



TRUMBULL POLICE PENSION BOARD

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Special Trumbull Police Pension Board of Trustees Meeting
Police Headquarters
158 Edison Road
January 14, 2020

MINUTES

The Special Trumbull Police Pension Board of Trustees meeting was called to order at 5:30 p.m.

Members Present: Raymond G. Baldwin, Jr., Chairman
Christian Trefz (arrived at 5:36 p.m.)
John Vazzano
Albert Zamary
Chief Michael Lombardo
Robert Coppola
Edgar Perez

Absent: Angelo Magliocco, Vice Chairman
Lisa Labella
Donald Allen

Also Present: Attorney Lori Underberger, Reid & Riege, P.C. (by phone)

Discussion of Officer Thomas Dzurenda's QDRO and Opinion of Attorney Lori Underberger

Chairman Baldwin informed the Board that Attorney Underberger would participate by phone to discuss her opinion pertaining to the DRAFT QDRO for Officer Thomas Dzurenda. Chairman Baldwin indicated after reading her email Attorney Underberger is in the opinion of this QDRO is a shared payment approach according to pension documents.

Attorney Underberger indicated that is her understanding that the plan does not provided a separate interest. That being said it is subject to interpretation. She was basing it on what was presented to her. She commented on the definition of surviving spouse, which only apply to

someone who is actually married at the time of death. Many times with a DRO you can substitute the alternate payee as the surviving spouse.

Chairman Baldwin commented that there is no distribution from the pension until Officer T. Dzurenda decides to retire. Should the retiree pass away and the ex-spouse is still alive, she does not continue to receive the monthly benefit, as she is no longer the surviving spouse.

There was detailed discussion with the Board and Attorney Underberger for clarification of what the Trumbull Police Pension plan indicates. It was determined that the plan does not provide a separate interest plan.

Sgt. Coppola asked on behalf of Officer Thomas Dzurenda the following, the ex-spouse of Officer T. Dzurenda made a claim that she may be able to withdraw a portion of what he has accrued with interest. The way Sgt. Coppola reads Article 37 in the event Officer T. Dzurenda retires he can claim all of his contributions plus interest and he would need to divide it with his ex-spouse or he can elect to receive a monthly pension. Officer T. Dzurenda is looking for clarification/confirmation that the plan does not allow his ex-spouse to request a lump sum payment. It would be Officer T. Dzurenda decision on how he would like to receive his pension not the ex-spouse.

Attorney Underberger asked if the plan allows a retiree to receive a lump sum.

Sgt. Coppola indicated that a member could request to receive a lump sum plus interest. He does not recall any member requesting to receive a lump sum.

Attorney Underberger indicated when she read Article 37 Section 3, her understanding is it referred to someone who terminated before they reached retirement age they have the option to receive a lump sum or a monthly pension.

Chairman Baldwin asked Sgt. Coppola if there is any history of someone attaining the age of 47 and having the requisites to retire and request a lump sum payment.

Sgt. Coppola now recalls Robert Schneider requesting a lump sum as he had the age and requisites to retire. His circumstances were different.

Attorney Underberger reviewed the Article 37, Section 7 again; she sees that in that section it states the retiree is to receive a monthly pension. She does not see that retiree has the option to receive their total contributions in a lump sum.

Sgt. Coppola asked Attorney Underberger to review page 44 Article 37 Section 13.

Attorney Underberger indicated that it would be Officer T. Dzurenda's decision on how he would like to receive his pension.

Sgt. Coppola indicated he wanted to get confirmation for Officer T. Dzurenda per his request.

Sgt. Coppola had another question for Attorney Underberger per her email under “additional issue”. He indicated that the Police Union Contract is under negotiations about making changes to Article 37. In her opinion, she or the IRS would not consider this plan a qualified plan. Part of her analysis was that the IRS would take into consideration certain requirements that there must a written plan document that is communicated to employees. Sgt. Coppola indicated that the plan is given to the employees.

Chief Lombardo mentioned that there is no separate plan document. Sgt. Coppola indicated Chief Lombardo is correct.

Attorney Underberger indicated a separate document would be ideal. There is language that should be included/required to be included in a qualified plan. She also suggested that once the plan is prepared it be submitted to the IRS for approval and indicated the plan is a qualified plan. Attorney Underberger commented again that she feels it would be helpful to have a separate plan document.

Sgt. Coppola commented that there are certain things that Attorney Underberger refers to are done, as in, the Actuarial Report on the fund but it is not stated in the plan. The maximum amount of compensation that can be taken under the plan it is 75%. Some of the things that are mentioned are listed but Sgt. Coppola believes a separate plan document should be done.

There were no further questions.

Adjournment

There being no further business to discuss and upon motion made by Chairman Baldwin and seconded by Chief Lombardo the Special Trumbull Police Pension Board adjourned by unanimous consent at 5:53 p.m.

Respectfully Submitted,

Vivian Munoz
Clerk of the Commission