

**MINUTES OF WEST HARTFORD PUBLIC HEARING
FEBRUARY 27, 2008 7:15 P.M.**

RE: Code of Ordinances of the West Hartford Pension Plan

President Slifka: Let's call the 7:15 p.m. Public Hearing to order. Mr. Coursey could you please read the subject matter or I could do that for you.

Vice President Coursey: No, that is quite alright, Mr. Mayor. Ordinance amending sections 30-12, 30-14, 30-18, 30-24, 30-27, 30-51, and 30-53 of the Code of Ordinances of the Town of West Hartford of the West Hartford Pension Plan.

President Slifka: Thank you, Mr. Coursey.

ROLL CALL

Present were Councilors Steven Adler, Tim Brennan, Shari Cantor, Chuck Coursey, Leon Davidoff, Scott Slifka, and Joe Verrengia.

Carolyn Thornberry and Joe Visconti were absent.

President Slifka: Mr. Francis, you have a presentation from the administration.

Mr. Francis: I am going to do my best to make this presentation, so that it is as clear as I can make it. The Ordinance that you have in front of you does amend the Town's Pension Plan, and it is based on the collective bargaining agreements that you have approved already, both at the Town side, and in some cases, the Board of Education side. These become the technical amendments that the pension lawyers have drafted on the plan itself that fully implement the collective bargaining agreements on that. I can go through each one of them if you would like. There is one change that I would like to bring to your attention and that is #1, Section 30-12 under Normal Retirement. Most of the changes in that are simply change in the recognition of the various unions that are applied...it is applied to because the unions changed their local numbers and that type of thing, but if you look on Page 2 in that top paragraph about a little more than halfway down, it starts and says, the beginning of the line is a 39, that says AFSCME and underlined it says, or a member hired prior to July 1, 2006 who is employed in a position that is not with the Board of Education and also is not covered under a collective bargaining agreement. That section...that provision should be taken out of the Ordinance that you adopt, and I would ask Corporation Counsel whether that is a significant change or not to the Ordinance because I know you can't make a significant change, but that should come out. That is the only actual change in here. I might just ask her at this point, so we know whether we have to reset this or not.

President Slifka: Welcome, Ms. Boneham. You are on.

Ms. Boneham: Thank you. No, actually this would not be considered a significant change, so you would not need to reschedule.

President Slifka: But we do need to move to amend when we take it up for consideration?

Ms. Boneham: Yes, you would make a move to amend it to eliminate that section and then you can vote to approve or reject it as amended.

President Slifka: Okay, thank you.

Mr. Francis: If I could go down through the other sections...

President Slifka: Mr. Brennan has a question.

Councilor Brennan: I just want to be really clear what is being deleted. Is it the new underlined language or the whole section?

Mr. Francis: It is the new underlined language.

Councilor Brennan: Okay.

Mr. Francis: Just the new underlined language.

Councilor Brennan: Thank you.

Mr. Francis: If I go to the next section 30-14B, that section, and I will try and put it in English if you would...what that does is add a provision that if an employee has been here less than 10 years and goes out on a disability, they must meet the Social Security definition of disability. Currently, there is a definition that is less strict than that in the Ordinance, but part of the negotiations was to make it a more stricter definition of disability. That is what this particular section would do. The part E of that, which is on Page 3 of that same section also adds a provision that if you are eligible for disability the town can offer alternative employment and try to employ the individual in some other job, and therefore, you become employed and you don't collect the disability at that point. There is a penalty if you do not accept that position, then you would not get that disability pension.

#4, which is 30-14F, again, relates to the disability pension, and if you are collecting a disability pension and you have earned income outside of the town, if you've got another employment somewhere and earn the income that would be in excess of what you were making with the town, it would reduce the disability amount by the amount of excess you are making. So it would actually reduce your disability pension by that amount. Again, that was added through negotiations.

#5, which is 30-18G, is a provision which was an incentive that would...if someone is with the town for 30 years the compensation would be at 70% of the member's average final compensation and that is what that provision provides.

#6, which is Section 30-24H, because of the, again, the 30-year pension it changes when the COLA that is a part of the pension kicks in, which is to put in a 3-year delay beyond the time you would have gotten that, so it actually delays when the COLA is kicked in if you are at the 30 year, and if you haven't hit, even though you are 30 years here...if you haven't hit what would be normal age and requirements of a pension, then it would be 3 years beyond that. So, for instance, in the future for someone if they had 30 years but hadn't hit age 65, they would have to wait until 3 years beyond age 65 for that to kick in.

Section 30-24I, which is #7, does the same thing for separate groups, only it includes...it was a different group that was included in this, as I remember reading this. It has a different effective date, I believe, on that for a different group, but it is the same provision in terms of when the COLA kicks in.

For Section 30-24N, this is for, again, the Supervisory Building Maintenance Grounds Unit. They have 30 years of credited service provision, but they have to meet the other elements of eligibility. In other words, they can go at 30 years, but they have to have met either age 55 or an age 65 eligibility to go out with that. So, they can't just go 30 and out, for instance, and be less than those ages.

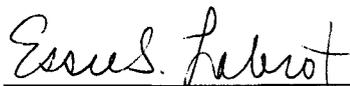
#9, which is Section 30-27A, has a clause that if you are hired after 2003 after 35 years of service with the town, your contribution would be reduced to 2% of compensation and that is because at 35 years you would have maxed out with your pension and your contribution at that point is frozen at 2% of compensation.

#10, Section 30-51 provides that as a part of our plan you can buy other years of service from other government employers that you had, but in the event that when you leave, those years of service aren't calculated into your pension because you've hit your max or some other reason, then you are entitled to a refund of the amount that you paid for those. You have to actually buy those years of service, so you are entitled to a refund without any interest on that. So it is a dollar for dollar refund.

#11, which is Section 30-53L, is actually in response to a new state legislation, so you could say that this was a new state mandate if you would, that requires that in cases of survivor benefits for police and fire that if a spouse was married and a member died in the line of duty the payment of their pension would continue to the spouse. That was put in because of a...like I said it was a legislative act that required it of the pension plan.

Again, it is in technical language provided by the pension lawyer, which comes from Reid and Riege and implements what was approved in the collective bargaining agreements.

President Slifka: Thank you, Mr. Francis. Are there any questions for Mr. Francis? I guess that covered it. Nobody was on the sign-up sheet. Is there anybody who did not sign up who wishes to speak to this particular Ordinance? Okay, seeing none. One last chance for everyone else? Okay, we will close the Public Hearing. Thank you.
Meeting adjourned at 7:40 p.m.



Essie S. Labrot
Town Clerk/Council Clerk

/bam