

Cromwell Fire District

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FIRE DISTRICT OFFICE
WATER DIVISION

FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

BOARD OF COMMISSIONERS

Pension Committee

Wednesday, January 4, 2023

5:30 PM

Coles Road Firehouse
105 Coles Road
Cromwell, CT

Present: Commissioners David Colligan (Chairman), Chip Darius, Robert McIntyre and Roger Rukowicz (President). Also attending was Executive Director Julius Neto. Commissioner Charles Epstein was absent.

- I. Call to Order. The meeting was called to order at 5:30 PM, by Chairman Colligan.
- II. Approval of Agenda. A motion was made by Commissioner McIntyre, seconded by Commissioner Darius and unanimously approved to accept the agenda as submitted.
- III. Public Comment. Public Comments have been submitted by Mr. James Rude, 25 Highridge Rd., Cromwell. The comments are listed below as well as attached to these minutes.

"One of the agenda items is to discuss the future options for the volunteer pension plan. I strongly support beginning the process to have all the elements ready for final termination of the plan once the "funded status" of the plan is adequate to settle all plan obligations. The process to terminate the plan is extensive and complicated, with there being no reason not to get the process started now.

Regarding the determination of the plan's "funded status," the actuary calculates the plan's liabilities, and I understand that the CFD still awaits the 6/30/2022 value. Not only is this holding up the audit, it prevents you from knowing the current "funded status." I also strongly recommend that you change actuaries, as your current vendor is untimely and unresponsive.

And with the ongoing movement in the investment markets, at least quarterly reporting of the pension plan's asset value would be prudent. Thank you for your consideration of these comments."

IV. New Business

- A. Discussion and Possible Decision on Roger Ambler Pension Status. Chairman Colligan gave a brief history of the pension issues going back to when Kent Scully was the Finance Director, Commissioner Donald Swanson was President of the Board and Steve Pendl was Fire District Administrator. During that administration it was decided to

change pension companies. However, not all records were accurately transferred to the new company, Future Plan. There were volunteer members such as Mr. Roger Ambler whose records were not transferred over to Future Plan. Mr. Ambler was in good standing with the Department at the time for over 10 years.

After this issue was discovered, a process was developed to research and track pensions. The Executive Director researched the system that was used. It was decided to have one of the Fire Chiefs during the time of Mr. Ambler's membership certify that Mr. Ambler was a member of the Fire Department in good standing. Commissioner Colligan contacted Jim Bellamo who was Deputy Fire Chief and in charge of pensions at the time Mr. Ambler was a member of the Department. Former Deputy Chief Jim Bellamo submitted a certified letter stating Mr. Ambler left the Department in good standing. Mr. Ambler submitted a participant benefit statement to show he had been part of the Department during the time in question.

Part of the process of any pensioner going forward would be to verify who is eligible and who is not. The process that the Commissioner's approved that was filed with Future Plan is to have some kind of empirical evidence to support the person's data. Mr. Ambler produced a benefit statement as of 7/1/12 to provide evidence that he was eligible for benefits from the pension plan even though he did not appear on the census.

The Pension Committee will consider evidence to support the claims. There should be at least 2 pieces of evidence to support the person making the claim. The Pension Committee has the authority to make adjustments as they see fit. It was noted that people could have many years as a volunteer, but if certain criteria are not met within the volunteer program, they will not receive credit for service.

The Committee should evaluate the merits of this process, make a decision and forward to the full Board of Commissioners for approval. Commissioner Colligan researched months of officers' meeting notes during the time in question. Mr. Neto also went digging through the archives. There was not a lot of documentation to be had. They believe that a lot of language in those early documents was not cleaned up. That was why problems occurred.

Chairman Colligan feels that Mr. Ambler is entitled to the benefits he is applying for. Otherwise there will be attorneys getting involved. Commissioner Colligan was looking for a motion to vote on Mr. Ambler's situation. He would like to send Mr. Ambler notification that the Committee has voted, and Mr. Ambler should reapply.

A motion was made by Commissioner Darius, seconded by Commissioner McIntyre and unanimously approved that based on the adequate evidence submitted, Mr. Roger Ambler be added back onto the pension roster and be eligible to receive his pension benefits.

Because this is a relatively new process, the Executive Director assumed that the evidence would be observed. A motion with a resolution would give it some impotence with Future Plan. This will be a new process for them as well. An effective date needs to be determined as well as the District taking financial responsibility for the pensions that were not funded during the time that those effected members had disappeared from the pension census.

Under the new rules, there is no longer a pension plan. The District had terminated the plan. There are a number of individuals that have a defined plan, but are not able to contribute into it anymore because the District terminated the plan. Members that have a plan will keep their contributions until they are eligible to be paid out or transfer their funds to a different company to manage on their own.

Commissioner Colligan knows of at least 10 individuals that should be eligible for payouts, but are not on the census list. Commissioner Colligan also wanted a copy of the list of individuals that are receiving or eligible to receive their pension. Once he has all the information to research, he will call a workshop together of the Pension Committee to review documents and eligibility.

It was suggested to start Mr. Ambler at the date that he has given the District in good faith and see what the procedure would be to reimburse him. Mr. Ambler has already indicated he is requesting backpay. The Committee needs to set a precedent for future pensioners that we are not aware of that may be ready to collect their pension. Commissioner McIntyre thought that the clock should start at the point of request in terms of pensioners collecting. A part of the motion should be that Mr. Ambler's eligibility becomes effective when his original application was submitted.

A motion was made by Commissioner Darius, seconded by Commissioner Rukowicz and unanimously approved to authorize the Pension Committee Chair, David Colligan, and the President of the Board of Fire Commissioners, Roger Rukowicz, to sign the resolution notifying Future Plan to add Roger Ambler back to the census making him eligible to collect his pension effective the date he was eligible and first requested benefits.

B. Discussion on the Future Options of the Pension Plan. Chairman Colligan noted that he would like to get a workshop together within the next month or so to review information on pensioners. He will be contacting the Committee members to set a date. Mr. Neto wanted the Committee to be aware that because of the situation with the stock market, cashing out individuals now would put the District's pension funds underfunded. There was a discussion about the pension plan, and how the market effects the investments and payouts. The Chairman discussed a few members that were not on the list of pensioners. The Executive Director is going to look for the list of participants. For the audit he will need a summary of liabilities. The Committee was in agreement to not do anything with pensions at this time because it would be costly due to the fluctuating market. Once all the information has been reviewed, there will be an agenda item on the next Committee meeting agenda to vote on all the information received and reviewed at the workshop. The new information will be able to provide guidance for future Pension Committees.

V. Commissioners' Comments. There were no Commissioners' comments to report.

VI. Adjournment. There being no further business, a motion was made by Commissioner Darius, seconded by Commissioner McIntyre and unanimously approved to adjourn the meeting at 6:27 PM.

Respectfully submitted,


David J. Colligan, Chairman

Nancy Deegan
Recording Secretary