

Berkshire County Retirement Board Meeting
April 28, 2021

The meeting of the Berkshire County Retirement Board was called to order at 9:00 A.M. in the Berkshire County Retirement Office, located at 29 Dunham Mall, Pittsfield, MA. Present at the meeting were; Michael Ovitt, Chairman, Mark Bashara, Elected Member, Beth Matson Appointed member. Participating by video conference was Paul A. Lisi, Jr., Advisory Board Member. Karen Williams, Elected Member was absent. A roll call vote was taken to open the meeting. The vote was unanimous.

PUBLIC COMMENT:

Members of the public had an opportunity to address the Retirement Board as the remote link to the meeting was posted with the agenda. No members of the public attending the meeting or were connecting remotely.

MINUTES:

1.) The Board minutes of the meetings of executive session held February 24, 2021, the regular session and executive session held March 24, 2021, the regular session held March 31, 2021 and regular session held April 13, 2021, were signed and approved.
A roll call vote to approve the minutes and the vote was unanimous.

The Board continued with the regular order of business skipping Item # 2 until 9:30am.

NEW BUSINESS:

EXECUTIVE SESSION:

2.) The Board conducted a review of an application for Accidental Disability benefits. **Executive Session Purpose #1** to discuss the physical condition of an individual. In attendance participating remotely for the executive session Attorney Thomas Gibson Attorney Gerry McDonough and Attorney Katherine Lamondia-Wrinkle. Mr. Matthew Larson and Mrs. Francine Larson appeared in person. Attorney Thomas Gibson asked if notice had been given to the member, notice was given by US mail with a return receipt. Attorney Gibson also noted that in the future the executive session for the ADR reviews should be posted for Purpose # 7 rather than Purpose #1, but we would continue with the executive session as posted for Purpose #1.

At 9:32am executive session was requested by Attorney Katherine Lamondia-Wrinkle, there was a motion made by Paul Lisi to convene in executive session for Purpose #1, to discuss the physical condition of an individual and then return to a public meeting, the motion was seconded by Mark Bashara.

A roll call vote was taken to enter into executive session. The vote was Unanimous.

The Board returned to regular session @ 9:50am. Note that a vote was taken to approve an application for accidental disability benefits while in executive session. Attorney Katherine Lamondia-Wrinkle and Mr. and Mrs. Larson all left the meeting at 9:50am

Attorney Thomas Gibson and Attorney Gerry McDonough remained in the meeting. Mr. Gibson reviewed:

- 1.) the status of an outstanding ADR application that he hoped would be on the agenda for the month of May.

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- 2.) Notified the Board that a demand letter had been sent to Patricia Brown regarding pension fraud and requested her to contact the retirement board regarding a repayment plan.
- 3.) Notified the Board that he was currently working with PERAC regarding the group 4 classification issue for members who work in multiple group classifications.
- 4.) Updated the Board on the status of the misappropriation of funds issue in the Town of Great Barrington.
- 5.) Reminded the board that there were two opportunities for educational credits the MACRS legal panel on June 7th and PRIM Conference webinar on June 9th. There will be 3 credits available for each presentation.
- 6.) Attorney McDonough updated the Board on PERAC memo #15, PFML. He suggested that PERAC may have to review and reconsider their position on creditable service for members out on PFML. They did not agree with PERAC position and have asked for clarification, they will keep us posted.

Attorney Thomas Gibson and Attorney Gerry McDonough left the meeting at 10:13am.
The Board returned to item # 13.

INVESTMENTS:

3.) The Board received from PRIT a statement of performance for March 2021. The PRIT Fund returned 3.23% for the month of March.

A roll call vote to note the record and the vote was Unanimous

BANK STATEMENTS:

4.) The Board was in receipt of the bank statements for March 2021. The Board is also in receipt of the budget for April 2021. The Board was notified of the PRIT transfer scheduled for April 29, 2021, will be \$6,000,000. The monthly redemption amount will be \$1,200,000, and will begin on June 1, 2021. The monthly redemption of \$300,000, was terminated on April 29, 2021. We will monitor our monthly increases in pension payroll and make any adjustments in the redemption balance as needed.

Note: copies of cashbooks for March 2021 were emailed to each Board member prior to the meeting.

A roll call vote to note the record and the vote was Unanimous

MONTHLY WARRANTS:

5.) The Board is asked to approve payment vouchers:

04-01-21	\$51,559.73
04-02-21	\$168,698.90
04-03-21	\$3,387.78
04-04-21	\$1,503,142.29

A roll call vote to approve payments and the vote was Unanimous

REQUESTS FOR RETIREMENT:

6.) The Board approved the application for superannuation retirement from Susan McGrath, Savoy, Tax Collector. The retirement will be effective 05/19/2021.

The Board approved the application for superannuation retirement from Lynn Hayden, MGRSD, paraprofessional. The retirement will be effective 06/17/2021.

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The Board approved the application for superannuation retirement from Melissa Strezynski, Lee, paraprofessional. The retirement will be effective 07/01/2021.

The Board approved the application for superannuation retirement from Brenda Rondeau, MGRSD, Finance Asst. The retirement will be effective 07/31/2021.

The Board approved the application for superannuation retirement from Dennis Burke, Dalton, DPW operator. The retirement will be effective 07/27/2021.

The Board approved the application for superannuation retirement from Marion Quinn-Jowett, Williamstown, COA. The retirement will be effective 08/01/2021.

A roll call vote to approve retirements and the vote was Unanimous

MEMBER TRANSFERS OUT OF SYSTEM:

7.) The Board approved the notice of transfer of the account of Randall Austin, a member in Lenox to the Easthampton Retirement Board. The Berkshire County Retirement Board will accept liability for 4 years and of creditable service. The amount of the transfer is \$48,240.37.

The Board approved the notice of transfer of the account of Rebecca Slick, a member in Dalton to the Barnstable County Retirement Board. The Berkshire County Retirement Board will accept liability for 4 years and 8 months of creditable service. The amount of the transfer is \$16,750.06.

A roll call vote to approve transfers and the vote was Unanimous

REQUEST FOR SERVICE BUYBACK:

8.) John Roughley, a member in Dalton, is eligible to buy back 1 year and 1 month of prior creditable service. If Mr. Roughley pays \$9,988.56 into the annuity savings fund by May 31, 2021, the Board will grant 1 year and 1 month of creditable service.

Joanne Grybosh, a member in Sandisfield, is eligible to buy back 6 years and 1 month of prior creditable service. If Ms. Grybosh pays \$53,357.85 into the annuity savings fund by May 31, 2021, the Board will grant 6 years and 1 month of creditable service. Upon repayment the Hampden County Retirement Board will accept liability for 6 years and 1 month of creditable service.

A roll call vote to approve the buybacks as presented and the vote was Unanimous

REQUESTS FOR REFUNDS:

9.) The Board is asked to approve the applications for refunds from the following members: (Pending approval from Dept. of Revenue- child support division)

Darcie Carey	BHRSD	\$404.37
Lori Crum	BHRSD	\$66.94
Megan Kaiser	FRRSD	\$5630.17
Ketlyn New	BHRSD	\$10,590.73
Jennifer Tabakin	Gt Barrington	\$83,894.26
Amber Will	Savoy	\$3,122.00

A roll call vote to approve refunds and the vote was Unanimous

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INJURY REPORTS:

10.) There were no injuries reported in the month of April.

NEW MEMBER APPLICATIONS:

11.) The Board is asked to approve for membership in the Berkshire County Retirement System the following members:

7225	Joshua Stewart	Lee	4/5/2021	custodian	1
7226	Darcy Feder	Clarksburg	2/22/2021	treasurer/ collector	1
7227	Trea Balardini	Dalton	4/6/2021	police officer	4
7228	Michelle Hayden	Lee	4/15/2021	CFCE grant Coord	1
7229	John Gordon II	BHRSD	4/6/2021	paraprofessional	1
7230	Carly Zink	CBRS	4/29/2021	Tutor	1
7231	Ross Vivori	Gt Barrington	4/5/2021	Assessor	1
7232	Alexander Martin	Dalton Fire Dist.	4/1/2021	Laborer	1
7233	Jordan Keay	CBRS	4/29/2021	Paraprofessional	1
7234	Jennifer Dunn	Lee	4/5/2021	Paraprofessional	1
7235	Harrison Trites	MGRSD	4/23/2021	Paraprofessional	1

A roll call vote to approve new members and the vote was Unanimous

RETIREMENT ALLOWANCE APPROVALS:

12.) The Board received approval from PERAC to grant a retirement allowance to Jason Hoellerich, Cheshire, as of as of 02/14/2021. Annual pension amount is \$40,938.72.

A roll call vote to approve retirement allowance and the vote was Unanimous

The Board returned to Item #2 New Business at 9:30am

3(8)c REIMBURSEMENTS:

13.) 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 Barnstable County Retirement Board \$1,271.29 a year toward the retirement allowance of Susan Milne.

The Board considered the lump sum payment to the Barnstable County of \$19,934.00, to be paid on or before July 31, 2021. The lump sum payment would require an agreement by both Boards and would settle the 3(8)c with the onetime payment. \$19,934 includes the outstanding balance due Barnstable County from 11/15/2013 through 12/31/2020.

Paul Lisi, Jr., made a motion to allow the executive director to negotiate the lump sum settlement with Barnstable County as detailed in the 3(8)c letter from PERAC, second Mark Bashara.

A roll call vote to approve the negotiation of the lump sum settlement the vote was Unanimous.

PERAC CORRESPONDENCE:

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

- #14/2021 Mandatory Retirement Board Training 2Qtr
- #15/2021 Implementation of PFML

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

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TRAVEL & EDUCATION APPROVALS:

15.) There are no travel requests for the month of April.

MISCELLANEOUS CORRESPONDENCE:

- a.) Motion to Dismiss Pratt v. Berkshire County Retirement Board
- b.) MIIA renewal FY 2022 Property Liability Workers Compensation
- c.) Website monthly analytics
- d.) Thomas Gibson Letter regarding G Cummings pension fraud
- e.) Offer letter and discussion of benefits for prospective employee. The Board was asked to consider matching 4 weeks of vacation by the prospective employee. The board declined to consider 4 weeks. The Board amended their offer to include 1 week of vacation (5 days) and 7 days of PTO time to be used between June and December of 2021. On January 1, 2022 they would offer 2 weeks (10 days) of vacation and 105 hours (15days) of PTO. Motion was made by Mark Bashara second by Beth Matson.

A roll call vote to offer the amended vacation and PTO schedule as detailed. Mike Ovitt, Beth Matson, Mark Bashara in favor, Paul Lisi Jr. opposed. **Approved 3 in favor 1 opposed.** *The offer will be presented to the prospective employee.*

The next regular board meeting is scheduled for Wednesday, May 26, 2021 at 9:00am.

A roll call vote to adjourn at 11:05am was Unanimous

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

Beth Matson, 5th Member Appointed