

SPECIAL TOWN COUNCIL MEETING

March 14, 1988

5:30 p.m.

A special meeting of the Wallingford Town Council was held in Council Chambers, called to order at 5:31 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Holmes, Papale, Parisi, Solinsky and Killen. Council Members Doherty and Zandri were not present for the meeting. Also present were Mayor William W. Dickinson, Jr. and Thomas A. Myers, Comptroller. The pledge of allegiance was given to the flag.

Mr. Killen explained that the purpose of this meeting was to consider and approve an appropriation of \$134,000 from Audited Fund Balance to Police & Fire Hypertension, requested by Mark Wilson, Risk Manager.

A motion was made by Mr. Holmes to consider and approve an appropriation of \$134,000 from Audited Fund Balance to Police & Fire Hypertension, seconded by Mr. Solinsky.

Amount amended to \$99,000 from Audited Fund Balance on page 5.

Mr. Mark Wilson, Risk Manager, explained that they had some unexpected illnesses that resulted in extraordinarily high costs. The Heart and Hypertension Fund is a fund that has been funded by historical results of what was paid the previous year. This account is one that is pretty stable. Once a person is retired under heart and hypertension, his benefits remain pretty stable with the annual increase that worker's compensation people are given, and medical. If we plan for these illnesses and we don't have them, then we are overbudgeted in the account. If we plan more conservatively and when they do occur, that would be a good time to come before the Council and ask for the additional funds.

Mayor Dickinson pointed out that the injuries occurred after the budget was constructed and it is necessary that they pay the medical bills.

Mrs. Papale commented that she always believed that hypertension was taken care of after retirement.

Mr. Wilson added that the heart and hypertension is a compensation for people that have developed a heart disease of hypertension disease.

Mrs. Papale asked if everyone that is going to the doctor and the doctor points out that they have a heart problem, are they under hypertension? Mr. Wilson explained that there are two criteria that must be followed to receive these benefits. The first is the disability or death caused by the heart disease or hypertension. The second criteria is that a successful passage of a physical examination that failed to reveal any evidence of a heart disease, when they are hired. Mrs. Papale asked if these people that are able to go back to work, even though they are listed as having hypertension and Mr. Wilson explained that some will and some won't.

Mr. Wilson explained that this fund pays for those who retire under disability retirement and this fund is also paying for those who are active employees (firemen and police officers) but are out of work and disabled. It will also pay for a police officer who has been diagnosed for having a heart disease (receiving nitro) but his doctor has released him to come back to work, but he still has ongoing prescriptions. This way, we can really have a clear distinction as to how many dollars are actually being paid in a heart and hypertension type of case. Otherwise, if we put it into a worker's compensation fund, it really gets lost.

Mr. Parisi asked if it was the doctor that determines the hypertension, which could be a condition of high blood pressure, etc. Mr. Wilson added that it could be a fluctuation in his blood pressure, but it really covers a lot of things. Mr. Parisi asked if they require second opinions and Mr. Wilson explained that they will require a second opinion in a case that is unusual or the diagnosis is different or even a case that is costly, and added that all of the individuals that are being discussed tonight have all had second opinions, a doctor of their choice and a doctor of our choice.

Mr. Parisi asked if we were letting the state representatives know that they do not find the hypertension law totally fair and Mayor Dickinson pointed out that it is a continuing issue at the General Assembly and added that there are a variety of complaints about it.

Mr. Adams asked if hypertension has to be job related and Mr. Wilson explained that it does not have to be job related. Mr. Adams added that he does not believe in this.

Mr. Wilson read the following preamble:

"In recognition of the particular problems of uniformed members of paid fire departments and regular members of paid police departments, and in recognition of the unusual risks attended upon these occupations, including an unusual high degree of susceptibility to heart disease and hypertension and in recognition of that enactment of a statute which protects such fire department and police department members against economic loss resulting from disability or death caused from hypertension or heart disease, would act as an inducement in attracting and securing persons for such employment and in recognition that the public interest and welfare will be promoted by providing such protection for such fire department and police department members. Municipal employees shall provide compensation as follows."

Mr. Wilson explained that this induces people to want to be a fireman or policeman. They are saying that because this occupation is hazardous, it has a high degree of susceptibility of heart disease. That is why this law has been enacted. When questioning the Commissioner about this being fair, his words were "It is not a matter of it being fair, it is the law."

Mr. Adams commented that he understands that anything that is job related causing undue stress he can see but, when the law does not go to the point where a person can obtain this condition because of their diet, this is where something has to be done about the law.

Mr. Wilson added that many municipalities have their hands tied with unions but, they have been trying to work into contracts, height and weight ratios, no smoking requirements, exercise programs, but again, these are bargaining units and unless it is enacted by the Legislature, it can become quite expensive.

Mayor Dickinson pointed out to the Council that money was put in this years budget for medicals, physicals for fire and it is going to be done the next year for fire and police, to try to catch some of these conditions before they become serious physical problems.

Mr. Bradley added that a stress test is very important and should be given along with the physicals.

Mr. Killen commented that there was never any problem with hiring firemen or policemen and to put that into the preamble, it is just a smoke screen. Mr. Killen added that the town can test them until they are blue in the face, but should a man decide to become a policeman or fireman and burn the candle at both ends by holding down 2 or 3 jobs, etc., under that law, he is covered. All these people have to do is present their bills and if this is not flaunting the law, I don't know what is. Mr. Killen added that the Council could end up with hypertension by just discussing this issue.

Regarding the first employee, who has an expected cost of \$17,000 for medical and disability payments, Mr. Bradley asked Mr. Wilson if he had a breakdown of these costs. Mr. Wilson explained that they are expected to pay approximately 8 disability payments and 9 medical payments. The medical bills are in lump bills and the disability payments are dispersed over a period of time. Disability is considered a weekly compensation.

Mr. Bradley asked Mr. Wilson what criteria he would use for this year's budget and Mr. Wilson explained that he looked at the town's history, took an average and took into account, the annual increase for worker's compensation. The maximum increase for worker's comp. this year is \$643.00 a week. This point was brought out because, most police and firemen will reach that maximum because, their weekly benefit is computed on the total salaries or the total earnings that they make on their job and any part-time job that they have. You take those figures, the history and also, the International Rehabilitation Association guidelines, which are the average cost of hospitalization for the injury, the average cost of disability for the injury and the average cost of any permanent/partial disability, which is how the figure for this year was arrived at. The unanticipated was not included, because we may never go through another year like this. The money being requested now, is the money that is due now. There is a little more in the police budget because, I am still anticipating some large bills to come in.

Mr. Wilson explained that the cost to the police is approximately \$2,200 a week, not including medical payments.

Mr. Killen pointed out that there are 8 full months completed and \$65,654.38, which is \$8,000 a month. Mr. Killen added that he is trying to figure out why they need more than what is being paid,

Mr. Wilson explained that as of today, what he actually has in the account is \$5,587.00 (police), which is all payments as of last week. After recalculating the police account, Mr. Wilson commented that he will need \$44,000 in that account and he will probably have money to give back.

Mr. Killen commented that he is trying to figure out where the increase came, if they are assuming that the first name is not in that lump. For the remainder of that department, we've been spending at the rate of \$8,000 a month. Mr. Killen asked why are they jumping at this particular time, and Mr. Wilson stated that that might be an error because, when he recalculated, the amount came to \$44,000. The fire account is more consistent with \$62,000.

Mr. Killen commented that he would like to have some corrective figures and asked Mr. Wilson how much he will need for this week. Mr. Wilson pointed out that there are still outstanding bills, for example, there is one bill for \$33,000 (total of different hospital bills for 1 person). Just to pay the disabilities, he will need \$2,200 for the police and \$1,600 for the fire.

Mr. Frank Wasilewski, 57 N. Orchard Street, asked if these people are getting their salary when they are on hypertension and Mr. Wilson explained that they receive 66-2/3 of their salary. As long as they are eligible or sick, they will get the 66-2/3 of their salary (in place of their salary). Mr. Wilson added that there is a union co-pay clause, which is for about 1 year and they will get 100% of their salary, as long as the co-pay clause is in their contract. Mr. Wasilewski asked what kind of treatment these people receive, that are on hypertension and Mr. Wilson explained that they have doctor visits and very costly prescriptions.

Mr. Myers explained that when an individual is on worker's comp., he is entitled to 2/3's of his pay, as prescribed by the Connecticut General Statute. He is also entitled to the remaining 1/3 by the union contract. He receives full pay and in addition, the Statute prescribes that his doctors be paid for and that his prescriptions be paid for by his employer.

Mr. Killen asked Mr. Wilson to prepare more exact figures for the Council for their next meeting and asked what the figure would be for the bills to be paid on March 25, 1988.

Mr. Wilson explained that it would be hard to exactly pinpoint an amount for a certain period of time because another case might come up in that period of time. He explained that the new figures that he has are \$44,000 (instead of \$72,000) for police and \$55,000 (instead of \$62,000) for fire.

Mr. Killen asked if payroll will show up as having an excess and Mr. Myers explained that the 33% is paid from payroll and the 66% is paid from this fund. Under the worker's comp. formula, the part of the payroll that is not paid to the employee, it is encumbered and placed in the reserve account for the catastrophic, so it is not available.

A motion was made by Mr. Parisi to appropriate funds in the amount of \$99,000 from Audited Fund Balance to Police & Fire Hypertension, seconded by Mr. Holmes. (\$44,000-Police, \$55,000-Fire)

VOTE: Unanimous ayes; motion duly carried.

Mr. Frank Wasilewski asked if the town financed their own worker's compensation and Mr. Myers replied yes.

Mr. Solinsky suggested that a letter be sent to their state representative explaining how the Council feels about this issue, and Mr. Killen commented that he thinks they are well aware of how they feel. You have to get enough towns together with enough muscle behind them and make them realize what is going on.

Mr. Killen thanked Mr. Wilson for his presentation.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 6:18 p.m.

Meeting recorded and transcribed by:
Susan M. Baron, Council Secretary

APPROVED:

Albert E. Killen
Albert E. Killen, Chairman

March 22, 1988
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

March 22, 1988
Date