

**CITY OF MIDDLETOWN
MINUTES OF THE RETIREMENT BOARD
SPECIAL MEETING
June 22, 2015 at 4:30pm**

The Special Meeting of the Retirement Board of the City of Middletown
was held in room 208 of the Municipal Building

Board Members Present: Steve Gomes, Mayor Drew, Hope Kasper, Jim Reynolds, Carl Erlacher, Chris Bourne, Sandra Russo-Driska, Joe Serra

Board Members Absent: none

City Employees/Public/Others Present: Diana Doyle, Brig Smith

- Meeting was called to order at 4:34 pm
- No public comments on the agenda
- Board Discussion regarding Pension Plan/Ordinance and Billing for same
 - Carl reviewed the appropriations granted to pay for Pension study, the bills paid to Robinson & Cole (to date) and current outstanding balances for Pension study and disability reviews; states that Board must decide if invoices will be paid from Pension Plan or an additional appropriation request from Common Council
 - Carl stated that (at last meeting) Board prioritized Trust Document preparation and that a copy of the existing OPEB Trust has been forwarded to Robinson & Cole for reference
 - Discussion about (Robinson & Cole) disability review invoice and how past disability expenses had been paid; no history of outside counsel; currently (exams, etc.) expended from General Fund rather than Pension Plan; Carl expressed need for an appropriation to pay the disability invoice - before Robinson & Cole can continue with charge of Board
 - Discussion continued around disability review invoice; Mayor stated it was outcome of the Board asking Robinson & Cole to review disabilities in Fall 2014 due to a feeling of conflict in Office of General Counsel; Carl clarified that no payments have been made towards disability review invoice
 - Mayor Drew motioned to pay disability review invoice and was seconded by Carl
 - Discussion continued about where disability invoice would be paid from - Pension Plan or Common Council appropriation
 - Mayor Drew's motion was amended to include that invoice be paid through "an appropriation from the Common Council"
 - In Favor - Mayor Drew, Carl, Jim, Hope, Sandra, Steve
 - Opposed - Chris
 - Abstained - Joe (because invoice date precedes his Board membership)
 - Discussion of remaining balance of Plan Document / Pension Ordinance invoice; concern expressed that maximum allowed to spend will be met and Trust Document has not been completed/presented to Board; also, fundamental information (eligibility, etc.) not included in (Draft) Plan Document
 - Diana suggested negotiating the Plan Document/Pension Ordinance invoice with Robinson & Cole; Brig asserted that he will negotiate the bill at the direction of the Board (5 member majority)
 - Steve questioned if Robinson & Cole is on retainer or has a Statement of Work for activities; Brig stated "no" that estimate was \$40,000 for Pension Plan; he agreed that going forward a scope of attention or terms of engagement was appropriate; Steve suggested statement of work from Robinson & Cole for understanding of what will be paid for

- Mayor asked if Board charged Robinson & Cole with a certain job, have they done the job, have they been paid fully; Brig states that most of job has been done, some still left to do, what is the remaining part – tweak of Ordinance may be part of scope of services or comprehensive re-write which goes beyond current appropriation
- Mayor asked if balance of what is billed fits within the scope of what Robinson & Cole was asked to do; Brig stated “yes”
- Mayor asked if enough of appropriation was left to pay for Trust Document or Ordinance if \$8500 (outstanding invoice) is paid; Carl stated approximately \$11,000 left (before the \$8500 balance); Mayor asks (Brig) if remaining \$2500 is enough to pay (for Trust Document, Ordinance, other needed changes); Brig thought “no” but will ask Robinson & Cole
- Mayor motioned to pay Robinson & Cole pending an attempt of the Office of the General Counsel to ask to finish all charges including Trust Document at a cost not to exceed total appropriated amount of money (\$40,000), including the “red-line” version of Plan Document and was seconded by Sandra
- Mayor clarified motion that Robinson & Cole present everything to Board for questions & answers; Brig asked for clarification that the Mayor’s motion include authority that he (General Counsel) is representing the Board in capacity of negotiator for invoice to stay within current appropriation
 - In Favor – Mayor Drew, Sandra, Jim, Steve, Carl
 - Opposed – Hope, Chris
- **Adjournment of Meeting**
 - Carl motioned to adjourn and was seconded by Sandra
 - Discussion among Board about changing date of August meeting; agreement to move meeting to Monday, August 17, 2015 at 4:30 pm with no formal motion
 - Mayor motioned to adjourn and was seconded by Sandra
 - All in favor

Respectfully submitted:

Carl R. Erlacher, Finance Director
Tracks MZ 57 - 68