

PENSION COMMISSION
City Treasurer's Conference Room
250 Constitution Plaza
Tuesday, May 26, 2009
8:00 a.m.

MINUTES

PENSION ADMINISTRATION

MEMBERS PRESENT: Peter Stevens, Chairman; Frank Lord; Gene Goldman; Walter Remes, Employee Representative; Kathleen Palm Devine, Secretary

STAFF PRESENT: Donna Parker, Plan Administrator; Denise Aguilera, General Counsel

OTHERS PRESENT: Richard Pokorski, Employee Benefits

Chairman Peter Stevens called the meeting to order at 8:05 a.m.

I. Minutes of the Meeting of April 24, 2009

There were no changes or corrections to the minutes as presented.

A motion was made, seconded and adopted to accept the minutes of the April 24, 2009 meeting, with Chairman Stevens abstaining because of his absence from the meeting in April, 2009.

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II. Survivor Benefits

A motion was made, seconded and unanimously adopted to approve the following survivor benefits:

Daniels, Shirley, survivor of the late William Daniels, member of the Municipal Employees' Retirement Fund (MERF) who died February 20, 2009 (Survivor benefits under the MERF; Emp. #S930537 / 980163)

Date of Birth: July 5, 1934
 Effective Date: March 1, 2009
 Annual Allowance: \$ 6,168.00
 Monthly Allowance: 514.00

Tozzoli, Edith, survivor of the late Carmen Tozzoli, member of the Municipal Employees' Retirement Fund (MERF) who died April 4, 2009 (Survivor benefits under the MERF; Emp. #S733407 / 980162)

Date of Birth: November 2, 1924
 Effective Date: May 1, 2009
 Annual Allowance: \$ 2,141.28
 Monthly Allowance: 178.44

III. Regular Retirements

A motion was made, seconded and unanimously adopted to approve the following regular retirement benefits:

	<u>AMOUNT</u>		
<u>Atkinson, James</u>			
Emp. # 940814 / 990139			
Union: HMEA			
Date of Birth:	June 6, 1946		
	Years	Months	Days
Term of Service (including Sick Exchange):	26	0	0
Sick Exchange:	4	0	0
Grounds:	Service		
Effective Date:	April 25, 2009		
Average Salary:	Highest 2 out of last 5 years		\$ 80,559.52
Pension Allowed:	70.00 %		56,391.72
Monthly Payment:	4,699.31		

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III. Regular Retirements (continued)

AMOUNT

Brown, Raymond

Emp. # 071870 / 990141

Union: Local 760

Date of Birth: July 25, 1952

	Years	Months	Days
Term of Service (including Sick Exchange):	31	0	0
Sick Exchange:	6	0	0
Grounds:	Service		
Effective Date:	May 4, 2009		
Average Salary:	Final Rate of Pay		\$ 67,205.41
Pension Allowed:	85.00 %		57,124.56
Monthly Payment:	4,760.38		

Donofrio Jr., Anthony

Emp. # 207403 / 990142

Union: Local 760

Date of Birth: August 17, 1950

	Years	Months	Days
Term of Service (including Sick Exchange):	31	7	6
Sick Exchange:	3	7	6
Grounds:	Service		
Effective Date:	May 3, 2009		
Average Salary:	Final Rate of Pay		\$ 69,966.88
Pension Allowed:	85.00 %		59,471.88
Monthly Payment:	4,955.99		

Gamzon, Sandra

Emp. # 830321 / 990144

Union: Library Non-Union

Date of Birth: August 6, 1952

	Years	Months	Days
Term of Service (including Sick Exchange):	16	0	0
Sick Exchange:	0	0	0
Grounds:	Early		
Effective Date:	March 21, 2009		
Average Salary:	Highest 2 out of last 5 years		\$ 68,380.56
Pension Allowed:			
Unreduced Pension:	32.00%		\$ 21,881.76
Early Reduction Factor:	4.00 % for each year prior to age 60		12.00 %
Reduced Pension:	\$ 19,255.92		
Monthly Payment:	1,604.66		

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III. Regular Retirements (continued)

AMOUNT

Leto, Penelope

Emp. # 442461 / 990138

Union: HMEA

Date of Birth: April 4, 1951

	Years	Months	Days
Term of Service (including Sick Exchange):	26	0	0
Sick Exchange:	2	0	0
Grounds:	Service		
Effective Date:	May 22, 2009		
Average Salary:	Highest 2 out of last 5 years		\$ 77,786.48
Pension Allowed:	70.00 %		54,450.48
Monthly Payment:	4,537.54		

Real, Yolanda

Emp. # 902994 / 990137

Union: Local 2221

Date of Birth: January 5, 1953

	Years	Months	Days
Term of Service (including Sick Exchange):	11	0	0
Sick Exchange:	0	0	0
Grounds:	Early		
Effective Date:	February 17, 2009		
Average Salary:	Highest 3 out of last 5 years		\$ 26,946.33
Pension Allowed:			
Unreduced Pension:	27.50%		\$ 7,410.24
Early Reduction Factor:	4.00 % for each year prior to age 60		12.00 %
Reduced Pension:	\$ 6,521.04		
Monthly Payment:	543.42		

Rojano, Ramon

Emp. # 942911 / 990136

Union: Non-Union

Date of Birth: May 2, 1950

	Years	Months	Days
Term of Service (including Sick Exchange):	15	0	0
Sick Exchange:	4	0	0
Grounds:	Vested Service		
Termination Date:	July 16, 2007		
Effective Date:	May 4, 2009		
Average Salary:	Highest 5 out of last 10 years		\$ 114,618.61
Pension Allowed:	37.50 %		42,981.96

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Monthly Payment: 3,581.83

III. Regular Retirements (continued)

AMOUNT

Talgo, Jon

Emp. # 942360 / 990140

Union: CHPEA

Date of Birth: February 18, 1954

	Years	Months	Days	
Term of Service (including Sick Exchange):	19	0	0	
Sick Exchange:	4	0	0	
Grounds:	Early			
Effective Date:	April 23, 2009			
Average Salary:	Highest 2 out of last 5 years			\$ 77,534.99
Pension Allowed:				
Unreduced Pension:	47.50%			\$ 36,829.08
Early Reduction Factor:	4.00 % for each year prior to age 60			19.00 %
Reduced Pension:				\$ 29,831.52
Monthly Payment:				2,485.96

Valentin, Celia

Emp. # 940995 / 990143

Union: HMEA

Date of Birth: December 31, 1945

	Years	Months	Days	
Term of Service (including Sick Exchange):	25	0	0	
Sick Exchange:	4	0	0	
Grounds:	Service			
Effective Date:	May 1, 2009			
Average Salary:	Highest 2 out of last 5 years			\$ 53,180.94
Pension Allowed:	67.75 %			36,030.12
Monthly Payment:				3,002.51

IV. Pension Benefit Adjustments

Chairman Stevens introduced the item. The Plan Administrator, Donna Parker, explained that a group of benefit adjustments must be made as a result of earnings from gainful employment as reported on the Earned Income Affidavits required from disabled pensioners in accordance with the requirements of Section 2A-11(c) of the Municipal Code of the City of Hartford. She stated that a portion of such earned income is used to offset or otherwise reduce the disability pension as determined by the Municipal Code and union contracts.

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IV. Pension Benefit Adjustments (continued)

Ms. Parker stated that the status of the requests sent and responses received as of May 19, 2009 was as follows, noting that certified reminder letters had been mailed on April 30, 2009.

Requests Sent:	188
Affidavits Returned:	183
Affidavits not sent due to age (70 or older), home bound, nursing home residency or under care of a conservator:	63
Outstanding:	5

A motion was made, seconded and unanimously adopted to approve the following pension benefit adjustments in accordance with the requirements of Section 2A of the Municipal Code to be effective on May 1, 2009.

<u>ID#</u>	<u>NAME</u>	<u>UNION</u>	<u>CURRENT MONTHLY PENSION</u>	<u>ADJUSTED MONTHLY PENSION</u>
246328	Ferranti, Albert	Local 760	\$ 0.00	\$ 0.00
941141	Gonzalez, Rafael	HPU	2,691.75	2,582.25
940346	Hernandez, Alma	HMEA	1,856.00	1,857.61
477125	Mansfield, Alonzo	HPU	1,322.94	1,299.30
942447	Salsgiver, Valerie	HPU	1,200.69	503.07

Ms. Parker then recommended that the pension suspension be continued for the upcoming adjustment period for the following individual, as required by the Municipal Code, Section 2A, because she did not have the required minimum 10% reduction in her earnings in prior years. The Plan administrator continued to explain that the Affidavit sent to the following individual was returned by the Post Office, but the Pension Unit would continue to try to locate her and would adjust her Pension Benefit accordingly at such time as we received the affidavit.

A motion was made, seconded and unanimously adopted to continue the pension suspension in accordance with the requirements of Section 2A of the Municipal Code, to be effective for the period from May 1, 2009 through April 30, 2010.

<u>ID#</u>	<u>NAME</u>	<u>UNION</u>	<u>CURRENT MONTHLY PENSION</u>
942197	Williams, Carrie	SCGA	\$ 0.00

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IV. Pension Benefit Adjustments (continued)

The final group of adjustments, Ms. Parker indicated, was for individuals who had not returned their Earned Income Affidavits and, as required by the Municipal Code, Section 2A-11(c), she recommended that their pensions be suspended effective with the May 2009 payment. Ms. Parker noted that although there were five individuals on the list presented in the Agenda for the meeting, three of the individuals had returned their Earnings Affidavits subsequent to the date the Agenda was prepared and their names were removed from the final suspension list.

A motion was made, seconded and unanimously adopted to approve the following pension suspensions in accordance with the requirements of Section 2A-11(c) of the Municipal Code, to be effective on May 1, 2009.

<u>ID#</u>	<u>NAME</u>	<u>UNION</u>	<u>CURRENT MONTHLY PENSION</u>
050997	Blue, Mike	Local 760	\$ 1,724.24
136662	Cooper, Johnny	Local 760	3,189.02

V. Separations from Pension Payroll

The following separations from Pension Payroll were placed on file:

<u>EMPLOYEE NUMBER</u>	<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>DATE OF DEATH</u>	<u>PENSION AMOUNT</u>	<u>PENSION PLAN</u>
370266	Cole, Barbara	04/20/1919	04/06/2009	\$ 1,502.34	MERF
138320	Cormier, Aurore	08/26/1913	04/16/2009	124.39	MERF
S228249	Dwyer, Marie	06/04/1916	04/28/2009	950.99	FRF
477702	Manzi, Andrew	09/09/1929	04/04/2009	4,485.27	MERF
507785	McNally, Mary	05/28/1925	04/02/2009	791.46	FRF
S556700	Nolan, Nora	07/14/1930	04/24/2009	1,940.66	MERF
605166	Powers, Marguerite	03/01/1919	04/25/2009	375.22	FRF
619876	Redmond, Arline	03/06/1921	04/23/2009	438.56	MERF
733407	Tozzoli, Carmen	07/16/1918	04/04/2009	356.88	CITY-ANN

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VI. Request for Refunds of Pension Contributions

A motion was made, seconded and unanimously adopted to approve the following refunds of pension contributions:

<u>NAME</u>	<u>AMOUNT</u>
Antoine, Terry	\$ 10,473.20
Brannick, Sean	10,385.80
Dodson, David	9,234.87
Maduro, Reuben**	693.70
Morales, Iris	12,305.42
Thomas, John	3,229.09
Vardal, Michael	3,620.11
Velaquez-Torre, Justina*	106.64
Winalski, Helen	3,579.45

None of the above members is vested, or, if vested, has been informed of, and has waived, his or her rights to a vested benefit in lieu of a contribution refund.

The amounts shown above do not include interest accrued after 2002.

* Additional contributions due to the member.

** Beneficiary of deceased active MERF member [Eleanore Davila](#)

VII. Consideration of Proposed MERF Budget for Fiscal Year 2009-2010

Chairman Stevens introduced the item. The Secretary, Kathleen Palm Devine, presented the proposed MERF budget for FY 2009-2010. During the ensuing discussion, Secretary Devine stated that the most recent Five-Year Experience Study of the MERF was completed five years ago, and said she believed that \$15,000 should be added to the actuarial consultant budget to support the costs of a new study. The Commission agreed, and asked the Secretary to review the Pension Commission staff salaries budget for fiscal year 2008-2009 and inform them how 5% to 10% of certain Treasury Office staff salaries were reallocated to the Pension Commission for information and audit purposes. The Secretary said she would provide the information and would also submit a clean, amended copy of the budget to the Commission pursuant to their approval, for the record.

A motion was made, seconded and unanimously adopted to approve the MERF budget for fiscal year 2009-2010 with modifications to the actuarial consulting line for a Five-Year Experience Study and certain changes in some line items from the prior fiscal year.

VIII. Other Business

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Chairman Stevens introduced the item. The Secretary, Kathleen Palm Devine, stated that she had three items of Other Business to come before the Commission and the General Counsel, Denise Aguilera, stated that she had one item of Other Business to bring before the Commission at this meeting.

A motion was made, seconded and unanimously adopted to take up the following items under "Other Business:"

A. Chief Librarian's Retirement

Secretary Devine stated that she wished to bring to the Commission's attention a matter having to do with the pension benefit for the City's Chief Librarian Louise Blalock, who was retiring. The Secretary reported that Ms. Blalock had inquired of the Treasurer's Office whether she would be eligible for a pension benefit under the City Non-Union pension plan, including a 2.5%-per-year benefit percentage and the four-year sick-exchange provision, as other department heads are given upon retirement. The Secretary reported that she had informed the City's Chief Operating Officer, Lee Erdmann, of Ms. Blalock's request, to seek his guidance as to whether it was the City's intention to award Ms. Blalock such a benefit. In response, she said, Mr. Erdmann had forwarded to her a copy of a legal opinion rendered by the Corporation Counsel, John Rose, stating his view, in part, that the Library is not a City department and that therefore he did not believe Ms. Blalock was a City employee or a City department head. The Secretary further reported that Mr. Erdmann had indicated to her that the City had accepted Mr. Rose's opinion. Because the Pension Commission was obliged to administer pension benefits at the City's direction, Secretary Devine said, Ms. Blalock would be obliged to receive a pension based on the Library Non-Union plan, without sick exchange and with only a 2%-per-year benefit percentage.

The Secretary further stated that Mr. Erdmann had indicated to her his belief that the City Council or Personnel Department could at some future time act to make the Chief Librarian's position a non-bargaining, unclassified position within the City personnel plan. If that were to happen, the Secretary said, or a successful challenge were to be made to Mr. Rose's opinion by Ms. Blalock, the Pension Commission could at a later time consider adjusting the Chief Librarian's benefit accordingly. For the time being, however, Secretary Devine stated, there was no action required of the Commission in the matter.

B. Criminal Background Checks

Secretary Devine informed the Commission of an ordinance recently passed by the City Council, prohibiting background checks for applicants for City jobs who had criminal records. She reported that the intent of the ordinance was to remove barriers to gainful employment of applicants who had been recently released from prison. Noting that she and at least one Pension Commissioner had questioned

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whether such a prohibition would be prudent in cases where an employee might be required to handle public funds, Secretary Devine stated that she had been assured by the Human Resources Department that under Section 2-385(b) of the ordinance, the Treasurer's Office and Pension Commission would still be able to conduct criminal background checks if the position was deemed to be of a sensitive or fiduciary nature.

C. Early Retirement Incentive

For the Commission's information, the Secretary distributed copies of a cost estimate requested by the City from the MERF's actuaries, Hooker & Holcomb, for a proposed Early Retirement Incentive program that would impute two, three or four years of additional pension service to the benefits of certain municipal employees eligible for early retirement. Discussion ensued, with Secretary Devine noting that the offering of such programs was a policy decision of the Mayor and City Council, not the Pension Commission.

D. Alma Hernandez Lawsuit

The MERF's General Counsel, Denise Aguilera, reported to the Commission that pensioner Alma Hernandez would not be pursuing her pending case in federal court, and the case would be dismissed by the court without prejudice to either party. Ms. Aguilera explained that Ms. Hernandez had filed a lawsuit against the City of Hartford and its Pension Commission because her disability pension was reduced for outside income, which Ms. Hernandez had claimed was in retaliation to her prior lawsuit against the City. Ms. Aguilera explained that the offset was a requirement in accordance with the requirements of Section 2A-11(c) of the Municipal Code of the City of Hartford.

The Commission received the reports for advice.

There being no further business, Chairman Stevens adjourned the Pension Administration portion of the meeting at [8:50 a.m.](#)

Attest:

Kathleen Palm Devine, Secretary