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

867--A

2009-2010 Regular Sessions

I N  S E N A T E

January 21, 2009

Introduced by Sen. SEWARD -- 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 to authorize the city of Oneonta, in the county of Otsego, to offer an optional twenty year retirement plan to fire chief Robert S. Barnes

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 Oneonta, in the county of Otsego, 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 make participation in such plan available to Robert S. Barnes, fire chief of the Oneonta fire department, employed by the city of Oneonta, who, for reasons not ascribable to his own negligence failed to make a timely application to participate in such optional twenty year retirement plan and the additional pension benefits therefor. The city of Oneonta may so elect by filing with the state comptroller, on or before December 31, 2009, a resolution of its governing body together with certification that such firefighter did not bar himself from participation in such retirement plan as a result of his own negligence. Thereafter, such firefighter may elect to be covered by the provisions of sections 384-d and 384-e of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such sections, by filing a request to that effect with the state comptroller on or before June 30, 2010.

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

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S 2. All employer costs associated with implementing the provisions of this act shall be borne by the city of Oneonta.

S 3. This act shall take effect immediately.

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

This bill will allow the City of Oneonta to elect to reopen the provisions of Section 384-d together with Section 384-e of the Retirement and Social Security Law for Fire Chief Robert Barnes.

If this bill is enacted and Fire Chief Robert Barnes becomes covered under Section 384-d, we anticipate that there will be an increase of approximately $1,600 in the annual contributions of the City of Oneonta for the fiscal year ending March 31, 2010.

There will be no past service cost.

This estimate, dated December 1, 2008, and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-44, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.