

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
RESOLUTION 2017 - 78**

**RESOLUTION ADOPTING A LENGTH OF SERVICE AWARD PROGRAM
DEFERRED PLAN PROVIDED BY THE LINCOLN NATIONAL LIFE
INSURANCE COMPANY AND LINCOLN FINANCIAL GROUP**

WHEREAS the Borough of Franklin 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 Borough of Franklin 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 Borough of Franklin has a Length of Service Award Plan Document that implements the Programs objectives; and

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

NOW THEREFORE BE IT RESOLVED that the Borough of Franklin 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 Borough of Franklin 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 Council of the Borough of Franklin 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, it's agent, has agreed to be the provider for the Borough of Franklin's Length of Service Award Deferred Program and it's eligible volunteers as provided for in it's 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 it's 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 Borough of Franklin solicited proposals for a Length of Service Award Program (LOSAP) from 2 or more providers of LOSAP services. The Vendors responding to the request for proposals were Lincoln National Life Insurance Company and Lincoln Financial Group it's agent and Volunteer Firemen's Insurance Services, Inc. The successful vendor is Lincoln Life Insurance Company and Lincoln Financial Group, it's agent. The Borough of Franklin reviewed both proposals of the responding companies. Lincoln National Life Insurance Company 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, it's agent, in the selection of a provider pursuant to N.J.A.C. 5:30-14.29.

BE IT FURTHER RESOLVED that the CFO is 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 Borough of Franklin to the program; and

BE IT FURTHER RESOLVED that the CFOO is authorized to serve as the "Local Plan Administrator" of the plan, represent the Borough of Franklin and execute individual Participation Agreements between Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent and bona fide eligible volunteers; and

BE IT FURTHER RESOLVED by the Borough of Franklin that the Deputy Clerk forwards a certified true copy of this resolution to the CFO; and

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

Attest:


Clerk or Secretary

CERTIFICATION: I, Darlene J. Tremont, Deputy Municipal Clerk of the Borough of Franklin, in the County of Sussex, 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 Borough of Franklin at a regular meeting held on December 12, 2017.


Clerk or Secretary

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COUNTY OF SUSSEX
RESOLUTION 2017 – 78**

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
ROBERT DABINETT	X			
DAWN FANTASIA	X			
JOSEPH LIMON			X	
MICHAEL RATHBUN				X
STEPHEN SKELLENGER	X			
GILBERT SNYDER	X			
MAYOR GIORDANO (Tie Only)				