

**MINUTES OF THE  
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM**

**GLENDALE LOCAL FIRE BOARD**

**October 28, 2015 – 9:00 a.m.**  
City Hall, 4<sup>th</sup> Floor Conference Room  
5850 W. Glendale Ave.  
Glendale, AZ

**MEMBERS PRESENT:** Mayor Jerry Weiers, Board Member, Chair  
Charles Erickson, Board Member and Acting Chair  
Capt. Joe Hester, Board Member  
Capt. Anthony Butch, Board Member

**STAFF PRESENT:** Jim Brown, Director Human Resources and Board Secretary  
David Jensen, Deputy Fire Chief  
La Trisse Kuzinski, Management Analyst, HR  
Marcia Zientek, Human Resources Support Staff

**OTHER ATTENDEES:** Scott Phillips, Fire Captain

**Call to Order**

Charles Erickson, Acting Chair, called to order the Local Fire Board meeting at 9:10 a.m.

**Review and Approval of the August 26, 2015 Local Fire Board Meeting Minutes**

The minutes of the August 26, 2015 Local Fire Board meeting were reviewed. Mayor Jerry Weiers moved to accept the minutes as presented. Capt. Anthony Butch seconded the motion. The Board voted and passed the motion unanimously.

**Acknowledgement of Alternate Contribution Rate (ACR) to be Paid to the Public Safety Personnel Retirement System (PSPRS) for New City of Glendale Fire Chief – Terry A. Garrison**

The PSPRS Local Fire Board acknowledged that during the reemployment determination for the City of Glendale's new Fire Chief, Terry A. Garrison, it was concluded that the retired PSPRS member is not a retired member from the City of Glendale. The PSPRS Local Fire Board determined that the rehire decision made by the employer (City of Glendale) is in compliance with statutes and does not require suspension of the retiree's pension. Therefore, the City of Glendale will pay the Alternate Contribution Rate (ACR) which is required by PSPRS.

**Review and Approval of Application for Enrollment into the Deferred Retirement Option Plan ("D.R.O.P.") – Gary T. Stanzak**

The Local Fire Board reviewed Gary T. Stanzak's D.R.O.P. Enrollment Application. Gary T. Stanzak, Fire Engineer, has 26.423 years of credited service. He has elected to participate in the D.R.O.P. on January 2, 2016. He must terminate employment with the City of Glendale Fire Department on or before January 2, 2021. Gary T. Stanzak has been a member of the Public Safety Personnel Retirement System

since August 1, 1989. The action requested of the Board is to approve the Application for Enrollment in D.R.O.P. Retirement submitted by Gary T. Stanzak, Fire Engineer.

Capt. Joe Hester motioned to approve the D.R.O.P. Enrollment Application submitted by Gary T. Stanzak, Fire Engineer. Capt. Anthony Butch seconded the motion. The Board voted and passed the motion unanimously.

### **Commencement of Executive Session**

Charles Erickson, Acting Chair, recessed the Open Session and convened into Executive Session to review and discuss the Application for Accidental Disability Retirement.

### **Reconvened in Open Session**

The Board adjourned Executive Session and reconvened into Open Session.

### **Consider and Vote on the Application for Accidental Disability Retirement from the Public Safety Personnel Retirement System ("PSPRS") – Scott Phillips**

Scott Phillips, a Fire Captain with the City of Glendale, applied for Accidental Disability Retirement through the Public Safety Personnel Retirement System ("PSPRS") on June 10, 2015. He has been a member of the PSPRS since June 25, 1980. On June 27, 2015, he was approved to retire from the DROP Program and his employment with the City of Glendale Fire Department was terminated.

"Accidental Disability" means a physical or mental condition which the Local Board finds totally and permanently prevents an employee from performing a reasonable range of duties within the employee's job classification and was incurred in the performance of the employee's duty. (A.R.S. Section 38-842.1)

In order to approve the Application for Accidental Disability Retirement, the Local Board must make a determination on three (3) issues in accordance with the statutes A.R.S. 38-842.1 and A.R.S. 38-844.D.3. Jim Brown, Human Resources Director and Secretary, read the three (3) issues on which the Board must make their determination:

1. Does Mr. Phillips have a physical or mental condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification as a Fire Captain?

Capt. Joe Hester made a motion that the claimant does have a physical or mental condition which totally and permanently prevents him from performing a reasonable range of duties within his job classification as a Fire Captain. Capt. Anthony Butch seconded the motion. The motion passed unanimously.

2. Was the disabling condition or injury incurred in the performance of Mr. Phillips' duty as a Fire Captain?

Capt. Anthony Butch moved that the disabling condition or injury was incurred in the performance of Mr. Phillips' duty as a Fire Captain. Capt. Joe Hester seconded the motion. The motion passed unanimously.

3. Does Mr. Phillips' disability result from a physical or mental condition or injury that existed or occurred prior to his date of membership in the PSPRS? (June 24, 1980)

Capt. Joe Hester moved that Mr. Phillips' disability did not result from a physical or mental condition or injury that existed or occurred prior to his date of membership in the PSPRS which was June 24, 1980. Capt. Anthony Butch seconded the motion. The motion passed unanimously.

At this time, Mr. Brown advised that, in addition to the three (3) statutory questions, a PSPRS *Accidental Disability Questionnaire* form must be completed by both the Local Board and the doctor who conducted the medical evaluation. The following questions do not require a vote but must be discussed by the Board and the determination of each question listed with either a 'Yes' or 'No'. The following eight (8) questions were discussed and answered by the Board:

1. Did the employee file the application after the disabling incident or within one year of ceasing to be an employee? The Board answered 'Yes'.
2. Did (or will) the employee terminate employment by reason of disability? The Board answered 'Yes'.
3. Did employment terminate based on a disciplinary issue? The Board answered 'No'.
4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? The Board answered 'Yes'.
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties position? The Board answered 'No'.
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? The Board answered 'No'.
7. Did the injury or condition occur prior to the current PSPRS membership date? The Board answered 'No'.
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? The Board answered 'Yes'.

Charles Erickson, Acting Chair, asked for a motion to approve the application for Accidental Disability Retirement from the PSPRS for Scott Phillips. Capt. Anthony Butch moved to approve the application for Accidental Disability Retirement from PSPRS. Capt. Joe Hester seconded the motion. The Board unanimously approved the application.

### **New Business**

There was no new business.

**Adjournment**

Charles Erickson, Acting Chair, asked for a motion to adjourn the meeting. Mayor Jerry Weiers made a motion to adjourn the Fire Board meeting. Capt. Joe Hester seconded the motion. The meeting was adjourned at 9:26 a.m.

Submitted by:



Jim Brown  
Board Secretary