

**SMITHFIELD TOWNSHIP
MONROE COUNTY,
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 253

AN ORDINANCE OF SMITHFIELD TOWNSHIP, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, PERMITTING THE TOWNSHIP TO AMEND ITS RETIREMENT PLAN DOCUMENTS WITH THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM BY RESOLUTION.

WHEREAS, the Township of Smithfield (hereinafter “Township”) is a Second Class Township located within the County of Monroe, Commonwealth of Pennsylvania, with an office address of 1155 Red Fox Road, East Stroudsburg, PA 18301; and,

WHEREAS, the Township is a participant in the Pennsylvania Municipal Retirement System (PMRS), and has established employee retirement plans with PMRS; and

WHEREAS, the governing body of the Township has the authority to amend the retirement plan documents, including the retirement plan, plan provisions, and related documents; and

WHEREAS, since the establishment of the retirement plan via Ordinance No. 213 on November 12, 2013, the Township has pursued updates to the plan documents by Resolution, even though Ordinance No. 213 is silent on such permissions.

WHEREAS, the Township desires to authorize the amendment of the Township’s retirement plan documents with PMRS by resolution, rather than by ordinance, to allow for greater flexibility and efficiency in managing the retirement plan.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Smithfield Township, Monroe County, Pennsylvania, as follows:

SECTION 1. Authorization to Amend Pension Documents by Resolution. The Board of Supervisors hereby authorizes amending the Township’s PMRS documents, including the retirement plan, plan provisions, and related documents, with PMRS by Resolution, in accordance with applicable law and regulations. Any such amendment shall be effective upon adoption of the resolution by the Board of Supervisors and the approval of PMRS, as required.

SECTION 2. Ratification of Prior Resolutions. The Board of Supervisors hereby ratifies all Township Resolutions that amend of the Township’s PMRS documents, including the retirement plan, plan provisions, and related documents, with PMRS passed between November 12, 2013 and January 6, 2025. These Resolutions shall remain in full force and effect *nunc pro tunc*, unless superseded by a later Resolution.

SECTION 3. Severability. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 4. Repealer. All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

SECTION 5. Effective Date. This Ordinance shall become effective five days after the date of enactment as provided by law.

ADOPTED this 6th day of January, 2025 by the Board of Supervisors of the Township of Smithfield, Monroe County, Pennsylvania.

**SMITHFIELD TOWNSHIP
BOARD OF SUPERVISORS**

Jacob A. Pride, Chair

Robert Lovenheim, Vice Chair

Michael Albert, Supervisor

Attest: _____
Julia Heilakka
Township Secretary