

COUNCIL OF THE TOWN OF RIVERDALE PARK

RESOLUTION 2011-OR-02

Introduced By: CM Alan Thompson (Ward 2)

Date Introduced: March 7, 2011

Date Adopted: April 4, 2011

Date Effective: April 24, 2011

An Ordinance concerning

Town Employee Post-retirement Health Insurance Benefits

FOR the purpose of establishing a program for providing certain post-retirement health insurance benefits for certain employees of the Town of Riverdale Park; providing the terms and conditions for this program; and generally relating to providing post-employment benefits for certain retirees of the Town of Riverdale Park.

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**BY adding
Chapter 51 – PERSONNEL
ARTICLE I, Post-retirement Health Insurance Benefits
Section 51-1
Code of the Town of Riverdale Park
(January 2008 Revision)**

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK, That new Section 51-1 be and it hereby is added to the Code of the Town of Riverdale Park (January 2008 Revision), to be under new Article 51 – PERSONNEL, to be under new ARTICLE I, Post-retirement Health Insurance Benefits, to follow immediately after Section 50-18 of Chapter 50, PEACE AND GOOD ORDER, and to read as follows:

Chapter 51 – PERSONNEL**ARTICLE 1, Post-retirement Health Insurance Benefits****§51-1. PROGRAM FOR RETIREE HEALTH INSURANCE BENEFITS.**

(A) THERE IS A PROGRAM FOR PROVIDING HEALTH CARE BENEFITS TO ELIGIBLE RETIREES FROM EMPLOYMENT WITH THE TOWN OF RIVERDALE PARK. THIS SECTION SETS FORTH THE TERMS AND CONDITIONS OF THIS PROGRAM.

(B) AS USED IN THIS SECTION, THE TERM "ELIGIBLE RETIREE" MEANS AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING CRITERIA:

(1) THE INDIVIDUAL WAS EMPLOYED BY THE TOWN OF RIVERDALE PARK AND LEFT THE TOWN'S EMPLOYMENT AFTER THE INDIVIDUAL WAS EMPLOYED BY THE TOWN FOR AT LEAST FIVE (5) CONSECUTIVE YEARS;

(2) WHEN THE INDIVIDUAL SEEKS BENEFITS UNDER THIS PROGRAM, THE INDIVIDUAL:

(A) IS AT LEAST ~~SIXTY-TWO (62)~~ FIFTY-FIVE (55) YEARS OF AGE IF THE INDIVIDUAL WAS A MEMBER OF THE TOWN'S DEFINED BENEFIT PENSION PLAN OR AT LEAST FIFTY-NINE AND ONE-HALF (59½) YEARS OF AGE IF THE INDIVIDUAL WAS A MEMBER OF THE TOWN'S DEFINED CONTRIBUTION RETIREMENT PROGRAM; OR

(B) HAS TWENTY (20) YEARS OF CREDITED SERVICE IN THE TOWN'S DEFINED BENEFIT PENSION PLAN; OR

(C) HAD RETIRED FROM THE TOWN'S EMPLOYMENT BECAUSE OF A WORK-RELATED MEDICAL DISABILITY;

(3) THE INDIVIDUAL WAS NOT DISCHARGED FROM THE TOWN'S EMPLOYMENT FOR DISCIPLINARY REASONS; AND

(4) THE INDIVIDUAL WAS NOT EMPLOYED IN FULL-TIME EMPLOYMENT AFTER LEAVING THE INDIVIDUAL'S EMPLOYMENT WITH THE TOWN OF RIVERDALE PARK.

(C) IF THE TOWN COUNCIL APPROPRIATES SUFFICIENT FUNDS IN THE TOWN'S ANNUAL BUDGET, AND SUBJECT TO THE TERMS AND CONDITIONS IN THIS SECTION, THE TOWN SHALL REIMBURSE AN ELIGIBLE RETIREE FOR SEVENTY-FIVE PERCENT (75%) OF THE AMOUNTS PAID ANNUALLY BY THE ELIGIBLE RETIREE FOR HEALTH INSURANCE PREMIUMS FOR COVERAGE OF THE RETIREE AND ANY OTHER FAMILY MEMBERS INCLUDED ON THE RETIREE'S HEALTH INSURANCE PLAN COVERAGE. THE TOWN'S ANNUAL REIMBURSEMENT TO THE ELIGIBLE RETIREE SHALL NOT EXCEED THE AMOUNT THAT THE TOWN CONTRIBUTES THAT YEAR TOWARDS THE COST OF THE PREMIUM FOR INDIVIDUAL HEALTH INSURANCE COVERAGE FOR AN ACTIVE TOWN EMPLOYEE.

(D) THE BENEFIT PROVIDED UNDER THIS SECTION TERMINATES ON THE EARLIER TO OCCUR OF THE FOLLOWING:

(1) TWENTY-FIVE (25) YEARS AFTER THE RETIREE FIRST RECEIVES BENEFITS UNDER THIS SECTION;

(2) THE RETIREE FIRST BECOMES ELIGIBLE FOR COVERAGE UNDER THE FEDERAL MEDICARE PROGRAM OR SIMILAR GOVERNMENT-PROVIDED HEALTH CARE PROGRAM;

(3) THE RETIREE BECOMES EMPLOYED IN FULL-TIME EMPLOYMENT, IN WHICH CASE THE RETIREE MAY NOT RESUME OR REQUALIFY FOR THE BENEFIT UNDER THIS SECTION IF THE EMPLOYEE LEAVES SUCH FULL-TIME EMPLOYMENT; OR

(4) THE RETIREE DIES.

(E) IN ORDER TO BE ELIGIBLE FOR THE PAYMENT OF THE BENEFIT PROVIDED BY THIS SECTION, AN ELIGIBLE RETIREE SHALL DO ALL OF THE FOLLOWING:

(1) COMPLETE AND SUBMIT AN APPLICATION IN A FORM PRESCRIBED BY THE TOWN ADMINISTRATOR. THE APPLICATION SHALL BE ACCOMPANIED BY SUCH INFORMATION AND DOCUMENTATION AS THE TOWN ADMINISTRATOR MAY REQUIRE TO DEMONSTRATE THAT THE APPLICANT IS AN ELIGIBLE RETIREE. THE APPLICANT SHALL CERTIFY ON THE APPLICATION, UNDER PENALTIES OF PERJURY, THAT THE INFORMATION AND CONTENTS OF THE APPLICATION ARE TRUE AND

CORRECT TO THE BEST OF THE APPLICANT'S KNOWLEDGE, INFORMATION AND BELIEF.

(2) AFTER THE TOWN ADMINISTRATOR HAS DETERMINED THAT THE APPLICANT IS AN ELIGIBLE RETIREE, SUBMIT TO THE TOWN ADMINISTRATOR PERIODICALLY, BUT AT LEAST EVERY 180 DAYS, AN APPLICATION FOR PAYMENT OF BENEFITS ON SUCH FORM AS THE TOWN ADMINISTRATOR MAY PRESCRIBE. EACH APPLICATION FOR PAYMENT SHALL BE ACCOMPANIED BY A COPY OF THE RETIREE'S HEALTH INSURANCE PLAN, ALL HEALTH INSURANCE PREMIUM INVOICES RECEIVED AND PAID BY THE RETIREE FOR THE PERIOD COVERED BY THE APPLICATION FOR PAYMENT, PROOF OF PAYMENT OF ALL SUCH INVOICES, AND A CERTIFICATION UNDER THE PENALTIES OF PERJURY THAT THE APPLICANT STILL IS ELIGIBLE FOR BENEFITS UNDER THIS SECTION. THE TOWN SHALL NOT PAY ANY BENEFITS UNDER THIS SECTION FOR ANY HEALTH INSURANCE PREMIUM PAID MORE THAN 180 DAYS BEFORE AN APPLICATION HAS BEEN SUBMITTED FOR ITS PAYMENT.

(F) A PERSON WHO RECEIVES BENEFITS IMPROPERLY UNDER THIS SECTION IS LIABLE TO REPAY TO THE TOWN PROMPTLY AFTER DEMAND THE AMOUNTS OF ALL BENEFITS IMPROPERLY RECEIVED. IF BENEFITS ARE RECEIVED IMPROPERLY AS A RESULT OF FALSE OR MISLEADING INFORMATION OR DOCUMENTATION SUPPLIED BY THAT PERSON AS PART OF AN APPLICATION UNDER SUBSECTION (E), THE PERSON RECEIVING THE BENEFITS IS LIABLE TO REPAY TO THE TOWN AMOUNTS IMPROPERLY RECEIVED PLUS INTEREST ON SUCH AMOUNTS AT THE RATE OF TEN PERCENT (10%) PER ANNUM FROM THE DATE OF RECEIPT.

(FG) THE TOWN COUNCIL BY ORDINANCE MAY SUSPEND, ALTER OR TERMINATE THE PROGRAM, OR THE TERMS AND CONDITIONS OF THE PROGRAM, ESTABLISHED BY THIS SECTION.

SECTION 2: AND BE IT FURTHER ENACTED that this Ordinance shall become effective twenty (20) days after its passage by the Council.

ATTEST:

COUNCIL OF THE TOWN OF
RIVERDALE PARK



Sara Imhulse, Town Administrator



Vernon Archer, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.