

**Establishing And Reporting The Standard Work Day For Elected And Appointed Officials**

Referred to: The Health and Personnel Committee (Chairman Aiello and Legislators Belfiglio, Ronk, Robert Parete and Provenzano)

Chairman of the Health and Personnel Committee, Robert T. Aiello, and Deputy Chairman Jeanette Provenzano, offer the following:

WHEREAS, the New York State Comptroller is authorized by Sections 34 and 334 of the Retirement and Social Security Law to adopt rules and regulations for reporting the service and salary information for all employees of participating employers in the New York State and Local Employees' Retirement System ("Retirement System"); and

WHEREAS, Ulster County is a participating employer in the Retirement System; and

WHEREAS, the New York State Comptroller has promulgated Regulation 315.4 which imposes certain reporting requirements for elected and appointed officials of participating employers, and requires the governing board of each participating employer to adopt a resolution establishing a standard work day for each elected or appointed official; and

WHEREAS, among the requirements for employers are a more detailed description of a Standard Work Day along with a Legislative resolution establishing and reporting such Standard Work Day, public posting of the Resolution, and submission of the Resolution to the New York State Retirement System; and

WHEREAS, pursuant to Regulation 315.4, in the event that elected or appointed officials do not participate in an employer's time keeping system, they are required to keep a record of activities (ROA) for a three month period and submit it to the clerk of the governing board within 180 days of taking office; and

**WHEREAS, the New York State Retirement system requires all ROA Logs to reflect the actual time employees work but limits a maximum number of days a Legislator paid monthly may earn to 22 days for all months with 31 calendar days and 21 days for all others; and**

WHEREAS, each of the elected or appointed officials listed in this resolution have kept records of their actual time (ROA) worked in their current position for the required ninety days or taken part in the Ulster County time keeping system; now, therefore, be it

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RESOLVED, that the Ulster County Legislature hereby establishes the following as Standard Work Days for these elected and appointed officials who are not covered by a collective bargaining agreement, and will report the following days worked to the New York State and Local Employees' Retirement System based on the established time keeping system or the record of activities (ROA) maintained and submitted to the Clerk of the Legislature:

Title	Name	Hrs/Day	Term	Uses time keeping system	Days/Mt	Tier 1
Legislator	Aiello, Robert T.	6	1/1/12-12/31/13	N	25.44	N
Legislator	Bartels, Tracey A.	6	1/1/12-12/31/13	N	14.48	N
Legislator	Belfiglio, Carl	6	1/1/12-12/31/13	N	14.98	N
Legislative Chairman	Blosser-Bernardo, Terry	6	1/1/12-12/31/13	N	25.00	N
Legislator	Briggs, Thomas J.	6	1/1/12-12/31/13	N	20.76	N
Minority Leader	Donaldson, David B	6	1/1/12-12/31/13	N	14.92	N
Legislator	Fabiano, Dean	6	1/1/12-12/31/13	N	17.28	N
Legislator	Gregorius, Donald J.	6	1/1/12-12/31/13	N	14.99	N
Legislator	Loughran, Peter M.	6	1/1/12-12/31/13	N	15.26	N
Legislator	Maio, Mary Beth	6	1/1/12-12/31/13	N	13.62	N
Legislator	Maloney, James F,	6	1/1/12-12/31/13	N	14.48	N
Legislator	Parete, Richard A.	6	1/1/12-12/31/13	N	13.75	N
Legislator	Parete, Robert S,	6	1/1/12-12/31/13	N	15.96	N
Legislator	Roberts, Kevin A.	6	1/1/12-12/31/13	N	15.56	N
Legislator	Rodriguez, Hector S,	6	1/1/12-12/31/13	N	13.82	N
Majority Leader	Ronk, Kenneth J. Jr.	6	1/1/12-12/31/13	N	15.16	N
Clerk, Legislature	Fabella, Victoria A.	8	1/1/13-12/31/13	Y		N
Deputy Clerk, Legislature	Tantillo, Fawn A.	8	1/1/13-12/31/13	Y		N
Deputy Clerk, Legislature	Barringer, Krista J.	8	1/1/13-12/31/13	Y		N
Sr. Legislative Employee	Reggero, Franklin R.	8	1/1/13-12/31/13	Y		N
Legislative Employee	Mance, Lisa K.	8	1/1/13-12/31/13	Y		N
Legislative Counsel	Guerin, Erica K.	6	1/1/13-12/31/13	N	14.70	N
Legislative Counsel	Ragucci, Christopher	6	1/1/13-12/31/13	N	12.98	N

and, be it further

RESOLVED, the Clerk of the Ulster County Legislature is hereby directed to post a copy of this resolution on the County's website or official sign-board of the County for a period of not less than 30 days; and, be it further

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RESOLVED, the Clerk of the Ulster County Legislature is hereby further directed to file a certified copy of this resolution along with an affidavit of posting with the Office of the New York State Comptroller within 45 days of the adoption of this resolution,

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 20            NOES: 1  
(Noes: Legislator Wishnick)  
(Legislator Briggs left Chambers at 7:28 PM and returned at 7:38 PM)  
(Absent: Legislator Richard Parete)

Passed Committee: Health and Personnel on August 5, 2013

FINANCIAL IMPACT:  
NONE

Legislator Bartels motioned, seconded by Legislator Ronk, to insert the following WHEREAS after the fifth WHEREAS, as indicated above in bold font:

“WHEREAS, the New York State Retirement system requires all ROA Logs to reflect the actual time employees work but limits a maximum number of days a Legislator paid monthly may earn to 22 days for all months with 31 calendar days and 21 days for all others; and”

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21            NOES: 0  
(Legislator Briggs left Chambers at 7:28 PM and returned at 7:38 PM)  
(Absent: Legislator Richard Parete)

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20<sup>th</sup> Day of August, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of August in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature