

Berkshire County Retirement Board Meeting  
August 29, 2018

**The meeting of the Berkshire County Retirement Board was called to order at 9:00 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 and Paul A. Lisi, Jr., Advisory Board Member.**

**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 July 25, 2018, were signed and approved.

**Voted to** approve the minutes.

**NEW BUSINESS:**

2.) The Board will conduct phone interviews with two respondents to the Legal Services RFP - Personnel Policies. Murphy Hesse & Lehane and Cain Hibbard Meyer. Board members forwarded their preferences by August 10, 2018, Cain Hibbard Myer and Murphy Hesse & Lehane were selected for phone interviews. Chairman Michael Ovitt asked why Michael Sacco was not interviewed and it was noted that none of the Board members requested that he be interviewed for personnel policies. At 9am, the first phone interview was conducted with Michael Maccaro and Keir Wachterhauser of Murphy Hesse & Lehane, the Board members asked for an overview of their experience with personnel policy handbooks. Attorney Maccaro and Wachterhauser gave a detailed response regarding their experience with personnel policies and their experience representing retirement boards and municipalities. The Board followed with questions from the interview evaluation form and rated the responses accordingly. The interview ended at 9:30am

At 9:35am, the Board conducted the second phone interview with Elisabeth Goodman from Cain Hibbard Myers. *Board member Paul Lisi, Jr disclosed his affiliation with Ms. Goodman since her firm works with both Town of Richmond and the Town of Windsor. Gerald Doyle Jr. also acknowledged he worked with Ms. Goodman on PEDDA issues while serving as Mayor of the City of Pittsfield.* The Board asked Ms. Goodman to provide an overview of her experience with personnel policy handbooks. Ms. Goodman gave a detailed response regarding her experience working with municipalities in Massachusetts in particular Berkshire County for the last 20 years. The interview ended at 9:55am.

The Board then discussed each of the candidates noting that Murphy Hesse Toomey was a large firm and very experienced in personnel policy development and implementation and they have worked with several retirement board in Massachusetts. They gave an excellent presentation the Board members noted they were not a local firm. The Board discussed Cain Hibbard Myers specifically Ms. Goodman and liked that she had experience with some of the local towns here in Berkshire County and that she was a local firm with a majority ownership of women.

The Board was ready to vote on selecting a candidate when Karen Williams requested that a motion to table until next month so she would have more time to review both candidates and the interviews. Gerald Doyle, Jr. made a motion to table second by Mark Bashara unanimous. **Voted to** table selection of a candidate until the September 2018 meeting.

3.) The Board reviewed the process for increasing their monthly stipend. The proposed increase in the Board stipend must be approved by the Berkshire County Retirement

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Advisory Board and then submitted to PERAC. The Board reviewed the compensation other retirement Board were paying across the state; 32 Boards no compensation, 42 Board \$3000, 1 Board \$3600, 3 Boards \$4000, 1 Board \$4200 and 20 Boards \$4500. Mark Bashara commented that there were increased requirements for educational credits and Board meeting responsibilities and this increase in time spent on Board matters warranted a review of the Boards annual stipend. Karen Williams commented that she had only been on the Board since January 2018 so it was difficult for her to support an increase in the annual stipend. Paul Lisi, Jr commented that he would not be in support of any increase in the stipend, since when he ran he did not even know there was compensation and some monthly meetings last less than an hour. Motion by Mark Bashara to propose an increase in the annual retirement board stipend to \$3600 a year and to forward this request to the Berkshire County Retirement Advisory Board Council for their approval at the next annual meeting. Second Gerald Doyle Jr, 4 in favor 1 opposed (Paul Lisi, Jr. opposed).

**Voted to** ask the Berkshire County Retirement Advisory Board Council to consider an increase the annual retirement board member stipend to \$3600.

4.) The Board reviewed the process and the cost of increasing the COLA base for the Berkshire County Retirees. PERAC actuary James Lamenzo submitted an estimate to the cost associated with increasing the COLA base for the Board to review. The estimate would be \$389,000.00 annually to the current retirement assessments to the Towns and Districts of the Berkshire County Retirement System. The estimate is based on a \$2000 increase to the COLA base from \$14000 to \$16000. The Board was also presented with an estimated increase to each of the Towns and Districts based on the percentage of participation with the retirement system. The Board discussed the costs implications of the increase to the Towns and Districts and that the retirement system was already above the average at a \$14000 COLA base. The Board took all of the information under advisement and will have PERAC provide a better estimate when the actuarial valuation is calculated in early 2019.

**Voted to** note the record.

5.) The Board reviewed and approved the draft audit of the 2017 financials of the Berkshire County Retirement System. The audit was completed by MelansonHeath. The management letter was signed it will be forwarded to MelansonHeath so that a final audit will be issued.

**Voted to** approve the draft audit.

6.) The Board reviewed and approved the PERAC draft audit of the Berkshire County Retirement System for the period 01/01/2013 thru 12/31/2016. PERAC will be notified of the Board's approval so that the final audit will be published.

**Voted to** approve the draft audit.

**INVESTMENTS:**

7.) The Board received from PRIT a statement of performance for July 2018. The PRIT Fund returned 1.26% for the month of July.

**Voted to** note the record.

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**BANK STATEMENTS:**

8.) The Board is in receipt of the bank statements for July 2018. The Board is also in receipt of the budget for August 2018.

*Note: copies of cashbooks for July 2018 were emailed to each Board member prior to the meeting.*

**Voted** to note the record.

**MONTHLY WARRANTS:**

9.) The Board approved payment vouchers:

07-05-18	\$1310932.59
08-01-18	\$23864.27
08-02-18	\$3075.67
08-03-18	\$559.09
08-04-18	\$105445.40
08-05-18	\$10230.99

**Voted** to approve payments as presented.

**REQUESTS FOR RETIREMENT:**

10.) The Board is notified that the application for superannuation retirement from James Olmsted, Egremont, water department has been voided. The town was unable to fill the position with a qualified candidate, he will reapply for retirement when the Town of Egremont fills the position.

The Board approved the application for superannuation retirement from John Goerlach, Lanesboro, Selectman. The retirement will be effective 06/29/2018.

The Board approved the application for superannuation retirement from Douglas Wandrei, Williamstown, custodian. The retirement will be effective 6/30/18.

The Board approved the application for superannuation retirement from Rose Goddard, CBRSD, Dir. of Food Service. The retirement will be effective 08/01/18.

The Board approved the application for superannuation retirement from Joan Schultz, Lenox, Paraprofessional. The retirement will be effective 10/16/18.

The Board approved the application for superannuation retirement from Terry Hall, SBRSD, Paraprofessional. The retirement will be effective 11/01/18.

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

**Board member Mark Bashara recused himself from any debate or discussion on the superannuation retirement application 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 left the room before any debate or discussion of the retirement application.**

10A.) The Board was asked to approve an application for superannuation retirement from Joseph Buffis, Lee, Police Chief. The retirement will be effective 07/23/18. The Board reviewed Mr. Buffis' application for retirement benefits including a written statement by Mr.

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Buffis. Mr. Buffis acknowledged his recent guilty verdict for Extortion under color of official right. Mr. Buffis served 21 months in federal prison. Mr. Buffis also submitted exhibit #4 a document from US District Court in Springfield MA detailing Mr. Buffis' felony conviction for Extortion under color of official right. After review of the submitted application it was determined the Board could not approve the application because of the felony conviction. Paul Lisi, Jr. had made a motion to approve for the purpose of debate and discussion of the Application, seconded by Karen Williams. A motion was made to withdraw the motion to approve the application By Paul Lisi, Jr, seconded by Karen Williams. Four in favor (Mark Bashara Absent).

A motion by Paul Lisi, Jr. to deny the application for superannuation retirement benefits for Mr. Joseph Buffis based on his June 9, 2015 felony conviction for Extortion under the color of official right, seconded by Karen Williams. Four in favor of denying application (Mark Bashara Absent).

**Voted** to deny the retirement application as presented.

The Board then discussed the MGL Chapter 32 section 15 forfeiture provisions and determined they were now required to hold a hearing for Mr. Buffis regarding a possible pension forfeiture. Karen Williams made a motion that the Berkshire County Retirement Board shall convene a hearing for Mr. Joseph Buffis under MGL Ch. 32 section 15(4) forfeiture of pension upon misconduct, second by Gerald Doyle Jr. Four in favor (Mark Bashara Absent).

**Voted** to convene a section 15(4) forfeiture hearing.

The hearing will be scheduled for September 26, 2018 at 9am in the offices of the Berkshire County Retirement Board. Mr. Buffis and his legal counsel will be notified by registered mail regarding the hearing date and time.

**Mr. Bashara returned to the meeting.**

**REQUEST FOR SERVICE BUYBACK:**

11.) Lori Sheehan, a member in CBRSD, is eligible to buy back 1 year and 2 months of prior creditable service. If Ms. Sheehan pays \$3119.45 into the annuity savings fund by September 30, 2018, the Board will grant 1 year and 2 months of creditable service.

Samuel Stolzar, a member in Gt Barrington, is eligible to buy back 8 months of prior creditable service. If Mr. Stolzar pays \$2131.93 into the annuity savings fund by September 30, 2018, the Board will grant 8 months of creditable service.

Joseph O'Brien, a member in Gt Barrington, is eligible to buy back 6 months of prior creditable service. If Ms. O'Brien pays \$1648.97 into the annuity savings fund by September 30, 2018, the Board will grant 8 months of creditable service.

Cathleen Striebel, a member in CBRSD, is eligible to buy back 3 months of prior creditable service. If Ms. Striebel pays \$1373.32 into the annuity savings fund by September 30, 2018, the Board will grant 3 months of creditable service.

**Refund buyback**

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

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**MEMBER TRANSFERS OUT OF SYSTEM:**

12.) The Board approved the notice of transfer of the account of Aaron Aubin, a member in Florida to the Teacher's Retirement Board. The Berkshire County Retirement Board will accept liability for 6 months of creditable service. The amount of the transfer is \$38218.98.

The Board approved the notice of transfer of the account of Cynthia Lynch, a member in FRRSD to the Teacher's Retirement Board. The Berkshire County Retirement Board will accept liability for 7 months of creditable service. The amount of the transfer is \$2977.25

The Board approved the notice of transfer of the account of Cheryl LeFave, a member in Clarksburg to the Adams Retirement Board. The Berkshire County Retirement Board will accept liability for 2 years and 8 months of creditable service. The amount of the transfer is \$3007.65.

The Board approved the notice of transfer of the account of Thomas Balardini, a member in Dalton Fire District to the Hampden County Retirement Board. The Berkshire County Retirement Board will accept no additional liability, deductions were received after transfer complete 07/31/18. The amount of the transfer is \$61.63.

The Board approved the notice of transfer of the account of Alison Bartels, a member in CBRSD to the Teacher's Retirement Board. The Berkshire County Retirement Board will accept liability for 3 years and 10 months of creditable service. The amount of the transfer is \$5488.18

**Voted** to approve transfers as presented.

**NEW MEMBER APPLICATIONS:**

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

6817	NATHAN V STALKER	EGREMONT	7/2/2018	WATER DEPT	1
6819	DOMINIC J BOSCHETTI	LENOX	7/20/2018	CUSTODIAN	1
6820	DAVID R VICKERY	MGRSD	7/9/2018	CUSTODIAN	1
6821	WAYNE E COOPER	W Stockbridge	7/1/2018	TRANS STATION	1
6822	BRITTANY M CLARK	BHRSD	7/1/2018	Behavior Analyst	1
6823	KELLI A ROBBINS	LANESBORO	7/1/2018	TOWN MANAGER	1
6824	TAMARA P Beet-Hernandez	BCRHA	7/23/2018	CASE MANAGER	1
6825	BETSY L BACZEK	LENOX	7/20/2018	PARA	1
6826	KEITH R BOHONOWICZ	SAVOY	8/13/2018	HWY ASST SUPT	1
6827	NICHOLAS F PENNA	LANESBORO	8/6/2018	PATROLMAN	4
6828	TRACI L BORDEN	CBRSD	8/23/2016	TECH DEPT	1
6829	NICHOLE L KALEY	CBRSD	8/27/2018	TITLE I TUTOR	1
6830	EMMA O CORNWELL	CBRSD	8/27/2018	TITLE I TUTOR	1
6831	BRENDA C BIANCO	LEE	8/23/2018	ASST TO SUPT	1
6832	SUSAN E BEAUDOIN	CBRSD	8/27/2018	TITLE I TUTOR	1

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

**REQUESTS FOR REFUNDS:**

14.) The Board approved the applications for refunds from the following members: (Pending

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approval from Dept. of Revenue- child support division)

Kelsey Alacantara	BHRSD	\$1564.85
William Brown Jr	BHRSD	\$1816.27
Joseph Carpenter	Richmond	\$1431.57
Rose Glaszcz	SBRSD	\$18234.25
Sally Lemme	Williamstown	\$13952.12
David Schaefer	Lee (10yr inactive)	\$320.42
Lisa Spencer	Williamstown	\$17388.99

**Voted** to approve refunds as presented.

**INJURY REPORTS:**

15.) There was an injury reported in the Town of Stockbridge.

**RETIREMENT ALLOWANCE APPROVALS:**

16.) The Board received approval from PERAC to grant a retirement allowance to Pauline Wheeler, Hinsdale as of May 29, 2018. Annual pension amount is \$13729.56.

The Board received approval from PERAC to grant a retirement allowance to Susan O'Grady, Savoy as of June 20, 2018. Annual pension amount is \$13695.36.

The Board received approval from PERAC to grant a retirement allowance to Kathy Cyr, CBRSD as of June 21, 2018. Annual pension amount is \$9598.32.

The Board received approval from PERAC to grant a retirement allowance to Nancy Garrett, CBRSD as of June 21, 2018. Annual pension amount is \$9385.20.

The Board received approval from PERAC to grant a retirement allowance to Martha Gurney, Williamstown as of June 26, 2018. Annual pension amount is \$16359.84.

The Board received approval from PERAC to grant a retirement allowance to Sandra Sakowski, CBRSD as of June 30, 2018. Annual pension amount is \$4915.44.

The Board received approval from PERAC to grant a retirement allowance to Kristine Warfield, Richmond as of June 30, 2018. Annual pension amount is \$10207.92.

The Board received approval from PERAC to grant a retirement allowance to Bonnie Dewkett, CBRSD as of June 30, 2018. Annual pension amount is \$7529.28.

**Voted** to note the record.

**3(8)c REIMBURSEMENTS:**

17.) 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 Worcester Regional Retirement Board \$6899.132 a year toward the retirement allowance of John Shaunessy.

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 \$6049.52 a year toward the retirement allowance of Deborah Roche.

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**Voted to note the record.**

**TRAVEL & EDUCATION APPROVALS:**

18.) The Board approved the travel expense for five Board members and two staff to attend The Emerging Issues Conference at Holy Cross in Worcester on 9/13/18.

**Voted to approve the travel expense for Emerging Issues Conference.**

The Board approved the travel expense for five Board members and three staff to attend the fall MACRS Conference in Springfield Sept 30 thru Oct 3, 2018.

**Voted to approve the travel expenses for the Fall MACRS Conference.**

**PERAC CORRESPONDENCE:**

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

#22/2018 Public Records Law side letter Provisions

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

**MISCELLANEOUS CORRESPONDENCE:**

- a.) Copy of the PERAC 2017 annual report.
- b.) Accidental disability application for Michael Wigglesworth will be ready for the Board to review on September 29, 2018. Hearing will be held September 26, 2018 at 9:30am registered letters will be sent to Mr. Wigglesworth and his legal Counsel.
- c.) 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.
- d.) Copy of a letter to sent to treasurers regarding electronic transfer of funds for assessments.
- e.) Copy of letter to be sent to treasurers regarding the determination pensionable wages as it applies to regular compensation. Board members Michael Ovitt and Karen Williams asked for time to review the letter before mailing to Treasurers.

**OLD BUSINESS:**

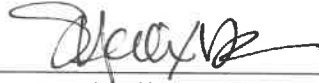
20.) Review a proposal from PTG to add Pension Pro Employer Reporting Module. The Board will review the advantages and costs of implementing this system. Update on the demo session at MACRS.

The next regular board meeting is scheduled for Wednesday, September 26, 2018 at 9:00am.

**Voted to adjourn at 11:25am.**

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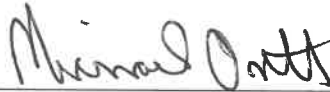
RESPECTFULLY SUBMITTED:



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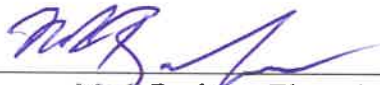
Sheila LaBarbera, Executive Director

APPROVED BY:



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Michael Ovitt, Chairman



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Mark Bashara, Elected Member



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Karen Williams, Elected Member

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Paul A. Lisi, Jr., Advisory Council Member



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Gerald Doyle, Jr., Appointed Member