

**MINUTES OF A JOINT EMPLOYEES' RETIREMENT BOARD
AND POLICE RETIREMENT BOARD MEETING
HELD IN THE CONFERENCE ROOM AT CITY HALL ON
WEDNESDAY, MARCH 27, 2013 at 1:30 PM**

I. ROLL CALL: 1:34 PM

A. Employees' Retirement Board:

A meeting was called to order at 1:34 PM.

Those persons present included:

Trustees: Robert Kahant, Chair
Steve Carr, Vice Chair
Pam Triolo

Others: Ken Harrison, Sugarman & Susskind
Dixie Martinez, Resource Centers
Members of Public:

B. Police Retirement Board:

A meeting was called to order at 1:34 PM.

Those persons present included:

Trustees: Sgt. Randy Collier (1:40)
Karri Casper
Steve Carr
Pam Triolo

Others: Ken Harrison, Sugarman & Susskind
Dixie Martinez, Resource Centers
Members of Public:

II. ADDITIONS/ DELETIONS/ REORDERING:

A. Employees' Retirement Board:

No additions, deletions or reordering.

B. Police Retirement Board:

The Police Officers' Retirement Board deleted Item III.B.1. Update-Merger of Divisions 1 and 2 from the Agenda.

Action: A motion was made by Mr. Carr and seconded by Ms. Triolo to approve the Agenda as amended.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

III. UNFINISHED BUSINESS:

A. Employees' Retirement Board:

None

B. Police Retirement Board:

None

C. Employees' and Police Retirement Boards:

None

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IV. NEW BUSINESS:

A. Employees' Retirement Board:

1. Benefit Approval:

Ms. Martinez presented to the General Employees' Pension Board the following benefit applications for approval: Application for Refund of Contributions for Susie Pope and Mitchell Wilson; Application to enter D.R.O.P. Plan for Sharon Lanciano.

Action: A motion was made by Mr. Carr and seconded by Ms. Triolo to approve the following benefit applications: Applications for Refund of Contribution for Susie Pope and Mitchell Wilson.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None.

Mr. Harrison asked Ms. Martinez if the tax implications were explained to the members who requested the refund of contributions. Ms. Martinez reported that she had provided the members with the Special Tax Notice and they had signed the acknowledgment of receipt.

Action: A motion was made by Mr. Carr and seconded by Ms. Triolo to approve the following benefit applications: Application to enter D.R.O.P. Plan for Sharon Lanciano.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None.

B. Police Retirement Board:

None

C. Employees' and Police Retirement Boards:

None

D. Board Attorney's Report:

1. IRS Favorable Determination (Police)

Mr. Harrison reported that the Police Officers' Pension Plan has received a favorable determination letter from the IRS. However this determination letter is only good through January 2014 at which point the Plan will have to file for a new determination letter. He reported that this had been a lengthy process. He explained that there is a \$1,000 fee that needs to be paid to the IRS when the request is filed. He explained that their filling fee would be 60% of the original fee as there is a lesser amount of work expected. He explained that the Board is welcome to request quotes from other service providers that may want to do the filling. The Board agreed to defer this item to the next meeting so that the administrator can research what the original filling fee was for each Plan.

Sgt. Randy Collier joined the meeting at 1:40 p.m.

E. ADMINISTRATOR REPORT:

1. Request from retiree Martin Rosenblatt for an advance determination letter.

Ms. Martinez reported that retiree Mr. Rosenblatt recently applied for a part time position with the City of Lake Worth as a Parking Meter Tech with an hourly rate of \$13.14. The position is scheduled to work up to 29 hours per week with no additional benefits such as pension, medical, dental, sick time, vacation time, etc. She reported that he has been offered

the position. However before he accepts the position he wants confirmation that this will not affect his monthly pension payment from the General Employees Pension Plan. Therefore he is asking for an advance determination from the Board of Trustees. Mr. Harrison reviewed Sec. 16-36 Employment after retirement. He explained that he had recommended that Mr. Rosenblatt ask for the advance determination letter as provided in this section of the ordinance. The Board had a brief discussion regarding this matter.

Action: A motion was made by Mr. Carr and seconded by Ms. Triolo to instruct the administrator to send Mr. Rosenblatt a favorable advance determination letter stating that his acceptance of this part time position will not affect his monthly benefit payment from the General Employees Pension Plan as long as the position is part time. Should the status of his position change to a full time position the advance determination letter will become null and void.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

2. Election Update:

Ms. Martinez reported that for the General Employees Pension Plan the Notice of Election had been re posted and sent to all department heads as had been the request of the Board. She explained that the due date to submit the letter of interest is April 29. She reported that so far she has not received any letters of interest. Mr. Kahant suggested changing the Ordinance to allow two members of the same department to serve on the Board. The Board briefly discussed this matter. No action was taken by the Board at this time.

Ms. Martinez reported that for the Police Officers' Pension Plan an election will need to be scheduled due to Sgt. Collier's retirement from the Pension Plan and resignation from the Board. She reported that Sgt. Collier will serve on the Board until he is replaced. She explained that in past elections the Board has nominated Marian Khan and Amanda White as judge and clerk. Ms. Martinez made the following suggestions: nomination period to end on April 29, 2013 and to hold the election May 13 through May 15.

Action: For the Police Retirement Board a motion was made by Mr. Carr and seconded by Ms. Triolo to nominate Marian Khan and Amanda White as judge and clerk; to have the nomination period end on April 29, 2013 and to hold the election May 13 through May 15.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

3. Request from HR Department re: DROP Forms:

Ms. Martinez reported that she had the following requests from the City's HR department regarding the procedures in place for members in the General Employee's Pension Plan who request to enter the D.R.O.P. Plan.

1. Add additional signature line for the City Manager on "Letter of Resignation for Purpose of DROP membership."

Mr. Carr explained to the Board the reasoning behind this request. The Board had a brief discussion regarding this request.

Action: Consensus from the Board to add the additional signature to the form which will require that the City Manager sign the form as well as the head department.

2. Once the "Letter of Resignation for Purpose of DROP membership" form has been submitted to the administrator, the administrator should confirm with the HR department that the form has been signed by the department head and not someone else. Ms. Martinez reported that she has no problem in doing this as she does not know who the department heads are. No action by the Board is needed.

3. Once members request DROP forms from the administrator, the administrator should notify the HR department. Ms. Martinez reported that she is not comfortable with this request and does not believe that this can be done. She explained that once a member submits the request to enter the DROP she notifies the City so that the employee

contributions can be stopped. However, until she does not have the request signed and submitted by the member she should not have to notify HR. She explained that she understands that this may help them in their processing of payouts. However this is something that she can not do. The Board agreed that HR should only be notified once the signed documents have been submitted by the member.

4. HR would like for the administrator to inform the member once they make the request to enter the DROP that the City has up to 45 days from the effective date of retirement for analysis of payouts for example sick and vacation payouts, etc. Ms. Martinez reported that she has no problem with this request and that she will inform the members once they make the request to enter the D.R.O.P. Plan. The Board agreed that it would be beneficial to the member to know what to expect. The Board asked Ms. Martinez if there was an informational sheet that could be provided to the member when they request the forms. Ms. Martinez reported that there is a "What to expect upon retirement worksheet that could be updated and provided to the member. The Board asked if she could also add a line for the member to sign and acknowledge receipt. Ms. Martinez reported that she will update the worksheet as per the Board's request.
5. HR would like to request that members notify the administrator 60 days in advance of entering the DROP so that they have time to analyze and process documents, for example; stop employee contributions, etc. Ms. Martinez explained that she always lets members know that the City prefers that they give 30 to 60 days advance notice. However if a member submits a form for retirement or D.R.O.P. the day before or on the day that they want to retire she has to accept it. The Board agreed that the administrator can not request advance notice, nor can they not accept the request as long as the request is not predated.

4. Invoice from Healthport re: medical records Sheila Horne.

Ms. Martinez explained that the invoice in the amount of \$7,518.18 was for the request of medical records for a disability request made by Sheila Horne. As the Board will recall the request had been sent to JFK Hospital. Healthport a third party copying company sent a box with 7024 copies of medical records. In the box was an invoice for \$7,518.18. She explained that at the September 26, 2012 Pension Board meeting the Board had reviewed the invoice in the amount of \$7,518.18 from Healthport. At that time the Board agreed that the records received were not responsive to their request and that Healthport had not advise them regarding the fees prior to the shipment of such records, nor had they authorized the shipment. The Board agreed that the records should be returned to Healthport and a letter should be sent with a copy of the original letter in which it should highlight the fact that they did not notify them of the fees. Ms. Martinez reported that a letter had been sent and the records had been returned to Healthport. She explained that since then her office has tried to resolve this matter with Healthport however they have not been successful. Healthport continues to send late notice invoices addressed to Pension Resource Centers and not the Pension Plan. She explained that if Pension Resource Centers has to submit this to their legal council additional fees will be incurred. She asked the Board if they could authorize Mr. Harrison's involvement in the matter. The Board agreed and asked Mr. Harrison to send a letter to Healthport regarding this matter. Mr. Harrison asked Ms. Martinez to send him copies of all backup materials related to this matter.

Action: For the Employees' Retirement Board a motion was made by Mr. Carr and seconded by Ms. Triolo to approve Mr. Harrison to send letter to Healthport with a copy of the original request highlighting the fact that the records sent were not responsive to their request and that they had not been advised regarding the fees nor had they authorized the shipment.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

5. Disability Review

Ms. Martinez reported that the disability review letters have been mailed via certified mail. All affidavits and doctor's notes have been received with the exception of Mr. Joseph Vera. However Mr. Vera's letter had been sent to the wrong address. She explained that she had talked to Mr. Vera and he will be submitting the documents as soon as possible, she will report back to the Board as soon as the documents are received. Ms. Martinez reported that there will be no disability offsets.

Action: A motion was made for by Mr. Carr and seconded by Ms. Triolo to accept the annual disability review as presented to the Board with the exception of Joseph Vera's which is pending receipt of the documents..

Vote: Voice vote showed: AYES: Unanimous. NAYS: None.

V. CONSENT AGENDA:

A. Employees' Retirement Board:

1. Warrant for Accounts Payable

B. Police Retirement Board:

1. Warrant for Accounts Payable

C. Employees' and Police Retirement Boards:

1. Approval of Minutes: February 27, 2013 Regular Meeting

Action: For the Employees' Retirement Board a motion was made by Mr. Carr and seconded by Ms. Triolo to approve the consent agenda which included; warrant for accounts payable and minutes of the February 27, 2013 Regular Meeting.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

Action: For the Police Retirement Board a motion was made by Mr. Carr and seconded by Ms. Triolo to approve the consent agenda which included the warrant for accounts payable and minutes of the February 27, 2013 Regular Meeting.

Vote: Voice vote showed: AYES: Unanimous. NAYS: None

VI. ADJOURNMENT FOR THE EMPLOYEES' RETIREMENT BOARD:

There being no other business and the next meeting having been previously scheduled for Wednesday, April 24, 2013 at 1:30 PM, the General Employees' and the Police Officers' Pension Boards adjourned the meeting at 2:13 p.m.

MINUTES APPROVED: April 24, 2013

Robert Kahant, Chairman Employees' Retirement Board

Sgt. Randy Collier, Chairman Police Retirement Board Div I

Dixie Martinez, Administrator
Employees' & Police Retirement Boards