

HULL CONTRIBUTORY RETIREMENT BOARD MEETING

December 21, 2005

9:00 a.m. (Selectmen's Meeting Room)

The regular meeting of the Hull Contributory Retirement Board, duly posted to be held in the Selectmen's Meeting Room, Town Hall, Hull, MA on the above date was called to order at 9:00 a.m. Present were Leonard Colten, Chairperson, Members Marcia Bohinc, Donald Brooker, James Yacobucci, Arthur Flavin, and Retirement Administrator Jennifer Miller

9:15 a.m. – Accidental Disability Retirement Evidentiary Hearing canceled by Attorney Paul Hynes, counsel, for Randolph Boothby. To be rescheduled. **(Confidential Records attached for review prior to scheduled hearing must be returned to the Retirement Office.)**

To Be Voted:

1. Read and attest to the minutes from the November 30, 2005 regular Board Meeting
Motion made by Marcia Bohinc seconded Arthur Flavin to accept the minutes of the regular Board meeting with the following changes: Item #2 – first sentence threat of law suite; should be suit. Item #3 – Voted: Leonard Colten accepted; should read Leonard Colten yes. Marcia Bohinc, James Yacobucci and Arthur Flavin denied; should read Marcia Bohinc, James Yacobucci and Arthur Flavin no. Motion carried; should read Motion Defeated.
Voted: Leonard Colten, James Yacobucci, Marcia Bohinc and Arthur Flavin affirmative. Donald Brooker abstained.

New Employees (The Board signed the New Employees certificates)

- David M. Buckley – Firefighter/paramedic, Group 4 – Certificate #238
- Daniel A. Dunn – Police Officer, Group 4 – Certificate #239
- Sean M. Conneely – Police Officer, Group 4 – Certificate #240

Payments

- Sign all bill warrants for December 2005
- Tammy Contrado, School Department – Refund in the amount of \$1,205.91, less \$241.18 for 20% Federal Tax withholding. No interest paid.
- Barry Phillips, Fire Department – Transfer out in the amount of \$31,292.61, deductions, plus \$1,415.26, interest to a total transfer of \$32,707.87 to the Lawrence Retirement System. Hull Retirement System accepts service credit liability for 6 years and 4 months. State Retirement System accepts service credit liability for 4 years and 10 months.
- Jay Szklut, Planning/Community Development – Transfer out in the amount of \$48,131.69, deductions, plus \$2,643.13, interest, to a total transfer of \$50,774.82 to the Belmont Retirement System. Hull Retirement System accepts service credit liability for 10 years and 8 months.

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- Sign the contributory payroll for September 2005

The Board signed all the bill warrants inclusive of the Tammy Contrado refund and the transfer of funds held in the name of Barry Phillips and Jay Szklut as well as the contributory payroll for the month of December.

2. Received Reference: Report of the Examination of the Hull Retirement System for the four-year period from January 1, 2000 through December 31, 2004 from PERAC dated 11/30/2005.

The Board reviewed the above report and was happy with its results.

3. Received update from Ralph White re: Governor Signs Veterans Bonus Into Law dated 11/25/2005 as well as an updated on Chapter 157.
4. Received PERAC Memo #36/2005 re: Disability Retirement Benefits for Veterans, Chapter 157 of the Acts of 2005 along with a clarification letter from Michael Sacco: **Board vote required.**

Motion made by Marcia Bohinc seconded by James Yacobucci to accept Section one of Chapter 157 as well as issue and Article on the Annual Town meeting in May.

Unanimously voted:

Motion made by Marcia Bohinc seconded by James Yacobucci to accept Section two of Chapter 157. Section 2 will be placed along with Section 1 as an article on the Annual Town Meeting in May.

Voted: Marcia Bohinc, James Yacobucci, Arthur Flavin and Donald Brooker in Favor. Leonard Colten Opposed

Review

5. Notice of Appearance from Michael Sacco in the matter of Donald Brooker v. Hull Retirement Board.
6. Joseph A. DiVito, Jr. – Resume submitted for the 5th member position.
Thomas O'Connell – Letter of Interest submitted for 5th member position.
Deadline issued in add placements through December 18, 2005.

After a discussion about the January 25th meeting it was determined that due to the fact that there will be an evidentiary hearing on this date that the Board would conduct its interviews on January 10, 2006. Each candidate will receive fifteen minutes beginning at 9:00 a.m. The order in which the interviews will take place will be by randomly drawing each person name. Should any candidate be unable to attend on the 10th then the only other option will be January 12, 2006. If any is unable to attend either session then they will be disqualified.

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7. Year-to-date trial balance and cash accounts reconciliation

The Board reviewed the above documents with discussion on current cash balance and rate of investment return for year-end.

8. **Informational Mail**

- Retired State, County and Municipal Employees Association Of MA Newsletter January 2006
- Segal Bulletin
- 7th Annual Public Funds Summit – Opal Financial Group
- Pension Management Conference March 12 – 15 2006
- Public Safety Pension & Benefits Seminar January 22 – 25, 3006
- 5th Annual Stars & Stripes 2006 National Public Employees' Retirement Funds Summit April 2 – 4 2006
- Babson Staff Letter, November 23, 2005 & December 9, 2005

Discussion

- Old Business

Hull Housing Authority update on FY03 Appropriation no payment has been made as of this date. Deadline for submission is December 31, 2005 with no exceptions.

- New Business

Motion made by Leonard Colten seconded by Donald Brooker to grant a 3% Cost of Living Increase (COLA) to all contributory and non-contributory retirees who retired prior to July 1, 2005 effective July 1, 2006.

Unanimously voted:

Randolph Boothby - At 9:45 a.m. motion made by Marcia Bohinc seconded by Donald Brooker to go into executive session to discuss the reputation, character, physical condition or mental health of an individual.

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Roll call vote: Marcia Bohinc, yes; Leonard Colten, yes; Donald Brooker, yes; Arthur Flavin, yes; James Yacobucci, yes.

Unanimously voted:

The Board stated their intention to reconvene in open session.

The board reconvened in open session at 10:20 a.m.

Unanimously voted:

Donald Brooker request to waive overpayment of retirement allowance in the amount of \$2,390.84 until all CRAB appeals have been heard and decided.

Motion made by James Yacobucci seconded by Marcia Bohinc to allow Mr. Brooker to waive repayment of \$2,390.84 until all CRAB appeals have been heard and decided.

Voted: James Yacobucci and Leonard Colten yes.

Marcia Bohinc and Arthur Flavin no.

Motion Defeated.

Motion made by Marcia Bohinc seconded by Arthur Flavin to waive payment contingent on the CRAB outcome; however, if the Board prevails, Mr. Brooker repays with interest (½ of the current actuary rate 7.75%).

Should Mr. Brooker pay the Retirement Board now, and he prevails; the Board will return Mr. Brooker's money with the same interest provision.

Voted: Marcia Bohinc and Arthur Flavin yes.

James Yacobucci and Leonard Colten no.

Motion defeated.

Meeting adjourned: 10:40 a.m.

Leonard Colten, Chairman

Donald Brooker, Vice Chairman

Marcia D. Bohinc

Arthur Flavin

James A. Yacobucci