

Berkshire County Retirement Board Meeting
October 26, 2016

The meeting of the Berkshire County Retirement Board was called to order at 8:00 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 September 28, 2016, were signed and approved.
Voted to approve minutes.

NEW BUSINESS: Hearing began @8:30am

2.) The Board held a hearing regarding a violation of MGL Ch. 32 sec 91 b & c earnings limitation for working after retirement. Roger Prevey, a retiree from the Town of Williamstown is currently in violation of the earnings limitations after retirement. Mr. Prevey was in attendance with his spouse Velma Prevey and was represented by Attorney Scott Ellis.

Attorney Ellis made a presentation to the Board and stated that Mr. Prevey, did not dispute that he worked over the allowable 960 hours in a calendar year and exceeded the hour limitation every year for the last 10 years. However Attorney Ellis argued that Mr. Prevey did not exceed the wage limitations so therefore the Board had no basis to recoup the excess earnings.

The Board did not agree with Attorney Ellis and stated that if the 960 hours did not matter then why have an hour limitation?

Mr. Prevey argued he was never notified of the working after retirement limitations but Mr. Lisi provided a copy of the information given at retirement of which a copy remains in Mr. Prevey's retirement folder.

Paul A. Lisi, Jr. made a motion to refer the argument to the Berkshire County Retirement Board's legal counsel Christopher Connolly for a written opinion on whether recoupment of excess earnings is triggered by hours worked over the allowable 960 per calendar year or if recoupment is only trigger by excess earnings as stated by Attorney Ellis. Seconded by Gerald S. Doyle, Jr., unanimous.

Voted to request legal opinion form Board Counsel Christopher Connolly.

The Hearing was adjourned at 8:50am and Board member Paul A. Lisi, Jr. excused himself from the meeting at 8:50am

3.) The Board received the draft audit report for the Berkshire County Retirement System for the year ended December 31, 2015. There were no material findings in the audit. The Board reviewed and approved the draft audit performed by MelansonHeath.

Voted to approve the draft audit.

4.) The Board reviewed the proposed 2017 annual budget for the Berkshire County Retirement System. The Board recommended the budget be reviewed by the Berkshire County Retirement Advisory Council at their annual meeting October 26, 2016 the Board will review the budget for approval at the November meeting.

Voted to recommend the Advisory Council review the proposed budget.

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INVESTMENTS:

5.) The Board received from PRIT a statement of performance for September 2016. The PRIT Fund returned 1.1% for the month of September.

Voted to note the record.

BANK STATEMENTS:

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

Voted to note the record.

MONTHLY WARRANTS:

7.) The Board approved payment vouchers:

09-04-16	\$1153955.22
10-01-16	\$4743.08
10-02-16	\$118838.55
10-03-16	\$18163.39
10-04-16	\$7221.60

Voted to approve payments as presented.

REQUESTS FOR RETIREMENT:

8.) The Board approved the application for superannuation retirement from Lauren Sartori-Hobgood, Gt Barrington, Accountant, Group 1, age 60 with 23 years and 3 months of creditable service and chose Option C. The retirement will be effective October 1, 2016.

The Board approved the application for superannuation retirement from Ann Danko, Richmond, paraprofessional, Group 1, age 58 with 11 years of creditable service and chose Option B. The retirement will be effective October 11, 2016.

The Board approved the application for superannuation retirement from Suzanne Ulmer, CBRSD, paraprofessional, Group 1, age 57 with 13 years and 1 month of creditable service and chose Option C. The retirement will be effective October 20, 2016.

The Board approved the application for superannuation retirement from Thomas D'Avella, Williamstown, Maintenance, Group 1, age 66 with 10 years and 1 month of creditable service and chose Option C. The retirement will be effective October 24, 2016

The Board approved the application for superannuation retirement from Carol Kearns, CBRSD, paraprofessional, Group 1, age 65 with 13 years and 5 months of creditable service and chose Option C. The retirement will be effective October 24, 2016

The Board approved the application for superannuation retirement from Helen Olshever, Williamstown, Asst Librarian, Group 1, age 68 with 15 years and 4 months of creditable service and chose Option C. The retirement will be effective January 20, 2017.

Voted to approve retirement as presented.

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MEMBER TRANSFERS OUT OF SYSTEM:

9.) The Board approved the notice of transfer of the account of Peggy Andrews, a member in Florida to the North Adams Retirement Board. The Berkshire County Retirement Board will accept liability for 5 months of creditable service. The amount of the transfer is \$633.51.

The Board approved the notice of transfer of the account of Mary Bourdon, a member in CBRSD to the Hampshire County Retirement Board. The Berkshire County Retirement Board will accept liability for 15 years and 7 months of creditable service. The amount of the transfer is \$24181.05.

The Board approved the notice of transfer of the account of Adelheid Teutsch, a member in Stockbridge to the State Retirement Board. The Berkshire County Retirement Board will accept liability for 10 years and 9 months of creditable service. The amount of the transfer is \$55646.96.

Voted to approve transfers as presented.

REQUEST FOR SERVICE BUYBACK:

10.) There are no requests for buyback in the month of October.

REQUESTS FOR REFUNDS:

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

Stephan Harasyko	Sandisfield	\$26669.32
Kyle Pettibone	Otis	\$9163.97

Voted to approve refunds as presented.

NEW MEMBER APPLICATIONS:

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

6666	TIMOTHY X SEARS	WILLIAMSTOWN	9/16/2016	BLDG INSP	1
6667	RUTH T BOORADY BLOOM	LENOX	9/1/2016	PARA	1
6668	COURTNEY L BURATTO	LENOX	9/1/2016	PARA	1
6670	MEGAN E CARBERRY	LENOX	9/7/2016	PARA	1
6671	RENEE M ROBBINS	LENOX	9/12/2016	PARA	1
6672	JOSHUA R LABSHERE	EGREMONT	10/12/2016	LABORER	1
6673	ALESIA A CORBETT	CBRSD	8/29/2016	PARA	1
6674	JAMIE M MINACCI	BHRSD	9/15/2016	PARA	1
6675	MATTHEW C WILSON	LEE	7/24/2016	Paramedic/ Director	2
6676	EVAN S COLBERT	LEE	10/3/2016	POLICE OFFICER	4
6677	JAMIE M McLAUGHLIN	RICHMOND	9/8/2016	Speech Therapist	1
6680	CONNIE C GOTT	SBRSD	9/20/2016	PARA	1
6681	JAMES M O'BRIEN	WILLIAMSTOWN	9/19/2016	B&G SUPERVISOR	1
6682	JEFFREY S PECK	BCRHA	10/3/2016	CASE MANAGER	1
6683	LYLIAN S KEGLER	FARMINGTON	8/30/2016	BUS DRIVER	1

Voted to approve new members as presented.

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INJURY REPORTS:

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

Roberta DelGrande – BHRSD- 08/30/2016 – lost time

Voted to note the record.

RETIREMENT ALLOWANCE APPROVALS:

14.) The Board received approval from PERAC to grant a retirement allowance to Nickales Ball, as of July 22, 2016. Egremont

	Member	Beneficiary
Annuity	\$7904.76	
Pension	\$26547.00	
Yearly	\$34451.76	
Monthly	\$2870.98	

The Board received approval from PERAC to grant a retirement allowance to Brian Shaw, as of July 15, 2016. Egremont

	Member	Beneficiary
Annuity	\$10678.08	
Pension	\$51998.76	
Yearly	\$62676.84	
Monthly	\$5223.07	

The Board received approval from PERAC to grant a retirement allowance to Richard Haupt, as of July 28, 2016. Dalton

	Member	Beneficiary
Annuity	\$8178.48	\$5452.32
Pension	\$17627.04	\$11751.36
Yearly	\$25805.52	\$17203.68
Monthly	\$2150.46	

The Board received approval from PERAC to grant a retirement allowance to Jorja-Ann Marsden, as of July 31, 2016. Stockbridge

	Member	Beneficiary
Annuity	\$10556.40	
Pension	\$46094.16	
Yearly	\$56650.56	
Monthly	\$4720.88	

The Board received approval from PERAC to grant a retirement allowance to Lynn Shaw, as of August 30, 2016. BHRSD

	Member	Beneficiary
Annuity	\$3596.64	
Pension	\$9210.96	
Yearly	\$12807.60	
Monthly	\$1067.30	

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The Board received approval from PERAC to grant a retirement allowance to Loretta Curtiss, as of August 31, 2016. SBRSD

	Member	Beneficiary
Annuity	\$2864.16	\$1909.44
Pension	\$10503.72	\$7002.48
Yearly	\$13367.88	\$8911.92
Monthly	\$1113.99	

The Board received approval from PERAC to grant a retirement allowance to Linda Lavoie, as of August 31, 2016. BHRSD

	Member	Beneficiary
Annuity	\$7389.24	
Pension	\$29346.12	
Yearly	\$36735.36	
Monthly	\$3061.28	

The Board received approval from PERAC to grant a retirement allowance to William Bartini, as of January 2, 2015. Great Barrington

	Member	Beneficiary
Annuity	\$8534.88	\$5689.92
Pension	\$32717.88	\$21811.92
Yearly	\$41252.76	\$27501.84
Monthly	\$3437.73	

The Board received approval from PERAC to grant a retirement allowance to Tammy Pierce, as of November 6, 2015. Richmond

	Member	Beneficiary
Annuity	\$2050.92	\$1367.28
Pension	\$2709.72	\$1806.48
Yearly	\$4760.64	\$3173.76
Monthly	\$396.72	

Voted to note the record.

3(8)c REIMBURSEMENTS:

15.) There are no 3(8)c reimbursements for the month of October.

PERAC CORRESPONDENCE:

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

- #24/2016 Mandatory Retirement Training 4th Q 2106
- #25/2016 OPEB Summary
- #26/2016 Appropriation Data Due October 31, 2016

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

MISCELLANEOUS CORRESPONDENCE:

- a.) Memo sent to Treasurer's reminding them to submit injury reports to Retirement Board within the 90 days from date of injury.
- b.) PERAC report for educational credits for Berkshire Board members.

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- c.) Sheila LaBarbera has been selected as a member of the PRIM - Advisory Council.
The first meeting in November 4, 2016 in Boston.

The next regular board meeting is scheduled for Wednesday, November 30, 2016 at 9:00am.

Voted to Adjourn. Meeting adjourned at 9:25 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