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

S. 6861 A. 9947

S E N A T E - A S S E M B L Y

February 17, 2010

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

IN ASSEMBLY -- Introduced by M. of A. ALESSI -- read once and referred to the Committee on Governmental Employees

AN ACT authorizing William Bianco and Eric Lipinsky to file for retroactive membership in the optional 20 year retirement plan of the New York state and local police and fire retirement system pursuant to section 384-d of the retirement and social security law

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 Town of Riverhead, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional 20 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 police officers employed by such Town, is hereby authorized to make participation available to William Bianco and Eric Lipinsky, police officers employed by the Town of Riverhead, who, for reasons not ascribable to their own intentional negligence, failed to make timely application to participate in such optional 20 year retirement plan. The Town of Riverhead may so elect by filing with the state comptroller, on or before December 31, 2010, a resolution of the Riverhead Town Board together with certification that such police officers did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such police officers may elect to be covered by the provisions of section 384-d and section 384-e of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to that effect with the state comptroller on or before June 30, 2011.

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

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

S 3. This act shall take effect immediately.

FISCAL NOTE.-- This bill will allow the Town of Riverhead to elect to reopen the provisions of Section 384-d together with the provisions of Section 384-e of the Retirement and Social Security Law for Police Officers William Bianco and Eric Lipinsky.

If this bill is enacted and the above officers become covered under Section 384-e, we anticipate that there will be an increase of approximately $6,900 in the annual contributions of the Town of Riverhead for the fiscal year ending March 31, 2011.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $11,100 which would be borne by the Town of Riverhead as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2011.

This estimate, dated February 5, 2010, and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-91, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.