

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1609

AN ORDINANCE ESTABLISHING A Y2015 SPECIAL EARLY RETIREMENT INCENTIVE PROGRAM FOR ELIGIBLE TOWN EMPLOYEES, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter "Town Council"), is the duly elected legislative body of the Town, a unit of local government, and pursuant to the provisions of Indiana Code 36-1-4-15, as such legislative body of the Town, a unit of local government, may fix the level of compensation of its Officers and Employees; and

WHEREAS, the Town Council, as legislative body of the Town, a unit of local government, has heretofore established a schedule of wages and salaries for Employees, including Fire and Police Personnel, and Town Officials, by enabling Ordinance, and for 2015, approved and adopted its Ordinance No. 1593 on or about November 20, 2014; and

WHEREAS, the Town Council has been informed and advised that budget review and analysis has been undertaken for consideration and action concerning experienced and long-term employees of the Town such that establishment of a Special Early Retirement Incentive Program for eligible Town employees would be mutually beneficial so that eligible employees could consider early retirement on an incentive basis while the Town, as employer, could plan and implement budget goals and objectives going forward; and

WHEREAS, the Town Council has reviewed recommendations of its Town Manager concerning establishment of a Y2015 Special Early Retirement Incentive Program for eligible Town employees, the mutual benefits to be derived therefrom, and all relevant information thereto; and

WHEREAS, the Town Council, being duly advised, and having considered the recommendations of its Town Manager, agrees that it is appropriate, advisable, and in the mutual best interests of eligible Town employees as well as the taxpayers of the Town to establish a Y2015 Special Early Retirement Incentive Program for such eligible Town employees with a fair and equitable incentive for such eligible employees to retire early, while providing a mutually beneficial method to address and control the payroll budget required of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That there is hereby established a Y2015 Special Early Retirement Incentive Program for eligible Town employees for 2015 only, provided such eligible employees, as defined hereinafter, comply with the requirements set forth hereinafter, namely:

- A. An eligible employee for purposes of this Y2015 Special Early Retirement Incentive Program is defined as any full-time employee age 62 or older as of December 31, 2015 (hereinafter "eligible employee").
- B. To participate in the within Y2015 Special Early Retirement Incentive Program, an eligible employee, as defined, shall notify the Office of the Town Manager in writing within thirty (30) days of adoption of the within Ordinance of the intent to participate in said Y2015 Special Early Retirement Incentive Program, with retirement to be effective on or before December 31, 2015.
- C. That the eligible employee, upon election in writing to participate in the Y2015 Special Early Retirement Incentive Program for eligible Town employees, shall actually conclude and terminate employment with the Town on or before said December 31, 2015, date. The election to participate in the Y2015 Special Early Retirement Incentive Program for eligible Town employees shall be in the sole discretion and determination of such eligible employees, and no one else. Further, such eligible employees shall be permitted to determine not to participate and to continue in said employment with the Town, in their sole discretion.
- D. That upon the election or determination in writing by an eligible employee to participate in the Y2015 Special Early Retirement Incentive Program for eligible Town employees by such employee, a date for termination/conclusion of employment shall be provided, with such to be no later than December 31, 2015. Such eligible Town employee electing in writing to participate in the Y2015 Special Early Retirement Incentive Program for eligible Town employees shall utilize all accrued Y2015 vacation, personal and compensatory time prior to the termination and departure date from employment under this program. Further, the eligible Town employee shall be paid upon termination and conclusion of employment the net amount of Twenty-Five Thousand Dollars (\$25,000.00), together with the applicable amount of withholdings required by applicable law for such net payment amount to each eligible employee participating (hereinafter "special severance pay"), all of which shall be processed through payroll for payment to the eligible employee at the time and in the manner noted. This special severance pay shall be provided to a participating eligible employee in the final paycheck to said employee.


SECTION TWO: That all existing Town Code Sections and Ordinances as well as provisions of Town Salary Ordinance No. 1593, as same is amended from time to time, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed and declared to be null, void, and of no legal effect.

SECTION THREE: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 11th DAY OF June, 2015,
BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA.

TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL


Michael S. Forbes, Town Council President


Larry Bustamante, Town Council Vice-President

Gregory J. Volk, Council Member


Kenneth D. Gembala, Council Member


Mark Barenie, Council Member

ATTEST:


Sherry P. Sury, Clerk-Treasurer