

**TOWN OF JUPITER POLICE OFFICERS' RETIREMENT FUND
MINUTES OF MEETING HELD
OCTOBER 24, 2011**

Nick Scopelitis called the meeting to order at 10:00 A.M. at the Council Chambers at Town Hall, Jupiter, Florida. Those persons present were:

TRUSTEES

Nick Scopelitis
Mike Stevens
Marc Dobin
Jack Forrest
Mike Lilienfield

OTHERS

Ken Harrison, Sugarman & Susskind P.A.
Nick Schiess, Pension Resource Center
Amy Barbera, Disability Pension Claimant
Jackie Wehmeyer, Mike Vilella & Cheryl Grieve, Town of Jupiter

PUBLIC COMMENTS

Nick Scopelitis invited those present to address the Board with public comments. There were not any public comments.

APPROVAL OF DISBURSEMENTS

The Trustees reviewed the disbursements presented for approval by the Administrator. Marc Dobin made a motion to approve the disbursements as presented. Mike Stevens seconded the motion, approved by the Trustees 5-0.

The Board reviewed a proposal for general liability insurance for an annual premium of \$1,052.51 from insurer Burlington Insurance Company. Marc Dobin made a motion to approve the proposal for general liability insurance. Mike Stevens seconded the motion, approved by the Trustees 5-0.

APPLICATION FOR DISABILITY BENEFITS – AMY BARBERA

Ken Harrison reviewed the procedures for the disability hearing proceeding, the Plan provisions, and substantive law for the Trustees. He explained the definition of total and permanent disability, as well as the provisions of the Ordinance containing the substantive provisions in the Plan relating to disability pensions. He noted that the disability must be determined to have occurred in the line of duty for the Board to grant a service related disability pension.

Amy Barbera appeared before the Board and discussed her injuries received while in service and medical treatments.

The Trustees, having reviewed the medical records individually prior to the meeting, discussed in great detail Amy Barbera's medical condition, physicians evaluations, independent medical evaluations, and other factors regarding the Disability Application for Ms. Barbera.

The Board discussed in great detail the two reports issued by the different physicians who had performed separate independent medical evaluations, noting that there was a difference of diagnoses between these and even the physician who had treated Ms. Barbera. Jack Forrest discussed the nature of Ms. Barbera's injuries and explained that effects of this type of injury are manifested in many various symptoms and therefore it was very difficult for physicians to provide a specific diagnosis. A discussion arose whether Ms. Barbera had reached maximum medical improvement and it was noted that she had reached maximum medical improvement unless an invasive procedure was performed. Mr. Harrison advised that the Board does not have the right or obligation to mandate that a claimant must have an invasive procedure because there were associated risks.

The Board reviewed the requirements for the award of a disability pension and determined that Ms. Barbera received an injury while in service, this injury resulted in disability, the disability was permanent and she was unable to perform the duties of a police officer in her current condition. It was noted that the Board does conduct periodic reviews of disability pensions and therefore the status of Ms. Barbera's disability would be evaluated again. After further discussion, Marc Dobin made a motion to award a service related disability pension to Amy Barbera. Jack Forrest seconded the motion, approved by the Trustees 5-0.

ATTORNEY REPORT

Ken Harrison discussed the changes that recently adopted Senate Bill 1128 has on public pension plans within the State. He explained the limitations on the amount of overtime and accrued leave payouts that could be used for the determination of benefits for all pension plans, noting that the changes become effective upon the ratification of the very next collective bargaining agreement.

SCHEDULE NEXT MEETING

With there being no further business and the next meeting scheduled on November 28, 2011, the meeting adjourned at 11:10 A.M.

Respectfully submitted,

Secretary