STATE OF NEW YORK

7399

IN SENATE

January 12, 2018

Introduced by Sens. BROOKS, KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the village of Lynbrook to offer an optional twenty year retirement plan to a certain police officer employed by such village

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, Ronald J. Fleury, a member of the New York state and local police and fire retirement system, who was first employed with the village of Lynbrook police department on April 28, 1994, and who, through no fault of his own, failed to file a timely application to participate in the special twenty year retirement plan contained in section 384-d of the retirement and social security law resulting in the crediting of his service with the village of Lynbrook in the retirement plan contained in section 384 of such law, shall be given full credit in the special twenty year retirement plan for such service upon the election of the village of Lynbrook to assume the additional cost of such service. The village of Lynbrook may so elect by, within one year of the effective date of this act, filing with the state comptroller a resolution of its local legislative body together with certification that such member did not bar himself from participation in such retirement plan as a result of his own negligence.

§ 2. All employer past service costs associated with implementing the provisions of this act shall be borne by the village of Lynbrook and may be amortized over a ten year period.

§ 3. This act shall take effect immediately.

Fiscal Note. -- Pursuant to Legislative Law, Section 50:

This bill will allow the village of Lynbrook to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officer Ronald J. Fleury.

If this bill is enacted and Mr. Fleury becomes covered under the provisions of Section 384-d, we anticipate that there will be an

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

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increase of approximately $6,400 in the annual contributions of the village of Lynbrook for the fiscal year ending March 31, 2019. In future years, this cost will vary as the billing rates and salary of Mr. Fleury changes.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $118,000 which will be borne by the village of Lynbrook as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2019. If the village of Lynbrook elects to amortize this cost over a 10 year period, the cost for the first year would be $15,800.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2017 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016 and 2017 Annual Report to the Comptroller on Actuarial Assumptions and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2017 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated December 15, 2017, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-24, prepared by the Actuary for the New York State and Local Retirement System.