S T A T E O F N E W Y O R K

11454

I N A S S E M B L Y

June 15, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Oaks) -- read once and referred to the Committee on Governmental Operations

AN ACT to authorize the city of Rochester, in the county of Monroe, to offer an optional twenty year retirement plan to fireman Paul Lewandowski

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any other provision of law to the contrary, the city of Rochester, in the county of Monroe, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional twenty year retirement plan, established pursuant to section 384-d of the retirement and social security law, and the additional pension benefits to members of such plan, established pursuant to section 384-e of the retirement and social security law, to firefighters employed by such city, is hereby authorized to grant the full rights and retirement benefits provided by section 384-e of the retirement and social security law to Paul R. Lewandowski, a retired firefighter and former employee of the city of Rochester, as if he had been a member of such plan on his date of retirement. The city of Rochester may so elect by filing with the state comptroller, on or before December 31, 2010, a resolution of its city council together with certification that Mr. Lewandowski did not bar himself from participation in such retirement plan and additional pension benefits as a result of his own negligence.

S 2. All past service costs associated with implementing the provisions of this act shall be borne by the city of Rochester.

S 3. This act shall take effect immediately.

FISCAL NOTE.--This bill will deem Paul R. Lewandowski, a retired firefighter formerly employed by the City of Rochester, to have been enrolled in the Section 384-e retirement plan on this date of retirement.

Insofar as this bill would affect the New York State and Local Police and Fire Retirement System, if it is enacted, there will be an immediate past service cost of approximately $50,000 which will be borne by the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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City of Rochester as a one-time payment, assuming a payment date of February 1, 2011.

The City of Rochester is currently paying Paul R. Lewandowski a contractually agreed upon supplementary benefit that is based on the difference between his salary at retirement and his retirement benefits paid by the System. Enactment of this legislation would result in a higher benefit paid by the System, and could lower the contractually agreed upon supplementary benefit of the City of Rochester.

This estimate, dated June 3, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-163, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.