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**ESSEX RETIREMENT BOARD
REGULAR MEETING
September 24, 2012
Meeting Room A**

Present: Retirement Board Members: Carl W. Ellison, Ethan Goller, Stacia R. Libby, James Francis, F. Ellen Whaley-Wexler.

Ms. Whaley-Wexler called the meeting to order at 5:05 p.m.

Others Present: Finance Director, Kelly Sterner
Secretary to the Board, Maria Lucarelli sitting in for Kelley S. Frazier

Approval of Agenda:

Motion was made by Ellen Whaley-Wexler to approve the Agenda with additions. Add Approval of Minutes, Communications and Correspondence, General Discussion, and Executive Session to the Agenda. Ethan Goller seconded the motion, it was unanimously approved. Motion carried.

Approval of Minutes:

Motion was made by James Francis to approve the August 14, 2012 Regular Meeting Minutes. Ellen Whaley-Wexler seconded the motion, it was unanimously approved. Motion carried.

Communications and Correspondence:

Ellen Whaley-Wexler updated the board on the questions that the Police raised about changes to the Town of Essex Police Retirement Plan. The questions were addressed and answered by the Plan Attorney.

A request was made by an employee to obtain their calculation of pension benefits and options. Mr. Goller requested that discussion on this request should be done in Executive Session.

Review of Bills for Payment

Ellen Whaley-Wexler presented a Robinson & Cole invoice to the Board and suggested deferring voting on the invoice at this time until it could be thoroughly reviewed.

Motion was made by James Francis to table the Robinson & Cole invoice for approval until the next Board meeting. Ethan Goller seconded the motion, it was unanimously approved. Motion carried.

Cancel or Change Date: October 12, 2012 Regular Meeting

Motion was made by James Francis to cancel the October 12, 2012 Retirement Board meeting. Ethan Goller seconded the motion, it was unanimously approved. Motion carried.

At 5:30 p.m. Attorney Bruce Barth joined the Retirement Board by conference call.

Update on Selectmen's Proposal for Changes to Plans

There was discussion on the Merit Service Retirement Plan for Volunteer Firefighters. The plan was approved by the Board of Selectmen and it was sent to public hearing on September 5, 2012 with two options. The general opinion from the public was that no one should be grandfathered. The

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Selectmen then decided to increase the multiplier to \$16.65 for all past, present, and future volunteer firefighters going forward. Attorney Bruce Barth was asked to re-write the plan to reflect this change. The Merit Service Retirement Plan then went to Town Meeting on September 5, 2012 to adopt the multiplier and the plan was approved with the amendment to state “past, present, and future volunteer firefighters”. Mrs. Sterner stated that this plan would be sent back to the actuary to recalculate with everyone being recalculated at \$16.65 going forward. There is nothing being calculated for retroactive adjustments on prior payments.

On September 5, 2012 a Public Hearing and Town Meeting was set for the Amendment No. 1 to the Town of Essex Police Retirement Plan. The plan change added negotiated settlement wording. This plan was approved at Town Meeting.

There was further discussion on Amendment No. 1 to the Town of Essex Police Retirement Plan that the final wording in Section 11.5 was a little hard to understand. The section was written to allow for settlement on a disability claim and also that the settlement could not exceed the maximum formula calculation under the plan. It was determined that a couple of commas could help to clarify it and the Retirement Board wanted it to be on record that they wanted to recommend this punctuation correction.

Motion was made by Ethan Goller to recommend to the Board of Selectmen to have corrections added for clarification in Amendment No. 1 to the Town of Essex Police Retirement Plan. It was suggested corrections be inserted in Section 11.5 in the second sentence after the word plan and after the word settlement. James Francis seconded the motion, it was unanimously approved. Motion carried.

On September 5, 2012 a Public Hearing and Town Meeting was set for the Amendment No. 3 to the Town of Essex Retirement Plan. The plan change added negotiated settlement wording. This plan was not approved at Town Meeting and was withdrawn.

On July 18, 2012 The Amendment to the Town of Essex Retirement Plan went to Public Hearing and Town Meeting. The plan change was regarding the increase in the threshold hours from 1,000 to 1,500. This plan change was approved at Town Meeting and the Amendment needs the signatures of all three Selectmen and the Retirement Board Chairman.

Update on Approved Retirement Application Forms

There was discussion on the Disability Retirement Application Package and any changes or recommendations from the Board were presented. There were minor edits on the first four pages. These edits will be recorded in document as Rev 1 Approved 9.25.2012.

Essex Retirement Board – Member’s Application for Disability Retirement Process

Ellen Wexler-Whaley distributed a draft copy of the Member’s Application for Disability Retirement Process to the Board members for their review and input and requested that members review and be prepared to amend and approve any changes or recommendations to the process at next regularly scheduled meeting.

At 6:47 p.m. Attorney Bruce Barth exited the Retirement Board conference call.

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Decision about Disability Retirement

There was discussion on what are the steps that the Retirement Board needs to take in order to make a decision on determining who is or who is not disabled. Ms. Wexler-Whaley recommended possibly including on the application timing requirements. Another recommendation was to inquiry about adding an end dates of eligible disability. Generally, addressing the question of how long after end of employment can one apply for disability benefits? It was suggested that this question would be directed to the Plan Attorney and to determine if there are existing regulatory or statutory rules in Connecticut for addressing an application for disability with respect to timeframes.

General Discussion

Essex Retirement Board, 2012 Submission to the Town Annual Report

Ellen Wexler-Whaley reported that she had submitted a Retirement Board annual report submission.

EXECUTIVE SESSION

Motion was made by Ellen Wexler-Whaley to go into Executive Session at 6:05 pm for the purpose of discussion on the pension plan calculation request made by an employee. Ethan Goller seconded the motion, it was unanimously approved. Motion carried.

Present: Retirement Board Members Carl W. Ellison, Ethan Goller, Stacia R. Libby, James Francis, F. Ellen Whaley-Wexler. Invited Guest: Kelly Sterner

Motion was made by James Francis to exit the Executive Session at 6:17 pm. Ethan Goller seconded the motion, it was unanimously approved. Motion carried.

Re-open the Regular Meeting:

The regular meeting resumed at 6:18 pm.

Board reviewed employee request for pension calculations and had no objections. Kelly Sterner was advised to process in standard manner.

Motion was made by James Francis to adjourn the meeting at 6:18 p.m. Carl Ellison seconded the motion, it was unanimously approved. Motion carried.

Respectfully submitted,
Maria P. Lucarelli