survivor Annuity, and any annuity distribution to a non-married Participant shall be in the form of a Life Annuity.

Accordingly, upon adoption of this Amendment, Paragraph (f) of Section 6-5, Pre-Retirement Death Benefit, of the Adoption Agreement shall read as follows:

6-5 **PRE-RETIREMENT DEATH BENEFIT.** A Participant who dies prior to his/her Annuity Starting Date is entitled to the following death benefit:

- (f) Describe: Surviving spouse is entitled to a monthly benefit equal to 50% of the Participant's vested accrued benefit at the time of death. Payments shall begin on the Participant's earliest eligible retirement date and terminate upon the death of the surviving spouse. If the Participant is not survived by a spouse, or if he or she survives and subsequently dies, but is survived by minor, dependant child(ren), then such benefit will be paid to such child(ren) in equal shares until they attain the age of 18, or 23 if attending college. Attending college shall mean the eligible child(ren) are registered at an accredited institution of higher learning and are carrying a minimum course load of seven credit hours per semester. See Addendum for benefits to non-vested Participants.

Except as hereby amended, the said Plan as previously amended shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Township has caused this amendment to be executed by its duly authorized Supervisor and its Township seal to be hereto affixed and attested, all as of this 19th day of December, 2013.

Rush Township, Schuylkill County

WITNESS:

Darlene Fenstermacher

By:

John P. Giller
Jeaninne Motroni

