

## HULL CONTRIBUTORY RETIREMENT BOARD MEETING

December 19, 2006

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 Maurice Murphy, Marcia Bohinc, Gerald Ball, and Retirement Administrator, Jennifer Miller.

### To Be Voted:

Read and attest to the minutes from the November 21, 2006 regular Board Meeting

Motion made by Marcia Bohinc seconded by Gerald Ball to accept the minutes of the meeting held on November 21, 2006 as read.

### **Unanimously voted:**

#### New Employee (sign certificate)

- Ellen M. Kane - Library, Group 1 – Certificate #271
- Craig Lepro - Police, Group 4 – Certificate #272

Motion made by Marcia Bohinc seconded by Gerald Ball to accept the new employees as named above.

#### Notice of Injury:

- Michael Rice – Fire Department, Group 4 – 11/17/2006
- William R. Hatfield – Fire Department, Group 4 – 11/20/2006

#### Retirements

- M. Beatrice Kelly

Retirement Date: 11/10/2006	
Annuity	125.14
Pension	<u>279.77</u>
<i>Total Monthly Allowance</i>	<i>\$404.91</i>
Annual Annuity	1,501.68
Annual Pension	<u>3,357.24</u>
<i>Total Annual Allowance</i>	<i>\$4,858.92</i>
Option	B
Service	13.3333
Age Factor	2.1
Percentage of Max	80.00%
Percentage of Pay	27.6%*

- First Check – November 30, 2006

Motion made by Marcia Bohinc seconded by Leonard Colten to accept the retirement allowance calculation on M. Beatrice Kelly as presented.

### **Unanimously voted:**

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### Payments

- Sign all bill warrants for December 2006
- Sign the contributory payroll for December 2006
- Susan Belmarsh - refund in the amount of \$292.06, difference in the annuity savings fund reflecting change from 9% to 8% for the period of November 4, 2004 to October 5, 2006 plus \$973.67 for re-calculation of service credit buy-back for the period of September 19, 1995 through November 3, 2004 to a total refund of \$1,265.73 less \$253.15 for 20% Federal Tax withholding. As voted at the October 31, 2006 regular meeting of the Hull Retirement Board.

The Board signed all the bill warrants, inclusive of the Susan Belmarsh refund, and the contributory payroll for the month of December.

### Kenneth Reed – Notice of Refund Owed to the Hull Contributory Retirement System in the Amount of \$11,037.33 for excess earnings under 91A for calendar year 2005.

- Original Calculation of Amount of refund due for Calendar Year 2005: **\$11,037.33**
- Computation originated with the 2003 calculation of \$60,622.15 (as submitted to PERAC)
  - Hull no longer has Lineman position
  - Computation based on the 2002 lead lineman rate from Braintree (29.22 / hour) on a 2,040 hour year
  - The applied 2003 increase was the average Town of Hull Department head increase of 3.4%
- January 1, 2004 applied increase was 3% (per HMLP Contract) - \$62,440.81
- January 1, 2005 applied increase was 2% (per HMLP Contract) - \$63,689.63
- Longevity for completion of 15 years of service: \$1,000.00
- **Total Allowable 2005 compensation:** \$64,689.63, plus \$5,000.00: **\$69,689.63**
- Total paid Retirement Allowance **\$34,490.52**
- Total allowed earnings **\$35,199.11** (difference of \$69,689.63 and 34,490.52)
- Total earnings reported to PERAC \$46,236.84
- Refund Due \$46,236.84 – 35,199.11 = **\$11,037.73**

Possible Payback options:

- Mr. Reed's monthly retirement allowance \$2,927.96
- Must be repaid prior to December 31, 2007
- Must be paid by payroll reduction:
  - 6 monthly installments = \$1,839.62
  - 9 monthly installments = \$1,226.41
  - 12 monthly installments = \$919.81

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As of December 14, 2006 Attorney Hynes, representing Mr. Reed, provided the retirement office with the Local 104 Union rate for salaries commencing 09/30/2006, 09/30/2007, and 09/30/2008. Attorney Hynes requested a substitute calculation using Local 104 rates he provided us with to make the necessary calculation.

The Board received Local Union 104 rates effective 08/31/2003, 08/29/2004, and 08/28/2005. The Board also received confirmation from John McLeod, retired General Manager Hull Light Plant, that the rate paid to the Head Lineman in 1994 was that used by Local Union 104. A recalculation was completed based on local 104 union rates effective 08/29/2004 and 08/28/2005 as follows:

<b>As provided by Local Union 104</b>			
Local 104 Union	<b>8/29/2004</b>	<b>8/28/2005</b>	
	<b>32.94</b>	<b>34.35</b>	
Hull Light Plant 40 Hours per week			
<b>2005 Calendar Year Calculation</b>			
	<b>Week</b>	<b># of Wk</b>	<b>Total</b>
January 1, 2005 to September 30, 2005	\$ 1,317.60	39	\$51,386.40
October 1, 2005 to December 31, 2005	\$ 1,374.00	13	\$17,862.00
Total 2005 Compensation			\$69,248.40
Plus			\$ 5,000.00
<b>Total Combined</b>			<b><u>\$74,248.40</u></b>
Total Retirement Allowance Paid			\$34,490.52
Total Allowed Earnings			\$39,757.88
<b>Total Earning Reported to PERAC</b>			<b>\$46,236.84</b>
<b>Refund Due</b>			<b>\$ 6,478.96</b>

Motion made Marcia Bohinc seconded by Gerald Ball based on the information provided to accept the new calculation for amount of refund due from Mr. Reed to the retirement board in the amount of \$6,478.96. The amount of refund will be requested to be paid in 11 monthly installment payments, directly withheld from Mr. Reed's retirement allowance beginning in February 2007 and ending in December 2007. Mr. Reed shall have the right to make payment in full at his earliest convenience.

**Unanimously voted:**

### **Discussions**

- Old business
  - Gary Taylor – Worker's compensation settlement

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The Board has been advised of possible settlement being offered to Mr. Taylor. The Board will agree to waive its right to a claim against said settlement, should said settlement not exceed a caped amount. The Board will seek counsel.

- Computer Software Options

Marcia Bohinc and Jennifer Miller advised the Board that they did not feel it was necessary to make a commitment to tyler TACs. Additional options include Pension Technology Group and DataNational Corp. They were confident that Pension Technology Group's product would be ready prior to its current contract with tyler TACs running out. Also, PTG has been very impressive in its productions. DataNational Corp. is also producing a new retirement software product that they will be demonstrating within the next few weeks. Currently the Board's software contract is effective through May 17, 2007, which allows ample time to make any further decisions.

- New Business

Chapter 157 of the Acts of 2006 Section has been placed as a warrant on the Special Town meeting on January 9, 2007 and received a favorable recommendation from the Finance Committee.

Motion made by Maurice Murphy seconded by Gerald Ball to reaffirm the Board's unanimous decision to accept Chapter 157 of the Acts of 2005 Section 2 (Article 3 at the special town meeting).

**Voted: Maurice Murphy, Gerald Ball, and Leonard Colten in favor**  
**Marcia Bohinc abstained**

**Motion Carried:**

**Update:**

- Federal Grants – Maggie Rizzi SPED Direct will have amended Public Law Grant by the end of December and Maria Hortaridis will have amended Quality Full Day Kindergarten by the end of December as well.

The board was advised that the FY 06 Federal Grants had not included any benefits for retirement. They felt that this was not acceptable and would request Superintendent Dr. Delany attend the January meeting for an explanation.

Motion Made by Leonard Colten seconded by Gerald Ball to request Dr. Delany to attend its January 23, 2007 Board meeting for an explanation of how payments for the FY2006 and FY 2007 Federal Grants will be made.

**Unanimously voted:**

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### **Review**

From Michael Sacco – On the Matter of Donald Brooker v. Hull Retirement Board –

- Pretrial Memorandum
- Hearing Update
- Post Hearing Memorandum

Budget for calendar year 2008 at \$109,600.

Motion made by Marcia Bohinc seconded by Gerald Ball to level fund the 2008 budget with the 2007 budget at \$108,000.00 based on Town requirements.

**Unanimously voted:**

Year-to-date trial balance and cash accounts reconciliation

### **Informational Mail**

- Received approval from PERAC FY 2008 Appropriation \$2,769,097.
- Received Notice of Completion of Retiree Evaluation on Thomas Claffey – Pending Restoration to Service status remains unchanged. (Fire Captain)
- PERAC Memo #47/2006 – PERAC Regulation 840 CMR 16.05
- PERAC Memo #48/2006 – E-Mail Addresses
- PERAC Memo #49/2006 - 2006 Disability Data
- MASS Retirees Update – Doane Named to PERAC
- Retired State County and Municipal Employees Association Newsletter

**Meeting adjourned: 10:15 a.m.**

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Leonard Colten, Chairman

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Marcia Bohinc

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Maurice Murphy

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Gerald Ball