

**A RESOLUTION PROVIDING FOR THE PROCEDURES TO  
FUND THE VILLAGE OF BARRINGTON HILLS POLICE PENSION  
FUND FROM PARTICIPANTS' CONTRIBUTIONS**

**WHEREAS**, Village of Barrington Hills police officers are required to contribute a percentage of their respective salaries to the Police Pension Fund ("Fund") pursuant to ILCS 5/3-125.1; and

**WHEREAS**, the Village of Barrington Hills desires to "pick up" the police officers' contributions to the Fund in accordance with 40 ILCS 5/3-125.2; and

**WHEREAS**, the contributions to be picked up are mandatory; and

**WHEREAS**, the Village of Barrington Hills desires to cease withholding Federal and State income tax on "picked up" contributions, as provided by 40 ILCS 5/3-125.2, as soon as the Internal Revenue Service or the Federal Courts rule pursuant to United States Internal Revenue Code Section 414(h) that such contributions shall not be included as gross income of the police officers until such time as they are distributed to the individual police officers, or their heirs, by the Barrington Hills Police Pension Fund.

**NOW, THEREFORE, BE IT RESOLVED**, by the President and the Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake, and McHenry Counties, Illinois, as a home rule municipality the following:

**SECTION ONE:** Upon receiving a favorable ruling by the Internal Revenue Service or a Federal Court of competent jurisdiction stating that such contributions shall not be included as gross income of the police officer until such time as they are distributed.

1. The Village of Barrington Hills shall "pick up" police officers' contributions to the Police Pension Fund in accordance with 40 ILCS 5/3-125.2.
2. The contributions, although designated as employee contributions, will be paid by the employer in lieu of contributions by the employee police officers and the employee will not be given the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the pension fund.
3. The Village of Barrington Hills shall not withhold Federal and State income taxes on the "picked up" contributions; and
4. Police officers will not be given the option to receive cash directly in lieu of contributions.
5. The effective date for the commencement of the proposed "pick up" will not be earlier than the later of the date specified in this resolution or the date it is put into effect.

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**SECTION TWO:** This Resolution shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.

PASSED THIS 27<sup>th</sup> DAY OF June, 2005.

AYES: 7; NAYS: 0; ABSENT: 0.

APPROVED THIS 27<sup>th</sup> DAY OF June, 2005.

ATTEST:

  
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Village Clerk

  
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Village President