

HATFIELD TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 656

AN ORDINANCE OF HATFIELD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FOR THE PURPOSE OF AMENDING THE POLICE PENSION PLAN OF HATFIELD TOWNSHIP IN ORDER TO COMPLY WITH PENNSYLVANIA LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.

WHEREAS, the First Class Township Code authorizes the Hatfield Township Board of Commissioners to make and adopt ordinances that are consistent with the laws of Pennsylvania in order for the proper management of Hatfield Township;

WHEREAS, Hatfield Township previously established the Police Pension Plan of Hatfield Township;

WHEREAS, Hatfield Township in order to continue its compliance with the laws of Pennsylvania, desires to enact an amendment to the Police Pension Plan recognizing the revised definition of spouse under the laws of the Commonwealth of Pennsylvania;

NOW THEREFORE, be it ordained and enacted by Hatfield Township that the amendment attached hereto as Exhibit "A" and incorporated herein to the Police Pension Plan of Hatfield Township is enacted. Aaron Bibro, the Hatfield Township Manager, shall be the agent of the Employer who is authorized and directed to execute the attached amendment to the Police Pension Plan of Hatfield Township.

ENACTED AND ORDAINED this 17th day of December 2014.

ATTEST:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

By: _____
Aaron Bibro,
Manager/Secretary

By: _____
Thomas C. Zipfel, President

EXHIBIT "A"

**("2014 COMPLIANCE AMENDMENT TO THE POLICE
PENSION PLAN OF HATFIELD TOWNSHIP")**

**2014 COMPLIANCE AMENDMENT
TO
POLICE PENSION PLAN OF HATFIELD TOWNSHIP**

As authorized by Section 9.2 of the Police Pension Plan of Hatfield Township ("Plan") as amended and restated effective January 1, 2008, the employer, Hatfield Township, hereby amends the Plan to comply with certain law and regulatory changes effective as of the 2013 and 2014 plan years not otherwise incorporated into the Plan. This amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment. The employer hereby amends the Plan in the following manner:

FIRST: Spouse

In response to the overturning of the Defense of Marriage Act, 110 Stat. 2419, section 3 by the Supreme Court in *United States v. Windsor* and in response to the subsequent ruling in *Deb Whitewood, et al v. Michael Wolf* that 23 Pa.C.S. sections 1102 and 1704 are unconstitutional, Section 1.8(c) is amended to redefine the definition of "spouse" for purposes of the Plan. As amended, Section 1.8(c) shall read as follows:

- (c) **Spouse** means the person married to the participant at the time of the determination as evidenced by a marriage license valid under the laws of the place of issuance.

SECOND: Effective Date

This amendment is effective as of May 20, 2014.

THIRD: Remaining Plan Provisions

All other provisions of the Plan remain in full force and effect.

Executed this _____ day of _____, _____ by the duly authorized agent of Hatfield Township.

Title: _____