

HOPEWELL TOWNSHIP

RESOLUTION NO. R-2011-25

WHEREAS, Hopewell Township intends that the Hopewell Township Police Pension Plan (Plan) be a qualified Plan under Internal Revenue Code Section 401(a) as applied to governmental plans as defined in Internal Revenue Code Section 414(d); and

WHEREAS, the Plan is required to comply with the applicable terms of the Pension Protection Act of 2006 (PPA) and the Heroes Earnings Assistance Relief Tax Act (HEART Act); and

WHEREAS, the Township now wishes to amend the Plan to comply with PPA and the HEART Act.

NOW THEREFORE, the Plan is hereby amended as provided in attached Exhibit A.

RESOLVED and ADOPTED this 24th, day of OCTOBER 2011.

ATTEST:

HOPEWELL TOWNSHIP

Andy Beuntho

Norman Krausz, Jr.

EXAMINED AND APPROVED this 24th day of OCTOBER 2011.

ATTEST:

HOPEWELL TOWNSHIP

Andy Beuntho

Norman Krausz, Jr.



EXHIBIT A

The following provisions are added to the Plan. Any prior provisions that are inconsistent with the provisions in this amendment are hereby superceded.

- 01 The purpose of these plan amendments is to comply with the Pension Protection Act of 2006 (PPA) and the Heroes ~~Earnings~~ Assistance Relief Tax Act (HEART Act). Notwithstanding anything in this Plan to the contrary, this Plan shall be interpreted so as to comply with the applicable required provisions of the PPA and the HEART Act.
- 02 For the purposes of Code Section 415(b)(1)(A), effective as of January 1, 2008 the “applicable mortality table” and “applicable interest rate” are found in Rev. Rul. 2007-67. The “applicable mortality table” in Rev. Rul. 2001-62 was effective from December 31, 2002 through December 31, 2007.
- 03 415(c) Compensation. For the purposes of this Section, "compensation" includes only those items specified in Treas. Reg. §1.415(c)-2(b)1 or (2) and excludes all items listed in Treas. Reg. §1.415(c)-2(c), the terms of which are specifically incorporated herein by reference. Effective as of January 1, 2009, to the extent required by the Heroes Earnings Assistance Relief Tax Act of 2008 (HEART Act), differential wage payments shall be included in Compensation.
- 04 Effective as of January 1, 2007 an "eligible rollover distribution" shall include any eligible rollover distribution (including distributions containing after tax contributions) that is transferred in a direct trustee-to-trustee transfer to a 403(b) annuity contract or a qualified trust under Code Section 401(a) that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.
- 05 Effective as of January 1, 2008 a Roth IRA is an “eligible retirement plan”.
- 06 Non-Spousal Rollover. Effective January 1, 2007, if a Beneficiary who is not a surviving spouse is entitled to receive what would otherwise be an "eligible rollover distribution", the Beneficiary may, in accordance with Code Section 402(c)(11), make a trustee-to-trustee transfer of that amount to an IRA or individual retirement annuity (other than an endowment contract); provided that:
 - (a) the transfer is made not later than the end of the fourth year after the year of the Participant's death; and
 - (b) the account or annuity to which the amount is transferred is treated as an inherited IRA or individual retirement annuity in accordance with Code Section 408(d)(3)(C).
- 07 HEART Act. Effective for participant deaths occurring while performing qualified military service (as defined in Code Section 414(u)) on or after January 1, 2007, the Plan will provide retirement benefits and service credit to the extent required by the HEART Act.

**TOWNSHIP OF HOPEWELL
Beaver County, Pennsylvania
BOARD OF COMMISSIONERS
BUSINESS MEETING MINUTES**

October 24, 2011
Meeting in Session at 7:00 p.m.

7:00pm: Business Meeting Called to Order by Mr. Kraus and that the meeting will be recorded

ROLL CALL

President

Richard Bufalini Absent

Vice President

Norm Kraus

Commissioners

Nick DiPietro

Joe Kusnir

Brian Rohm

Mr. Kraus let the public know the President of the Board Rich Bufalini is recovering at home from open heart surgery and he asked everyone to keep him in their thoughts and prayers

7:02pm

CITIZEN COMMENTS PERTAINING TO THE BUSINESS AGENDA

Tom Rohm 227 Sharon Grange Road

Mr. Rohm questioned business agenda item #4 in regards to the purchase of new guns for the Police Department and asked why the purchase was necessary. Mr. Kraus and Assistant Chief Mr. Tranelli explained to Mr. Rohm that the night sites on the old weapons are at their life expectancy and that it was cheaper to trade the guns in and pay an additional \$95.00 per weapon to upgrade all of the guns so that all of them would have the up-to-date night sites. Mr. Rohm was satisfied with the explanation

7:05pm

BUSINESS AGENDA

Mr. Kusnir Motion to approve the Business Meeting Minutes dated September 26, 2011
Mr. Rohm Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent

Motion Carried

Mr. Kusnir Motion to approve the Tax Collector's Report for September 2011
Mr. DiPietro Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent

Motion Carried

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Mr. DiPietro Motion to approve the list of bills dated for October 24, 2011
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent
Motion Carried

Mr. Rohm Motion to approve Hopewell Township's Police Department to order 25 guns in the amount of \$4,850.00 from Markl Supply Company per 2012 budget line item 1-410-260
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent
Motion Carried

Mr. Kusnir Motion to approve Resolution R-2011-25 amending the Police Pension Plan in accordance with federal tax laws
Mr. Kraus Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent
Motion Carried

Mr. DiPietro Motion to accept the retirement of Public Works employee Dan Killian effective December 30, 2011
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent
Motion Carried

Mr. DiPietro Motion to accept the retirement of Clerical employee Patti Owens effective December 30, 2011
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Absent
Motion Carried

7:11pm **COMMISSIONERS REPORTS AND DEPARTMENT REPORTS GIVEN AND ON FILE**

7:22pm **OLD BUSINESS**

Commissioner Rohm

Mr. Rohm informed the public and the Board that the Duncan property located at the corner of Kane Road and Laird Drive will be demolished in November

7:23pm **NEW BUSINESS** None

7:23pm **PUBLIC FORUM CITIZENS COMMENTS**

Janice Adamski 4319 Beverly Drive

Mrs. Adamski complained that on October 15, 2011 there were fireworks at the Park that were shot off for three hours and that it annoyed her and her husband. She stated that she called the police department and there was no answer. Mrs. Adamski's questions were as follows: (1) why they were not able to get a hold of the police department, (2) who issued the permit for the noise, and (3) who paid for the fireworks? Mr. Kraus stated that all the proper permits were issued and Mr. Brunette verified that all proper permits, insurance were in order and on file. Mr. Brunette stated that a group rented two shelters at the park and wanted to display fireworks that were not for profit and that they had the park until 10pm.

Greg Babinsack 5219 Webb Street

Mr. Babinsack stated that he represented a group of five families and that he wanted to complain about the speeding and reckless driving on Webb Street between Alan and Martin Street. Officer Tranelli said that the police department has reviewed the data for that section on Webb Street from its electronic sign and that the data did not indicate a speeding problem in that area. Officer Tranelli did however say that he would have more police presence in the area at peak traffic times. The engineer did respond and stated that the safety committee turned down the request for a stop-sign at that area because Webb Street is a designated through street in the Township and it would be in violation of the state vehicle traffic code, and that other speed calming devices such as speed humps would not be an option because of winter plowing and temporary speed bumps are not an option because of liability reasons for the Township. The Township advised Mr. Babinsack that the Township will look into the option of purchasing other permanent speed calming devices such as permanent speed signs that have the flashing speed limit on the sign.

Joe Dornick 5417 Martin Street

Mr. Dornick complained about Hopewell having trick-or-treat night on Thursday October 27, 2011 and wanted to know why it was not held on Monday October 31, 2011? Mr. Kraus explained to Mr. Dornick that the Commissioners spoke to a lot of the parents of kids that would be trick-or-treating that they would prefer to be on Thursday October 27, 2011 because of Hopewell School District being closed on Friday October 28, 2011.

Linda Helms Director of the Aliquippa Memorial Library

Mrs. Helms dropped off the November 2011 library events calendar. Mrs. Helms also brought information in regards to the Library's electronic data bases called learning express that you are able to access from your local computer. The learning express data base includes a lot of resources for students for taking prep tests for college admissions. The Library will also have a representative from the Veterans Administration on November 9, 2011 to help Veterans with benefit information.

Commissioner Brian Rohm

Just wanted to thank Linda Helms on the great job she is doing at the library and that he really appreciated all the information she has brought to the Board in regards to the activities and events at the library.

7:49pm **ANNOUNCEMENTS**

Hopewell Township will have trick-or-treat night on October 27, 2011 between the hours of 6pm to 8pm

7:50pm **EXECUTIVE SESSION IN**

9:33pm **EXECUTIVE SESSION OUT**

Mr. Rohm Motion to approve one hour and a half of overtime and the reimbursement of 150 miles per the applicable 2011 IRS mileage rate to Public Works employee Chris Thompson for D.E.P. training for back-up lab supervisor

Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes

Mr. Kusnir Yes

Mr. Rohm Yes

Mr. Kraus Yes

Mr. Bufalini Absent

Motion Carried

9:36pm **ADJOURNMENT**

Mr. Kusnir Motion to adjourn

Mr. Kraus Second the motion

Voice Vote: All in favor

Motion Carried

Minutes Recorded by: Andy J. Brunette 10/24/11

Minutes Prepared by: Andy J. Brunette 10/26/11