



State of New Jersey

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

CHRIS CHRISTIE
Governor

FORD M. SCUDDER
State Treasurer

KIM GUADAGNO
Lt. Governor

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

JOHN D. MEGARIOTIS
Acting Director

August 15, 2017

Sent via email to: [REDACTED]

GAYLORD & POPP, LLC
Lawrence E. Popp, Esquire

[REDACTED]

RE: Joseph D' Errico
[REDACTED]

Dear Mr. Popp:

At its meeting on August 14, 2017, the Board of Trustees of the Police and Firemen's Retirement System (PFRS) considered the following documents on behalf of your client, Joseph D' Errico:

- a) All exhibits;
- b) The Initial Decision of Administrative Law Judge (ALJ) Solomon A. Metzger dated June 28, 2017;
- c) Exceptions¹.

The Board noted the exceptions. Thereafter, the Board voted to adopt the ALJ's decision which determined that Mr. D' Errico remains totally and permanently disabled and thereby reversing the Board's decision that required that Mr. D' Errico be reinstated to his position in accordance with N.J.S.A. 43:16A-8(2). Therefore, Mr. D' Errico is entitled to collect Accidental disability retirement benefits retroactive to August 1, 2013, the date the Board directed the Division to stop his benefit. By copy of this letter, I am notifying the Retirement Bureau to implement the Board's decision.

The Board of Trustees of the Police and Firemen's Retirement System hereby adopts the findings of fact of the Administrative Law Judge's Initial Decision and incorporates the same herein by reference.

Sincerely,

Mary Ellen Rathbun, Acting Secretary
Board of Trustees
Police and Firemen's Retirement System

G-4/MER

C: DAG Jeff Ignatowitz (ET); L. Milton (ET); V. McManus (ET); D. Mills (ET); T. Williams (ET)
OAL, Attn: Library (ET); Joseph D' Errico; John Barrett, Certifying Officer, Hamilton Township
[REDACTED]

¹ The Board granted the motion to file exceptions as if filed within time.