

## **Resolution of the Township of Mount Olive for Determining Positions Eligible for the Defined Contribution Retirement Program**

Whereas, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

Whereas, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

Whereas the governing body of the Township of Mount Olive has considered the guidelines issues by the Local Finance Board;

Therefore, Be it resolved by the Township of Mount Olive that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:
  - a. Business Administrator
  - b. Municipal Court Judge
2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
  - a. *Certified Health Officer*;

- b. *Tax Collector;*
  - c. *Chief Financial Officer;*
  - d. *Construction Code Official;*
  - e. *Tax Assessor;*
  - f. *Registered Municipal Clerk;*
  - g. *Licensed Uniform Subcode Inspector;*
  - h. *Principal Public Works Manager.*
3. This resolution shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.
  4. Should any part or parts of this resolution be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
  5. A copy of this resolution shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.
  6. This resolution shall take effect in accordance with law.

Approved: \_\_\_\_\_  
Chief Financial Officer

Date: \_\_\_\_\_

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I, Lisa Lashway, Township Clerk, of the Township of Mount Olive, in the County of Morris, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the governing body of the Township of Mount Olive, County of Morris, State of New Jersey at a regular session of said governing body held on June 24, 2008.

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Raymond T. Perkins

Council President

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Lisa Lashway

Township Clerk