

**THESE MINUTES ARE SUBJECT TO BOARD APPROVAL AT THE NEXT
ESSEX RETIREMENT BOARD REGULAR MEETING
TUESDAY, AUGUST 14, 2012**

The Essex Retirement Board Regular Meeting was held on Tuesday, August 14, 2012 at 5:00pm. In attendance were Chairman Ellen Whaley-Wexler, Carl Ellison, Ethan Goller, Stacia R. Libby and James Francis(6:33pm departure). Also in attendance were Attorney Bruce Barth, Norman Needleman, First Selectman(5:40pm departure), Kelley Frazier, Secretary to the Board and Kelly Sterner, Finance Director.

CALL TO ORDER

The meeting was called to order by Ms. Whaley-Wexler at 5:07pm.

APPROVAL OF PREVIOUS MEETING MINUTES

Upon a motion made by Mr. Francis and seconded by Mr. Ellison the Board approved the minutes from the July 10, 2012 meeting as amended.

VOLUNTEER TO CHAIR OR CHANGE DATE: SEPTEMBER 2012 REGULAR MEETING

This will be deferred for discussion at the end of the meeting.

PRESENTATION OF SELECTMAN'S PROPOSAL FOR CHANGES TO PLANS

Mr. Needleman presented the proposal for changes to both plans. Mr. Barth discussed both plans and how to settle a dispute. The Board of Selectmen will need to approve a settlement if it affects a retirement plan and then it is approved by the Retirement Board. Mr. Barth discussed the document in detail and the Board made revisions and recommendations as needed. The amendments are identical to both plans. Ms. Whaley-Wexler discussed how to administer the plans. Mr. Needleman feels that having both the Board of Selectmen and the Retirement Board in the approval process is beneficial as a check and balance. Mr. Needleman would like this to be on the agenda for his meeting tomorrow evening. Mr. Barth will try to revise in that timeframe.

Ms. Whaley-Wexler requested to move the Review/Approval of Bills up in the agenda.

REVIEW/APPROVAL OF BILLS

Upon a motion made by Mr. Francis the Retirement Board **VOTED** unanimously to approve the Robinson and Cole invoice dated August 8, 2012 in the amount of \$2,821.50 for disability work. Mr. Ellison seconded the motion. The motion carried.

REVIEW OF PROPOSED RETIREMENT FORMS

Ms. Whaley-Wexler discussed the proposed retirement forms in detail. The timeframes were explained and discussed. The Board discussed having a HIPPA Release Form included in the forms packet. It was noted that if you want to discuss anything with the employee's physician, you will need the HIPPA form. Mr. Barth noted that there is no protection under HIPPA if the employee has given you the information. He stated that it is better to get the information from the applicant. The Board agreed to include the HIPPA form in the proposal. Mr. Barth feels that the employee needs to collect the documents from the physician and submit to the Retirement Board.

The Board thanked Ms. Whaley-Wexler for her work on the document. She will work with Mr. Barth to finalize the document.

This process to define disability will be addressed at the September meeting.

Upon a motion made by Mr. Goller and seconded by Mr. Ellison, the Retirement Board unanimously **VOTED** to accept the Retirement Forms as amended and to include a top letter written by Attorney Barth.

Upon a motion made by Mr. Goller and seconded by Ms. Rice-Libby, the Retirement Board unanimously **VOTED** to change the meeting date of the September meeting to September 24, 2012 at 5:00pm in Room B.

Ms. Whaley-Wexler will inform the Town Clerk of this change.

ADJOURNMENT

On a motion duly made and seconded the Commission unanimously **VOTED** to adjourn at 6:47pm.

Respectfully Submitted
Kelley S. Frazier