



June 4, 2012

**SPECIAL COUNCIL MEETING**

**NIAGARA FALLS, NEW YORK**

June 1 2012

Members of the City Council  
And  
Carol Antonucci, City Clerk

Council Members and Madam:

You are hereby notified of a Special Meeting of the City Council of the City of Niagara Falls, New York called pursuant to the City Charter, to be held on Monday June 4, 2012 at 4:00 PM in the Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York for the following purpose:

Resolution relative to Home Rule Law for the City of Niagara Falls Fire Department

Respectfully submitted,

Samuel Fruscione  
Council Chairman

RESOLUTION No. 2012-46

RELATIVE TO HOME RULE LAW FOR  
THE CITY OF NIAGARA FALLS FIRE DEPARTMENT

BY: Council Chairman Sam Fruscione

**WHEREAS**, the City of Niagara Falls is a participating employer in the New York State and Local Police and Fire Retirement, has elected to offer the optional 20 year retirement plan established pursuant to Section 384-d of the Retirement and Social Security Law, to firefighters employed by the City; and

**WHEREAS**, Richard E. Mylchreest, Jr., a firefighter employed by the City of Niagara Falls, was enrolled in the retirement plan established pursuant to section 384-d of the Retirement and Social Security Law; and

**WHEREAS**, Richard E. Mylchreest, Jr., who, for reasons not ascribable to his own negligence, enrolled instead in the retirement plan established pursuant to section 375-i of the Retirement and Social Security Law; and

**WHEREAS**, this consequence, while unintended, punitively affects firefighter Mylchreest and will deprive him of deserved retirement benefits; and

**WHEREAS**, currently before both houses of the state legislature, a bill has been proposed and supported by members of the Western New York delegation to allow firefighter Richard E. Mylchreest, Jr. to elect to be covered by the provisions of Section 384-d of the Retirement and Social Security Law, therefore entitling him to the full rights and benefits associated with coverage under such section.

**NOW THEREFORE BE IT RESOLVED**, that the Niagara Falls City Council does hereby recognize, acknowledge and support Assembly Bill (A.10227-A) and Senate Bill (S.7526) and its passage to correct and offer the benefits sought by said bills; and

**BE IT FURTHER RESOLVED**, that the Clerk of this Council is directed to complete and certify the Home Rule Requests and to forward copies to the New York State Legislature as required.