

I. Roll Call:

- A. Members Present
 - 1. Paul Schroder
 - 2. Frank Davis
 - 3. Sarah Kannas
 - 4. Jerald Navick
 - 5. Joanne Philbrick
 - 6. James Tetreault, Alternate (non-voting member)
 - 7. Richard Benoit, Alternate (non-voting member)
- B. Members Absent
 - 1. John A John, Alternate
- C. Others Present
 - 1. Thomas Dawkins, Human Resources Director
 - 2. Donna DesSureault, Secretary
 - 3. Brian Curtin, City Treasurer
 - 4. William Block, Purchasing Agent (late arrival)
 - 5. James Deveny, City Employee (Police Officer)

II. Minutes

- A. Minutes of Personnel & Pension Board Regular Meeting held on 11/18/2008.
 - 1. Paul Schroder asked Secretary Donna DesSureault if she had been approached by Jennifer Elazhari since the November meeting, as the P&P Board had written a letter to Jennifer requesting a response. Donna DesSureault replied that she had not heard from Ms. Elazhari personally and asked Tom Dawkins if he had been contacted by her. Mr. Dawkins stated that he had not been contacted by Ms. Elazhari, either. Motion by Navick to approve the minutes; seconded by Philbrick; all in favor.
- B. Minutes of the Personnel & Pension Board Special/Investment Meeting held on 12/10/2008.
 - 1. Motion by Philbrick to approve the minutes; seconded by Davis; all in favor.

III. New Business

- A. Motion made by Schroder to move Item J (Deveny) to Item A; seconded by Jerald Navick. All in favor. Item A (formerly J) James Deveny requested a hearing regarding his denial by the Board to buy back his probationary time. Mr. Deveny stated that he had been hired by the City in 1985 and at the time did not choose to purchase his probationary time. He stated that as he is now looking to retire he asked Asst. Human Resources Director Brigid Marks if he could be allowed to purchase the probationary time, even though he had chosen not to earlier, and was told to write a letter to the Personnel and Pension Board as she had done. . He addressed the letter to Human Resources Director Tom Dawkins; the letter was brought to the May 2008 P&P Board Meeting. At that meeting the Board made the decision to deny Mr. Deveny's request. Mr. Deveny said that he then researched the history of other employee probationary buybacks through the Human Resources Department, and found 8 other employees who requested to purchase probationary time after the window to purchase had passed. He cited Brigid Marks, Robert Zarnetske and another police officer as examples. He then questioned the rules and regulations on approving some employees to purchase probationary time after the initial period of purchase, saying that he did not understand why some were allowed while others were denied. Tom Dawkins asked Mr. Deveny to clarify that the 8 employees that requested the purchase did so more than 1 year after the probationary period had ended, which Mr. Deveny confirmed. Mr. Deveny stated that his research showed that only 1 employee was denied a similar request.

He said that he researched the P&P Board minutes back to 1993 and could not find any rules or regulations regarding this subject, and that approvals/denials seemed to be made on a case-by-case basis. Joanne Philbrick asked for the basis of the denial made to Mr. Deveny at the May meeting. Paul Schroder noted that the general rule was that if the employee signed the initial form choosing not to purchase the probationary time, then that employee would be denied later on. He asked Mr. Deveny if he had initially chosen not to purchase the time. Mr. Deveny admitted that he had initially chosen not to purchase the time, but that the other employees had also had initially chosen not to purchase the time, and were allowed to later on. Mr. Deveny stated that if the general rule had been changed to allow others to purchase the time after the window to purchase had passed, then there should have been notification to all employees letting them know of the policy change, or some notification in the meeting minutes of the P&P Board. Mr. Schroder stated that the general rule had not changed, and that exceptions may have been made in cases where the probationary period had been extended. Mr. Deveny replied that in employee Jonathan Long's case, he had been employed 8 years before choosing to purchase the probationary time in 2004, which was approved. Sarah Kannas stated that the current Board members were trying to set a precedent regardless of past P&P Board behavior and be consistent. Mr. Deveny stated that he was not looking for any special consideration and was willing to pay the calculated cost, which might include interest. Brian Curtin noted that since that had been inconsistency in the past, a memo could be sent to all employees with a 3-month grace period allowing all employees to purchase probationary time at this time. Tom Dawkins stated that it would require an amendment to the current Retirement Plan, which would require City Council approval, as the Council would want to know the actuarial cost to the Plan. Paul Schroder stated that perhaps Corporation Counsel Michael Driscoll should become involved and attend the next meeting, and that maybe the item should be tabled until that time. Joanne Philbrick noted that since there was so much inconsistency in the past, the Board should allow Mr. Deveny to purchase the time, and also that the employee previously denied should be able to approach the Board again. Tom Dawkins stated that he did not agree with Ms. Philbrick's idea. After more discussion, Paul Schroder made a motion to table Item A under Old Business and contact Corporation Counsel Michael Driscoll for an opinion on the matter; seconded by Frank Davis. The motion failed 3-2; Schroder and Davis voting yes, all others voting no. Paul Schroder noted that the prior motion to deny from the May 2008 meeting would stand. Motion by Schroder to move back to the regular business agenda; seconded by Davis; all in favor.

- B. (Formerly Item A) - Application from DeeAnne Brennan, City Clerk, for a regular General City Retirement effective 2/11/2009. See note*.
- C. (Formerly Item B) - Application from Cynthia Chabot, Paraeducator (Bd. of Ed.) for a deferred General City Retirement effective 1/1/2009, payable on 11/15/2012. See note*.
- D. (Formerly Item C) - Application from Lester Smith, General Foreman (NPU) for a regular General City Retirement effective 1/2/2009. See note*.
- E. (Formerly Item D) - Application from Jeffery Alfieri, Chief Lineman (NPU) for a regular General City Retirement effective 2/25/2009. See note*.
- F. (Formerly Item E) - Application from Dennis Grillo, Field Service Water Tech. (NPU) for a regular General City Retirement effective 1/3/2009. See note*.
- G. (Formerly Item F) - Application from Barbara Lathrop, Paraeducator (Bd. of Ed.) for a regular General City Retirement effective 12/24/2008. See note*.
- H. (Formerly Item G) - Application from Carol Butova, Paraeducator (Bd. of Ed.) for a deferred General City Retirement effective 11/20/08, payable on 5/21/2010. See note*.
- I. (Formerly Item H) - Application from Nancy Poitras, Customer Service Rep. (NPU), for a regular General City Retirement effective 3/7/2009. See note*.

*Note: Motion by Navick to approve Items B through Items I (Brennan through Poitras); seconded by Davis; all in favor.

- J. Letter from Michael Schaefer, City Planner asking to purchase previous City service time as Asst. Planning Director for 12/14/1992 - 3/18/1994. Paul Schroder noted that Mr. Schaefer did not leave his money in the Retirement Fund, but took a refund, and that there was an allowance of 1 year from the date an employee leaves for reinstatement into the Fund, but that this had been several years. Mr. Schaefer is currently enrolled in the Retirement Fund as a new employee with a DOH 1/23/06. Motion by Schroder to deny the purchase; seconded by Philbrick; all in favor. Mr. Block arrived at this time.
- K. Letter from Jami Zagarenski, Paraeducator (Bd. of Ed.) requesting to withdraw participation from the City Retirement Plan. Motion by Davis; seconded by Kannas; all in favor.
- L. Letter from Robin Williams, Paraeducator (Bd. of Ed.) requesting to withdraw participation from the City Retirement Plan. Motion by Davis; seconded by Kannas; all in favor.
- M. Application for a refund of pension contributions from Louis Berlepsch, Custodian (Bd. of Ed.) and calculation for same in the amount of \$41,155.56. Motion by Davis; seconded by Navick; all in favor.
- N. Medical bills for payment - no action under this item.
- O. Employees to be admitted into the City Retirement Fund - no action under this item.
- P. New employees:
 - 1. Jonathan Messore, Laborer, PW Dept. - DOH 12/1/2008.
 - 2. Matthew Schepp, Apprentice Maint. Mech., NPU - DOH 11/17/2008.
 - 3. Daniel Sandoval, Janitor, PW Dept. - DOH 12/15/2008.Jerald Navick questioned whether there was a hiring freeze, since there are new employees on the agenda. Tom Dawkins stated that the offer to hire the applicants was probably done prior to the implementation of the freeze. Motion to approve the new employees by Philbrick; seconded by Navick; all in favor.

IV. Old Business

- A. OPEB discussion and update. A short discussion ensued regarding wording of the contract regarding the removal of trustees. Purchasing Agent William Block asked if the Board was happy with the document as it stands, or if there were any recommendations or changes requested. Motion by Schroder to have William Block, Comptroller Joseph Ruffo, Treasurer Brian Curtin review the document after Mr. Block makes any administrative corrections to the document to make sure that there are no conflicts with the City Charter, and that it should be reviewed by Corporation Counsel Michael Driscoll. Motion seconded by Kannas; all in favor. The Board thanked Mr. Block for all of his hard work on the OPEB document. Brian Curtin noted that the final document should come back to the Board for a final review before signing. Motion by Schroder to bring the final contract to the P&P Board before signing; seconded by Philbrick; all in favor.
- B. Pension calculation for Gary Jarvis (Board of Education) -date of retirement 11/1/2008. Annual amount = \$15,921.82. Motion to approve by Navick; seconded by Davis; all in favor.
- C. Pension calculation for David McCoy (Police Dept.) -date of retirement 10/23/2008. Annual amount = \$41,799.89. Motion to approve by Davis; seconded by Kannas; all in favor.
- D. Revised pension calculation due to clerical error - Thomas Mikula, Jr. (NPU) - date of retirement 10/4/2008. Revised annual amount = \$48,718.33. Motion to approve by Schroder; seconded by Navick; all in favor.
- E. Revised pension calculation due to clerical error - Anastas Provas (Police Dept.) - date of retirement 9/7/2008. Revised annual amount = \$49,089.38. Motion to approve by Davis; seconded by Kannas; all in favor.

Also under Old Business:

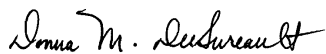
At this point, Paul Schroder reiterated that the Board had not received any communication from Jennifer Elazhari, and asked when the 30-day period mentioned in the letter to Ms. Elazhari from the Board will pass. Secretary Donna DesSureauult stated she believed that the 30-day period mentioned in the letter had already passed. Under a suspension of the rules, Paul Schroder made a motion that if the Board has not received a letter from Jennifer Elazhari requesting reentry into the Retirement Fund to be paid with interest, that the Board should then go ahead and refund her retirement contributions with interest. He asked Secretary Donna DesSureauult to verify the 30-day period. After discussion, Mr. Schroder withdrew his motion; the information to be brought up at the next meeting under Old Business.

Paul Schroder questioned the status of Steven Palmer's retirement and asked if was still employed. Tom Dawkins stated that he was still receiving Worker's Compensation payments. Frank Davis questioned the status of Jeffrey Giovanni's retirement. Tom Dawkins stated that it was in litigation. Mr. Davis asked about the status of Warren Mocek's inquiry regarding his pension from past meetings. Tom Dawkins stated that with the new pension modification effective 7/1/2008, Mr. Mocek is now satisfied. Frank Davis questioned the status of the raise requested by Vivian Lapointe, former Retirement Plan Administrator. Mr. Dawkins replied that the ordinance was scheduled for the City Council meeting on 1/20/2009. Mr. Davis then asked if the \$1000.00 flat increase prior to the GWI % increase that the Board requested had been incorporated into the ordinance. Tom Dawkins stated that it was his job to bring the ordinance to the City Council and that the Board's recommendation was not done.

V. Adjournment

1. Motion by Kannas; seconded by Navick to adjourn the meeting. All in favor. Meeting adjourned at 7:02 P.M.

Respectfully submitted,



Donna DesSureauult, Secretary