

Berkshire County Retirement Board Meeting
November 30, 2016

The meeting of the Berkshire County Retirement Board was called to order at 9:00 A.M. in the Retirement Office, 29 Dunham Mall, Pittsfield, MA. Present at the meeting, Michael Ovitt, Chairman, Paul A. Lisi, Jr., Advisory Board Member, Gerald Doyle Jr., Appointed Member, Peter Menard Elected Member and Patricia Carlino, Elected Member.

PUBLIC COMMENT:

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

MINUTES:

1.) The Board minutes of the meeting held October 26, 2016, were signed and approved.
Voted to approve minutes.

NEW BUSINESS:

2.) The Board made a determination regarding a violation of MGL Ch. 32 sec 91 a & b, earnings limitation for working after retirement by Roger Prevey, a retiree from the Town of Williamstown. Chairman Ovitt stated that after careful consideration of the issues presented by Attorney Scott Ellis at the October Board meeting and after consultation with our attorney, the Berkshire County Retirement Board has determined that Mr. Prevey is in violation of Ch. 32 s. 91 a & b since he worked in excess of 960 hours for the City of North Adams for calendar years 2006 thru 2015. The Board has determined that the amount of excess earnings is \$38070.40. The case of Flanagan v. Contributory Appeals Board conveys to the retirement board the authority under MGL Ch.32 s. 20(5) b to recover the excess earnings that Mr. Prevey received in violation of MGL Ch. 32 s. 91, under these circumstances.

Paul a Lisi, Jr, made a motion that after review of Mr. Prevey's payroll records submitted by the City of North Adams, Mr. Prevey has violated MGL Ch. 32 s. 91 a & b, by working more than the allowed 960 hours per year and that Mr. Prevey has worked in excess of the 960 hours each year from 2006 thru 2015. The Board is ordering that Mr. Prevey repay the Board \$38070.40, which represents the amount earned in excess of the 960 hours allowed for the years 2006 thru 2015. Second by Peter Menard. Unanimously approved.

Voted to require repayment of excess earnings of \$38070.40.

Paul a Lisi, Jr, made a motion that the retirement board waives the interest owed of \$3791.17 on the excess earnings of \$38070.40. (Interest rate is established at 3.8% which is one half of the actuarial interest rate and is the rate used for buybacks.) second by Gerald Doyle, Jr. Unanimously approved.

Voted to waive interest of \$3791.17.

Paul a Lisi, Jr, made a motion that retirement board agree to a 5 year repayment plan without interest. Monthly payment is \$634.51 for 60 months. The monthly payment will be paid thru a payroll deduction from the member and or survivor pension starting in December 2016 and continuing for 60 months or until payment is made in full. A signed agreement is required and both member and survivor must sign. Second Peter Menard. Unanimously approved. Mr. Prevey and his spouse agreed to the terms and signed the repayment agreement after review by their legal counsel Attorney Scott Ellis.

Voted to approve a 5 year repayment plan.

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3.) The Board approved the final audit report for the Berkshire County Retirement System for the year ended December 31, 2015.

Voted to approve the final audit.

4.) The Board approved the proposed 2017 annual budget for the Berkshire County Retirement System. Total budget amount approved for 2017 was \$486125.00. Paul A. Lisi, Jr. made a motion to approve a 3% salary increase for the retirement board employees beginning January 1, 2017, second by Peter Menard, unanimously approved.

Voted to approve a total budget of \$486125.00 for 2017 and a 3% salary increase for retirement staff.

INVESTMENTS:

5.) The Board received from PRIT a statement of performance for October 2016. The PRIT Fund returned -1.4% for the month of October.

Voted to note the record.

BANK STATEMENTS:

6.) The Board received the bank statements for September 2016. The Board also received the budget for October 2016.

Voted to note the record.

MONTHLY WARRANTS:

7.) The Board approved payment vouchers:

10-05-16	\$1234355.64
11-01-16	\$10275.03
11-02-16	\$22350.07
11-03-16	\$4069.89
11-04-16	\$149514.24
11-05-16	\$1164554.63
11-06-16	\$4826.69
11-07-16	\$1150.00

Voted to approve payments as presented.

Gerald Doyle, Jr, excused himself and left the meeting@ 9:45am.

REQUESTS FOR RETIREMENT:

8.) The Board approved the application for superannuation retirement from Jane Blanchard, Lenox, paraprofessional, Group 1, age 52 with 24 years and 1 months of creditable service and chose Option C. The retirement will be effective October 7, 2016.

The Board approved the application for superannuation retirement from Linda King, SBRSD, food service, Group 1, age 65 with 32 years of creditable service and chose Option B. The retirement will be effective November 4, 2016.

The Board approved the application for superannuation retirement from Linda Coons, Gt Barrington, Asst. Town Clerk, Group 1, age 69 with 11 years and 1 month of creditable service and chose Option A. The retirement will be effective Dec. 31, 2016.

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The Board approved the application for superannuation retirement from Joseph Sokul, Gt Barrington, DPW Supt., Group 1, age 65 with 10 years of creditable service and chose Option C. The retirement will be effective November 11, 2016.

The Board approved the application for superannuation retirement from Gloria Robbins, CBRSD, paraprofessional, Group 1, age 67 with 22 years and 4 months of creditable service and chose Option A. The retirement will be effective Dec. 31, 2016.

Voted to approve retirement as presented.

REQUEST FOR SERVICE BUYBACKS:

9.) Vicki Holt, a member in Lenox, is eligible to buyback 1 year and 11 months of prior creditable service. If Ms. Holt pays \$20948.92 into the annuity savings fund by December 31, 2016, the Board will grant 1 year and 11 months of creditable service.

Christopher Perry, a member in Hinsdale, is eligible to buyback 2 years and 10 months of prior creditable service. If Mr. Perry pays \$8051.85 into the annuity savings fund by December 31, 2016, the Board will grant 2 years and 10 months of creditable service.

Bruce Turner, a member in Egremont, is eligible to buyback 5 years of prior creditable service. If Mr. Turner pays \$1672.67 into the annuity savings fund by December 31, 2016, the Board will grant 5 years of creditable service.

Voted to approve service buybacks as presented.

MEMBER TRANSFERS OUT OF SYSTEM:

10.) The Board approved the notice of transfer of the account of Preston Kelly, a member in Williamstown to the North Adams Retirement Board. The Berkshire County Retirement Board will accept liability for 14 years and 9 months of creditable service. The amount of the transfer is \$74428.66.

The Board approved the notice of transfer of the account of Brendan Phair, a member in Richmond to the Pittsfield Retirement Board. The Berkshire County Retirement Board will accept liability for 10 months of creditable service. The amount of the transfer is \$3184.45.

Voted to approve transfers as presented.

REQUESTS FOR REFUNDS:

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

Steve Abellie	BCRHA	\$9711.70
Thane Baisley	BHRSD	\$2342.17
Amy Cripps	Dalton	\$18752.89
Joseph Jacques	Lanesboro	\$5616.05
Austin Liebenow	Lee	\$19670.53
Ernest Lowell	Stockbridge	\$10338.69

Voted to approve refunds as presented.

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INJURY REPORTS:

12.) The Board is notified of the following injuries:

Dale Gomeau – Williamstown- 1/22/2015 – no lost time

Jason Hollerich – Cheshire -12/04/2015 – lost time

Voted to note the record.

NEW MEMBER APPLICATIONS:

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

6614	RALPH C LEAVENWORTH	SANDISFIELD	5/16/2016	DRIVER	1
6635	ALVIN STALKER	N MARLBORO	11/1/2016	CUSTODIAN	1
6652	THERESA M SPOHNHOLZ	SANDISFIELD	9/15/2016	Town Treasurer	1
6653	WILLIE MORALES	SANDISFIELD	9/1/2016	TOWN ADMIN	1
6678	KURT D DEGRENIER	SBRSD	9/15/2016	Dean of Students	1
6679	SARA SALOONEY-LORING	SBRSD	8/24/2016	FOOD SERVICE	1
6684	KIMBERLY J GAGE	LANESBORO	9/8/2016	PARA	1
6685	CHELSEA M BURD	BCRHA	10/10/2016	COUNSELOR	1
6686	NATALIE C BACHETTI	SBRSD	9/12/2016	1:1 ESP	1
6687	BRENDA J CHURCH	LENOX	8/19/2016	BLDG CMMSR	1
6689	BETHANY J HAGMAIER	CBRS	8/29/2016	PARA	1
6690	LARRY R DECKER	CBRS	9/1/2016	CUSTODIAN	1
6691	JULIE A HARFORD	CBRS	8/29/2016	PARA	1
6695	ANGEL LINDSEY-NEGRICH	BHRSD	8/25/2016	FOOD SERVICE	1
6696	JUSTIN D FORGEA	DALTON FIRE	9/12/2016	LABORER	1
6700	TRACY E WEISS	HANCOCK	9/29/2016	AIDE	1
6702	DONNA M MAYNARD	SAVOY	8/30/2016	AIDE	1
6705	MARIELLE K MacDONALD	BCRHA	10/5/2016	CASE MGR	1
6706	MEGAN E BABICH	RICHMOND	10/13/2016	PARA	1
6707	DARRELL J MARKS	Gt Barrington	11/7/2016	FIREFIGHTER	4
6708	RICHARD P FREDERICK	BHRSD	10/3/2016	PARA	1
6709	MELYSSA G WEINER	BHRSD	9/19/2016	PARA	1
6710	COLLEEN R YOST	BHRSD	10/7/2016	FOOD SERVICE	1
6711	ANNE FORTIER	CBRS	10/12/2016	COOK	1
6717	JOHN J HURLEY	DALTON	10/24/2016	HWY OPERATOR	1
6719	NATASHA K CANTONI	CBRS	10/24/2016	PARA	1
6720	DANIEL B COLLINS	OTIS	10/10/2016	LABORER	1
6721	BLYTHE A HINKLEY-GRADY	BHRSD	10/24/2016	PARA	1
6722	BETLINN S YOUNG-TAFT	BHRSD	10/31/2016	PARA	1
6724	STEVE E GONZALEZ	SHEFFIELD	10/3/2016	HWY	1

Voted to approve new members as presented.

We will request a firefighter's job description for Darrell Marks Gt. Barrington.

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RETIREMENT ALLOWANCE APPROVALS:

14.) The Board received approval from PERAC to grant a retirement allowance to Thaddeus Dzbenski, as of August 22, 2016. CBRSD

	Member	Beneficiary
Annuity	\$3804.84	\$2536.56
Pension	\$8042.76	\$5361.84
Yearly	\$11847.60	\$7898.40
Monthly	\$987.30	

The Board received approval from PERAC to grant a retirement allowance to Tina Martin, as of August 24, 2016. CBRSD

	Member	Beneficiary
Annuity	\$3071.88	
Pension	\$8405.16	
Yearly	\$11477.04	
Monthly	\$956.42	

The Board received approval from PERAC to grant a retirement allowance to Jeanne Pedercini, as of September 5, 2016. Williamstown

	Member	Beneficiary
Annuity	\$2262.96	\$1508.64
Pension	\$5565.60	\$3710.40
Yearly	\$7828.56	\$5219.04
Monthly	\$652.38	

The Board received approval from PERAC to grant a retirement allowance to Linda Van Jura, as of September 30, 2016. Lenox

	Member	Beneficiary
Annuity	\$5127.36	
Pension	\$15143.52	
Yearly	\$20270.88	
Monthly	\$1689.24	

The Board received approval from PERAC to grant a retirement allowance to Carol Kearns, as of October 4, 2016. CBRSD

	Member	Beneficiary
Annuity	\$830.88	
Pension	\$2351.52	
Yearly	\$3182.40	
Monthly	\$265.20	

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The Board received approval from PERAC to grant a retirement allowance to Elizabeth Webb, as of October 13, 2016. CBRSD

	Member	Beneficiary
Annuity	\$1990.32	
Pension	\$4136.16	
Yearly	\$6126.48	
Monthly	\$510.54	

The Board received approval from PERAC to grant a retirement allowance to Donna Rioux, as of October 21, 2016. MGRSD

	Member	Beneficiary
Annuity	\$2288.16	
Pension	\$2843.40	
Yearly	\$5131.56	
Monthly	\$427.63	

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 \$753.41 a year toward the retirement allowance of Sheryl Robbins.

Recalculation

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 Easthampton Retirement Board \$1173.01 a year toward the retirement allowance of Joseph Fydenkevez.

16.) PERAC Memo #31 -2011 remote participation. The Board reviewed the rules regarding remote participation in monthly Board meetings. The Board requested that this item be placed on the agenda for December 2016.

MISCELLANEOUS CORRESPONDENCE:

- a.) PERAC pension newsflash Attorney Philip Brown re-elected as Chairman of PERAC Board to a new 5 year term.
- b.) PERAC pension news November 2016.
- c.) Sheila LaBarbera report of PRIM - Advisory Council. The first meeting held November 1, 2016 in Boston.

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The next regular board meeting is scheduled for Wednesday, December 28, 2016 at 9:00am.

Voted to Adjourn. Meeting adjourned at 10:25 am.

RESPECTFULLY SUBMITTED:

Sheila LaBarbera, Executive Director

APPROVED BY:

Michael Ovitt, Chairman

Patricia Carlino, Elected Member

Peter Menard, Elected Member

Paul A. Lisi, Jr., Advisory Council Member

Gerald Doyle, Jr., Appointed Member