

**Pension Board
Minutes
July 12, 2011**

CALL TO ORDER

Chairman Michael Charland called the Pension Board meeting to order at 7:35 p.m. at the Town Hall, Trumbull, Connecticut.

Members present and absent were as follows:

PRESENT

Chairman Michael Charland
Maria Pires
Donna Pellitteri
William Schietinger
Michael Knight
James Lavin

ABSENT

John Ponzio

Also Present:

Ed Walsh, Esq.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES - May 10, 2011

The Chair moved to approve the minutes of the May 10, 2011 meeting. It was noted that the name Levin be changed to Lavin. Mr. Schietinger moved, seconded by Mrs. Pires to approve the minutes as amended. The motion carried 6-0 (absent: Ponzio).

WILMINGTON TRUST LITIGATION UPDATE

The Chair turned the meeting over to Attorney Walsh. Attorney Walsh indicated that he reviewed the Trust Agreement with Wilmington Trust and there was no arbitration clause. There is a clause indicating that it is a directed trust, which means that the control is more with the Town than with the Trustee. Wilmington's position is that the Town is fully responsible, and Attorney Walsh is quite sure after speaking with them that they will not pay. He is looking to get the Pension Board's approval to file letters against each individual. He strongly suggested the Board go into executive session for further discussion.

At 7:40 p.m., Mrs. Pellitteri moved, and Mr. Lavin seconded, that the Board go into executive session.
Vote: 6/0

At 8:45 p.m., Mr. Lavin moved, and Mrs. Pires seconded, that the Board come out of executive session.
Vote: 6/0

Mr. Lavin moved, and Mrs. Pires seconded, that the towns counsel send the appropriate letters to any pensioner that has received overpayment. Vote: 6/0/1 (Abstention: Knight)

Mr. Schietinger moved, and Mrs. Pellitteri seconded, that the on the advice of counsel we continue to pursue Wilmington Trust in regards to any of the pension claims short of any legal expenses. Vote: 6/0

Mrs. Pires moved, and Mr. Lavin seconded, that we research the errors and omissions and the insurance policy. Vote: 6/0

The Chair requested that an update on each of these motions to be added to the August 23, 2011 meeting agenda.

ADJOURNMENT

There being no further business to discuss, the Pension Board adjourned by unanimous consent at 8:50 p.m.

Respectfully Submitted,

Phyllis Collier
Clerk, Pension Board