

PUTNAM COUNTY LEGISLATURE

Resolution #239

Introduced by Legislator: Sam Oliverio, Jr. on behalf of the Personnel Committee at the Regular Meeting on November 3, 2004.

Seconded by Legislator: Regina Morini.

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RESOLUTION ESTABLISHING COUNTY POLICY ON RETIREES  
HEALTH INSURANCE BENEFITS FOR EMPLOYEES HIRED ON  
JANUARY 1, 2005 AND THEREAFTER

WHEREAS, the County Legislature of the County of Putnam, New York (the "Legislature" and "County," respectively) recognizes that the high cost of health insurance premiums of policies offered to County retirees have added a significant burden to the operating budget of the County in recent years; and

WHEREAS, the Legislature also recognizes that many County employees, past and present, have chosen to work for the County to take advantage of various benefits not typically offered in the private sector,

NOW THEREFORE, THE COUNTY LEGISLATURE OF THE COUNTY OF PUTNAM, NEW YORK, RESOLVES AS FOLLOWS:

Section 1. Legislative Findings and Intent

Vote:

State Of New York

ss:

County of Putnam

I hereby certify that the above is a true and exact copy of a resolution passed by the Putnam County Legislature while in session on November 3, 2004.

Dated: November 5, 2004

Signed: \_\_\_\_\_

M. Chris Marrone  
Acting Clerk Of The Legislature Of Putnam County

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This Legislature hereby finds and determines that the County has previously established a program of post-retirement health insurance benefits for certain employees by subsidizing a substantial portion of the cost of health insurance premiums for the certain classes of retirees hired during the following periods and having been employed with the County for at least the following number of years:

| Employment Periods                | Years of Service |
|-----------------------------------|------------------|
| Prior to January 1, 1975          | 5                |
| January 1, 1975-December 31, 1981 | 10               |
| January 1, 1982 to present        | 15               |

This Legislature hereby finds and determines that pursuant to Resolution No. 312 of 1992 and Resolution No. 269 of 1993, such retirees receiving such post-employment health insurance benefits were required to contribute \$125 per annum with respect to an individual plan of coverage and \$250 per annum with respect to a family plan of coverage toward the cost of the premium of such health insurance policy in order to help defray the cost to the County.

This Legislature hereby finds and determines that thereafter such retirees receiving such post-employment health

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insurance benefits were required to contribute \$200 per annum with respect to an individual plan of coverage and \$400 per annum with respect to a family plan of coverage toward the cost of the premium of such health insurance policy in order to help defray the cost to the County.

This Legislature hereby finds and determines that the costs of such County-subsidized health insurance premiums for such retirees have steadily increased in recent years, in some cases by double-digit percentages.

This Legislature hereby finds and determines that the subsidization of such health insurance premiums have become a burden on the taxpayers of the County.

This Legislature hereby finds and determines that persons heretofore employed by the County and those having retired from employment with the County entered into such employment and retired from such employment based upon certain representations made by responsible officers of the County that, although not contractually guaranteed, were nonetheless relied upon by such employees.

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This Legislature hereby finds and determines that it is now necessary to establish a uniform policy with respect to post-retirement health insurance benefits for those persons coming into County employment on or after January 1, 2005 in order to alleviate some of the burden on the taxpayer.

Section 2. Definitions

a. "Allowable Service Time" - means that amount of time an Eligible Employee has been employed, on a most recent full-time continuous basis, by the State of New York or any of its political subdivisions (excluding the County) or school districts, or that amount of time such Eligible Employee has accrued as a full-time active member of the United States Armed Forces, or any combination thereof.

b. "County Service Time" - means that amount of time an Eligible Employee has been employed, on a most recent full-time continuous basis, by the government of Putnam County, New York.

c. "Eligible Employee" - means that person who has accrued at least twenty-five (25) years of County Service Time, or at least twelve (12) years of Allowable Service Time plus at least thirteen (13) years of County Service Time.

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d. "Former Eligible Employee" - means that person employed full-time by the County prior to January 1, 2005 who is not employed by the County as of January 1, 2005.

e. "initially hired" - means that point in time when a person first entered into the employ of the County.

f. "Minimum Employer-Share" - shall mean that minimum amount the County shall pay in subsidizing the cost of post-retirement health insurance premiums, as described from time to time in the New York State Government Employees' Health Insurance Program's "Manual for Participating Subdivisions."

g. "Post-Retirement Health Insurance Benefit" - means that percentage of health insurance premium the County shall subsidize, as the Legislature shall from time to time by resolution determine, for the post-retirement health insurance coverage of an Eligible Employee.

Section 3. Retiree Health Insurance Benefits

a. Eligible Employees initially hired by the County on or after January 1, 2005 shall be allowed a Post-Retirement Health

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Insurance Benefit if such retirement immediately follows at least five (5) years of County Service Time.

b. Former Eligible Employees hired by the County after January 1, 2005 who have at least fifteen (15) years of County Service Time shall not be affected by this Resolution.

c. Persons hired after January 1, 2005, including those Former Eligible employees with less than fifteen (15) years of County Service Time, shall not be entitled to a Post-Retirement Health Insurance Benefit until such employee attains either the requisite County Service Time or the aggregate of County Service Time and Allowable Service Time.

d. With the exception of a Former Eligible Employee with less than fifteen (15) years of County Service Time, Post-Retirement Health Insurance Benefits of persons hired by the County at any time before January 1, 2005 shall not be affected by this Resolution.

e. Post Retirement Health Insurance Benefits granted herein shall not be construed to be an entitlement. Such benefits may be altered or eliminated as the Legislature may from time to time by

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resolution determine, and may include differential rates based on the date of hire, age at date of retirement and length of service.

f. Post Retirement Health Insurance Benefits shall not be the subject of collective bargaining negotiations between the County and any collective bargaining unit, with respect to any persons having left County employment prior to the date of such negotiations.

g. Notwithstanding the foregoing, an Eligible Employee initially hired after January 1, 2005 who retires from the County before the age of 62, shall not be allowed a Post-Retirement Health Insurance Benefit in an amount greater than the Minimum Employer-Share.

h. The surviving spouse of a retiree shall be covered under the retiree's contribution requirement during the month of death of the retiree and for three months thereafter. The surviving spouse may then elect to continue the insurance coverage by paying one-half of the cost of the insurance premium.

Section 4. Severability

In the event that any provision of this Resolution shall be held illegal, invalid or unenforceable by any court of competent

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jurisdiction or agency of the State of New York, such holding shall not invalidate, render unenforceable or otherwise affect any other provision hereof.

Section 5. Exclusive Subject Matter

Notwithstanding any prior rule, regulation, resolution or procedure heretofore adopted or promulgated by the Legislature or any unit of the County government, if there at any time exist any inconsistencies between this resolution and any such prior rule, regulation, resolution or procedure, this Resolution shall be deemed to supersede any such prior rule, regulation, resolution or procedure with respect to the matters described herein. Post-Retirement Health Insurance Benefits offered herein shall be independent of, and not necessarily related to, any retirement benefits or years of service requirements expressed in the rules and regulations of either the New York State and Local Employees' Retirements System or the New York State and Local Police and Fire Retirement System.

Section 6. Personnel Department Distribution

The Director of Personnel is hereby authorized and directed to distribute a copy of this Resolution to all persons entering the employment of the County after January 1, 2005.

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Section 7. Effective Date

This Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CHAIRMAN MCGUIGAN WAS ABSENT.

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