

# *Unapproved – Subject to Correction*

**MINUTES OF  
PENSION AND RETIREMENT BOARD  
MEETING  
HELD  
JUNE 21, 2007 - 7:30 P.M.  
CONFERENCE ROOM A - PARSONS GOVERNMENT COMPLEX**

**MEMBERS PRESENT**

J. Sartor  
W. Schempp  
C. Dunn  
L. Mahoney  
G. Nosal  
G. Baker  
C. Cody  
M. Chaco  
R. Elwell  
G. Behrle  
M. Bouteiller  
S. Firmender  
R. Lynch

**MEMBERS ABSENT**

J. Whitaker  
D. Eisenhandler  
J. Matchett  
W. Shea  
T. Lewis  
P. Staneski  
M. Zanghi  
V. Averaimo  
B. Joy

**ALSO PRESENT**

M. DeTullio, Rec. Secr.

Chairman Sartor called the meeting to order at 7:35 p.m.

**Disposition of Minutes:**

Mr. Schempp moved to accept the minutes of the May 17, 2007 meeting. The motion was seconded by Mr. Firmender. Mr. Baker noted that Mr. Sartor had stated that he had a problem with the application of David E. Gray and his comment was not in the minutes. The motion to approve was carried unanimously.

**Report of the Chairman:**

Mr. Sartor stated that some research was done and it was determined that the Worldcom money was from a settlement and the check in the amount of \$145,912.56 has been deposited. He stated that it was confirmed that the check had been deposited and everything is in order.

**Pension Requests:**

(a) Linda Stone

Code 5 - BOE Secretary  
Regular Retirement - Application

Mr. Nosal moved that the application from Linda Stone for a regular retirement pension be accepted. The motion was seconded by Mr. Elwell and carried unanimously.

(b) Christopher Edson

Code 3 - Police Department  
Regular Retirement - Application

Mr. Dunn moved that the application from Christopher Edson for a regular retirement pension be accepted. The motion was seconded by Mr. Elwell and carried unanimously.

(c) David E. Gray

Code 3 - Fire Department  
Service Connected Disability Retirement  
Pending Doctors Reports

Mr. Baker stated that a few issues have come up regarding this application. He stated that a letter was sent by Mr. Sartor to Mr. Gray's personal doctor asking for a clarification. Mr. Baker stated that Mr. Sartor had indicated that he had a problem with this application and then sent a letter to his personal doctor representing the Pension Board and he felt that if that letter was going to be sent it should have come through the Board. Mr. Sartor stated that he can write such a letter for clarification purposes but Mr. Baker did not feel that he could as it was his personal doctor and not one of the Board doctors. Mr. Sartor stated that he was responding to a letter from that doctor. Mr. Baker stated that his personal health could not be discussed with his personal doctor. Mr. Sartor stated that he was only looking for clarification of what the doctor had said.

Mr. Baker also stated that the Pension Board sent Mr. Gray for a physical function test prior to being seen by any physicians which exasperated his injuries and he asked who is now responsible for these injuries. Mr. Sartor stated that those tests have been done and used many times before and it is standard procedure. Mr. Baker stated that he should have been seen by the two physicians first and Mr. Sartor stated that the test is done and the results forwarded to the two doctors to be used in their evaluation. Mr. Baker stated that you cannot send someone with his type of injuries for that test before he is evaluated by a doctor. Mr. Sartor stated that is the way that it is done in the City.

Mr. Baker stated that a ruling was made in 1985 by the then city attorney regarding fire and police pensions and he presented copies of that. Mr. Cody stated that it is not a ruling but an opinion. Mr. Baker stated that the opinion states that the Board cannot vote on a service connected disability pension request. It becomes official when two doctors say that an individual is disabled. Mr. Sartor stated that the Board needs to accept what the doctors say and the members are not qualified to evaluate it but it does not mean that we should not vote and accept it.

Mr. Cody stated that the opinion does state that a vote is taken. It is not our purview to disagree with the doctors but sometimes the reports contradict one another and then the person is sent to a third doctor. If the Board is in agreement then it votes the pension. If the reports do not meet the criteria for disability pension it should be denied. Mr. Sartor stated that in some cases the reports would be difficult to interpret and the Board now asks for a conclusion whether the individual is disabled or not. Mr. Baker was still concerned that a letter was sent without the Board's knowledge and Mr. Sartor stated that he was only replying to the doctor's letter.

A motion to table the application was made by Mr. Baker, seconded by Mr. Elwell and carried unanimously.

**Withdrawals & Refunds- None**

**Buy Ins - None**

**Contingent Annuitant Options**

(a) Peter W. Crabtree

Code 5 - Planning & Zoning Dept.  
Request for 50% Contingent Annuitant  
Option Bene: Eva V. Crabtree, Wife

Ms. Lynch moved that the 50% contingent annuitant request from Peter W. Crabtree be approved. The motion was seconded by Mr. Nosal and carried unanimously.

**Invoices**

(a) Mr. Schempp moved that Merrill Lynch be paid the sum of \$6,534.39. The motion was seconded by Mr. Elwell. Mr. Sartor stated that this invoice is valid and the Awad invoice was revised. The motion was carried unanimously.

(b) Mr. Schempp moved that Awad Asset (revised invoice) be paid the sum of \$6,4,07.36. The motion was seconded by Mr. Elwell and carried unanimously.

(c) Mr. Schempp moved that Zesiger Capital be paid the sum of \$211,450.78. The motion was seconded by Mr. Elwell and carried unanimously.

(d) Mr. Schempp moved that Michael Paolini be paid the sum of \$2,800.00. The motion was seconded by Mr. Elwell and carried unanimously. Mr. Sartor stated that there were some questions regarding his letter and he will hopefully have an answer from Merrill Lynch at next month's meeting.

**Report of the Investment Advisor - No Report**

**Applications of Entry**

(a) Mindy A. Natale

Code 5 - Human Resources Dept  
Entry: 04/30/07 DOB: 10/04/74

(b) Scott D. Schroeder, Sr.

Code 5 - Public Works Dept.  
Entry: 05/14/07 DOB: 07/24/61

(c) Virginia M. Imbimbo

Code 9 - Health Department  
Entry: 05/21/07 DOB: 08/11/82

**Committee Reports**

(a) Asset Allocation Committee

Mr. Cody stated that at this time the portfolios are within the guidelines. He will schedule a meeting to discuss the re-balancing.

(b) Committee for proxy voting - No Report.

(c) Committee regarding audit - No Report

A motion to adjourn was made by Mr. Mahoney, seconded by Mr. Firmender and carried unanimously. The meeting was adjourned at 8:00 p.m.

ATTEST:

Maryanne DeTullio