

***** AMENDED MINUTES *****

**CITY OF MIDDLETOWN
MINUTES OF THE RETIREMENT BOARD
SPECIAL MEETING
September 3, 2014**

The Special (quarterly) Meeting of the Retirement Board of the City of Middletown was held in room 208 of the Municipal Building on Wednesday September 3, 2014 at 4:00pm.

Board Members Present: Mayor Drew, Chris Bourne, Carl Erlacher, Hope Kasper, Jim Reynolds, Sandra Russo-Driska, Joe Serra

City Employees/Public/Others Present: Diana Doyle, Kathie Morey, Brig Smith, Ernie Cantwell, Kevin Starbird, Deborah Kleckowski, Chris LaVoie, Atty. Andrew Houlding, Gino Pulvirenti & Family, Francesca Quaranta, Atty. Josephine Miller, David D'Amico, Michael McAuliffe, Michael Timbro, Lucas Strunk, Alex N. Gecan, Shawn Beals, Atty. Eric Brown, Anthony Gennaro

Board Members Absent: Steve Gomes

- **Meeting was called to order at approximately 4:05 pm**
- **Election of Pension Board Chairperson**
 - Jim asks for motion to move Election of Chairperson to first item
 - Sandra motioned to move Election of Chairperson to first item and was seconded by Chris
 - Hope opposes, All others in favor
 - Chris nominates Hope Kasper and was seconded by Sandra
 - 3 In Favor – Chris, Sandra, Hope
 - 4 Opposed – Mayor, Joe, Carl, Jim
 - Mayor nominates Jim Reynolds and was seconded by Joe Serra
 - 4 In Favor – Mayor, Joe, Carl, Jim
 - 3 Opposed – Chris, Hope, Sandra
 - Jim Reynolds elected as Chairperson of Pension Board
- **No public comments on the agenda**
- **Minutes from May 21, 2014 Pension Board Meeting**
 - Sandra motioned to approve minutes and was seconded by Carl
 - Mayor Drew and Joe Serra abstain
 - All others in favor
- **Executive Session – pursuant to C.G.S. 1-200(6) to discuss duty disability retirement requests**
 - Discussion among Board Members and General Counsel Brig Smith about the necessity of Executive Session, it is determined that the three applicants can decide if their own case is heard in Open or Executive Session
 - Chris LaVoie and Gino Pulvirenti ask to be heard in Executive Session, Francesca Quaranta asks to be heard in Open Session
 - Brig confirms with Attys. Josephine Miller and Eric Brown that both are ok with the Open Discussion request

OPEN SESSION - FRANCESCA QUARANTA

- Review of letter from Robinson & Cole regarding "Eligibility to Bring Claim for Police Disability Retirement Benefits" and discussion about proper documentation needed for Francesca Quaranta to be considered for disability pension
 - Decision that two IMEs must be obtained and a Special Meeting will be held when the results are presented to the City
 - Chris motioned for a Special Meeting once the two IMEs were submitted but withdrew the motion as the Board previously directed an applicant to obtain 2nd IME without direction of what physician to see
 - Discussion about how IME physicians are selected
 - Carl motioned for the Board to move forward
 - Hope motioned to call a Special Meeting for Francesca Quaranta when two IMEs, as stated in the Pension Ordinance, are received - performed by physicians selected by the City - and was seconded by the Mayor
 - All in favor
- For the record, Joe Serra leaves meeting at 5:30 pm

EXECUTIVE SESSION - CHRIS LAVOIE

- The following were present during the Executive Session for Chris Lavoie: Mayor Drew, Jim, Hope, Carl, Chris, Sandra, Chris Lavoie, Atty. Houlding, Kathleen Morey, Brig Smith
 - Hope motioned to go into Executive Session, to hear Chris Lavoie, and was seconded by the Mayor
 - All in favor

 - Hope motioned to go out of Executive Session and was seconded by Carl
 - All in favor

 - Mayor motioned for Board to cause two (additional) IMEs, consistent with Pension Ordinance, and hear case at a Special Meeting called for that purpose and was seconded by Carl
 - Chris motions to amend Mayor's motion to make disability pension retro-active to November 2013 and was seconded by Hope
 - Discussion about the retro-active date that the disability pension should be granted
 - Mayor suggests a friendly amendment to Chris' amendment to change the retro date to the termination date
 - All in favor of the amended motion - to use application date for calculation and termination date for payments
 - Sandra suggests a friendly amendment to the Mayor's motion to obtain one IME and accept a previous evaluation, from Dr. Spinella, as valid and was seconded by the Mayor
 - All in favor
 - (Main) motion to call a Special Meeting for Chris Lavoie when one additional IME is received, accept previous IME (from Dr. Spinella) and, if approved, calculate payments to November 2013 and make retro-active payments to termination date
 - 4 In Favor - Mayor, Jim, Carl, Sandra
 - 2 Opposed - Chris, Hope (For the record, Hope states that she feels the (Board) has the information it needs already and Chris agrees)

- Chris motioned to go into Executive Session, to hear Gino Pulvirenti, and was seconded by Carl

- Sandra motioned to table the Investment Consultant and remaining items on agenda and was seconded by Hope
- All in favor

EXECUTIVE SESSION - GINO PULVIRENTI (*changed to Open Session after commencement*)

- The following were present during the Executive Session for Chris Lavoie: Mayor Drew, Jim, Hope, Carl, Chris, Sandra, Gino Pulvirenti & Family, Atty. Houlding, Kathleen Morey, Brig Smith
 - Chris motioned, again, to go into Executive Session to hear Gino Pulvirenti and was seconded by Carl
 - All in favor
- *For the record, Gino Pulvirenti chose to be heard in Open Session after motion to go into Executive Session*
 - Hope motioned to go out of Executive Session and was seconded by Carl
 - All in favor
 - Discussion about Gino Pulvirenti's treating physician and suggestion to follow same procedure as previous applicant
 - Hope motioned to obtain two IMEs, and when received, hear the case at a Special Meeting for Gino Pulvirenti and, if permanent disability is determined, make the retro-active date to the last regular pay date by the City and was seconded by the Mayor
 - 4 In Favor - Mayor, Hope, Carl, Jim
 - 2 Opposed - Chris, Sandra
- **Adjournment**
 - Chris motioned to continue remainder of the agenda at next Special Meeting and was seconded by Hope
 - All in favor
- **Review of Investments & Portfolio Rebalance**
 - Tabled until next meeting
- **Treasurer's Report** - Informational
 - Tabled until next meeting
- **Pension Quarterly Investment Report** - Informational
 - Tabled until next meeting

<u>Applications for Membership</u>	<u>Start Date</u>	<u>Union</u>	<u>Department</u>
Matthew Bacon	6/10/14	non-barg	Legal
Teresa Flannigan	5/12/14	466	BOE
Toni Lockhart	6/30/14	466	BOE
Thomas Marano	6/2/14	466	PCD
Benjamin Murphy	7/2/14	Police	Police
Justin Richardson	6/2/14	non-barg	Legal/HR
Christopher Smedick	8/4/14	non-barg	Legal

<u>Requests to Retire</u>	<u>Yrs of Svc</u>	<u>Department</u>
Christine Cyganik	29 years	Health

Dawn Warner	25 years	Legal/Risk
William Warner	25 years	PCD

<u>Pension Refund</u>	<u>Amount</u>	<u>Department</u>
Jacqueline Francis	\$2559.58	BOE
Rochelle Hughes	\$433.42	BOE
Toni Lockhart	\$2677.53	BOE
Patrick Kiley	\$3120.86	Police

- **Deceased Pensioners**
Evelyn Birdsey
Nicolo Micciulla (benefits to spouse)
Mildred Uliano (benefits to spouse)
Trina Solecki (benefits to spouse)

Respectfully submitted:

Carl R. Erlacher, Finance Director
Tracks MZ 49-75