

By Alderperson : Eric Endres

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Seconded by Alderperson : Council as a Whole

Resolution for the adoption of a Defined Contribution Length of Service Award Program Pursuant to General Municipal Law Section 218 for the Volunteer Firefighters of the Rensselaer Fire Department Subject to Mandatory Referendum

This resolution of the City of Rensselaer in the County of Rensselaer, State of New York, calling for a mandatory referendum for approval of the establishment of a Length of Service Award Program for the Rensselaer Fire Department at Special Election to be held on the 8th day of December, 2020, and directing publication of notice of the proposition to be voted on at said election, and for determining other matters in connection therewith.

WHEREAS, Pursuant to Article 11-a of the General Municipal Law, a length of service award program may be adopted by resolution of the governing body of a political subdivision of the State of New York subject to mandatory referendum for the benefit of volunteer firefighters serving said political subdivision, and

WHEREAS, The City Common Council as the governing body of the City of Rensselaer ("City") desires to establish such length of service award program to promote the recruitment and retention of volunteer firefighters to provide service to the City.

NOW THEREFORE BE IT RESOLVED, by the City Common Council of the City of Rensselaer, by a unanimous vote of the members of said Common Council, that such Resolution is approved authorizing the establishment of a length of service award program, as follows:

SECTION ONE: The City shall conduct a mandatory referendum of the eligible voters of the City at a Special Election to be conducted between Noon and 9:00pm EST on Tuesday, December 8th, 2020 at Rensselaer City Hall, 62 Washington Street, Rensselaer, New York 12144, to determine whether this Resolution of the City Common Council to establish a length of service award program ("Program") as provided for in Article 11-A of the General Municipal Law shall be approved.

fifty (50) points in such year, such points to be awarded under a point system adopted by the Rensselaer City Common Council in accordance with Section 217(c) of the New York State General Municipal Law. A Participant shall be granted points toward a year of fire service credit for responding to fire and emergency calls and by participating in drills, training courses, attendance at authorized meetings, holding office, for sleep-ins or standbys and any activity and any other miscellaneous activity authorized in the maximum allowable point totals provided for under General Municipal Law Section 217(c)(i-ix) or as approved by the plan Sponsor.

SECTION EIGHT: A Participant obtains a non-forfeitable right to a service award (becomes fully vested in the Program) after the Participant has earned credit for five (5) years of qualifying service. A Participant in one of the fire companies identified in SECTION TWO may obtain a non-forfeitable right to a service award in less than five (5) years upon earning one year of qualifying service credit after 2020 and reaching the Entitlement Age before December 31, 2025. A Participant will be deemed to be fully vested in the event the Participant dies or is adjudicated to be totally disabled before earning five (5) years of qualifying service.

Upon reaching the entitlement age a Participant or a Participant's beneficiary, may receive the accrued service award in lump sum, in annual installment distributions over a period not to exceed ten years, or in another actuarial equivalent form approved by the plan Sponsor. The normal form of payment shall be in the form of lump sum payment or in a five or a ten-year continuous and certain monthly payment life annuity. The manner of distribution in other actuarially equivalent form of payment must be in a manner approved by the City Common Council.

SECTION NINE: The amount of the annual contribution to the Program to be made on behalf of each Participant is a minimum of one hundred twenty (\$120) dollars per year and a maximum of twelve hundred (\$1,200) dollars per year. The amount of the annual contribution per Participant shall be adjusted annually by taking the Sponsor's total annual contribution of \$25,000, subtracting administrative costs, and dividing it based upon the number of Participants who earn a year of firefighting service credit for that year. Should the Sponsor's total annual contribution be increased in future years and the number of Participants qualifying for a year of firefighting service credit remain constant, a Participant's annual award may be in an amount above the minimum amount but may not exceed twelve hundred (\$1,200) dollars per year, subject to amendments to New York State General Municipal Law Section 218(b).

SECTION TEN: The Program provides no contribution and makes no award for years of prior service before 2021. The Program shall take effect January 1, 2021.

SECTION ELEVEN: The proposition authorizing the adoption of the Program shall be submitted to referendum on December 8th, 2020.

SECTION SIXTEEN: The Notice of Election and Proposition shall be in substantially the following form:

Shall the RESOLUTION OF THE CITY COMMON COUNCIL OF THE CITY OF RENSSELAER, ADOPTED THE DAY OF _____, 2020 AUTHORIZING THE ESTABLISHMENT OF A DEFINED CONTRIBUTION PLAN SERVICE AWARD PROGRAM PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 218 FOR THE VOLUNTEER FIREFIGHTERS OF THE CITY OF RENSSELAER FIRE DEPARTMENT; STATING THE ESTIMATED ANNUAL COST TO BE \$25,000.00 BASED ON THE NUMBER OF ANTICIPATED PARTICIPANTS; STATING THE INITIAL ADMINISTRATIVE COSTS TO BE \$3,500.00; STATING THE ESTIMATED ANNUAL ADMINISTRATIVE COSTS THEREAFTER TO BE \$2,000.00; STATING THAT THE PROJECTED ANNUAL AWARD TO BE PAID TO AN ELIGIBLE PARTICIPANT TO BE A MINIMUM OF \$120.00 AND A MAXIMUM OF \$1,200 FOR EACH QUALIFYING YEAR OF FIREFIGHTING SERVICE CREDIT DEPENDING UPON THE NUMBER OF PARTICIPANTS; STATING THAT THE ESTIMATED ANNUAL COST OF THE AWARD AND FEES PER COVERED PARTICIPANT IS \$1000; STATING THAT THE NORMAL FORM OF PAYMENT OF THE BENEFIT SHALL BE A LUMP SUM, A FIVE OR TEN YEAR CONTINUOUS AND CERTAIN LIFE ANNUITY, OR OTHER ACTUARIALLY EQUIVALENT FORM OF PAYMENT; STATING THAT THE PROGRAM IS TO BECOME EFFECTIVE JANUARY 1, 2021, *be approved?*

Approved as to Form this ^{4TH} day
of SEPTEMBER, 2020.


Corporation Council


Mayor

James Van Vorst	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Dave Gardner	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Bryan Leahy	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
James Casey	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Eric Endres	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Margaret Van Dyke	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
John DeFrancesco	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	7 Aye	0 No	Abstain	Absent
Result	PASSED			