

FRANKLIN REGIONAL RETIREMENT SYSTEM
BOARD MEETING MINUTES
October 27, 2015

A meeting of the Franklin Regional Retirement Board, duly posted to be held in the Board office, 278 Main Street, Suite 311, Greenfield, MA., on the above date was called to order at 8:02 a.m. by Board Chair, Sandra Hanks with Board Members Paula Light, Mary Stokarski and David Gendron present. Paul Mokrzecki joined the meeting at 8:03 a.m. Also present were Executive Director Dale Kowacki, Assistant Director Susan Bobe, and Auditor Deb Frenzoz.

Prior to and during the meeting, the following items were available for the Board's review: monthly financial statements, current investment statements, invoices, and member and retiree files related to items on the agenda.

A permanent copy of the agenda, with the exception of those items that are restricted from public viewing, as presented to the Board is on file in the retirement office.

Paul Mokrzecki arrived at 8:03 a.m.

Review and Acceptance of Meeting Minutes

On a motion made by D. Gendron and second by P. Light, the Board voted unanimously to approve the minutes of the regular meeting held on September 30, 2015.

Payroll, Refunds, Transfers and Bills Warrants

On a motion made by M. Stokarski and second by P. Light, the Board voted unanimously to approve the warrants as follows:

<i>Retirees Payroll</i>		<i>\$704,900.90</i>
<i>Refunds</i>		<i>445.08</i>
<i>Transfers</i>		<i>4,769.18</i>
<i>Invoices 10-15W</i>		<u><i>79,108.49</i></u>
<i>Operating</i>	<i>42,895.67</i>	
<i>Investments</i>	<i>36,212.82</i>	
<i>3(8)c pmts to other Boards</i>		
<i>For a total of:</i>		<i>\$789,223.65</i>

Cash Transfer between Investments and bank

On a motion made by P. Light and second by P. Mokrzecki, the Board voted unanimously to transfer \$416,000 from PRIT Real Estate Fund to Unibank to cover next month's warrants.

Membership

On a motion made by P. Mokrzecki and second by P. Light, the Board voted unanimously to approve the new and existing members as follows:

Membership

New Members

Beauregard, Jeffrey	08/26/2015	100%	DER	Instructional Assistant
Belanger, Judith	09/09/2015	90%	STB	Para Educator
Black, Tomas G	10/01/2015	100%	FRN	Instructional Assistant
Boucher, Paul	09/21/2015	100%	LEV	Highway Dept. laborer/Driver
Cheek, Jacquelyn	09/17/2015	100%	FRN	Instructional Assistant
Crochier, Alison	09/03/2015	90%	SND	Cafeteria Asst.
Donovan, Catherine	10/13/2015	100%	OGE	Individual Aide
Etman, Elizabeth	0/26/2015	100%	SND	Instructional Assistant
Favreau, Sandra	09/14/2015	90%	PNR	Para Professional
Gross, Carolyn	08/26/2015	100%	DER	Instructional Assistant
Hunt, Dennison	10/19/2015	100%	DER	Certified Operator
Katz, Joan	09/28/2015	100%	FCH	Property Manager
Murphy, Kelli	08/31/2015	100%	FRN	Inclusion Assistant
Patch, Sherry	10/05/2015	100%	SND	Town Administrator
Peila, Keri L	10/05/2015	100%	PNR	Instructional Assistant
Ramos, Sandra	08/31/2015	100%	FCH	Consumer Education Assistant
Regan, Karen	08/27/2015	100%	MHR	Speech Language Pathologist
Rice, Kathleen	08/17/2015	100%	LEV	School Secretary
Rich, Adriana	09/02/2015	90%	STB	Para Professional
Rivera, Jr., Albert	09/14/2015	100%	WTY	Instructional Assistant
Soucie, Kayleigh	08/31/2015	100%	OGE	Para Professional
Sylvia, Timothy	10/07/2015	100%	FRT	Call Rep.
Talbot, Chelsey	08/26/2015	100%	WTY	1:1 Para Professional
Trinque, Amie	09/02/2015	50%	STB	After School Director

New Positions

Freihofer, Esmay	08/26/2015	35%	FRN	Speech-Language Pathologist Asst.
Freihofer, Esmay	08/26/2015	35%	SND	Speech-Language Pathologist Asst.
Johnson, Elizabeth	07/01/2015	100%	LED	Town Clerk
Martin, Clifford	08/27/2015	90%	MHR	Para Professional
Preston-Wells, Lauren	09/14/2015	100%	WTY	Teaching Assistant

Accept Liability for Buybacks and Makeups Through Other Systems:

On a motion made by P. Mokrzecki and a second by P. Light, the Board voted unanimously to approve the following buyback:

Jean, Jr., Roland – Gardner Retirement Board has asked FRRS to accept creditable service liability if their current member, Roland Jean, Jr., re-deposits a refund taken from this system. The refund, taken on 4/30/1989 was for \$739.20 in regular deductions, \$0 interest and creditable service was determined to be 6 months, 10 days of service, 4/19/1988-10/28/1988.

Deaths:

Allen, William – Option A retiree since 07/23/1993, Mr. Allen was employed as an engineer for Franklin County, accruing 17 years, 5 months of creditable service. DOD was 10/03/2015 at the age of 87.

General Business:

Pay second third of the past due State 3(8)C bill

The 2014 State Board invoice has been received with a new contact name on the cover letter and PERAC continues to make progress on the recalculations of 3(8)c liabilities. An email has been sent to the new contact in hopes of moving this invoice along. There has been no update from the State or further contact. The goal is to have significant corrections made to the invoice so that a payment can be made in December.

No action, or votes, taken at this time.

Windfall Elimination Provision (WEP) Reform

The Board discussed the filing of HR711 by Congressmen Kevin Brady (R-TX) and Richard Neal (D-MA) to reform the Windfall Elimination Provision. The Board fully supports the reform and requested Dale Kowacki, Executive Director to draft a letter of support to be sent to our Congressmen, Representatives and Senators with copies sent to MACRS and the other Retirement Boards.

On a motion made by D. Gendron and a second by P. Mokrzecki, the Board voted unanimously to send a letter to our Congressmen, Representatives and Senators fully supporting the WEP reform.

2016 Budget

The budget was presented to the Board with a change to the audit line to reflect the recently amended contract with Melanson Heath.

On a motion made by D. Gendron and a second by P. Mokrzecki, the Board voted unanimously to approve the budget as presented, for a total of \$1,304,701.00.

Progress Report on Elizabeth Bell benefit application (David Bell)

The independent review of David Bell's medical records by Dr. Giugliano was received and sent to Michael Sacco for review. Dr. Giugliano concluded that Mr.

Bell's cause of death was different than the ailment for which he was retired, therefore, Attorney Sacco stated, “. . . we believe there is insufficient evidence to grant Mrs. Bell's application, and in fact the more reliable and unbiased opinion is Dr. Giugliano's . . .”, “. . . it was difficult to discern any causal relationship between the medical condition that resulted in Mr. Bell's retirement and the medical condition that caused his death, however this issue is solely within the Board's purview, based on the medical expert it finds more persuasive.”

On a motion made by D. Gendron and a second by P. Light, the Board voted unanimously to deny the Accidental Death Benefit application filed by Mrs. Bell.

Background: Mr. Bell was employed as the Police Chief for the Town of Deerfield Police Department from October 1, 1980 to August 22, 1984 when he was retired for accidental disability under the “Heart Law.” On April 23, 2013 Mr. Bell died, cause of death as stated on the death certificate was, “congestive heart failure” due to “diabetes mellitus.” On January 11, 2015, Mrs. Bell filed a claim with the Board seeking accidental death benefits claiming that Mr. Bell's death was the natural and proximate result of the same personal injury or hazard undergone on account of which he was retired. In May 2015, medical records were provided to a PERAC single physician medical panel, who opined that there was insufficient evidence to overturn Mr. Bell's doctor's conclusion. However, Board Attorney Michael Sacco noted that the PERAC physician's did not delve into the complex medical issues in this case, and Mr. Bell's physician exhibit bias, therefore he suggested an independent review of Mr. Bell's medical records, which the Board approved, and which Michael Sacco pursued by hiring Dr. Giugliano.

Progress report on Michael Pellin disability application

The Board must vote on its next action to either approve or deny the application or to delay its decision in order to collect and review certain worker's compensation records.

Mr. Pellin filed a Member's Application for Accidental Disability on 8/16/2007 claiming a back injury at work on 9/25/2006. Mr. Pellin was a custodian at the Shutesbury Elementary School. The Board denied the application 11/25/2008.

Mr. Pellin appealed the decision to CRAB and in September 2013 the case was remanded back to the PERAC Medical Panel for clarification. Because the original panel was not practicing, a new medical panel was put together and the member was examined in December 2014. The Panel's certificate was reviewed by Attorney Sacco in January 2015 and he again recommended clarification of causation. The panel's report was received in August 2015, and in it the panel reiterated that the injury resulted in permanent incapacity. Thus, Attorney Sacco's reluctant recommendation to the Board was to approve the Application.

In the course of preparing to process the retirement paperwork for Mr. Pellin, staff contacted the workman's compensation insurance company that paid Mr. Pellin benefits in 2006, to determine his current status. In the course of conversation, staff learned that the company settled the claim with Mr. Pellin in

2008 for a total of \$15,000, which is considered a low amount and would indicate a weak case on the part of Mr. Pellin. It was also communicated that the file at Workers Comp insurance is available - should the Board wish to subpoena the record.

On a motion made by D. Gendron and a second by P. Light, the Board voted unanimously to have Board Attorney Michael Sacco subpoena Mr. Pellin's records from the workman's compensation insurance company.

New Business

Future Meetings

After a brief discussion, the Board agreed to change the date of the December regular meeting to December 22, 2015, Tuesday, 8:00 am.

Revision of Staff Evaluation Process

Board Chair, Sandra Hanks and Vice Chair, David Gendron presented the Board and Staff a revised staff evaluation form. After a brief discussion and review of the new form, the Board took the following action:

On a motion made by D. Gendron and a second by P. Light, the Board voted unanimously to use the revised staff evaluation form, see addendum B.

Adjournment

On a motion made by D. Gendron and a second by P. Light, the Board voted to adjourn the meeting at 9:21 a.m.

Respectfully submitted,

THESE MINUTES WERE APPROVED ON NOVEMBER 23, 2015

Dale C. Kowacki, Executive Director

Sandra A. Hanks, Chair and Treasurer

Paula J. Light, Council Member

David R. Gendron, Vice Chair

Mary A. Stokarski, Board Member

Paul J. Mokrzecki, Board Member

ADDENDUM B

FRRS Evaluation form

Current years goals:

Update on goals not accomplished:

Goals for the coming year:

Areas of additional training/learning needed or requested:

How do you feel things are going:

Comments: