

LOCAL LAW NUMBER 1 OF 2010

**LOCAL LAW TO ADOPT THE 2010 NEW YORK
STATE RETIREMENT INCENTIVE PROGRAM**

The Town Board of The Town of Lansing, New York, pursuant to a Resolution dated August 18, 2010 does hereby adopt and pass this Local Law; accordingly, be it enacted by the Town Board of the Town of Lansing as follows:

SECTION 1: This Local Law supersedes any prior resolution, rule, procedure, ordinance or Local Law of, or in effect in, the Town of Lansing pertaining to the subject matter hereof, including a prior Local Law enacting the 1985 New York State early retirement incentive plan known as Town of Lansing Local Law Number 3 of 1985.

SECTION 2: This Local Law shall apply only to the eligible employees of the Town of Lansing as defined in and as authorized by the New York State Legislature in a law enacted by such Legislature and signed by the New York State Governor, being identified as Chapter 105 of the Laws of 2010.

SECTION 3: The Town of Lansing hereby elects to provide all of its eligible employees in designated eligible positions with a retirement incentive program as authorized by said Chapter 105 of the Laws of 2010, Part A. The Town does not elect to provide Part B incentives or options. The following positions are deemed eligible for such retirement incentive program: MEO (“Motor Equipment Operator”).

SECTION 4: The commencement date of the retirement incentive program shall be October 4, 2010. The open period during which eligible employees may retire and receive the additional retirement benefits shall be 89 days in length; from said October 4, 2010 until December 31, 2010.

SECTION 5: The actuarial present value of the additional retirement benefits payable pursuant to the provisions of said Chapter 105 of the Laws of 2010, and this Local Law, shall be paid as one lump sum, or in five annual installments. The amount of the annual or other payment shall be determined by the Actuary of the New York State and Local Employees’ Retirement System, and it shall be paid by the Town of Lansing for each qualified eligible employee who receives the retirement benefits payable under this Local Law.

SECTION 6: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such judgment or

determination shall not affect, impair or invalidate the remainder of this Local Law, and shall be confined in its operation and interpretation only to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment or determination shall have been rendered.

SECTION 7: This Local Law shall take effect immediately upon filing with the New York State Secretary of State, and a copy hereof shall be duly filed with such Secretary of State and the New York State Retirement System.

and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted copy of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required Certifications, if any, as follows: (i) in the Office of the Town Clerk; (ii) with the New York State Secretary of State as required by Municipal Home Rule Law §27 (said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231); and (iii) with the New York State and Local Retirement System (said filing may be made by delivery to the Office of the New York State Comptroller, New York State and Local Retirement System, 110 State Street, Albany, New York 12244-0001).