



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
P. O. Box 295
TRENTON, NEW JERSEY 08625-0295

Telephone (609) 292-7524 / Facsimile (609) 777-1779
TRS 711 (609) 292-6683
www.state.nj.us/treasury/pensions

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

FORD M. SCUDDER
State Treasurer

JOHN D. MEGARIOTIS
Acting Director

October 6, 2017

Sent via email to: [REDACTED]

SPRINGSTEAD & MAURICE
Alfred F. Maurice, Esq.

[REDACTED]
[REDACTED]

RE: Michael F. Gonnerman

[REDACTED]
[REDACTED]

Dear Mr. Maurice:

At its meeting on October 5, 2017, the Board of Trustees of the Teachers' Pension and Annuity Fund (TPAF) considered the following in your appeal on behalf of your client, Michael F. Gonnerman:

- a) All exhibits; and
- b) The Initial Decision of Administrative Law Judge (ALJ) John P. Scollo, dated August 17, 2017¹.

Thereafter, the Board adopted the Initial Decision of ALJ Scollo, thereby reversing its original determination and approving Accidental Disability retirement benefits. Mr. Gonnerman is totally and permanently disabled as a direct result of the traumatic event which occurred on January 5, 2012 during and as a result of his regular or assigned duties. Mr. Gonnerman is approved for Accidental Disability retirement benefits effective July 1, 2015, under his payment selection of the Maximum option.

Mr. Gonnerman has the right to change this selection to another retirement option by filing written notification with the Division of Pensions and Benefits' Retirement Bureau within 30 days from the date of Board approval; otherwise, the retirement will stand as approved and cannot be changed for any other reason.

Once the Board approves a member for a disability retirement allowance, the member's retirement application shall not be withdrawn or canceled, or amended to a later retirement date than the date specified in the approved retirement application.

This matter is being referred to the Retirement Bureau to process the difference between Ordinary Disability and Accidental Disability retirement benefits, retroactive to July 1, 2015. Please allow approximately 4 weeks for the processing of this benefit.

¹ The Board requested and was granted an extension of time to issue its final decision until November 16, 2017.

Alfred F. Maurice, Esq.
Re: Michael Gonnerman
October 6, 2017
Page 2

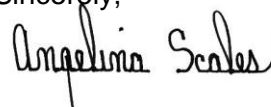
Mr. Gonnerman should be aware that a retirement allowance payable to a disability retiree is subject to adjustment if earnings from employment after retirement exceed the difference between the pension portion of the retirement allowance and the salary attributable to the former position.

The statute permits the Board of Trustees to require disability retirees to undergo annual medical examinations to determine if they continue to be totally and permanently disabled and, therefore, eligible for continued receipt of a disability retirement allowance.

Pension laws require re-enrollment of a retiree under certain conditions. Disability retirees needing guidance on returning to employment should visit our website at www.state.nj.us/treasury/pensions and refer to the Certifying Officer Memorandum dated August 22, 2014. Retirees needing additional clarification should contact the Division to determine the impact of a return to employment would have on their disability retirement benefits.

The Board of Trustees of the Teachers' Pension and Annuity Fund hereby adopts the findings of fact and conclusions of law of the Administrative Law Judge's Initial Decision and further adopts the recommendations contained therein.

Sincerely,



Angelina Scales, Secretary
Board of Trustees
Teachers' Pension and Annuity Fund

G-1

c: V. McManus (ET); L. Milton (ET); D. Bernardini (ET); S. Schreckengost (ET); P. Sarti (ET);
T. Williams (ET); L. Williams (ET)
DAG Nicholas L. DePaolo (ET)
OAL, Attn: Library (OAL Decisions) (ET)
Michael F. Gonnerman