

Ordinance 1648

ADOPTED 1/3/2011

PUBLISHED 1/6/11

AN ORDINANCE AMENDING THE VOLUNTEER FIREFIGHTERS' RELIEF FUND OF THE CITY OF NORWICH

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that:

WHEREAS, the Norwich City Council, pursuant to Connecticut General Statutes §7-148(c)(5)(A), adopted a Volunteer Firefighters' Relief Fund Plan on 11/9/87; and

WHEREAS, Section 8-71 of the Norwich Code of Ordinances adopts by reference Article I through XIII, inclusive, as contained in the Volunteer Firefighters' Relief Fund Plan as the complete rules and regulations of the Relief Fund for volunteer firefighters in the City of Norwich; and

WHEREAS, the purpose of this ordinance is to adopt amendments to said Volunteer Firefighters' Relief Fund Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norwich, that the following amendments to the Volunteer Firefighters' Relief Fund Plan be adopted as amendments to the rules and regulations of the Relief Fund Plan for volunteer firefighters of the City of Norwich:

Articles I, II, III, IV, V, VI, VIII, IX, X and XII are amended as set out herein:

Article I, Sections 1.6, 1.21

Article II, Section 2.2

Article III, Sections 3.2, 3.3

Article IV, Sections 4.1, 4.3, 4.3.1

Article V, Section 5.1

Article VI, Sections 6.2, 6.5

Article VIII, Sections 8.1, 8.1.2, 8.2

Article IX, Sections 9.1, 9.3

Article X, Section 10.1

Article XII, Section 12.1

SECTION 1.6 “Credited Interest” means interest earned on the Member’s contributions, compounded ~~annually~~ monthly at a rate of ~~5%~~ 3% ~~from the end of the year of deposit~~ per annum.

SECTION 1.21 “Volunteer”, “Volunteer Firefighter” or “Active Member”, means any Member of ~~any the Volunteer Firefighters' Department~~ Recognized Department of the City of Norwich who performs services as a Volunteer Firefighter for the benefit of the Town Consolidated District. Such Volunteer must respond to 20% of all emergency calls, fires, etc. or 150 calls, whichever is less, as well as 20% or a minimum of 20 hours of training sessions and drills as required to maintain the status of Volunteer Firefighter. The term “Active Member” shall include Cadet Firefighters who are 16 or 17 years of age. A Cadet Firefighter may buy back Credited Service performed as a Cadet within one year following his/her 18th birthday.

SECTION 2.2 Becoming a Member – A Volunteer eligible to participate in the Plan shall become a Member of the Plan by contributing ~~\$180.00~~ \$216 for each calendar year of Credited Service. The timing and manner of the contribution shall be prescribed by the Committee. Forms agreeing to such contribution will be provided by the Committee.

SECTION 3.2 Disability Benefit Date - Any Member ~~who has completed ten (10) years of Credited Service and~~ who is determined to ~~be~~ have become totally and permanently disabled in the line of duty may commence to receive his/her benefits prior to his Benefit Date, which date may be the first day of any month six months subsequent to the date of such determination of disability. Such date will be called his Disability Benefit Date.

SECTION 3.3 Deferred Benefit Date

[Second Paragraph]

A Member who qualifies for benefits under 3.1 may begin to receive benefits at his/her benefits at his/her Benefit Date even though he/she continues Volunteer Service to the City. Members who qualify for benefits and continue to provide Volunteer Service after that date may continue to earn credit up to a maximum of ~~35~~ 40 years. No additional years of credit are earned for benefit eligibility for members who are not Active Firefighters as of ~~January 1, 2006~~ January 1, 2011.

SECTION 4.1 At Benefit Date

[Third Paragraph]

Effective ~~January 1, 2006~~ January 1, 2011, for retirements on or after that date, the monthly benefit shall be increased to ~~\$15.00~~ \$18 ~~from the \$10.00 shown in the prior paragraph~~. The maximum years of Credited Service shall be increased to ~~thirty five (35)~~ 40 years also effective at that date. Volunteers who commence benefits prior to that date and do not have Volunteer Firefighter status subsequent to ~~January 1, 2006~~ January 1, 2011 shall remain at the ~~\$7/ \$8 /\$10/~~ \$15 level.

[Fourth Paragraph]

Effective ~~January 1, 2006~~ January 1, 2011, Members who have commenced receiving benefits or have attained 20 years of Credited Service, and who continue to earn Credited Service as Volunteer Firefighters, will have their benefits adjusted to reflect this increase. ~~These~~ Members with 35 Years of

Service will be eligible to buy back up to five additional years of Credited Service at the rate of ~~\$180.00~~ \$216 per year, for a maximum of ~~thirty five (35)~~ 40 years. This buy back period will take effect for a 90 day period following the adoption date of the amendments to the Plan.

SECTION 4.3 At Disability Benefit Date - The annual benefit of a Member who retires on a Disability Benefit Date shall be computed in accordance with Section 4.1 but shall be based on the maximum ~~35~~ 40 years of Credited Service.

SECTION 4.3.1 Disability related to a Department-Related Injury- A Member who cannot perform his/her duty as a result of a department-related injury shall have their percentage of attendance adjusted according to time lost. Any injury sustained that is not department-related, does not qualify for any time lost adjustment to attendance/participation percentages. Reference City of Norwich form(s) regarding injured or disabled Volunteer Firefighters.

SECTION 5.1 Normal Form of Payment – Benefit payments equal to one-twelfth of the Member’s annual benefit shall be made monthly commencing on the Member’s Disability Date or Benefit Date Month or the date a Member who performs service beyond his/her Benefits Date elects to have such payments commence, and continuing to the last day of the month in which the Member’s death occurs. At the discretion of the Committee, payments may be made on a less frequent basis.

No retirement benefits paid under this plan may commence prior to January 1, 1989.

For all members retiring on or after January 1, 2011, all Benefit payments shall be made via direct deposit and the direct deposit advices shall be delivered electronically to the members.

SECTION 6.2 Failure of Beneficiary to Survive - In the event there is a death benefit payable under this Plan and there is no Beneficiary surviving the Member, the death benefit shall be payable in a lump sum to ~~one or more of the surviving persons designated by the Committee in the order of preference named: The Member's (i) spouse, (ii) children, (iii) grandchildren, (iv) parents, (v) brothers or sisters, and (vi) executors and administrators~~ the Member’s estate.

SECTION 6.5 Pre-Retirement Spouse’s Death Benefit – Upon the death of an active Member who dies as a result of Volunteer service to the City of Norwich, his/her surviving spouse, as defined by Connecticut State Statute, shall receive a death benefit equal to the current maximum available payment per month. This benefit shall be payable to the Member’s surviving spouse until death or remarriage. If a death benefit is payable in accordance with this Section 6.5, there shall be no death benefit payable to the deceased Member’s Beneficiary as described in Section 6.3 and 6.4 hereof.

SECTION 8.1 Member's Contributions - Commencing ~~January 1, 2006~~ January 1, 2011, the Member contributions shall increase to ~~\$180~~ \$216 per year, payable ~~at the rate of \$15 per month~~ annually upon completion of the qualifying year. Effective also at that date, contributions may be paid for a maximum of ~~35~~ 40 years.

SECTION 8.1.2 Military Service Buy Back Option - A Member with at least ~~seventeen (17)~~ 16 years of credited Plan service may purchase up to ~~three (3)~~ four years of military service time. Buy back may be purchased at a rate of ~~\$180.00~~ \$216 per year. This time may be directly applied toward Plan credited years of service.

SECTION 8.2 City's Contributions - The Committee shall, at least once every ~~3~~ two years, have an actuarial valuation by an Actuary of the Assets and Liabilities of the Plan and the required contributions from the City, which in addition to contributions of the Members, will be adequate to finance the benefits under this Plan. On the basis of such valuation, the City shall pay each year to the Committee an amount which will meet the actuarial cost of the current service and, until it is amortized, the unfunded actuarial accrued liability. Effective July 1, 2006 the City shall make a minimum annual contribution in the amount deemed necessary and appropriate by actuarial evaluation to maintain the Relief Fund Plan's fiscal viability. Any monies appropriated before the Effective Date shall remain with the Plan.

SECTION 9.1 Eligibility for a Disability Benefit – ~~A~~ An Active Member who ~~has completed at least 10 years of Credited Service and~~ is deemed to be permanently and totally disabled as defined in Section 1.8 while performing Volunteer service for the City shall be entitled to a Disability Benefit as hereinafter outlined.

SECTION 9.3 Amount of Disability Benefit - The annual amount of Disability Benefit payable to a Member eligible for such benefit shall be determined in the same manner as his/her Benefit based on the maximum of ~~35~~ 40 years of Credited Service.

SECTION 10.1 The Relief Fund Committee shall be made up of twelve people as follows:

- i) One Chief from each Recognized Volunteer Fire Departments, not to exceed five.
- ii) The ~~Personnel~~ Human Resources Director
- iii) The City Comptroller
- iv) The City Manager

Each of the above may designate a person to serve in his stead.

- v) One Member of the Personnel and Pension Board, designated by that Board
- vi) Two (2) members representing the citizens of the City of Norwich who must reside in the Town Consolidated District, appointed by the Council of the City of Norwich.
- vii) The immediate past Chairman (Ex-Officio).

SECTION 12.1 Amendment

[Last paragraph]

No amendment improving the benefits paid hereunder shall be made before ~~January 1,~~

~~2010~~ January 1, 2015.

MAYOR PETER A NYSTROM