

## **DRAFT**

A meeting of the Trustees of the Classified Employees Retirement Fund was held on Thursday, January 10, 2013, in the Mayor's Conference Room, Tenth Floor of the Stamford Government Center, 888 Washington Boulevard, Stamford, Connecticut.

Those in attendance were:

Timothy Abbazia  
Michael Briscoe  
Joseph Caruso  
Burt Rosenberg  
Randy Skigen

Emmet Hibson, Jr. – Human Resources  
Clemon Williams – Human Resources  
Mary Beth Troy – Human Resources  
David Yanik – Controller's Office

Mayor Michael Pavia called the meeting to order at 9:10 a.m.

A motion to approve the November 15, and December 13, 2012 minutes with a change to the December 13 minutes \$533,000 plus \$32,000 = \$565,000 was made and seconded. The minutes were approved 6 - 0 unanimously.

### **I. Public Participation**

Penny Kristoff , Audrey Greer and Karen Sabia were present on behalf of the retirees.  
Penny Kristoff - What is the criteria for a pension buy-back?

Emmet Hibson – A buy-back can be done several ways whatever the provision is in the charter, the union contract or memorandum of agreement, settlement agreement, memorandum of understanding.

Burt Rosenberg – Fred Manfredonia absconded with the funds that employees wrote checks out to the CERF fund. The insurance company paid the City about a \$400,000 settlement to the City. The CERF fund was never reimbursed the monies.

Mayor Pavia – Does the Board want an accounting of what happened for next months meeting? The Mayor asked David Yanik if he could work with the Human Resources Department on this.

Tim Abbazia made a motion for a full accounting of any misappropriation of funds by Mr. Manfredonia. The vote was seconded by Joseph Caruso. The vote was 6 – 0 unanimous.

Deb Gorenflo – We are here to address Item C.

Mayor Pavia – When we get to your item you will be allowed to participate.

## II. Old Business

### A. Wells Fargo Report – Joseph DePalma gave the monthly report.

At the end of January we will need to raise cash for pension payments.

### B. MAA Buy-back Agreement

Emmet Hibson – The buy-back is for time that was not under the CERF Fund. The question is what authority does this Board have. I am distributing a memo dated January 10, 2013 on what I believe this Board's authority is. There are eight (8) collective bargaining agreements whose members are allowed to participate in CERF. What is at issue here is employees who were originally hired and were not eligible to be in the CERF Pension Plan. There was an allowance when Mr. Manfredonia was here to allow those individuals to buy into the CERF Pension Plan. We did a review of the buy-backs. We offered the two (2) unions UAW and MAA a Memorandum of Agreement for buy-backs for the individuals who did not meet the regular criteria of a buy-back. The UAW union has signed the agreement. The MAA union has not signed the agreement because they want the time to count towards health care.

The trustees sole function is to determine how to spend the monies in the trust. Health care is not paid for out of this trust. There is nothing you can do at this level to effect health care for an individual, it is done at the collective bargaining process.

Joseph Caruso – How does an employee qualify for retiree health care?

Emmet Hibson – The contract determines it.

Burt Rosenberg – Mr. Hibson you have not been attending these meetings. We never suggested that we had the authority with respect to Beverly Aveni's health and benefits. The minutes of the November 15<sup>th</sup> meeting I wrote out an agreement which

Mr. Williams agreed to. This Memorandum of Understanding shall not affect the employee's eligibility for retiree health insurance. Such eligibility shall be determined by the provisions of the collective bargaining agreement. The buy-back shall apply to increase pension service credit for purposes of eligibility for retirement and calculation of pension benefits.

Emmet Hibson – I reviewed that language and found it to be interpreted to include retiree health care.

Tim Beeble – Human Resources language is “This buy-back applies only to increase pension credit it does not add to seniority or service time.” Our contract refers to credited service. We said “This buy-back applies only to increase pension credited service it does not add to seniority . Mr. Williams brought up that this creates a health issue. We never brought up a health issue. Human Resources did. Our contract refers to credited service. Burt came up with this language to make it clear that this does not affect the rights under the contract in regards to health insurance.

Emmet Hibson – It is your position that you would not claim health as a benefit in this MOU.

Tim Beeble – I'm saying that this MOU does not affect her health benefits. She will get credited service and be able to retire at age 58 with 15 years normal retirement.

Emmet Hibson – The buy-back would qualify her for health insurance. This is not a normal retirement. She did not work in classified service for 10 years.

At 9:40 a.m. Burt Rosenberg asked for a caucus.

At 9:50 a.m. back on the record.

Burt Rosenberg made a motion to table the MAA buy-back agreement. The motion was seconded by Michael Briscoe. The motion was 6 – 0 unanimous.

- C. Monies inadvertently deposited into the Custodian Pension Fund. Working on reports for a meeting with the Custodian Pension Fund.

Clemon Williams – In 2011 \$533,000 was inadvertently put into the Custodian Pension Fund instead of going into the CERF Fund. In 2012 \$611,000 was inadvertently put into the Custodian Pension Fund instead of going into the CERF Fund. I am working on reconciling the Wells Fargo statements and I'm waiting for the Bank of America statement so that I can reconcile that one also.



Debra Katz \$ 3,800.88 per month

Tim Beeble 2001 Memorandum of Agreement that she was an exempt employee, but instead of being treated as an exempt employee she was treated as an hourly employee.

Emmet Hibson – Tim did I not show you a 1999 agreement that specifically reduced the hours.

Tim Beeble – At that time she was hourly. The 2001 super cedes it. We have filed a grievance on this issue.

At 10:10 the Mayor had to leave the meeting.

At 10:20 a.m. Burt Rosenberg made a motion to go into Executive Session.

At 10:33 the Board came out of Executive Session and no votes were taken.

Timothy Abbazia made a motion to approve Debra Katz's retirement and ask for an additional calculation adding back the .73 for next month's meeting for discussion.

Burt Rosenberg – Debra Katz should produce statements from former health directors, co-workers, grants department attesting that Ms. Katz's hours were more than 35 hours per week for next month's meeting.

Timothy Abbazia – I would ask that Ms. Katz or Mr. Beeble revisit this with Mr. Hibson's office to see if it can be resolved and if not certainly present the information to the Trustees on this Board and we would put it on our agenda for next month.

The motion was seconded by Joseph Caruso. The vote was 5 – 0 unanimous.

Joseph Kuntz \$ 3,804.90 per month

Joseph Caruso made a motion to approve Joseph Kuntz's retirement. The motion was seconded by Michael Briscoe. The vote was 5 – 0 unanimous.

At 10:40 a.m. Burt Rosenberg made a motion to go into Executive session on Taylor Bova and Alfred Gorenflo. The motion was seconded by Michael Briscoe. The vote was 5 – 0.

At 11:05 the Board came out of Executive Session and no votes were taken. Timothy Abbazia had to leave the meeting and he did not participate in the Alfred Gorenflo Executive Session.

C. Disability Retirements

Alfred Gorenflo \$ 4,068.56 per month

Emmet Hibson – Mr. Gorenflo has a pending workers compensation case with the City. The City has sent him for an IME. This Board can send him for their own IME or wait for the documents from workers compensation. The City does not have the IME report.

Alfred Gorenflo - There was a sewer main break at Wallachs Point which lasted three (3) days. As I was walking back to my car the blacktop fell out and I went down the hole and came close of going into the pipe. I was covered in raw sewage. I had to stop the pain medication. I was very active and it's hard not working.

Burt Rosenberg made a motion to wait for the IME report and to table this item to next months' meeting. The motion was seconded by Joseph Caruso. The vote was 4 – 0 unanimous.

D. Vested - None

E. Bills

Fiduciary Investment Advisors 4th Quarter	\$9,750.00
Wells Fargo November 2012	\$4,678.61

Michael Briscoe made a motion to approve the bills. The motion was seconded by Joseph Caruso. The vote was 4 - 0 unanimous.

The meeting was adjourned at 11:35 a.m.

The next regularly scheduled CERF Trustees meeting is scheduled for Thursday, February 14, 2013 at 9:00 a.m.

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Emmet P. Hibson, Jr.  
CERF Secretary

cc: Town Clerk