

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

3631--A

2009-2010 Regular Sessions

I N S E N A T E

March 25, 2009

Introduced by Sens. OPPENHEIMER, DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT allowing Matthew A. Miraglia, employed by the village of Scarsdale, to enroll in a twenty year retirement plan

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

1 Section 1. Notwithstanding any other provision of law, Matthew A.
2 Miraglia, who is employed as a police officer by the village of Scars-
3 dale, who is a member of the New York state and local police and fire
4 retirement system, who was eligible to enroll in the twenty year retire-
5 ment plan pursuant to section 384-d of the retirement and social securi-
6 ty law and who, for reasons not ascribable to his own negligence, failed
7 to make timely application in such plan, shall be deemed eligible to
8 participate in such plan. The village of Scarsdale may elect to make
9 such provisions available to such officer by filing with the state comp-
10 troller, on or before December 31, 2009, a resolution of its governing
11 body certifying that said officer is eligible to apply as of that date,
12 is not barred from participating in such retirement plan as the result
13 of his own negligence and that the said village will pay all costs
14 attributable to this act, as determined by the comptroller, into the
15 pension accumulation fund. Thereafter, such officer who is certified in
16 the resolution shall be deemed to have been a member in such plan enti-
17 tled to the full rights and benefits associated with such membership.
18 Such officer may elect to be covered by the provisions of section 384-d
19 of the retirement and social security law, and shall be entitled to the
20 full rights and benefits associated with coverage under such section by
21 filing a request to that effect with the state comptroller on or before
22 June 30, 2010.

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

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1 S 2. The cost for this election shall be paid by the village of Scars-
2 dale.

3 S 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill will allow the Village of Scarsdale to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officer Matthew A. Miraglia.

If this bill is enacted, and Officer Miraglia becomes covered under Section 384-d, we anticipate that there will be an increase of approximately \$4,500 in the annual contributions of the Village of Scarsdale for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$74,500 which would be borne by the Village of Scarsdale. This estimate is based on the assumption that payment will be made on February 1, 2010.

This estimate, dated February 5, 2009 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-91, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.