§ 89-w. Optional twenty-five year retirement plan for county fire marshals in the county of Nassau. a. A member who serves as a county fire marshal, supervising fire marshal, fire marshal, assistant fire marshal, assistant chief fire marshal, chief fire marshal or division supervising fire marshal and is employed by the county of Nassau shall be eligible to retire pursuant to the provisions of this section. Such eligibility shall be an alternative to the eligibility provisions available under any other plan of this article to which such member is subject. The county executive of the county of Nassau shall certify to the comptroller, periodically and at such intervals of time as may be required of him or her and in such fashion as may be prescribed, the identity of the eligible county fire marshal, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals in his or her employ.

b. Such member shall be entitled to retire upon the completion of twenty-five years of total creditable service by filing an application therefor in the manner provided for in section seventy of this article.

c. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of his or her retirement and an additional pension which is the actuarial equivalent of the reserved-for-increased-take-home-pay to which he or she may then be entitled shall be sufficient to provide him or her with a retirement allowance equal to one-half of his or her final average salary.

d. As used in this section "creditable service" shall include any and all services performed as a county fire marshal, supervising fire marshal, fire marshal, assistant fire marshal, assistant chief fire marshal or chief fire marshal employed by the county of Nassau.

e. Credit for service as a member or officer of the state police or as a paid firefighter, police officer or officer of any organized fire department or police force or department of any county, city, village,

town, fire district or police district, or as a criminal investigator in the office of a district attorney shall also be deemed to be creditable service and shall be included in computing years of total service for retirement pursuant to this section.

f. A member contributing on the basis of this section at the time of retirement, may retire after the completion of twenty-five years of total creditable service. Application therefor may be filed in a manner similar to that provided in section seventy of this article. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of his or her retirement and an additional pension which is the actuarial equivalent of the reserved-for-increased-take-home-pay to which he or she may then be entitled shall be sufficient to provide him or her with a retirement allowance equal to one-half of his or her final average salary; for service beyond twenty-five years and for non-fire marshal county service the benefit is increased by one-sixtieth of final average salary for each year of additional service credit.

g. In computing the twenty-five years of total service of a member pursuant to this section full credit shall be given and full allowance shall be made for service of such member in time of war after World War I as defined in section two of this chapter, provided such member at the time of his entrance into the armed forces was in the service of the county.

h. Nothing in this section shall be construed to prevent a member, who does not retire pursuant to the provisions of this section, from utilizing service which is creditable service pursuant to the provisions of this section for service credit pursuant to the provisions of any other plan of this article to which such member is subject.

i. The provisions of this section shall be controlling notwithstanding any other provision in this article to the contrary.

j. Notwithstanding any provision of this section or of any other provision of law to the contrary, county fire marshals, supervising fire marshals, fire marshals, assistant fire marshals, assistant chief fire marshals, chief fire marshals and division supervising fire marshals must serve five years within the Nassau county fire marshal department after the effective date of this section before they are eligible to retire under the provisions of the twenty-five year retirement plan.