

Guilderland Center Fire District
Resolution of the Board of Fire Commissioners
Resolution Number: 2021-004

In the matter of amending the Length of Service Award Program

WHEREAS, eligible voting residents of the Guilderland Center Fire District approved a referendum to establish a defined contribution Length of Service Award Program (a “LOSAP”) for active volunteer firefighters of the Guilderland Center Fire Department in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, the Fire District is the LOSAP Sponsor and Program Administrator; and

WHEREAS, GML § 216 authorizes the Fire District, as LOSAP Sponsor, to amend the LOSAP; and

WHEREAS, an active volunteer firefighter member currently earns a \$1,200 Service Award contribution for each year of Service Credit; and

WHEREAS, the maximum number of years of Service Credit for which an active volunteer firefighter may earn a Service Award contribution is 40 years, as prescribed in GML § 218; and

WHEREAS, a year of Service Credit is earned for each calendar year during which the active volunteer firefighter earns 50 or more points. Points are awarded for such things as attending training sessions, participating in drills, responding to calls, being an officer, and other activities; and

WHEREAS, the New York State Legislature has passed bill A2239-A / S1091-A (the “bill”), which amends GML § 218 to allow a LOSAP sponsor to extend the maximum number of years of Service Credit for which a participating active volunteer firefighter may earn a contribution from 40 to 50 years; and

WHEREAS, on August 9, 2021, the bill was delivered to the Governor for his approval or veto; and

WHEREAS, it is generally anticipated and expected that the Governor will sign the bill into law, thereby allowing a Fire District to extend the maximum years of service credit from 40 to 50 years effective January 1, 2022; and

WHEREAS, the Board of Fire Commissioners desires to amend the LOSAP to extend the maximum years of service credit that can be earned from 40 to 50 years, provided the bill is signed into law; and

WHEREAS, this amendment will not increase the current cost of the LOSAP, but will extend the current cost longer into the future; therefore, the amendment will not require the Fire District to increase its annual LOSAP budget; and

WHEREAS, this increase is consistent with the intent of the LOSAP to recruit, retain and reward volunteer firefighters; NOW, THEREFORE BE IT

RESOLVED, that the Board of Fire Commissioners, Town of Guilderland, County of Albany, as authorized by Article 11-A of the GML, approves an amendment to the LOSAP to extend the maximum years of service credit that may be earned under its LOSAP from 40 to 50 years, effective January 1, 2022, contingent on the Governor signing bill A2239-A / S1091-A into law before January 1, 2022. If bill A2239-A / S1091-A is not signed into law before January 1, 2022, this resolution shall be rendered null and void. The calendar year 2021 cost of the LOSAP is \$30,000, which represents \$1,200 for each participating firefighter who earned the required service credit, plus annual administrative expenses of approximately \$3,000 and annual investment expenses of \$4,000. The annual cost of the amended LOSAP will not increase as a result of this amendment, and is therefore estimated to remain at \$30,000, which represents \$1,200 per participating firefighter, plus annual administrative expenses of approximately \$3,000 and annual investment expenses of \$4,000.

BE IT FURTHER RESOLVED that this resolution is subject to a mandatory referendum of qualified voters of the Guilderland Center Fire District and said referendum shall be held on December 14, 2021, between the hours of 6:00 PM and 9:00 PM (prevailing time) at 30 School Road, Guilderland Center, NY 12085.

BE IT FURTHER RESOLVED that the proposition placed before the qualified voters read as follows:

THE BOARD OF FIRE COMMISSIONERS OF THE GUILDERLAND CENTER FIRE DISTRICT, TOWN OF GUILDERLAND, COUNTY OF ALBANY, IN A RESOLUTION ADOPTED AUGUST 17, 2021, APPROVED THE AMENDMENT OF THE LENGTH OF SERVICE AWARD PROGRAM, ADMINISTERED BY THE FIRE DISTRICT AND ESTABLISHED FOR ACTIVE VOLUNTEER FIREFIGHTERS OF THE GUILDERLAND CENTER FIRE DEPARTMENT, TO EXTEND THE

MAXIMUM YEARS OF SERVICE CREDIT FOR WHICH A PARTICIPATING ACTIVE VOLUNTEER FIREFIGHTER MAY EARN A SERVICE AWARD CONTRIBUTION FROM 40 TO 50 YEARS, EFFECTIVE JANUARY 1, 2022. PROVIDED, HOWEVER, THAT SUCH AMENDMENT IS CONTINGENT ON THE GOVERNOR SIGNING BILL A2239-A / S1091-A INTO LAW BEFORE JANUARY 1, 2022, AND IF THIS BILL IS NOT SIGNED INTO LAW SUCH AMENDMENT SHALL NOT BE EFFECTIVE.

THE CALENDAR YEAR 2021 COST OF THE PROGRAM IS \$30,000, WHICH IS \$1,200 PER ELIGIBLE FIREFIGHTER, PLUS ANNUAL ADMINISTRATIVE COSTS OF APPROXIMATELY \$3,000 AND ANNUAL INVESTMENT EXPENSES OF \$4,000. THE ANNUAL COST OF THE AMENDED PROGRAM WILL NOT INCREASE AS A RESULT OF THIS AMENDMENT AND IS THEREFORE ESTIMATED TO REMAIN AT \$30,000, OR \$1,200 PER ELIGIBLE FIREFIGHTER, PLUS AN ANNUAL ADMINISTRATIVE COST OF APPROXIMATELY \$3,000 AND ANNUAL INVESTMENT EXPENSES OF \$4,000.

SHALL THE STATED RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS BE APPROVED?

BE IT FURTHER RESOLVED that the LOSAP shall continue to be administered by the Fire District and that all other provisions of the LOSAP shall remain the same.

Commissioner Joy raised the motion to approve, Commissioner Sim seconded the motion, and upon roll call the vote of the Board was as follows:

Commissioner Grant Roberts	Aye / Nay / Absent
Commissioner Dean Sim	Aye / Nay / Absent
Commissioner John Joy	Aye / Nay / Absent
Commissioner Bob Purzycki	Aye / Nay / Absent
Vacant	

The resolution was thereupon declared duly adopted. Dated: August 17, 2021.