

# **Bond Case Briefs**

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## **PENSIONS - NEW JERSEY**

### **In re I/M/O Town of Harrison**

**Superior Court of New Jersey, Appellate Division - April 15, 2015 - A.3d - 2015 WL 1736801**

Municipalities and collective bargaining agents for municipal police officers and firefighters brought declaratory judgment action challenging decision by Acting Director of the Division of Pensions and Benefits to refuse to implement final determination of Board of Trustees of the Police and Firemen's Retirement System (PFRS) concerning certain senior officer and longevity pay provisions of collective bargaining agreements.

The Superior Court, Appellate Division, held that Acting Director of the Division of Pensions and Benefits did not have authority to act unilaterally to refuse to implement a final decision reached by the Board of Trustees of the PFRS concerning what constitutes creditable compensation for calculation of policemen and firemen pension benefits.

Under statutory and regulatory scheme established to administer PFRS pension system, the PFRS Board of Trustees was the only administrative body authorized to make a final administrative determination regarding what can be considered creditable compensation.