

Berkshire County Retirement Board Meeting  
September 26, 2018

The meeting of the Berkshire County Retirement Board was called to order at 8:56 A.M. in the Retirement Office, located at 29 Dunham Mall, Pittsfield, MA. Present at the meeting were, Michael Ovitt, Chairman, Gerald Doyle Jr., Appointed Member, Mark Bashara, Elected Member, Karen Williams, Elected Member. Paul A. Lisi, Jr., Advisory Board Member was absent.

**PUBLIC COMMENT:**

Members of the public have an opportunity to address the Retirement Board. No comments.

**MINUTES:**

1.) The Board minutes of the meeting held August 29, 2018, were signed and approved.  
**Voted to** approve the minutes.

1A.) The Executive Session Board minutes of the meetings held April 25, 2018, May 30, 2018 and June 27, 2018 were signed and approved.  
**Voted to** approve the executive session minutes.

*Board member Mark Bashara recused himself from any debate or discussion on the pension forfeiture hearing of Joseph Buffis. Mr. Bashara stated his reason for recusal as a personal relationship with Mr. Buffis. Mr. Bashara served as Police Chief in Lanesboro while Mr. Buffis served as Police Chief in Lee. Mr. Bashara was not in attendance during the pension forfeiture hearing and he did not participate in any debate, discussion or vote on the matter before the Board.*

**NEW BUSINESS:**

2.) **8:57am** - The Board conducted a MGL Ch. 32 Section 15(4) pension forfeiture hearing for Mr. Joseph Buffis former police Chief Town for the Town of Lee. Mr. Buffis asked that testimony be held in executive session and Board agreed, a roll call vote was taken. Unanimous.

<b>Record of Vote:</b>	<b>Motion</b>	<b>Second</b>	<b>Yea</b>	<b>Nay</b>	<b>Abs</b>
<b>Michael Ovitt</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Karen Williams</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gerald Doyle, Jr.</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Board entered into executive session at 8:57am.

The pension forfeiture hearing was conducted by Board Counsel Christopher Connolly and was transcribed by Heather Davis. A copy of the transcription is available in the Berkshire County Retirement Office.

A vote was taken in executive session.

A motion by Karen Williams as follows:

Whereas, Joseph Buffis, the former Town of Lee police chief, who was convicted in U.S. District Court of committing the crime of extortion (while the Chief of Police), was sentenced to 27 months in prison following his June, 2015 conviction and was so incarcerated, is a member of the Berkshire County Retirement System who has filed an application for

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superannuation retirement and pursuant to the provisions of M.G.L. c. 32, s. 15(4) he is ineligible to receive a retirement allowance under the provisions of section one to twenty eight inclusive of said c. 32, nor shall any beneficiary be entitled to receive any benefits under such provisions on account of his membership; Therefore I move that the Board deny this application and return to Joseph Buffis his accumulated total deductions with the rate of interest for the purpose of calculating accumulated total deductions at zero.

Second by Gerald Doyle, Jr. Three in favor, Paul Lisi and Mark Bashara Absent.

**The Board voted** unanimously to return to the regular order of business at 9:02am.

3.) **9:17am** - The Board conducted a disability hearing to collect medical evidence for a determination in convening a medical panel for Michael Wigglesworth.

The Board conducted a disability hearing for Mr. Michael Wigglesworth a former employees of the Town of Hinsdale. The hearing was held to discuss only medical evidence so the hearing was held in executive session, a roll call vote was taken. Unanimous.

<b>Record of Vote:</b>	<b>Motion</b>	<b>Second</b>	<b>Yea</b>	<b>Nay</b>	<b>Abs</b>
<b>Michael Ovitt</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Karen Williams</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gerald Doyle, Jr.</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Board entered into executive session at 9:17am.

Disability hearing to collect medical evidence was conducted by Board Counsel Christopher Connolly and was transcribed by Heather Davis. A copy of the transcription is available in the Berkshire County Retirement Office.

Attorney Amy Perry-Mercier presented a memorandum of Michael Wigglesworth regarding application for accidental disability retirement benefits. The memo detailed Mr. Wigglesworth's work related accident and all of the medical treatment he has received to date.

Board members asked several questions regarding his medical treatment and diagnosis.

The Board determined they would take the information under advisement and get back to Attorney Perry-Mercier if they need any additional information.

There were no votes taken during the executive session.

Karen Williams made a motion to return to the regular order of business, second by Gerald Doyle, Jr. Four in favor, Paul Lisi was absent.

The Board closed the executive session and voted to return to the regular order of business at 9:40am.

Attorney Perry Mercier and Michael Wigglesworth left the meeting. The Board had a quick discussion regarding the medical evidence presented and determined that enough evidence was presented that a medical panel could be convened.

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Karen Williams made a motion to convene a medical panel, seconded by Gerald Doyle, Jr. Four in favor, Paul Lisi was absent.

**Voted to refer application to PERAC for a medical panel.**

4.) The Board will review the selection of an RFP candidate to provide legal services (personnel policy) to the Berkshire County Retirement Board.

**Voted to table selection of a candidate until the October 2018 meeting.**

**INVESTMENTS:**

5.) The Board received from PRIT a statement of performance for August 2018. The PRIT Fund returned 0.44% for the month of August.

**Voted to note the record.**

**BANK STATEMENTS:**

6.) The Board received the bank statements for August 2018 and the budget for Sept 2018.

**Voted to note the record.**

**MONTHLY WARRANTS:**

7.) The Board approved payment vouchers:

08-06-18	\$1278423.12
09-01-18	\$19374.75
09-02-18	\$3968.59
09-03-18	\$36864.35
09-04-18	\$76136.04

**Voted to approve payments as presented.**

**REQUESTS FOR RETIREMENT:**

8.) The Board approved the application for superannuation retirement from Gail Roy, Williamstown, Paraprofessional. The retirement will be effective 8/26/2018.

The Board approved the application for superannuation retirement from Edward Shaw, BHRSD, custodian. The retirement will be effective 9/21/2018.

The Board approved the application for superannuation retirement from Sherri Miller, Lee Housing Authority, Ex. Dir. The retirement will be effective 12/21/18.

**Voted to approve the retirements as presented.**

**REQUEST FOR SERVICE BUYBACK:**

9.) Cathleen Striebel, a member in CBRSD, is eligible to buy back 6 months of prior creditable service. If Ms. Striebel pays \$1482.86 into the annuity savings fund by October 31, 2018, the Board will grant 6 months of creditable service.

Brian Toomey, a member in CBRSD, is eligible to buy back 4 years of military service through Chapter 71 of the Acts of 1996, as amended by Chapter 468 of the Acts of 2002, veteran's buyback. If Mr. Toomey pays \$13511.60 into the annuity savings fund the Board will grant 4 years of creditable service.

**Voted to approve the service buybacks as presented.**

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**MEMBER TRANSFERS OUT OF SYSTEM:**

10.) The Board approved the notice of transfer of the account of Melissa Costa, a member in FRRSD to the Teacher's Retirement Board. The Berkshire County Retirement Board will accept liability for 1 year and 2 months of creditable service. The amount of the transfer is \$2302.93.

The Board approved the notice of transfer of the account of Bethany Hagmaier, a member in CBRSD to the Teacher's Retirement Board. The Berkshire County Retirement Board will accept liability for 1 year and 2 months of creditable service. The amount of the transfer is \$12923.47.

The Board approved the notice of transfer of the account of Nicole VanBramer, a member in Richmond to the Pittsfield Retirement Board. The Berkshire County Retirement Board will accept liability for 9 months of creditable service. The amount of the transfer is \$5625.59.  
**Voted** to approve transfers as presented.

**NEW MEMBER APPLICATIONS:**

11.) The Board approved for membership in the Berkshire County Retirement System the following members:

6833	AMBER L WILL	SAVOY	8/28/2018	AIDE	1
6834	LESLIE C SLATER	MT Washington	8/27/2018	HIGHWAY	1
6835	JAMES E HUNT	MONTEREY	8/13/2018	HIGHWAY	1
6836	ELIZABETH A MEAD	LEE	9/4/2018	Treasurers Clerk	1
6837	SUSAN A McCARROLL	BHRSD	8/27/2018	FOOD SERVICE	1
6838	ALLISON J SCHNEIDER	BHRSD	8/27/2018	PARA	1
6840	HOPE L LOY	BHRSD	8/23/2018	FOOD SERVICE	1
6841	CARMEN M VARGAS	BHRSD	8/27/2018	PARA	1
6842	ELIZABETH A BARRY	LENOX	8/31/2018	PARA	1
6843	CHRISTOPHER LARAMEE	GT Barrington	8/20/2018	LABORER	1
6844	SHAUNDRA E RACE	BHRSD	8/27/2018	PARA	1
6846	TAMARA R LEWIS	MGRSD	9/4/2018	PARA	1
6847	MICHAEL L FLOWER	FARMINGTON	9/1/2018	MUSIC	1

**Voted** to approve new members as presented.

**REQUESTS FOR REFUNDS:**

12.) The Board approved the applications for refunds from the following members: (Pending approval from Dept. of Revenue- child support division)

Aimee Cellana	Clarksburg	\$1259.49
Richard Frederick	BHRSD	\$909.97
Stephanie Wager	MGRSD	\$5112.31
Alison Warner	Cheshire	\$7623.38

**Voted** to approve refunds as presented.

**INJURY REPORTS:**

13.) There were no injuries reported in September.

**RETIREMENT ALLOWANCE APPROVALS:**

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14.) The Board received approval from PERAC to grant a retirement allowance to Beverly Bissell, Lee as of June 14, 2018. Annual pension amount is \$18831.72.

The Board received approval from PERAC to grant a retirement allowance to Bonnie Burns, Williamstown as of June 25, 2018. Annual pension amount is \$6513.96.

The Board received approval from PERAC to grant a retirement allowance to Donald Holmes, Stockbridge as of June 29, 2018. Annual pension amount is \$21327.48.

The Board received approval from PERAC to grant a retirement allowance to Pamela Kelley, Williamstown as of June 30, 2018. Annual pension amount is \$11160.00.

The Board received approval from PERAC to grant a retirement allowance to Timothy Webb, CBRSD as of July 2, 2018. Annual pension amount is \$15216.48.

The Board received approval from PERAC to grant a retirement allowance to Jared Thomson, Monterey as of July 6, 2018. Annual pension amount is \$35554.32.

The Board received approval from PERAC to grant a retirement allowance to David Laviolette, Windsor as of July 6, 2018. Annual pension amount is \$39937.32.

The Board received approval from PERAC to grant a retirement allowance to Douglas Wandrei, Williamstown as of June 30, 2018. Annual pension amount is \$9276.48.

The Board received approval from PERAC to grant a retirement allowance to Paul Sieloff, Lanesboro as of July 11, 2018. Annual pension amount is \$22373.04.

The Board received approval from PERAC to grant a retirement allowance to Rose Goddard, CBRSD as of August 1, 2018. Annual pension amount is \$56498.52.

**Voted to note the record.**

**3(8)c REIMBURSEMENTS:**

15.) The Board received a letter from PERAC ordering the Berkshire County Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Teacher's Retirement Board \$5215.93 a year toward the retirement allowance of Louise Dynok. **Recalc.**

The Board received a letter from PERAC ordering the Berkshire County Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Teacher's Retirement Board \$1132.35 a year toward the retirement allowance of Jody Burkle. **Recalc.**

The Board received a letter from PERAC ordering the Berkshire County Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Teacher's Retirement Board \$2872.67 a year toward the retirement allowance of Carol Barnes. **Recalc.**

The Board received a letter from PERAC ordering the Pittsfield Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Berkshire County Retirement Board \$2142.80 a year toward the retirement allowance of David Laviolette.

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The Board received a letter from PERAC ordering the North Adams Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Berkshire County Retirement Board \$21863.30 a year toward the retirement allowance of Rose Goddard.

The Board received a letter from PERAC ordering the Barnstable County Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Berkshire County Retirement Board \$6302.95 a year toward the retirement allowance of Paul Sieloff.  
**Voted to note the record.**

**TRAVEL & EDUCATION APPROVALS:**

16.) The Board approved the travel expense for Sheila Labarbera to present a Retirement Seminar in Monterey on 11/14/2018.

**Voted to approve the travel expense.**

**PERAC CORRESPONDENCE:**

17.) The Board received from PERAC the following memorandums:

- #23/2018 Reinstatement to service MGL Ch. 32 sec 105
- #24/2018 COLA increase for dependent allowance
- #25/2018 Allowable earnings determination 91A
- #26/2018 Regular Comp in lieu of unused time
- #27/2018 Direct deposit Scam
- #28/2018 Mandatory Retirement Board Training

Note: copies of memorandums and letters given to each Board member

**MISCELLANEOUS CORRESPONDENCE:**

- a.) Copy of the PERAC audit report report 1/1/13-12/31/16.
- b.) Copy of MelansonHeath audit report 12/31/17.
- c.) Copy of MelansonHeath Key employee conflict of interest disclosure
- d.) PERAC Press Release the administrative subcommittee will hold a meeting 08/08/2018 to develop a process and criteria for the search and selection of a new executive director.
- e.) Copy of a letter sent to treasurers regarding electronic transfer of funds for assessments.
- f.) Copy of letter to be sent to treasurers regarding the determination pensionable wages as it applies to regular compensation.

**OLD BUSINESS:**

17.) Review a proposal from PTG to add Pension Pro Employer Reporting Module. The Board will review the advantages and costs of implementing this system.

The next regular board meeting is scheduled for Wednesday, October 31, 2018 at 9:00am.

**Voted to adjourn at 10:35am.**

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RESPECTFULLY SUBMITTED:



Sheila LaBarbera, Executive Director

APPROVED BY:



Michael Ovitt, Chairman



Mark Bashara, Elected Member



Karen Williams, Elected Member



Paul A. Lisi, Jr., Advisory Council Member



Gerald Doyle, Jr., Appointed Member