

22-49-09

**RESOLUTION APPROVING A CASH PAYOUT OF UNUSED ANNUAL AND SICK LEAVE AND CONTRIBUTION TO HEALTH INSURANCE PREMIUMS TO TIMOTHY HARWOOD UPON RETIREMENT**

**WHEREAS**, Timothy Harwood retired directly from Regulating District employment on August 31, 2022; and

**WHEREAS**, pursuant to Resolution 21-34-07, the Regulating District Board approved the employment agreement with CSEA Local 1000 bargaining unit for the July 1, 2020-June 30, 2024 period; and

**WHEREAS**, pursuant to Article VI (C) of this agreement, “upon separation, employees shall be paid up to a maximum of forty (40) days of vacation leave”; and

**WHEREAS**, pursuant to Article VII (F) of this agreement, “unused sick leave up to 100 days will be paid in cash upon retirement, excluding any days used to pay for health insurance premiums for spouse under Article VIII of the Agreement”; and

**WHEREAS**, pursuant to Article VIII (G) of this agreement, “the District agrees to pay the employee’s health insurance premiums at the same rate as when the employee was employed, regardless of whether it is Family, 2-person (if available), or Individual coverage, provided that: (a) the employee retires with ten (10) or more years of service with the Regulating District and (b) the employee is eligible for New York State Retirement benefits”; and

**WHEREAS**, a review of Mr. Harwood’s personnel record maintained by the Executive Director reveals that Mr. Harwood commenced service as an employee of the Regulating District on November 30, 2006; and

**WHEREAS**, at the conclusion of his fifteen-year tenure with the Regulating District, Mr. Harwood has a balance of 217.25 hours of unused annual leave; and

**WHEREAS**, the 217.25 hours of annual leave equate to 28.97 days of annual leave when computed at 7.5 hours per day; and

**WHEREAS**, at the conclusion of his fifteen-year tenure with the Regulating District, Mr. Harwood has a balance of 803.25 hours of sick leave and is eligible to be paid 750 hours of unused sick leave; and

**WHEREAS**, the 750 hours of sick leave equate to 100 days of sick leave when computed at 7.5 hours per day; and

**WHEREAS**, at the conclusion of his fifteen-year tenure with the Regulating District, Mr. Harwood has a balance of 37.5 hours of on call time and is eligible to be paid 37.5 hours of on call time; and

**WHEREAS**, the 37.5 hours of on call time equates to 5 days of on call time when computed at 7.5 hours per day; and

*Approved at the September 13, 2022 Board Meeting*

WHEREAS, after his fifteen-year tenure with the Regulating District, Mr. Harwood is entitled to \$1,200 in longevity compensation and is eligible to be paid \$200 hours on a pro-rated basis; and


WHEREAS, Mr. Harwood has requested he be paid cash for his unused annual and sick leave, on call time and longevity; and

WHEREAS, the cash payment of up to \$29,357.85 to Mr. Harwood for unused annual and sick leave, on call time and longevity upon retirement is subject to review and approval by the NYS Comptroller; and

NOW THEREFORE BE IT RESOLVED, that the Board approves a cash payout to Timothy Harwood in the amount not to exceed \$29,357.85 representing up to 28.97 days (217.25 hours) of unused annual leave, 100 days (750 hours) of unused sick leave, 37.5 hours of on call time and \$200 of longevity; and

BE IT FURTHER RESOLVED, the Board recognizes that based on the fact that Mr. Harwood's hire date (November 30, 2006) falls between July 1, 2006 and July 1, 2009, Mr. Harwood is required to contribute ten percent of the cost toward payment of health insurance premiums due each month during retirement.

Approved as to form:

  
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Robert P. Leslie  
General Counsel

Motion was made by Mr. Bird and seconded by Mr. Candido that the Resolution be approved.

Present and voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	_____	_____	<u>EXCUSED</u>
Mr. Hayes.....	<u>X</u>	_____	_____
Mr. DeWitt.....	<u>X</u>	_____	_____
Mr. Bird.....	<u>X</u>	_____	_____
Mr. Candido.....	<u>X</u>	_____	_____
Mr. Reagan.....	_____	_____	<u>EXCUSED</u>
Ms. Allen.....	<u>X</u>	_____	_____