

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM HELD IN THE COMMISSION ROOM AT CITY HALL ON WEDNESDAY, APRIL 26, 2000 AT 1:30 PM.

I. ROLL CALL:

A. Employees' Retirement Board:

In the absence of the Chairman, the meeting was called to order at 1:36 PM by Vice Chairman Charest.

Trustees present were Vice Chairman John Charest, Finance Director Chuck Powers and Messrs. Robert Lepa and Pat Testa; Mayor Thomas Ramiccio (Chairman) was absent. Also present were Board Attorney Robert A. Sugarman and Recording Secretary Valerie Hurley, City Clerk's Office.

II. ADDITIONS/DELETIONS/REORDERING:

A. Employees' Retirement Board:

None.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

None.

III. UNFINISHED BUSINESS:

A. Employees' Retirement Board:

- 1. Receive and file letter dated April 7, 2000, from Robert A. Sugarman, Esq., Sugarman & Susskind, to Chuck Powers, City of Lake Worth Finance Director, re estimates of each type of monthly benefit for Charles B. Shelnett.**

Mr. Powers indicated that Mr. Shelnett was eligible for regular retirement when he retired and questioned whether that precluded any other service connected or non-service connected benefit. The Board Attorney explained that the Code (Section 16-38(c))

had been changed to prevent age discrimination, but allowed a five-year period to apply for a service connected disability after retiring. Mr. Powers strongly opposed the current Code if it allowed an employee to apply for a duty disability benefit after requesting regular retirement under the Rule of 75. Mr. Powers pointed out that the Code had been changed recently to calculate a duty disability pension as if an employee had attained twenty (20) years of service, providing a much higher benefit than had the employee requested regular retirement under the Rule of 75. A non-duty disability benefit would be the same as a regular retirement benefit under the Rule of 75. It was noted that it would benefit an employee to get hurt the year before retiring under the Rule of 75.

The Board Attorney explained that the five-year window to apply for a service connected disability was designed for an employee that retired and then discovered they had contracted a communicable disease, which might not be diagnosed for several years.

Discussion ensued regarding whether the Code should reflect the earliest attainable retirement date when computing a duty disability benefit.

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to receive and file the letter dated April 7, 2000, from Robert A. Sugarman, Esq., Sugarman & Susskind, to Chuck Powers, City of Lake Worth Finance Director, re estimates of each type of monthly benefit for Charles B. Shelnett.

Vote: 4 – Aye; Mayor Ramiccio absent.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

1. Consider implementation of COLA.

It was noted that this change had been postponed until the cost impact for the proposed Chapter 185 amendments could be determined.

The COLA benefit was totally dependent upon the performance of the plan. Any actuarial gain would be split between the City (to reduce its contribution) and the fund (COLA). The COLA would provide a permanent increase to all employees retired for three or more years when the fund's portion of the actuarial gain was sufficient.

Mr. Powers stated that he had been under the impression that there was no cost impact for the COLA but the proposed wording indicated the cost liability would be amortized over a thirty-year period. Mr. Sugarman explained that, since the City would not

receive the entire actuarial gain, the City's contribution would not decrease as much. The benefit (payable from the actuarial gain) would be amortized over thirty years, which would cause the City's contribution increase to also be amortized over a thirty-year period.

Action: It was moved by Mr. Testa, seconded by Mr. Lepa, to direct the Board Attorney to prepare the necessary ordinance to amend the Pension Code for implementation of a COLA benefit.

Vote: 4 – Aye; Mayor Ramiccio absent.

IV. NEW BUSINESS:

A. Employees' Retirement Board:

1. **From Sylvester Graham, Public Works Department, requesting regular retirement based on the Rule of 75, effective May 31, 2000.**

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to grant, with regret, the request of Sylvester Graham, Public Works Department, for regular retirement, based on the Rule of 75, effective May 31, 2000.

Vote: 4 – Aye; Mayor Ramiccio absent.

B. Pertained to Police Retirement Board:

C. Employees' and Police Retirement Boards:

None.

V. CONSENT AGENDA:

A. Employees' Retirement Board:

Action: It was moved by Mr. Powers, seconded by Mr. Lepa, to approve the Consent Agenda (A), in its entirety, as follows:

1. **Approve minutes of March 29, 2000 Regular Meeting, as submitted.**

2. **Authorize payment of invoice from Sugarman & Susskind, dated April 5, 2000, in amount of \$750.00 for retainer fee for month of April 2000.**

Vote: 4 – Aye; Mayor Ramiccio absent.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to approve Consent Agenda (C), in its entirety, as follows:

1. **Ratify refunds of pension contributions as reported by Finance Department, as follows:**

Checks Disbursed 3/23/00:

Lawrence F. Sims, Public Works – Parks Department, 16Y/21D, \$27,133.14, separated from service 2/28/00.

Ralph D. Hendrickson, Building, Planning & Zoning, 2Y/2M/3D, \$4,574.06, separated from service 3/3/00.

Peter A. LaCroix, Utilities – Line Department, 4Y/11M/11D, \$15,675.55, separated from service 3/10/00.

Marc J. Drautz, Pool & Beach, 1Y/29D, \$1,398.83, separated from service 3/14/00.

Sandra Livingston, Building, Planning & Zoning, 16D, \$29.81, separated from service 8/11/99.

Checks Disbursed 4/6/00:

James L. Johnson, Public Works – Waste Removal, 11M/27D, \$958.75, separated from service 4/1/00.


Vote: 4 – Aye; Mayor Ramiccio absent.

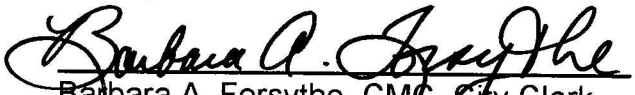
VI. ADJOURNMENT:

A. Employees' Retirement Board:

The meeting adjourned at 2:32 PM by unanimous vote of those members present, on a motion by Mr. Powers, seconded by Mr. Testa.

MINUTES APPROVED: 9/27/00



Mayor Thomas M. Ramiccio, Chair
Employees' Retirement Board

Barbara A. Forsythe, CMC, City Clerk
Secretary, Employees' Retirement Board

A tape recording of this meeting will be available in the Office of the City Clerk for two years after approval of these minutes.

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