

ORDINANCE NO. 2014 - 801

**AMENDMENT TO THE
BOROUGH OF CLARION GENERAL EMPLOYEES' PENSION PLAN
(as amended and restated, effective January 1, 1995)**

AN ORDINANCE OF THE BOROUGH OF CLARION RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE EMPLOYEES OF SAID BOROUGH:

WHEREAS, the Borough of Clarion (the "Borough") has previously enacted an Ordinance establishing the Borough of Clarion General Employees' Pension Plan (the "Plan"); and

WHEREAS, the Plan was totally amended and restated, effective January 1, 1995; and

WHEREAS, the Borough reserved the right to amend the Plan pursuant to Section 10.01; and

WHEREAS, the Borough now desires the Plan to be further amended;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Clarion and it is HEREBY ORDAINED AND ENACTED by the authority of the same as follows:

1. Plan Section 7.02—Survivor Benefit—is amended to add the following text to the beginning of the second paragraph of Section 7.02

Effective January 1, 2014 for non-collectively bargained participants only,

2. Plan Section 7.02—Survivor Benefit, is amended to add the following paragraph to Section 7.02 immediately following the second paragraph:

Effective January 1, 2014 for non-collectively bargained Participants only, if there is no eligible spouse, or if the eligible spouse renounces his or her entitlement to a survivor benefit by executing a written renunciation in a form acceptable to the Plan Administrator, then a Survivor Benefit shall be paid to the Participant's Beneficiary(ies), in an amount equal to the benefit payable determined as if the Participant retired on the day prior to the date of death and elected the Normal Form under Section 5.01. In the event there is more than one eligible Beneficiary, the benefit that would have otherwise been payable to a single Beneficiary pursuant to Section 5.01 shall be divided among the Beneficiaries in equal parts. The right of the surviving spouse to renounce a survivor

benefit under this paragraph shall be governed by the laws of the Commonwealth of Pennsylvania.

ORDAINED AND ENACTED this 3rd day of June, A.D., 2014.

ATTEST:

BOROUGH OF CLARION

Secretary

President of Council

EXAMINED AND APPROVED this _____ day of _____ A.D., 2014.

ATTEST:

BOROUGH OF CLARION

Secretary

Mayor