

PUTNAM COUNTY LEGISLATURE

Resolution #227

Introduced by Legislator: Carl L. Albano on behalf of the County Executive at a Special Meeting held on October 28, 2015.

Amended by Legislator: Ginny Nacerino.

Seconded by Legislator: Carl L. Albano.

Further Amended by Legislator: Joseph Castellano.

Seconded by Legislator: Barbara Scuccimarra.

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**RESOLUTION AMENDING COUNTY POLICY ON NON-PuMA MANAGEMENT/  
CONFIDENTIAL ACTIVE EMPLOYEE AND CURRENT RETIREE HEALTH INSURANCE  
BENEFITS**

WHEREAS, the Putnam County Legislature has previously considered the issues surrounding the costs of health insurance and has considered a comprehensive health insurance contribution structure; and

WHEREAS, the County Legislature recognizes that the high cost of health insurance offered to both Retirees and Non-PuMA Management/Confidential Employees has added a significant burden to the operating budget of the County in recent years; and

WHEREAS, the County Legislature has previously adopted several Resolutions in which it outlined various plans for providing health insurance to both Retirees and non-PuMA Management/Confidential Employees; and

WHEREAS, the Legislature previously based its policies relative to Retiree health insurance contributions on years of service, but now determines that contribution percentages based upon the amount of a Retiree's pension benefit would be more equitable; and

WHEREAS, the Putnam County Legislature further adopted Resolution #135 of 2006, which clarified the premiums to be charged to a surviving spouse of a Retiree, and the Legislature does not wish to amend such structure at this time; and

WHEREAS, the Legislature feels that it would be prudent to adopt a Resolution containing the entire policy relative to Retiree and Non-PuMA Management/Confidential Employee health insurance contributions.

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

**A. Legislative Findings and Intent:**

The County of Putnam previously established a program of post-retirement health insurance benefits for certain employees by subsidizing a portion of the cost

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State Of New York

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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 October 28, 2015.

Dated: November 2, 2015

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

Diane Schonfeld  
Clerk Of The Legislature Of Putnam County

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of health insurance premiums for certain classes of Retirees. In addition, some Retirees receive Medicare Part B reimbursement which results in a net profit to some Retirees.

This Legislature hereby finds and determines that the costs of such County-subsidized benefits have steadily increased over the past ten years, in some cases by double digit percentages.

Additionally, the rising costs of State and Federal mandates coupled with the cost of pension benefits and existing employee and Retiree health insurance benefits can no longer be sustained, especially in light of the State imposed tax cap.

The 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 who have previously retired from County service, as well as for those currently employed by the County of Putnam, as well as for contributions from existing employees toward the cost of providing health insurance.

**B. Definitions:**

**"Allowable Service Time":** That amount of time an employee has been employed by the State of New York or any of its political subdivisions (excluding the County) or school districts, or that amount of time such employee has accrued as a full-time active member of the United States Armed Forces, or any combination thereof.

**"County Service Time":** That amount of time an Employee has been employed by the government of Putnam County, New York.

**"Eligible Employee":** Any 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 OR who meets the requirements of Sections (D)(2) (a), (b), (c), or (d) of this Resolution.

**"Initially Hired":** That point in time when a person first entered into the employ of the County of Putnam.

**"Post-Retirement Health Insurance Benefit":** That percentage of health insurance premium which the County shall subsidize, as the Legislature shall from

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time to time determine by resolution, for the post-retirement health insurance of an Eligible Employee.

“Retiree”: Any Individual who has retired from County of Putnam service, and who receives health insurance benefits through the County of Putnam as of the effective date of this Resolution, except as provided for in Section (D)(1)(d) below.

“Surviving Spouse of a Retiree”: Any individual who was covered for health insurance benefits as a dependent of a Retiree who is now deceased.

C. Management Health Insurance

1. Employees Hired Prior to April 11, 2006.

a. Any employee of the County classified in the Management/Confidential category and employed by the County as of midnight on April 10, 2006, and who elected to participate in the County employee health insurance program shall pay a portion of the premium cost of such health insurance coverage pursuant to the following schedule:

<u>Years of County Employment by Employee</u>	<u>Amount of Premium Payable</u>
9 +	10%
5-8	15%
0-4	25%

b. Any person hired as a Management/Confidential employee by the County effective April 11, 2006, and who elects to participate in the County employee health insurance program shall pay 25% of the premium cost; which sum shall not be diminished during such employee’s term of employment, except as provided for in the following section.

b. Any employee hired after the effective date of this Resolution shall work a minimum of thirty (30) hours per week on an annual basis to be eligible for the County employee health insurance program.

c. Employees promoted from non-Management-Confidential classification to Management-Confidential classification subsequent to the effective date of this Resolution, who elect to participate in the County employee health insurance

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program and who work a minimum of thirty (30) hours per week on an annual basis, shall pay a portion of the premium cost of such health insurance coverage pursuant to the schedule outlined in subsection (a) above, based upon their years of service.

**D. Retiree Health Insurance Benefits**

**1. General Policy.**

a. All current Retirees shall be provided a retirement health insurance benefit in accordance with the following contribution schedule:

<u>Annual Amount of Pension Benefit</u> <u>Payable by Retiree</u>	<u>Amount of Premium</u>
\$65,000 & higher	30%
\$40,000 - \$64,999	25%
\$30,000 - \$39,999	18%
\$20,000 - \$29,999	13%
\$10,000 - \$19,999	10%
\$0- - \$9,999	8%

**2. Specific Provisions and Exceptions.**

a. Any individual hired prior to April 1, 1975 shall be entitled to health insurance benefits upon retirement in accordance with this Resolution so long as he or she was an Employee of the County of Putnam at the time of retirement and had a minimum of five (5) years of Allowable Service and/or County Service Time<sup>1</sup>.

b. Any individual hired after April 1, 1975 but before January 1, 1982 shall be entitled to health insurance benefits upon retirement in accordance with this Resolution so long as he or she was an Employee of the County of Putnam at the time of retirement and had a minimum of ten (10) years of and/or County Service Time Allowable Service<sup>2</sup>.

c. Any individual hired after January 1, 1982 but before January 1, 2005 shall be entitled to health insurance benefits upon retirement in accordance with this

<sup>1</sup> As per Resolution#238 of 2004.

<sup>2</sup> As per Resolution#238 of 2004.

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Resolution so long as he or she was an Employee of the County of Putnam at the time of retirement and had a minimum of fifteen (15) years of Allowable Service and/or County Service Time<sup>3</sup>.

d. Any individual hired on January 1, 2005 or thereafter shall be entitled to health insurance benefits upon retirement in accordance with this Resolution so long as he or she was an Employee of the County of Putnam at the time of retirement and had a minimum of twenty-five (25) years of Allowable Service and/or County Service Time.<sup>4</sup>

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

f. With respect to any persons having already retired from County employment, post-Retirement Health Insurance Benefits cannot be the subject of collective bargaining between the County and any collective bargaining unit, as said Retirees are not be represented by said bargaining units.

g. Dual Family Coverage shall not be permissible under this Policy. Proof that not secondary or additional coverage is applicable may be sought by the County and shall be required to be provided by any Retiree or Retiree Surviving Spouse.

h. The provisions of this Section shall be applicable to any Retiree, with the exception of a Retiree who had been a member of the Putnam County PBA as an Active Employee for the period covered by the Award referenced below and thereafter. The Post-Retirement Health Insurance Benefits for such Retirees shall continue to be governed by the "Final and Binding Opinion and Award of the Tripartite Arbitration Panel" of the New York State Public Employment Relations Board, dated February 15, 2007, or applicable Collective Bargaining Agreement between the County of Putnam and the Putnam County PBA.

<sup>3</sup> As per Resolution#238 of 2004.

<sup>4</sup> As per Resolution#239 of 2004.

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i. The provisions of this Section shall also not apply to anyone who has been or will be appointed by the Sheriff of Putnam County to the title of Lieutenant or Captain of the following Law Enforcement Divisions:

- (1) Civil Division;
- (2) Road Patrol Division;
- (3) Communications Division; and
- (4) Bureau of Criminal Investigation Division.

E. Retiree Requirements:

1. General Provisions:

a. Any Employee who files for retirement subsequent to the adoption of this Resolution and who is otherwise eligible for health insurance benefits in retirement shall provide the County of Putnam with a copy of the letter from the New York State and Local Retirement System which outlines the completed calculations and the final retirement allowance for said newly retired Employee within ten (10) business days of receipt of said letter.

b. All Retirees shall be required to provide the Putnam County Commissioner of Finance with a W-2, 1099 or other proof of income Form by no later than March 1<sup>st</sup> of each year, so that said Retiree's exact contribution can be calculated.

c. Failure to comply with the provisions of this Section shall result in a calculation of the Retiree's Health Insurance costs at the maximum contribution rate of thirty percent (30%).

F. Retiree Surviving Spouse:

1. General Provisions:

a. Ten (10) separate Surviving Spouses of Retirees who became eligible for health insurance coverage prior to January 1, 2005 shall continue to receive

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coverage at the fixed cost per month as outlined in a Schedule maintained by the Commissioner of Finance<sup>5</sup>.

b. The surviving spouse of a Retiree who became eligible for health insurance coverage by the County on or after January 1, 2005, shall continue to be covered under the Retiree's contribution requirement during the month of death of the Retiree and for three (3) months thereafter. The Retiree Surviving Spouse may then elect to continue the health insurance coverage by paying one-half (50%) of the actual cost of the health insurance coverage for the remainder of that calendar year.

c. For the Retiree Surviving Spouse of a Retiree who became eligible for health insurance benefits on or after January 1, 2005, every year the rate paid by the Retiree Surviving Spouse shall be adjustable. Once the County has been notified by the health insurance provider of the cost of the health insurance premium for the upcoming calendar year, whether it be an increase or decrease in the cost of the policy from the previous year, the Retiree Surviving Spouse may continue such coverage by paying one-half (50%) of the premium being charged to Putnam County for that calendar year.

**G. Severability:**

In the event that any provision of this Resolution shall be deemed illegal, invalid or unenforceable by a court of competent jurisdiction or agency of the State of New York, such holding shall not render the remaining provisions of this Resolution invalid or otherwise unenforceable.

**H. Affordable Care Act implications:**

In the event that any provision of this Resolution shall be deemed to be in violation of the Affordable Care Act by a court of competent jurisdiction or agency of the State of New York or the Federal government, such holding shall not render the remaining provisions of this Resolution invalid or otherwise unenforceable.

**I. Exclusive Subject Matter:**

<sup>5</sup> As per resolution#135 of 2006.

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Notwithstanding any prior rule, regulation, resolution or procedure heretofore adopted or promulgated by the Legislature or any unit of the County government, if there exists at any time any inconsistencies between this Resolution and any such prior rule, regulation 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 the New York State and Local Employees' Retirement System or the New York State and local Police and Fire Retirement System.

J. Personnel Department Distribution:

The Director of Personnel is hereby authorized and directed to distribute a copy of this Resolution to all current County employees, Retirees and all persons entering the employment of the County of Putnam subsequent to the adoption hereof.

K. Effective Date:

This resolution shall take effect April 1, 2016.

BY ROLL CALL VOTE: FIVE AYES. FOUR NAYS – LEGISLATORS ADDONIZIO, GROSS, LOBUE & WRIGHT. MOTION CARRIES.



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