



North Greece Fire District

1766 Latta Road
Rochester, NY 14612

www.northgreecefd.com

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Chairman Al DeCarlo
Vice Chair Linda Andreano
Commissioner Joe Meath
Commissioner Mike MacKenzie
Commissioner Joe Camiolo
Secretary Kari Dutton
Treasurer Walt Bedford
Deputy Treasurer Ken Preston
Attorney Raymond DiRaddo
Chief Samuel DeRosa
Deputy Chief Paul McManus
Assistant Chief Patrick Meyers

LEGAL NOTICE

ELECTION OF THE NORTH GREECE FIRE DISTRICT

On September 12, 2017

NOTICE IS HEREBY GIVEN that a Special Election of the North Greece Fire District that will take place on September 12, 2017 between the hours of 6:00 p.m. and 9:00 p.m. at the North Greece Fire District Headquarters, 1766 Latta Road, Rochester, New York 14612 to vote on the following proposition:

A RESOLUTION AUTHORIZING THE NORTH GREECE FIRE DISTRICT OF THE TOWNS OF GREECE AND PARMA, COUNTY OF MONROE, AND STATE OF NEW YORK TO ABOLISH THE “NORTH GREECE FIRE DISTRICT SERVICE AWARDS PROGRAM”, A DEFINED CONTRIBUTION PROGRAM; MAKING ALL NON-VESTED PARTICIPANTS 100% VESTED IN THEIR ACCRUED SERVICE AWARD, AND GRANTING TO ALL PARTICIPANTS THE OPTION TO ELECT TO BE PAID THEIR ACCRUED SERVICE AWARD IN ONE LUMP SUM OR IN TWO ANNUAL INSTALLMENTS. THE COST OF ABOLISHMENT OF THIS DEFINED CONTRIBUTION PLAN, IS APPROXIMATELY \$7,500.00. THERE WILL BE A SAVINGS OF THE ESTIMATED ANNUAL ADMINISTRATION FEE OF APPROXIMATELY \$ 4,700.00, PLUS THE RECURRING ANNUAL FUNDING COST TO THE NORTH GREECE FIRE DISTRICT OF APPROXIMATELY \$17,000.00.

BE IT RESOLVED, by the Board of Commissioners of the North Greece Fire District, Town of Greece and Parma, County of Monroe New York, as follows:

Section 1. The North Greece Fire District (District) contracts with the North Greece Fire Department, Inc., (Department) located within the North Greece Fire District, for fire protection within the district.

Section 2. The Board of Fire Commissioners of the North Greece Fire District, pursuant to Article 11-A of the General Municipal Law, after a mandatory referendum was approved by the eligible voters of the North Greece Fire District, established the “North Greece Fire District Service Award Program “ (the Plan) with an effective date of the program of January 1, 1992, said Plan was established for the volunteer firefighters of the Department and is a defined contribution plan, as that term is defined in Section 218 of the General Municipal Law.

Section 3. The Plan's goals was to increase activity among existing members of the Department, to recruit and retain members and to make Department members feel their services are valued. After careful consideration and research, the Board has concluded the Program's goal to recruit and retain active volunteer firefighters has not been satisfied, since current information states that since 2012 there has been a retention loss of 71 members, recruit and retention is at a standstill, and other factors as shown pursuant to a document entitles "The North Greece Fire District LOSAP Program", and,

Section 4 The Board has determined that abolishing the Program is the most appropriate action, ensuring no additional funding for the plan will be required by Fire District taxpayers for calendar years beginning after the effective date of the termination of the Program; and

Section 5 If the proposition is approved;

1. If a Participant elects to be paid in one lump sum, such payment will be made as soon as administratively feasible during 2018.
2. If a Participant elects to be paid in two annual installments, the first installment payment shall equal one-half of the lump sum he or she would have otherwise been paid in 2018. The second payment shall be equal to the remaining balance of the Accrued Service Award, reflecting actual investment income earned and/or expenses incurred, or other transactions that occurred up to the date of payment. The final payment shall be made as soon as administratively feasible in 2019.
3. If no election is made by a Participant by July 1, 2018, the Participant shall be paid in one lump sum in 2018 if such Participant will be under age 59 ½ as of December 31, 2018. Otherwise, the Participant shall be paid in two annual installments as described above.
4. Should a Participant die before being paid his or her entire Accrued Service Award, the Participant's designated beneficiary shall be paid the remaining balance of the Participant's Accrued Service Award in one lump sum, as soon as administratively feasible after the date of death.

Section 6. Based on the current active volunteer firefighter roster, the annual funding requirement could be as much as \$37,800, but has averaged roughly \$17,000 in the last three years, plus the annual cost of administration of about \$4,700.

Section 7. The fire district will save, upon the abolishment of the plan, the annual plan contribution of approximately \$17,000 annually and the annual cost to Penflex, Inc., the plan administrator of \$4,700.00.

Section 8. The administrative cost of terminating the Program is estimated to be \$7,500 and will include the following services:

- a) preparing financial statements for the Program assets for 2018 and 2019,
- b) calculating, processing and paying all Accrued Service Awards,
- c) preparing and filing the appropriate income tax forms during 2018 and 2019 on behalf of the Participants and the Fire District,
- d) preparing drafts of the Audit Footnotes for the Program auditor for 2018 and 2019,

Section 9 After the plan is abolished, there will be no further service award paid to the account of eligible volunteer firefighters or any estimated annual cost per covered participant; If a Participant elects to be paid in one lump sum, such payment will be made as soon as administratively feasible during 2018; If a Participant elects to be paid in two annual installments, the first installment payment shall equal one-half of the lump sum he or she would have otherwise been paid in 2018. The second payment shall be equal to the remaining balance of the Accrued Service Award, reflecting actual investment income earned and/or expenses incurred, or other transactions that occurred up to the date of payment. The final payment shall be made as soon as administratively feasible in 2019.

Section 10 This Resolution is subject to a mandatory referendum and shall, before becoming effective, be approved at a Special Election of the qualified electors of the North Greece Fire District, held at the North Greece Fire Station, 1766 Latta Road, Rochester, New York on Tuesday September 12, 2017 between the hours of 6:00 p.m. and 9:00 p.m. The District Secretary is hereby authorized and directed to prepare ballots in substantially the following form:

Shall

A RESOLUTION AUTHORIZING THE NORTH GREECE FIRE DISTRICT OF THE TOWNS OF GREECE AND PARMA, COUNTY OF MONROE, AND STATE OF NEW YORK TO ABOLISH THE “NORTH GREECE FIRE DISTRICT SERVICE AWARDS PROGRAM”, A DEFINED CONTRIBUTION PROGRAM; MAKING ALL NON-VESTED PARTICIPANTS 100% VESTED IN THEIR ACCRUED SERVICE AWARD, AND GRANTING TO ALL PARTICIPANTS THE OPTION TO ELECT TO BE PAID THEIR ACCRUED SERVICE AWARD IN ONE LUMP SUM OR IN TWO ANNUAL INSTALLMENTS. THE COST OF ABOLISHMENT OF THIS DEFINED CONTRIBUTION PLAN IS APPROXIMATELY \$7,500.00. THERE WILL BE A SAVINGS OF THE ESTIMATED ANNUAL ADMINISTRATION FEE OF APPROXIMATELY \$ 4,700.00, PLUS THE RECURRING ANNUAL FUNDING COST TO THE NORTH GREECE FIRE DISTRICT OF APPROXIMATELY \$17,000.00.

Be approved

Commissioner A. DeCarlo moved, Commissioner M. MacKenzie seconded, the question of adoption of this Resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|----------------------------------|--------|--------|
| Commissioner – Alan DeCarlo | VOTING | Yes |
| Commissioner –Joe Camiolo | VOTING | No |
| Commissioner – Linda Andreano | VOTING | Yes |
| Commissioner – Joseph Meath | VOTING | Absent |
| Commissioner - Michael MacKenzie | VOTING | Yes |

Subject to the mandatory referendum described above Resolution was thereupon declared duly adopted.

TAKE FURTHER NOTICE THAT the North Greece Board of Elections will prepare the register on August 28, 2017 at the North Greece Fire District Headquarters, 1766 Latta Road, Rochester, New York 14612 at 9:00 a.m.

Qualifications for Voting: Only those persons who have registered in the County of Monroe Board of Elections on or before August 20th shall be eligible to vote. You must also reside in the North Greece Fire District as of August 13, 2017.

Dated: July 28, 2017

Kari Dutton, Secretary

BOARD OF FIRE COMMISSIONERS

North Greece Fire District

1766 Latta Road

Rochester, NY 14612