§ 30. Participation by municipalities. a. A municipality may elect to participate in the retirement system. Such election shall be exercised by the adoption of a resolution approved by its local legislative body and any other body or officer required by law to approve resolution of such local legislative body. Upon the filing of a certified copy of such resolution with the comptroller, such election shall be irrevocable, and the municipality shall become a participating employer, subject, however, to the conditions provided in this subdivision.

1. A municipality not participating in the retirement system prior to October first, nineteen hundred fifty-three, and which has not provided old-age and survivors insurance coverage for its employees, may, at the time of making election to participate, exclude from eligibility for membership in the retirement system such class or classes of offices and positions for which membership in the retirement system is not made mandatory by this article, as the municipality may specify in such resolution. Participation by any such municipality which may exclude from eligibility for membership any class or classes of its offices or positions shall not become effective until such municipality shall have entered into an agreement to provide old-age and survivors insurance coverage for such class or classes of offices or positions in the manner and to the extent provided by article three of this chapter.

2. Any municipality participating in the retirement system prior to October first, nineteen hundred fifty-three, may, by the adoption of a resolution in the manner herein provided and filed with the comptroller prior to the time such municipality makes an agreement to provide old-age and survivors insurance coverage for its employees, elect to exclude from eligibility for membership in the retirement system any class or classes of offices or positions for which membership in the retirement system is not made mandatory by this article. Public notice of the proposed adoption of any such resolution shall be given at least three months prior to the adoption thereof. Officers and employees holding offices or positions in any such excluded class or classes, however, who are members of the retirement system at the time of the filing of such resolution shall continue to be members of the retirement system. Such resolution providing for such exclusion from eligibility

for membership shall not become effective, however, until such participating municipality shall have entered into an agreement to provide old-age and survivors insurance coverage for the class or classes of offices or positions so excluded from eligibility for membership in the retirement system in the manner and to the extent provided by article three of this chapter.

3. The power to exclude employees from eligibility for membership in the retirement system pursuant to paragraph one or paragraph two of this subdivision a shall terminate on the day after the modification extending the old-age and survivors insurance system to any position covered by such system and held by an employee of a political subdivision of the state (exclusive of one in a police officer's or firefighter's position) is executed.

b. Participation by members of local pension systems.

1. In the event that sixty per centum of the members of any local pension system petition to become members of this retirement system, their participation may be approved in the manner provided by subdivision a of this section.

2. As of the date such participation is approved:

(a) The operation of such local pension system shall be discontinued.

(b) The existing pensioners and annuitants of such local pension system shall be continued and paid at their existing rates by this retirement system.

(c) Any cash and securities to the credit of such local pension system shall be transferred to this retirement system.

(d) The trustees or other administrative head of such local pension system shall certify the proportion, if any, of the funds of such system that represents the accumulated contributions of the members and the individual shares of the members therein. Such shares shall be credited to the respective annuity savings accounts of such members in this retirement system. The balance of the funds so transferred to this retirement system shall be offset against the liability on account of existing pensioners, annuitants and active members. The resulting

liability so determined shall be the basis for the rate of deficiency contribution of such county, city, town or village as determined pursuant to section twenty-three of this article.

c. Participation by a municipality pursuant to this section shall cover all agencies of the government of such municipality including the free public library, if any, of such municipality, unless separate participation by any such agency or school district public library has been approved pursuant to section thirty-one, thirty-one-a or thirty-two of this article.