

DEPARTMENT OF CITY CLERK

CITY HALL

JULY 24, 1996

The Retirement Board of the Employees' Retirement System meets this day at 9:30 o'clock A.M. in the Chamber of the City Council, City Hall.

Present: Chairman D'Amico, Vice-Chairman Patterson, Mrs. Jackson, Mr. Day, Mr. McDonald, Mr. Mendillo, Councilwoman Fagnoli, and Mr. Quattrocchi - 8.

Excused: Mayor Cianci - 1.

Absent: Dr. Crowley and Mr. Chiodo - 2.

(Helen Gibbons Vieluf, Assistant Clerk and Michael R. Clement, Clerk)

Also present is Christine Kriekorian of the Law Department, Pension Administrator Edward Lynch and Medical Advisor, Dr. Guy Geffroy.

At this time, Mrs. Jackson, Chairwoman of the Disability Sub Committee moves that the Board retire into EXECUTIVE SESSION, in accordance with the provisions of the Confidentiality of Healthcare Information Act Sec. 42-46 (a) (1). 9:50 o'clock A.M. to discuss Accidental and/or Ordinary Requests for Disability Retirements.

This motion being seconded by Mr. Mendillo, is put to vote and passed.

All members in favor.

RECONVENTION

The meeting resumes in public session at 10:00 o'clock A.M. and the Assistant Clerk is directed to record there is a quorum present.

REQUESTS FOR ACCIDENTAL AND/OR ORDINARY DISABILITY
RETIREMENTS.

MARY BERTOLDI.

On motion of Mr. Day, seconded by Mr. Patterson, it is voted to approve the application of Mary Bertoldi, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

RAYMOND BOCCANFUSCO.

On motion of Mrs. Jackson, seconded by Mr. Day, it is voted to approved the application of Raymond Boccanfusco, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

ROBERT CAMBIO.

On motion of Mrs. Jackson, seconded by Mr. McDonald and Mr. Day, it is voted to approve the application of Robert Cambio, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

WILLIAM PRINTER.

On motion of Mr. McDonald, seconded by Mr. Patterson, it is voted to approve the application of William Printer, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

JOHN MCLAUGHLIN.

On motion of Mrs. Jackson, seconded by Mr. Patterson, it is voted to notify Mr. McLaughlin in writing, via the Law Department with a copy sent to the Chief that he is to return to work forthwith, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

LIONEL PICARD.

On motion of Mrs. Jackson, seconded by Mr. Patterson, it is voted that Mr. Picard resume his disability retirement and future annual reviews be discontinued, same being based on the findings of the Disability Sub Committee, the Medical Advisor and Doctor's Reports submitted.

All members in favor.

DENNIS CROWLEY.

On motion of Mr. Day, seconded by Mr. McDonald, it is voted to approve the application of Dennis Crowley, same being based on the findings of the Disability Sub Committee, the Medical Advisor and the Doctor's Reports submitted.

All members in favor.

ROBERT TOBIN.

Mr. Day informs the members that he would like the foregoing request heard as soon as possible.

Mrs. Jackson states that it could be heard as soon as August, possibly September as long as all required information is submitted.

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Dr. Geffroy is excused at this time.

PRESENTATION - ATTORNEY WILLIAM LYNCH FROM MR. SKOLNIK'S OFFICE.

Attorney Lynch informs the Members that both himself and Attorney Parker have worked very closely with Mr. Skolnik on the case and further informs of Mr. Skolnik's illness and recovery and that he will be able to resume his position soon.

Mr. Lynch states that in the meantime there are staff in the office who have worked with Mr. Skolnik on the case and are perfectly capable and confident of continuing to do that until Mr. Skolnik's return. He is adamant that he wants to handle the case but in the meantime things can continue to go forward.

Mr. Day questions when the decision will be made.

Attorney Lynch states that "I think that what the Judge has indicated is that he was not aware that Mr. Skolnik was ill and he wanted to make sure that it was not going to be a situation where the case was just left laying there for six to eight months without anything happening and he wanted to make sure that you people were confident that would not happen either and I don't anticipate that happening. I think what he will do is to provide for a short continuance and then make sure everyone is ready to go with it, probably in a couple of weeks."

Accordingly, on motion of Mr. Day, seconded by Mr. Patterson, it is voted to receive the foregoing report from Mr. Lynch and the services of Attorney Skolnik be retained.

All members in favor.

Discussion ensues on when the decision will be made and Mr. Day informs that there are members who are literally dying waiting this decision and would like this fact to be made known to the Judge.

Mr. Quattrocchi: "Has anyone conveyed to the Judge that this Board has and still is willing to negotiate with the Administration, but the Administration and Mr. Mansoillo have made no attempt to negotiate and have no interest in negotiating?"

Attorney Lynch informs that the Judge is aware of that.

Mr. Quattrocchi requests that message be further conveyed to the Judge so that it is absolutely clear.

Attorney Lynch informs that he will do so.

Attorney Lynch is excused at this time.

INVOICES FOR PAYMENTS.

On motion of Mr. Day, seconded by Mr. Patterson, it is voted to approve the Parking Fees for Members Mendillo (\$12.00) and McDonald (\$6.00).

All members in favor.

PURCHASE OF SERVICE.

Mr. Lynch presents the following requests for purchase of service for the months of June and July, 1996.

1. Corrine M. Barbato-1 year, 1 month and 4 days of Temporary Service in the amount of \$2,198.92.
2. Patricia Barnes-10 months and 21 days of Temporary Service in the amount of \$1,765.46.
3. Anthony J. D'Amico-1 year and 10 months of Temporary Service in the amount of \$4,069.96.
4. Carol DeNofa-2 months and 16 days of Temporary Service in the amount of \$424.66.
5. Howard Engle-1 year, 8 months, 28 days of Temporary Service in the amount of \$4,116.91.
6. Barbara Gariele-5 months and 17 days of Temporary Service in the amount of \$716.33.
7. Mark J. Merlino-1 year, 9 months and 1 days of Temporary Service in the amount of \$6,540.23.
8. Steven Moran-1 year and 9 days of Temporary Service in the amount of \$3,936.92.
9. JoAnn A. Rossi-4 months and 11 days of Temporary Service in the amount of \$694.85.

Mr. Lynch informs that all are in order and accordingly, on motion of Mr. Mendillo, seconded by Mr. McDonald, it is voted to approve the foregoing Requests for Purchase of Service

All members in favor.

APPLICATIONS FOR SERVICE RETIREMENTS.

OPTION II.

ROBERT R. CAPUTO - APPLICATION FOR SERVICE RETIREMENT.

Mr. Lynch presents the application of Robert R. Caputo, employed as an Appraiser in the Assessor's Office. Mr. Caputo is 55 years of age with a service record of twenty three years and eight months, working for the City the same length of time.

This application is in proper form with allowance as recommended by the Actuary as follows:

Robert R. Caputo Appraiser/Assessor's Office

Allowance \$ 1,551.58 a month, effective May 9, 1996.

MEDDY J. PAYETTE - APPLICATION FOR SERVICE RETIREMENT.

Mr. Lynch presents the application of Meddy J. Payette, employed as a Budget Officer with the School Department. Mr. Payette is 54 years of age with a service record of twenty three years, purchasing two years of military time, working for the City twenty five years.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Meddy J. Payette Budget officer/School Department

Allowance \$ 2,333.95 a month, effective April 12, 1996.

ROBERT J. PUC CETTI - APPLICATION FOR SERVICE RETIREMENT.

Mr. Lynch presents the application of Robert J. Puccetti, employed as a Custodian in the School Department. Mr. Puccetti is 44 years of age with a service record of twenty four years, three months, working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Robert J. Puccetti Custodian/School Department

Allowance \$ 917.82 a month, effective November 24, 1995.

OPTION IV.

SHIRLEY ARLAN - APPLICATION FOR SERVICE RETIREMENT.

Mr. Lynch presents the application for service retirement of Shirley Arlan, employed as a Clerk in the Municipal Court. Ms. Arlan is 53 years of age with a service record of twenty two years, seventeen days, purchasing one year, one month and twenty two days, working for the City twenty three years, two months and nine days.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Shirley Arlan Clerk/Municipal Court

Allowance \$1,135.15 a month, effective April 24, 1996.

FRANCISCO GOULARD - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application of Francisco Goulard, employed as a Bricklayer in the Department of Public Works. Mr. Goulard is 55 years of age with a service record of eighteen years, ten months and ten days, working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Francisco Goulard Bricklayer/Public Works

Allowance \$ 770.52 a month, effective August 30, 1995.

ELEANOR JOLY - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application for service retirement of Eleanor Joly, employed as a Clerk in the School Department. Ms. Joly is 53 years of age with a service record of twenty three years, five months and twenty four days working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Eleanor Joly Clerk/School Department

Allowance \$ 1,414.19 a month, effective May 31, 1996.

NORMAND L. ROUSSEL - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application for service retirement of Normand L. Roussel, employed as Communications Director for the Mayors Office. Mr. Roussel is 62 years of age with a service record of three years and two months, working for the City the same length of time.

This application is in proper form with allowance as recommended by the Actuary as follows:

Normand L. Roussel Communications Director/Mayors Office

Allowance \$377.06 a month, effective May 4, 1996.

LOUIS G. ROY - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application for service retirement of Louis G. Roy, employed as a Firefighter in the Fire Department. Mr. Roy is 40 years of age with a service record of fifteen years, eight months, working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Louis G. Roy Firefighter/Fire Department

Allowance \$ 2,160.89 a month, effective May 23, 1996.

LEO SIMONEAU - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application of Leo Simoneau, employed as captain in the Fire Department. Mr. Simoneau is 43 years of age with a service record of twenty two years, six months and twenty four days, working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Leo Simoneau Captain/Fire Department

Allowance \$ 2,582.04 a month, effective May 23, 1996.

ROBERT STIZZA - APPLICATION FOR SERVICE RETIREMENT

Mr. Lynch presents the application for service retirement of Robert Stizza, employed as an Environmental Officer with the Department of Public Works. Mr. Stizza is 43 years of age with a service record of twenty three years and twenty one days, working for the City the same length of time.

This application is in proper form with Allowance as recommended by the Actuary as follows:

Robert Stizza Environmental Officer/Public Works

Allowance \$ 739.38 a month, effective July 2, 1996.

ORDINARY DEATH BENEFIT - OPTION II.

CAROLINA PETROSINELLI/BENEFICIARY OF COUNCIL PRESIDENT

JAMES A. PETROSINELLI.

Mr. Lynch presents the application for service retirement of James A. Petrosinelli, employed as Council President of the City Council. Mr. Petrosinelli was 70 years of age with a service record of twenty one years, three months and fifteen days, purchasing military time of two years, one month and twelve days, working for the City twenty-three years, four months and twenty seven days.

This application is in proper form with Allowance as recommended by the actuary as follows:

Carolina Petrosinelli, beneficiary of James
Council President/City Council Allowance \$ 559.77 a month, effective May 21,
1996

ELECTED OFFICIAL.

CAROLINA PETROSINELLI, BENEFICIARY OF JAMES A. PETROSINELLI.

Mr. Lynch presents the application of Carolina Petrosinelli, beneficiary of James A., employed as President of the City Council. Mr. Petrosinelli was 70 years of age with a service record of twenty three years, six months and seven days, purchasing military time of two years, one month and twelve days, working for the City twenty one years, three months and fifteen days.

This application is in proper form with allowance as recommended by the Actuary as follows:

Carolina Petrosinelli, beneficiary of James A. Petrosinelli
Allowance \$ 499.12 a month, effective May 21, 1996.

Accordingly, on motion of Mr. Mendillo, seconded by Mr. Patterson, is it voted to approve the foregoing applications for service retirements.

All members in favor.

NEW BUSINESS - REPORT OF INVESTMENT SUB COMMITTEE - MR. DAY.

Mr. Day moves that the Board correspond with Mayor Vincent A. Cianci, Jr., and request in writing, a report on the Assets of the Pension System as of July 1, 1996 and a report as to where those assets are-where is the amount, what is it invested in and also a presentation be made by the Board of Investment Commissioners to the full Retirement Board.

This motion is seconded by Mr. McDonald.

Mr. Lynch informs that the moneys were dispersed July 1st.

All members in favor.

Mr. McDonald at this time questions whether or not the City made their contribution for this year - 18 million on June 30th? He further states that this is going back many years now where they are not putting in their funds.

Discussion ensues among the members.

PRINTING OF RETIREMENT BOOKLET - MR. D'AMICO.

MATTERS PERTAINING TO THE RETIREMENT BOARD - MR. D'AMICO.

REPORT ON RECENT COURT DECISIONS AND REVIEW OF UPCOMING LITIGATION - MR. SKOLNIK.

Severally Continued.

PAYMENT SCHEDULE OF MR. EDWARD SEAWRIGHT.

Mr. Lynch presents the following payment schedule that Mr. Seawright has agreed to in repaying \$12,619.49.

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ED SEAWRIGHT

Compound Period Monthly

Nominal Annual Rate ...: 0.000 %
 Effective Annual Rate ...: 0.000 %
 Periodic Rate: 0.0000 %
 Daily Rate: 0.00000 %

CASH FLOW DATA

Event	Start Date	Amount	Number	Period	End Date
1 Loan	07/23/1996	12,619.49	1		
2 Payment	08/31/1996	300.00	42	Monthly	01/31/2000
3 Payment	02/29/2000	19.49	1		

AMORTIZATION SCHEDULE - Normal Amortization

Date	Payment	Interest	Principal	Balance
Loan 07/23/1996				12,619.49
1 08/31/1996	300.00	0.00	300.00	12,319.49
2 09/30/1996	300.00	0.00	300.00	12,019.49
3 10/31/1996	300.00	0.00	300.00	11,719.49
4 11/30/1996	300.00	0.00	300.00	11,419.49
5 12/31/1996	300.00	0.00	300.00	11,119.49
1996 Totals	1,500.00	0.00	1,500.00	
6 01/31/1997	300.00	0.00	300.00	10,819.49
7 02/28/1997	300.00	0.00	300.00	10,519.49
8 03/31/1997	300.00	0.00	300.00	10,219.49
9 04/30/1997	300.00	0.00	300.00	9,919.49
10 05/31/1997	300.00	0.00	300.00	9,619.49

11	06/30/1997	300.00	0.00	300.00	9,319.49
12	07/31/1997	300.00	0.00	300.00	9,019.49
13	08/31/1997	300.00	0.00	300.00	8,719.49
14	09/30/1997	300.00	0.00	300.00	8,419.49
15	10/31/1997	300.00	0.00	300.00	8,119.49
16	11/30/1997	300.00	0.00	300.00	7,819.49
17	12/31/1997	300.00	0.00	300.00	7,519.49
1997	Totals	3,600.00	0.00	3,600.00	
18	01/31/1998	300.00	0.00	300.00	7,219.49
19	02/28/1998	300.00	0.00	300.00	6,919.49
20	03/31/1998	300.00	0.00	300.00	6,619.49
21	04/30/1998	300.00	0.00	300.00	6,319.49
22	05/31/1998	300.00	0.00	300.00	6,019.49
23	06/30/1998	300.00	0.00	300.00	5,719.49
24	07/31/1998	300.00	0.00	300.00	5,419.49
25	08/31/1998	300.00	0.00	300.00	5,119.49
26	09/30/1998	300.00	0.00	300.00	4,819.49

ED SEAWRIGHT

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Date	Payment	Interest	Principal	Balance	
27	10/31/1998	300.00	0.00	300.00	4,519.49
28	11/30/1998	300.00	0.00	300.00	4,219.49
29	12/31/1998	300.00	0.00	300.00	3,919.49
1998	Totals	3,600.00	0.00	3,600.00	
30	01/31/1999	300.00	0.00	300.00	3,619.49
31	02/28/1999	300.00	0.00	300.00	3,319.49
32	03/31/1999	300.00	0.00	300.00	3,019.49
33	04/30/1999	300.00	0.00	300.00	2,719.49
34	05/31/1999	300.00	0.00	300.00	2,419.49
35	06/30/1999	300.00	0.00	300.00	2,119.49
36	07/31/1999	300.00	0.00	300.00	1,819.49
37	08/31/1999	300.00	0.00	300.00	1,519.49
38	09/30/1999	300.00	0.00	300.00	1,219.49
39	10/31/1999	300.00	0.00	300.00	919.49
40	11/30/1999	300.00	0.00	300.00	619.49
41	12/31/1999	300.00	0.00	300.00	319.49
1999	Totals	3,600.00	0.00	3,600.00	
42	01/31/2000	300.00	0.00	300.00	19.49
43	02/29/2000	19.49	0.00	19.49	0.00
2000	Totals	319.49	0.00	319.49	
Grand Totals		12,619.49	0.00	12,619.49	

On motion of Mr. Patterson, seconded by Mrs. Jackson, it is voted to accept the report.

All members in favor.

REQUEST OF MEDDY PAYETTE TO WITHDRAW EXCESS CONTRIBUTIONS AND INTEREST - MR. LYNCH.

Approved, on motion of Mrs. Jackson, seconded by Mr. McDonald.

All members in favor.

DISCUSSION CONCERNING PURCHASE OF SERVICE-MR. LYNCH.

Mr. Lynch informs that there has been a problem in the Retirement Office regarding same and that basically, in order to buyback temporary time, it should be continuous service, however it has not been the fault of the employees, school department employees or crossing guards, that they have to take the summers off so

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that there is a break in the service, this is to be allowed to be considered continuous if it is beyond the employees control.

The members agree and accept the report.

All members in favor.

DISCUSSION CONCERNING LOANS FOR SCHOOL DEPARTMENT
EMPLOYEES - MR. LYNCH.

Mr. Lynch informs that this is the same type of case and that was previously discussed and Mrs. Jackson is familiar with this. The School Employees cannot collect during the summer but are considered to be 12 month employees so this is just formal approval to approve their loans.

Accordingly, on motion of Mr. Patterson, seconded by Mr. Mendillo it is voted to approve the foregoing.

All members in favor.

REQUEST OF GEORGE SMITH TO WITHDRAW EXCESS CONTRIBUTIONS
- MR. LYNCH.

Mr. Lynch informs that everything is in order, the man is over 55 years old.

On motion of Mr. Mendillo, seconded by Mr. McDonald, it is voted to approve the foregoing.

PURCHASE OF SERVICE INVESTIGATION - MR. QUATTROCCHI.

Mr. Quattrocchi informs that he has requested this item be put on the Agenda because "this investigation that we all know about that has been going on since 1988 or 1989 or whatever, there has been some recent court decisions which have said that there is an implied contract between the employer and the employee if they have time purchased or time in their...time that they believe is theirs and that it is not right for someone to take it away from them after they have retired or they are planning their retirement. So, I think that the bottom line is, as one Board Member that Charles has had more than ample time to complete this investigation and I would just like to see if someone could convey to him that he conclude it that those individuals that he feels are improper or whatever, that he bring that forward and that everyone else can then rest assured that their purchase of service is fine, is valid and processed accordingly.

So, this is really just a request of the Solicitors Office through the Representative that is here today to ask Mr. Mansolillo to please conclude his purchase of service investigation within a reasonable period of time.

Mr. Quattrocchi so moves the foregoing request and this motion is seconded by Mr. Mendillo.

All members in favor.

Ms. Kriekorian of the Law Department informs that she will notify City Solicitor Mansolillo of today's vote.

REQUEST OF TIMOTHY FINUCAN TO WITHDRAW EXCESS CONTRIBUTIONS - MR. LYNCH.

Mr. Lynch informs that everything is in order and accordingly, on motion of Mr. Mendillo, seconded by Mr. McDonald, the foregoing request is approved.

All members in favor.

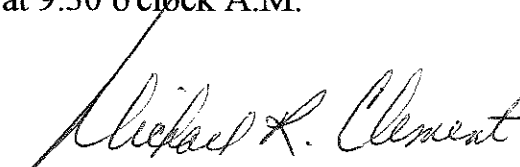
REQUEST OF RICHARD VITI TO TRANSFER ADDITIONAL AND EXCESS CONTRIBUTIONS TO LOAN.

Mr. Lynch informs that everything is in order and accordingly, on motion of Mr. Mendillo, seconded by Mr. McDonald, the foregoing request is approved.

All members in favor.

ADJOURNMENT. On motion of Mr. Mendillo, seconded by Mr. McDonald it is voted to adjourn at 11:00 o'clock A.M. to meet again on WEDNESDAY, AUGUST 28, 1996 at 9:30 o'clock A.M.


ASSISTANT CLERK


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