

A LOCAL LAW TO AMEND
CHAPTER 56 OF THE VILLAGE
CODE AND PROVIDE FOR
RETIREMENT INCENTIVE
PURSUANT TO PART B OF NEW
YORK LAWS CHAPTER 105 OF
LAWS OF 2010

Be it enacted by the Board of Trustees of the Village of Briarcliff Manor, as follows:

Section 1. Section 56-1 of the Village Code is amended to add a new §56-1(b) to read as follows:

(b) The Village of Briarcliff Manor hereby elects to provide its eligible employees with the Part B retirement incentive program authorized by the State under the State Enabling Law.

Section 2. Section 56-3 of the Village Code enacted by Local Law No. **-2010 adopted by the Board of Trustees July **, 2010, is repealed in its entirety, and a new Section 56-3 of the Village Code is substituted for it to read as follows:

§56-3. Part B Provisions.

(a) Eligible Titles & Positions. All eligible Village employees may qualify for the retirement incentive program authorized under Part B of the State Enabling Law except for those in the following positions:

(1) Positions

[a] None are excepted.

(2) The Board of Trustees may add positions to the foregoing list of excepted positions by resolution adopted at any time before the Commencement Date.

(b) Commencement Date and Open Period. For the retirement incentive program authorized under Part B of the State Enabling Law, the Commencement Date shall be October 1, 2010, and the Open Period shall be 90 days.

(c) Findings as to Public Health & Safety. The Board of Trustees finds and determines that the employee positions excepted by §56-3(a) from eligibility for the retirement incentive program authorized under Part B of the State Enabling Law are critical to the maintenance of public health and safety:

(d) Payment of Benefits. The actuarial present value of the additional retirement benefits payable by the Village under the Part B retirement incentive

program authorized by State Enabling Law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Village for each employee who receives the retirement benefits payable under this §56-3.

Section 3. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 4. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law and filing the Office of the Comptroller of the State of New York and the New York State and Local Employees' Retirement System in accordance with the State Enabling Law.