

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

JUN 26 2001

MISCELLANEOUS
& STATE RECORDS

~~COUNTY~~
~~CITY~~
Town
~~VILLAGE~~

of Edmeston

Local Law No. 2 of the year 2001

A local law establishing a Policy Payment in Lieu of Health Insurance Coverage
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~CITY~~
Town
~~Village~~

of Edmeston

as follows:

LOCAL LAW ESTABLISHING A POLICY PAYMENT IN LIEU OF HEALTH INSURANCE COVERAGE

WHEREAS, the purpose of this local law is to provide an alternate or substitute fringe benefit to eligible employees of the Town otherwise entitled to receive health insurance coverage from the town, it has been determined to be in the best interest of the Town to offer annually to such eligible employees, cash payments in lieu of health insurance, subject to law and prevailing contractual obligations of the Town, and,

WHEREAS, the following definitions have been established,

EMPLOYEE: any person holding a position of full time employment in service of the Town, but shall not include a volunteer, any person not compensated for his services or an independent contractor. The term "employee" shall include a former retired employee.

TOWN: the Town of Edmeston, Otsego County, State of New York.

IT IS HEREBY ENACTED

that the following benefits are to be extended:

A. Upon compliance by the employee with the provisions of this Chapter and subject to all laws, rules, regulations, and contractual obligations of the Town, the Town shall provide to the Town's eligible employees, a cash payment in lieu of entitlement from the Town of health insurance coverage.

B. The cash payment in lieu of medical insurance shall represent an amount equal to fifty (50) percent of the total annual gross amount paid by the Town for health insurance on behalf of such employee. The Town Board may by resolution, modify and change the annual cash payment allocation for Town

(If additional space is needed, attach pages the same size as this sheet, and number each.)

employees but in no event shall the annual cash payment in lieu of medical insurance exceed fifty (50) percent of the total annual gross amount paid for health insurance coverage. Payment for credit of waived benefits accrued for the calendar year will be made in one payment at the end of the same year.

C. An eligible employee entitled to receive health insurance coverage as a benefit of his or her employment shall deliver to the Supervisor, each year, an original signed statement of waiver of health insurance benefits from the Town, for the current calendar year, on a form to be provided by the Town. Such delivery shall be deemed a request by the eligible employee that the Town not provide health insurance benefits for such employee for the then current calendar year and that such eligible employee opts instead to receive, at the end of such calendar year, a cash payment in lieu of medical benefits. A Town employee exercising such option shall receive credit for each full calendar month of waived benefits for that calendar year. All credit shall terminate upon the effective date of health insurance benefits if such employee re-enters the health insurance program provided by the Town.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

~~1. (Final adoption by local legislative body only.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)~~

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

~~3. (Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2001 of the ~~(County)(City)(Town)(Village)~~ of Edmeston was duly passed by the Town Board on May 9, 2000, and was (approved)(not approved)(repassed after disapproval) by the Town Supervisor on May 9, 2000. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of June 24, 2000, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No.1 of 19.2000 of the County of State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph Four above.

Herbert A. Jorungton
~~Clerk of the County Legislature~~ ~~City~~ ~~Town of~~ ~~Village~~ Clerk or
officer designated by local legislative body

Date: ~~June 24~~ 2000

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Otsego

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]
.....
Signature
..... Town Attorney
Title

Date: 6/24/00

~~County~~
~~City~~ of Edmeston
Town
~~Village~~