

**June 16, 2010**  
**Regular Meeting Pension Plan B**

The regular meeting of the Board of Trustees, Pension Plan B, was held on the above date.

Present: President Rosenberg, Treasurer Morley, Trustees Buck, Garcia, Gaskin, Klein, Lee, Meszoros and Fire Chief Rooney

Absent: Vice President Herlihy

President Rosenberg called the meeting to order at 7:21 p.m.

A motion was made and seconded to dispense with the reading of the minutes of the previous meeting.

**Treasurer Report**

Entertain a motion to accept the Treasurer's Financial Report.

Trustee Buck motioned to accept the Treasurer's May Financial Report; Trustee Garcia seconded and the Board passed it unanimously.

**Old Business**

1. Trustee Klein motioned to grant a Non-Line of Duty Disability Pension request to P/FM Bruce Collins, effective November 18, 2009; Trustee Lee seconded and the Board passed it unanimously.

Bruce Collins inquired about his military time. Treasurer Morley responded that it would be done automatically.

2. Segal and Company Actuarial Report for Fiscal Year ended June 30, 2009.

President Rosenberg informed the Board that Segal and Company would not be at the meeting.

**New Business**

Treasurer Morley suggested that they contact the Pension Plan B attorney to review Quadros.

Treasurer Morley stated that in a divorce case a quadro attorney is hired to do the quadro and he wanted the Pension Plan B attorney to come up with a boiler plate list of things that are in the quadro that covers the trustees. He wanted the pension attorney to prepare a list so they could give to whatever quadro attorney they choose to hire to make sure certain items are in the quadro.

Attorney Mitola represented that there are 2 or 3 attorneys that draft these and now they understand it for this pension plan. Basically what could be set forth in a quadro is benefits that are only set forth in the actual pension plan, so there are no rights to survivorship. For the most part, he has been reviewing the quadros to make sure they comply with the strict terms of the pension plan and where they don't, he writes a letter back to the attorney who drafted the quadro indicating that this provision is not allowable under Pension Plan B, it needs to be changed or eliminated. Treasurer Morley was also doing the same, but on this particular one, he never saw it.

Treasurer Morley stated that he wanted a notice to be given to each quadro attorney. Trustee Klein doesn't want to incur an unnecessary expense. Attorney Mitola explained that since he wasn't familiar with the process they hired Robinson & Cole to give them some advice on handling these matters. He has been making sure that any quadro that comes in complies with their strict benefits.

Treasurer Morley stated that the Board can go with Attorney Mitola's recommendation and there is no reason to send him a copy.

Attorney Mitola said he would be happy to sit down with the pension attorney and go over everything with her; he just doesn't want the Trustees to waste money. He is more concerned that once the quadro is accepted, that they have a policy in place that they know Fire Fighter A has retired, this is his quadro, his ex-wife is entitled to part of the pension benefits. He wants to be sure there are policies in place from an administrative standpoint.

Trustee Buck suggested that they set up a meeting with Attorney Mitola and the Pension Plan attorney and then she can go ahead and create this list after having discussed it with Attorney Mitola who has done a lot of the leg work up to now.

Trustee Buck motioned that they do retain the services of the Pension Plan attorney to have a meeting with Attorney Mitola to discuss the previous quadros and then make some type of list to be issued for any forthcoming; Trustee Meszoros seconded and the Board passed it unanimously.

1. Trustee Buck motioned to table to next month PE Michael Dinatale; Approval of Domestic Relations Order; Trustee Gaskin seconded and the Board passed it unanimously.

Treasurer Morley represented that there was a minor change in asset allocation. The investment steering committee from JP Morgan made small changes in that they are moving some money from small and mid cap into large cap. Treasurer Morley stated that no money moves without the approval of the Board and now he is making it official by asking the Board to approve it here at the meeting rather than just relying on the telephone calls that he made to everyone.

Trustee Buck motioned to approve the asset allocation as previously described; Trustee Klein seconded and the Board passed it unanimously.

Treasurer Morley commenced discussion regarding FF Phil Reeves who voluntarily terminated employment to accept a job as a helicopter instructor with the Army and when he left the job he requested his military time that he purchased be returned to him which was done. The Board then returned his return to the job because he requested to come back. He is currently serving as a fire fighter and he has requested that he be able to purchase his military time.

Treasurer Morley stated that the retirement date would be a question. When is his 25<sup>th</sup> anniversary. The maximum military time that can be purchased is 10 years.

Treasurer Morley represented that you have 2 1/2 years to purchase your military time from the date you come on the job.

Associate City Attorney Mitola represented that he was coming back on a job pursuant to Civil Service Rules that allows him to come back.

Treasurer Morley stated that he cashed out only his original purchase of military time.

President Rosenberg thought that they would have to go back to that point in time when he took his money and what the market did subsequently and if they would have earned 10%; that would have to be added on to that to make the pension plan whole.

Trustee Klein asked how they would determine the purchase price of the military time when an individual first comes on the job.

Treasurer Morley answered that it is based upon the first year's contribution to the pension plan times the amount of military service.

Trustee Klein stated that it doesn't have anything to do with the performance of the plan. Treasurer Morley answered yes because that's why he brought up the fact of 25 years plus the six months break. That \$8,300.00 stayed in the pension plan earning for x amount of years, then it was withdrawn from the pension plan

and it was not earning during that time period and if he can come back in at the \$8,300.00, that's why the 25 years and add the break in service.

Trustee Buck stated that he thought he had a simple resolution to the issue. As they were discussing what his retirement date would be and they talked about how it would have to be pushed forward until he actually accrues 25 years, think about the day he left, the day he comes back he puts the money back in, he still will have to do the additional time, so even though the market has gone up and down in between then, it still will be in for 25 years.

Treasurer Morley stated that is why he asked what his retirement date was.

President Rosenberg stated that he didn't know if adding the time in is the answer. He recommended that maybe he has to sign a letter of agreement if he has to do another six months he should have to agree to that.

Attorney Mitola responded that Civil Service will require him to sign a document. He doesn't get credit for service when he is out of work for 6 months and then takes advantage of the Civil Service provision that allows him to come back.

President Rosenberg responded that his retirement date gets pushed up by whatever time he was out. Treasurer Morley agreed and then once the 25 years and 6 months has been established then it does not matter about the \$8,300.00 because it has been on deposit for 25 years.

Treasurer Morley stated that they didn't have a problem as long as it is 25 years and break time.

Treasurer Morley asked if he could accept the money and do they want a letter from him that he understands that it is 25 years, plus.

President Rosenberg responded that they should get a letter from him indicating that he understands that because if he doesn't want to understand that, it is better to know it now.

Attorney Mitola stated that the letter can come from either his office or Civil Service. He will check into it. They may have already sent him something, but if a letter hasn't been sent, he would make it clear.

Treasurer Morley submitted a bill from Pension Attorney for \$461.00 and he wanted permission to pay it. She did a review on the agreement between Morgan Stanley and Fund.

Trustee Buck motioned to pay the bill and in addition, as these bills come in for previously approved work or work that already been discussed, he didn't think

Treasurer Morley needed to bring it to the meeting; Trustee Klein seconded and the Board passed it unanimously.

Treasurer Morley responded to the motion that there may be times that he needs to contact the Pension Attorney, should he wait to bring it up at the meeting, but he would like to be able to make phone calls to her from time to time without having to come to the Board to ask if he could call her. The response was that that was not a problem.

Treasurer Morley represented that as of the close of the market yesterday, the account was at 59 million 3 hundred thousand.

2. Trustee Meszoros motioned to adjourn the meeting; Trustee Buck seconded and the Board passed it unanimously.

The meeting ended at 7:50 p.m.