

RESOLUTION 14-73

RESOLUTION ESTABLISHING LINCOLN FINANCIAL GROUP AS THE PROVIDER FOR LENGTH OF SERVICE AWARD PROGRAM (LOSAP) DEFERRED COMPENSATION PLAN

WHEREAS, the City of Woodbury has agreed to the establishment of a Length of Service Award Program (LOSAP) Deferred Compensation Plan. This plan is to be made available to all bona fide eligible volunteers who are performing qualified services which is defined as fire fighting and prevention services, emergency medical services and ambulance services pursuant to Section 457 of the Internal Revenue Code of 1986, as amended, except for provisions added by reason of the Length of Service Award Program as enacted into federal law in 1997. The establishment of this Length of Service Award Program will also comply with New Jersey Public Law 1997, Chapter 388 and the Length of Service Award Plan Document; and

WHEREAS, the City of Woodbury deems it appropriate to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters/first aid organization members; and

WHEREAS, the City of Woodbury has a Length of Service Award Plan Document that implements the Programs objectives; and

WHEREAS, certain tax benefits could accrue to eligible volunteer firefighters organization members;

NOW THEREFORE BE IT RESOLVED that the City of Woodbury is adopting a Length of Service Award Program Deferred Plan which is substantially similar to a Plan that has been submitted to the Internal Revenue Service for a Private Letter Ruling. The use of the Ruling is for guidance only and the City of Woodbury acknowledges that for Internal Revenue Service purposes, the Ruling of another sponsoring agency is not to be considered precedent; and

BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Woodbury, that it hereby adopts a Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, has agreed to be the provider for the City of Woodbury Length of Service Award Deferred Program and its eligible volunteers as provided for in its Length of Service Award Plan Document, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group its agent, will provide, for the benefit of the participants, a Multi-Fund Variable Annuity contract as its funding vehicle; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:30-14.37 the City of Woodbury in the past received competitive proposals and VFIS was selected.as the provider for the Length of Service Award Program (LOSAP). Due to poor servicing and dissatisfaction with the investment offering by VFIS, Lincoln National Life Insurance Company and Lincoln Financial Group its agent was selected as its replacement. Lincoln National Life Insurance Company, and Lincoln Financial Group its agent was selected because of the level of service, the financial stability of the company, features of the plan’s investment options and references; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, in the selection of a provider pursuant to N.J.A.C. 5:30-14.29.

BE IT FURTHER RESOLVED that the Mayor, Administrator, Fire Chief and/or Chief Financial Officer are authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, Plan Identifier: 01-LOSAP-LINCOLN-101700, and such other agreements as are necessary to implement the LOSAP Deferred Program. It is implicitly understood that there is to be no cost other than the Service Award by the City of Woodbury to the program; and

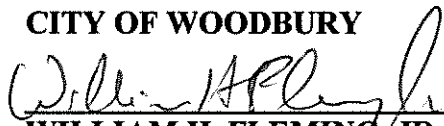
BE IT FURTHER RESOLVED that the Mayor, Administrator, Fire Chief and/or Chief Financial Officer are authorized to serve as the “Local Plan Administrator” of the plan, represent the City of Woodbury, and execute individual Participation Agreements between Lincoln National Life Insurance Company and Lincoln Financial Group, its agent and bona fide eligible volunteers; and

BE IT FURTHER RESOLVED that the City of Woodbury will submit all necessary documents to the Director of the Division of Local Government Services in the State Department of Community Affairs for approval.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury held on March 25, 2014.

CITY OF WOODBURY

By:



WILLIAM H. FLEMING, JR.
President of Council

ATTEST:



ROY A. DUFFIELD, Clerk