

City of Boynton Beach Municipal Firefighters Pension Trust Fund

MINUTES

February 24, 2020

3:00 P.M.

The special meeting of the Board of Trustees of the City of Boynton Beach Municipal Firefighters' Pension Trust Fund was called to order by the Board Chairman - Mr. Matt Petty on February 24, 2020 at 3:00 P.M. at 2080 High Ridge Road, Boynton Beach, Florida.

TRUSTEES PRESENT:

Mr. Matt Petty – Chairman; Mr. Jon Raybuck – Secretary; Ms. Desirae Watler – Trustee; Mr. Robert Taylor & Mr. Stan Cale – Trustee (arrived at 3:04 P.M.).

ABSENT:

None

OTHERS PRESENT:

Mr. Michael Clelland, Counsel for Mr. Michael Sidaway (via conference call); Mr. Michael Srebnick, Board Special Counsel; Mr. Adam Levinson, Board Attorney – Klausner, Kaufman, Jensen and Levinson; Mr. Dave Williams, Plan Administrator, Mr. Michael Williams, Administrative Plan Assistant and Mr. Michael Sidaway.

It should be noted that there was a quorum for the Board to have an official meeting.

PUBLIC DISCUSSION:

None

INFORMAL DISABILITY HEARING CONTINUATION – MICHAEL SIDAWAY:

Mr. Levinson outlined the purpose of the meeting today, being a continuation¹ of an informal hearing to review the matter of the disability claim of Mr. Sidaway. Mr. Levinson recapped the status since the last meeting, advising a deposition was taken of Dr. Nocero on January 30, 2020.

At this juncture, Mr. Levinson deferred to Mr. Michael Clelland to address the Board. Mr. Clelland referred to the deposition of Dr. Nocero and his opinion that Mr. Sidaway would be on hypertension medicine for life. The type of the medicine (and the effects) would prohibit Mr. Sidaway from performing the duties of a Firefighter. Mr. Clelland also cited NFPA 1582 standards².

During the discussion the Board also noted that the City of Boynton Beach did not have a position available for Mr. Sidaway.

Due the greater weight of the evidence presented (medical records and live testimony of Mr. Sidaway), Mr. Taylor made a motion to grant the service disability effective immediately. Mr. Sidaway is unable to perform the duties of a Firefighter, his condition (related to the Heart Bill) is total and permanent. As the city does not have a position for Mr. Sidaway, he is unable to provide useful and efficient service. The motion was seconded by Mr. Raybuck. The Motion passed 5-0.

¹ Initial Hearing Date November 6, 2019.

² NFPA recommending against the use of Beta-Blocker medication while firefighting 6.22.1 (4).

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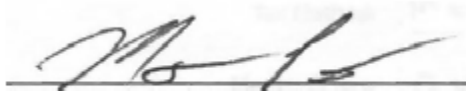
Mr. Levinson will draft the Final order for the next meeting. Mr. D. Williams will transition Mr. Sidaway without delay.

OPEN DISCUSSION:

No open discussion.

ADJOURN:

Meeting adjourned at 3:34 P.M.

A handwritten signature in black ink, appearing to read 'Matt Petty', is written over a horizontal line.

Matt Petty, Chairman

FOR THE BOARD