

Berkshire County Retirement Board Meeting
March 27, 2024

The meeting of the Berkshire County Retirement Board was called to order at 8:30A.M. in the Berkshire County Retirement Office, located at 29 Dunham Mall, Pittsfield, MA. Present at the meeting were Michael Ovitt, Chairman and Mark Bashara, Elected Member, Timothy Sorrell, Elected Member and Sue Funk, Advisory Board member. Beth Matson Appointed member, participated remotely.

PUBLIC COMMENT:

1.) Members of the public have the opportunity to address the Retirement Board. There was no public comment.

Items #4 and #5 were taken out of order while waiting for legal counsel to arrive at meeting

NEW BUSINESS:

- 2.) **Executive Session:** under Purpose 7 of the Open Meeting Law: To comply with Exemption (c) of the Public Records Law (G.L. c. 4, s. 7(26)(c)) exempting information and other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy. RE: Review of ADR/ODR application benefits for Bustin Buzzella, Dalton and Kevin Larkin

A roll call vote was taken to enter into executive session. All members participating remotely identified that they were in a private setting @ 8:40am. The vote was unanimous.

At 9:29 am the Board returned to regular session.

Michael Ovitt: The Board voted in executive session to request an accidental disability medical panel for Mr. Buzella, the roll call vote was unanimous. The Board deferred any action on the disability application of Mr. Larkin until requests for additional information were completed.

- 3.) Legal Update for March with Thomas Gibson

Tom Gibson: Reviewed the recently released report from the Office of the Inspector general regarding post-retirement earnings limits for MA public retirees. The OIG report noted that there is no single agency that tracks the pension or post retirement earnings of all public employees. The oversight and enforcement is inconsistent and in some cases, only those with egregious violations are subject to enforcement. He detailed the 91A CH 32 regulations that prevent a retiree from collecting a full pension and working full time as a municipal employee. He stated that the laws go back to 1941 and the creation of the pension system and have been upheld in legal decisions over the years. The report will generate discussion and proposals to rectify the current situation hopefully it will not be detrimental to all retirees especially those that have followed the rules while working after retirement. Tom Gibson noted that the Governor has proposed legislation to address the post retirement earnings issue. One of the proposals would allow creating exceptions for hour and wage limitations when a "critical shortage" of qualified applicants exists. The other proposal would exempt certain individuals, or classes of individuals. Many of the exemptions appear to be

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inequitable and actually make it more difficult to enforce. There will be more information forthcoming on this issue.

4.) Directors update: PTG meetings.

Annual financial statement waiting on approval.

Sheila LaBarbera asked if Beth Matson was having issues with Prosper, as her vote was the only one outstanding. Beth indicated she would take care of the vote in Prosper after the Board meeting adjourned. When voting is complete, the financial statement is available to PERAC for their approval.

PTG Meetings

Sheila LaBarbera: indicated that the staff had three meetings planned with PTG in the month of March. The first meeting was to review ongoing issues with the PTG system software. She indicated that PTG has been very responsive and progress was being made on some of the issues. Some issues remain outstanding and they have been referred to programming.

Michael Ovitt: Asked if PTG was fixing existing issues? What were those issues and are there any new issues?

Sheila LaBarbera: Responded that they were not any new issues but the deduction upload reports continue to be an issue.

Brian Shepard: Indicated that he was originally able to see and review reports before they were posted and he is no longer able to see the reports before posting. PTG is unsure of what changed so they are reviewing the issue with programmers. Brian noted it would be very helpful and save time if the reports could be amended by the treasurers before posting.

The second meeting was to discuss the insurance reporting module. The insurance module has been set up in QA. Our first meeting with treasurers is Friday March 29. We will be working to add additional units to the QA site. We are working to set up, as many units as possible this spring so many of our units will be able to use the module for a premium holiday scheduled for June 2024.

The last PTG meeting in March is scheduled for Thursday March 28. We will continue to review and update the Board on any of the ongoing issues with PTG system software.

Multi Factor Authentication

Michael Ovitt asked what happened with our MFA?

Sheila LaBarbera: We set up with an app called Authy Desktop. I received an email several months ago that they were sun setting the desktop version in August 2024. About a month ago, I received another email that they were discontinuing Authy desktop March 19, 2024. I contacted Joel, was not aware that the sun setting had been moved up and thanked me for letting him know, but he would be unavailable to help us transition because of the impact on his workplace, so I contacted Ascentek. They were able to set us up with a new desktop authenticator and it went very smoothly. We now use WinAuth and have a new level of protection because we must log in to the authenticator every time we log into the computer.

Michael Ovitt: Asked if he should be logging in and out, as he only used his mobile authenticator on the original log in?

Sheila LaBarbera: Suggested that a log in would be a better level of protection.

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Consent Agenda Detail:

MINUTES:

a.) The Board minutes of the regular session & executive session meeting held February 28, 2024, were signed and approved.

Minutes provided as an attachment to email

INVESTMENTS:

b.) The Board received from PRIT a statement of performance for February 2024. The PRIT Fund returned 1.91% for the month of February.

BANK STATEMENTS:

c.) The Board received the bank statements for Feb 2024 and the budget for March 2024.

Cash Books for February were sent to Board by email.

MONTHLY WARRANTS:

d.) The Board approved payment vouchers:

03-01-24	\$246.45
03-02-24	\$131,708.35
03-03-24	\$20,504.17
03-04-24	\$515,486.72
03-05-24	\$1,721,067.37

REQUESTS FOR RETIREMENT:

e.) The Board approved the application for superannuation retirement from Christine Emerson, Cheshire, Town Clerk. The retirement will be effective 05/14/2024.

The Board approved the application for superannuation retirement from Charles Browne, Lenox, Town Accountant. The retirement will be effective 06/30/2024.

MEMBER TRANSFERS OUT OF SYSTEM:

f.) The Board approved the notice of transfer of the account of Denise Staubach, a member in Lenox, to the MTRS. The Berkshire County Retirement Board will accept 3 years and 1 month of creditable service. The amount of the transfer is \$24,892.95.

The Board approved the notice of transfer of the account of Darlene McCauley, a member in Lenox, to the State Retirement Board. The Berkshire County Retirement Board will accept 5 years and 7 months of creditable service. The amount of the transfer is \$54,281.89.

The Board approved the notice of transfer of the account of Robert Difazio, a member in Dalton, to the MTRS. The Berkshire County Retirement Board will accept 9 years and 3 months of creditable service. The amount of the transfer is \$52,533.51.

REQUEST FOR SERVICE BUYBACK:

g.) Alesia Corbett, a member in CBRSD, is eligible to buy back 1 year and 4 months of prior creditable service. If Ms. Corbett pays \$5,340.78 into the annuity savings fund by April 30, 2024, the board will grant 1 year and 4 months of creditable service.

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Heidi Utenis, a member in FRRSD, is eligible to buy back 12 years of prior creditable service. If Ms. Utenis pays \$18,738.47 into the annuity savings fund by April 30, 2024, the board will grant 12 years of creditable service.

Lauren Nelson, a member in Monterey, is eligible to buy back 8 months of prior creditable service. If Ms. Nelson pays \$3,865.42 into the annuity savings fund by April 30, 2024, the board will grant 8 months of creditable service.

REQUESTS FOR REFUNDS:

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

J. Bishop Lanesborough \$246.45 (Partial-Deds taken in Error)

INJURY REPORTS:

i.) There was one injury reported in the Central Berkshire Regional School District.

NEW MEMBER APPLICATIONS:

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

7879	Laura King	Williamstown	2/12/2024	Comm. Dev. Asst	1
7880	Christopher Cahoon	Williamstown	2/12/2024	DPW Equipment Operator	1
7881	Laura Purdie	Lee	2/28/2024	SPED Para	1
7882	Paige Digrigoli	Lenox	2/27/2024	Firefighter/EMT	4
7883	Todd Krutiak	Savoy	2/5/2024	Highway Supervisor	1
7884	Steven Beagle	Dalton Fire	3/12/2024	Firefighter	4
7885	Grant Barber	Lenox	1/2/2024	Building Substitute	1
7886	Timothy Gavrilov	Dalton Fire	3/11/2024	Firefighter/Paramedic	4
7887	Jacob Racette	MGRSD	3/11/2024	Custodian	1
7888	Jonathan Russell	Lenox	2/28/2024	Youth Librarian	1
7889	Douglas Mears	MGRSD	3/4/2024	Technology/AV Specialist	1

RETIREMENT ALLOWANCE APPROVALS:

k.) The Board received approval from PERAC to grant a retirement allowance to Patrick Holian, Tyringham, as of 12/31/2024. Annual pension amount is \$32,582.52.

The Board received approval from PERAC to grant a retirement allowance to Sandra Wojtkowski, Richmond, as of 11/17/2023. Annual pension amount is \$6,914.52.

The Board received approval from PERAC to grant a retirement allowance to Patricia McLeod, Williamstown, as of 2/23/2024. Annual pension amount is \$51,152.76.

The Board received approval from PERAC to grant a retirement allowance to Nancy Crawford, SBRSD, as of 8/26/2021. Annual pension amount is \$11,731.80. (Re-calculated due to a wage error)

3(8)c REIMBURSEMENTS:

l.) There are no 3(8)c reimbursement letters in March.

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PERAC CORRESPONDENCE:

m.) The Board received from PERAC the following memorandums:
#10/ 2024 Tobacco Company List

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

TRAVEL & EDUCATION APPROVALS:

n.) The Board approved the travel expense for staff to provide retirement seminars to FRRSD on March 7, 2024, Clarksburg on April 5, 2024, and Lee on May 2, 2024.

MISCELLANEOUS CORRESPONDENCE:

o.) There was no miscellaneous correspondence in March.

A motion by Mark Bashara to approve the consent agenda as presented, second Sue Funk.
A roll call vote was taken to approve the consent agenda as presented. The vote was unanimous.

The next regular board meeting is scheduled for Wednesday, April 24, 2024 at 8:30am.

A motion was made by Mark Bashara to adjourn the meeting at 9:36am. Sue Funk, second.
A roll call vote was taken to adjourn, the vote was unanimous.

RESPECTFULLY SUBMITTED:

Sheila LaBarbera, Executive Director

APPROVED BY:

Michael Ovitt, Chairman

Mark Bashara, Elected Member

Timothy Sorrell, Elected Member

Sue Funk, Advisory Council Member

Beth Matson, 5th Member Appointed

