

**Town of Cohocton, New York**

**Local Law No. 1 of the year 1999**

**A Local Law Providing for the Payment of Accumulated Sick Leave Benefits for Employees of the Town of Cohocton, New York**

Be It enacted by the Town Board of the Town of Cohocton as follows:

**ARTICLE I  
DEFINITIONS**

For purposes of this Local Law, the following definitions shall apply:

- 1.1 Town - Town of Cohocton, New York
- 1.2 Board - Town Board of the Town of Cohocton, New York
- 1.3 Benefits - Sick leave benefits provided to and accumulated by Town employees
- 1.4 Town employee - Non-salaried and hourly employees of the Town
- 1.5 Policy - Personnel policy of the Town

**ARTICLE II  
ACCUMULATION OF SICK LEAVE BENEFITS**

2.1 A Town employee shall not be entitled to accumulate sick leave benefits in excess of four hundred eighty (480) hours.

**ARTICLE III  
PAYMENT OF SICK LEAVE BENEFITS ACCUMULATED UPON RETIREMENT OF A TOWN EMPLOYEE**

3.1 Upon the retirement of a Town employee with ten (10) or more years of service to the Town, and upon specific written request of the Town employee made within six (6) months of the Town employee's retirement, the Town is authorized to:

a) pay to the Town employee, in lump sum, an amount representing one-half of the accumulated benefit hours accumulated by the Town employee multiplied by the Town employee's hourly rate as of the day prior to the Town employee's retirement;

**OR**

b) to continue to maintain the Town employee under the Town's then existing health insurance plan as directed by the Town employee and pay the premium thereon. The Town's obligation to pay the required premium for the Town employee shall continue until the Town shall have paid a sum representing one-half of the benefit hours accumulated by the Town employee multiplied by the Town employee's hourly rate as of the day prior to the Town employee's retirement.

3.2 Any cash payment to be made directly to the Town employee or any premium payment for health insurance to be made on behalf of the Town employee, as provided in Section 3.1 above, shall be reduced by all federal, state and local tax and other withholdings required to be made, if any.

3.3 Any cash payment to be made directly to the Town employee as provided in Section 3.1 above shall be made within sixty (60) days of the request for said payment made by the Town employee.

**ARTICLE IV  
PAYMENT OF SICK LEAVE BENEFITS ACCUMULATED UPON THE DEATH OF  
THE TOWN EMPLOYEE**

4.1 In the event of the death of a Town employee with ten (10) or more years of service to the Town, and upon specific written request from the fiduciary of the Town employee's estate, duly qualified and appointed, made within six (6) month's of the Town employee's death, the Town is authorized to pay to the fiduciary of the Town employee's estate, in lump sum, an amount representing one-half of benefit hours accumulated by the Town employee multiplied by the Town employee's hourly rate as of the day prior to the Town employee's death.

4.2 If, at the time of the death of the Town employee, the Town employee had retired and, further, had elected to receive accumulated benefits pursuant to Section 3.1 (b) and, at the time of the Town employee's death, there remained an unexpended balance, then the Town shall pay the fiduciary of the Town employee's estate, the said unexpended balance.

4.3 All funds required to be paid by the Town under this article shall be reduced by all federal, state and local tax and other withholdings required to be made, if any.

4.4 All funds required to be paid by the Town under this article shall be made within sixty (60) days of the Town's receipt of a certified copy of the Surrogate Court appointment of the fiduciary of the Town employee's estate.

**ARTICLE V  
PAYMENT OF SICK LEAVE BENEFITS UPON TERMINATION OF EMPLOYMENT  
FOR CAUSE OR WITH LESS THAN TEN (10) YEARS SERVICE**

5.1 No benefits shall be payable to a Town employee who dies or retires with less than ten (10) years of service to the Town or who is terminated from employment with the Town for cause.

**ARTICLE VI  
EFFECTIVE DATE**

6.1 This Local Law shall take effect upon filing with the Secretary of State.



received  
5-24-99 PEB

STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL  
SECRETARY OF STATE

May 17, 1999

JOHN F. LEYDEN  
SULLIVAN & LEYDEN  
110 NORTH MAIN STREET  
WAYLAND, NY 14572

RE: Town of Cohocton, Local Law 1, 1999, filed 05/14/99

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

A handwritten signature in black ink that reads "Janice G. Durfee". The signature is written in a cursive, flowing style.

Janice G. Durfee  
Principal File Clerk  
Bureau of State Records  
(518) 474-2755

JGD:ml

(Complete the certification in the paragraph that applies to the filing of this Local Law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

**I hereby certify that the Local Law annexed hereto, designated as Local Law No. 1 of 1999 of the Town of Cohocton was duly passed by the Town Board on April 20, 1999, in accordance with the applicable provisions of law.**

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in paragraph 1 above.

Dated: April 29, 1999.

(Seal)


  
\_\_\_\_\_  
Town Clerk

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK )  
COUNTY OF STEUBEN ) SS...

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

Dated: May 4, 1999.

  
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John F. Leyden  
Town Attorney  
Town of Cohocton