



MINUTES FROM MEETING
OF
NOVEMBER 17, 2016

Chairman Zabin called the meeting to order at 9:03 AM in the Sustainability Conference Room, 2nd floor of City Hall and determined a quorum was present.

<u>Members Present</u>	<u>Also Present</u>
Douglas Zabin, Chairman	Katrina Laudeman, Executive Director
Eddie Torres, Vice Chair	Matt Dickey, Deputy Executive Director
Jason Franklin, Secretary	James Loper, Board Attorney
Mario Garcia, Trustee	Dionna Little, Department Advocate
Christopher McCullion, Trustee	James Spears, Attorney
	Virgil Kent, Firefighter
	Michelle McCrimmon, Deputy CFO
	Katie Zuccarini, Employee Benefits
	Michele Keane, Pension Coordinator

1) PUBLIC COMMENT

Chairman Zabin asked for public comment. There was none.

2) APPROVAL OF MINUTES FROM OCTOBER 20, 2016

A MOTION TO APPROVE THE MINUTES OF OCTOBER 20, 2016 was made by Mr. Torres and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

3) VIRGIL KENT DISABILITY HEARING

Chairman Zabin stated this is the time set for hearing the disability application of Virgil Kent. He informed everyone the hearing is being recorded and will be conducted in an informal manner but consistent with constitutional requirements of due process and equal protection.

Mr. Kent was represented by Mr. Spears. The Fire Department was represented by Ms. Little. Chairman Zabin asked Mr. Loper to explain the Board policy. Mr. Kent was sworn in by Ms. Keane as a witness.

Chairman Zabin stated that Mr. Kent's disability package and Independent Medical Examination would be accepted into evidence. Ms. Little's email dated October 25, 2016, stating there is not a position available in the Fire Department for Mr. Kent with his current restrictions, was also accepted into evidence.

Mr. Spears made his opening statement and addressed the various health issues and procedures Mr. Kent has undergone.

Ms. Little waived her opening statement repeating that there is not a position available for Mr. Kent and the City will not present any evidence or witnesses.

Chairman Zabin declared the evidentiary phase of the hearing was now closed and the Board would enter into the determination phase of the proceeding. There were not any questions from the Board members. Chairman Zabin thanked Mr. Kent for his service to the department.

A MOTION THAT THIS IS A PERMANENT AND TOTAL DISABILITY was made by Mr. Garcia and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THIS IS A LINE OF DUTY DISABILITY was made by Mr. Franklin and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE LINE OF DUTY DISABILITY PENSION WILL BE EFFECTIVE DECEMBER 1, 2016 was made by Mr. Torres and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT VIRGIL KENT DOES NOT HAVE TWENTY YEARS OF SERVICE AND IS NOT ENTITLED TO COST OF LIVING PAYMENTS was made by Mr. Zabin and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A recess was taken at 9:30 am at which time Mr. Kent, Mr. Spears and Ms. Little left the meeting.

Meeting resumed at 9:37 am.

4) PENDING / OLD BUSINESS UPDATE

a. ELECTRONIC DEVICE POLICY

Ms. Laudeman presented the Electronic Device Policy to the Board and asked for any questions. Mr. Loper asked for clarification about the "Fund Administrator". This term will be changed to Pension Coordinator. Mr. McCullion reiterated the importance of item 10, password protecting the device. The policy will be formatted to the same standard as the rest of the Pension policies and a separate form for the receipt of the device will be created.

A MOTION TO ADOPT THE ELECTRONIC DEVICE POLICY AS AMENDED was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

b. PLAN SUMMARY DISCUSSION

Ms. Laudeman explained that the red-lined changes to the Firefighters' Plan Summary were from Mr. Loper. Ms. Zuccarini had some questions regarding conflicting information and terminology for refund of contributions and survivors' benefits. Some discussion ensued. Mr. Loper will look into these concerns and send changes to Staff before the next meeting.

5) A MOTION TO ADJOURN THE MEETING was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.** The meeting adjourned at 10:05 AM.

Respectfully submitted,

Michele Keane

Michele Keane
Pension Coordinator