

RESOLUTION 24-42 – AUTHORIZING AMENDMENT TO THE DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES’ RETIREMENT PLAN

WHEREAS, the Delaware River and Bay Authority (the “Authority”) currently maintains the Delaware River and Bay Authority Employee’s Retirement Plan Amended and Restated 2023 (the “Retirement Plan”); and

WHEREAS, pursuant to Section 8.1(a) of the Retirement Plan, the Authority has the right to, at any time, amend the Retirement Plan pursuant to a resolution of the Commissioners of the Authority; and

WHEREAS, the Authority last amended the Retirement Plan through Resolution 24-20 to enact changes made in Section 304 of the SECURE Act 2.0 which increased the benefit amount subject to the small balance mandatory cash out limit provision from \$5,000 to \$7,000 effective January 1, 2024; and

WHEREAS, at a duly called and noticed meeting of the Board of Commissioners held on October 21, 2014, Resolution 14-38 was passed authorizing the execution of the necessary amendments to the Retirement Plan, the Defined Contribution Plan, the retiree medical benefits plan and the retiree life insurance plan for all permanent full-time employees hired or rehired on or after January 1, 2015; and

WHEREAS, the amendment to the retiree medical benefits plan included a premium cost share for future retirees hired on or after January 1, 2015, based on the number of years of service once reaching the new 10 year vesting period effective on or after January 1, 2025; and

WHEREAS, the Authority now desires to incorporate the Amendment into the Retirement Plan document; and

NOW, THEREFORE, effective January 1, 2025, the Retirement Plan document is amended by Section 11.2 of the Plan hereby amended by adding the following language as a new paragraph (d):

(d) This provision shall not apply to the extent a Participant who was hired by the Employer after December 31, 2014, and is entitled to continue to receive medical benefits from the Employer after retirement from the Employer, agrees with the Administrator on a form provided by the Administrator to pay from such Participant’s monthly benefit, the Participant’s monthly share of the cost of retiree medical benefits provided by the Employer

NOW, THEREFORE, BE IT RESOLVED, that the proper officers and employees of the Authority are hereby authorized to execute the necessary amendment to the Retirement Plan and to take whatever action to execute whatever instruments with the advice and consent of Counsel that may be necessary or convenient to carry out the foregoing resolution.

Resolution 24-42 - Executive Summary

Resolution: Authorizing the Amendment of the Delaware River and Bay Authority Employees' Retirement Plan

Committee: Personnel Committee

Committee/Board Date: September 17, 2024

Purpose of Resolution: To add a provision to the Authority's Employees' Retirement Plan to allow for the Authority to deduct retiree health care premium contributions for those employees hired on or after January 1, 2015, and retiring on or after January 1, 2025.

Background for Resolution:

In 2014, the Authority's Board of Commissioners approved through Resolution 14-38 amendments to the Authority's Employees' Retirement Plan, that changed the vesting period to 10 years (from 5 years), reduce life insurance to a flat \$10,000 benefit (from 1X base pay), and to change health insurance care costs by having future retirees contribute to health care costs by paying a portion of the premiums for such coverage based on years of service.

To implement the deductions of retiree health care premium contributions for those impacted by this amendment, the Authority's Employees' Retirement Plan document had to have such provision added to the plan document.

The Authority desires to make such amendment effective January 1, 2025.