

HULL CONTRIBUTORY RETIREMENT BOARD MEETING

February 27, 2007

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 Marcia Bohinc, Chairperson, Members Leonard Colten, Maurice Murphy, Gerald Ball, Rocky Tenaglia, and Retirement Administrator, Jennifer Miller.

To Be Voted:

Read and attest to the minutes from the January 23, 2007 regular Board Meeting.

Motion made by Leonard Colten seconded by Rocky Tenaglia to accept the minutes of the meeting held on January 23, 2007 with corrections.

Unanimously voted:

9:00 a.m. – Paula Delaney, Superintendent – Maria Hortaridis, Business Manager – Discussion on FY 06 and FY 07 Federal Grants. Marcia Bohinc informed the Board that she had met with Dr. Delaney on Monday, February 26, 2007 and that they had discussed the matter of the reimbursement of the Federal Grant for fiscal year 2006. Although Dr. Delaney was sympathetic to the Board's desire to recover the loss of payment, she reiterated what Maria Hortaridis had stated at the January 23, 2007 meeting, regarding the financial condition of the school and the tough current fiscal year. She agreed to follow the school finances for this fiscal year and to report back to the Board in May or June as to where they stand with their finances. Should their finances look good and they have extra money, they would pay some money towards the 2006 grants. Dr. Delaney was not very optimistic.

Marcia explained how the appropriation works, and that she felt the Board should accept that it would be receiving the FY07 reimbursement, and all future grant reimbursements, and move on.

Ms. Bohinc explained that the reimbursement payment was not the same as the Housing Authority's appropriation. The only source of the Housing Authority money was the Housing Authority. If the Housing Authority did not pay the appropriation money, then the retirement system was out the money. The grant money is another source of money received by the Town from the Federal Government. The Retirement System is not out \$12,000.00 because these grant people were in fact included in the Town's appropriation. We did receive the money from the Town. If we did not get the money from the Town, we would then have to get it from the school. If the school gives us the money and then is in the negative, then the Town has to give the school more money; it is all the same pot of money.

Ms. Bohinc further assured the Board that when you review the school grants, on the line to request monies to be paid for retirement benefits, there was no request made. Although the school may have overlooked this, they did not make a request for retirement benefits and keep it for themselves. There was no money requested for this benefit.

Mr. Colten felt that the school should provide copies of their financial statements to the Board for the Board's review. Ms. Bohinc informed him that this is what Ms. Delaney had offered to do in May or early June.

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Leonard Colten felt that the school has the money and that they will spend it prior to the end of the fiscal year to avoid having to reduce their budget.

Marcia assured Mr. Colten that as the Town Accountant she knows that there is no hidden monies, that all of the town and school's monies are accurately accounted for.

Mr. Ball was happy with Dr. Delaney's guarantee that we will be receiving the FY07 and all future grant payments. Based on the fact that the retirement system was not actually out the money, Mr. Ball felt that the Board should accept the response and wait and see what happens in May or June.

In final, the Board decided that it would follow up on this matter with Dr. Delaney in May.

New Employees (Sign Certificates)

- Sean M. Fahey – Police Officer, Group 4 – Certificate #273
- Joel E. Salituri – Police Officer, Group 4 – Certificate #274

Motion made by Leonard Colten seconded by Maurice Murphy to accept the new employees as named above.

Unanimously voted:

Notice of Injury

- John J. King – Fired Department, Group 4 – Injury 01/21/2007 – Report 02/01/2007

Payments

- Sign all bill warrants for February 2007
- Sign the contributory payroll for February 2007

The Board signed all the bill warrants and the contributory payroll for the month of February inclusive of the John Murphy and John Murdock refund and the payroll the changes and.

Payroll Changes

Received notice of death on Joseph Risso, date of death 01/24/2007. Mr. Risso chose an Option A under Accidental Disability retirement effective 11/30/1990. Mr. Risso retired due to a back injury and passed away from an unrelated cause. Mrs. Risso is requesting benefits under M.G.L. c. 32, §101 effective 01/24/2007.

Motion made by Leonard Colten seconded by Rocky Tenaglia to grant Ms. Risso, spouse of the late Joseph Risso, benefits under M.G.L. c. 32, §101 effective 01/24/2007.

Unanimously voted:

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John MacLeod retired General Manager Hull Light Plant, waiving pension to return to his former position with the Hull Light Plant. Mr. MacLeod will request to resume his pension after a replacement can be found.

Refund of members funds:

- John Murphy, former employee of the school department, refund in the amount of \$26,720.18, accumulated deductions, plus ½ interest \$535.91 to a total refund of \$26,184.28 less \$5,236.86 for 20% Federal Tax withholding, as requested by Mr. Murphy. The Board was advised of the circumstance surrounding Mr. Murphy's situation and the action that were taken to assure that Mr. Murphy understood all his rights.
- John Murdock, former employee of the light department, refund in the amount of \$4,147.30, accumulated deductions less \$3,317.84 for Federal Tax withholding, as requested by Mr. Murdock. Mr. Murdock receives no interest for less than 5 years of service credit.

Discussion

Kenneth Reed Notice Refund Owed to Retirement Board in the amount of \$6,478.96 for re-calculated excess earnings under 91A for calendar year 2005. Mr. Reed is appealing:

Retirement Calculation:

		Lineman	
		Rate of Pay	
8/29/2004		8/28/2005	
32.94		34.35	
Hourly Rate	Hr Wk	Week	Bi-Weekly
32.94	40	\$ 1,317.60	\$ 2,635.20
34.35	40	\$ 1,374.00	\$ 2,748.00
2005 Calendar Year Calculation			
	Hourly Rate	Hr Wk	Week # of Wk Total
1/1/05 - 9/30/05	32.94	40	\$ 1,317.60 39 \$ 51,386.40
10/01/05-12/31/05	34.35	40	\$ 1,374.00 13 \$ 17,862.00
Total 2005 Compensation			\$ 69,248.40
Plus			\$ 5,000.00
Total Combined			<u>\$ 74,248.40</u>
Total Retirement Allowance Paid			\$ 34,490.52
Total Allowed Earnings			\$ 39,757.88
Total Earning Reported to PERAC			\$ 46,236.84
Refund Due			\$ 6,478.96

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Attorney Hynes' (Representing Mr. Reed) Calculation:

Head Lineman Rate					
Rate of Pay					
8/29/2004			8/28/2005		
35.58			37.10		
Hourly Rate	Hr Wk		Week	Bi-Weekly	
35.58	40	\$	1,423.20	\$	2,846.40
37.10	40	\$	1,484.00	\$	2,968.00
2005 Calendar Year Calculation					
	Hourly Rate	Hr Wk	Week	# of Wk	Total
1/1/05 - 8/31/05	35.58	40	\$ 1,423.20	36	\$ 51,235.20
9/1/05 - 12/31/05	37.10	40	\$ 1,484.00	16	\$ 23,744.00
Total 2005 Compensation					\$ 74,979.20
Plus					\$ 5,000.00
Total Combined					<u>\$ 79,979.20</u>
Total Retirement Allowance Paid					\$ 34,490.52
Total Allowed Earnings					\$ 45,488.68
Total Earning Reported to PERAC					\$ 46,236.84
Refund Due					\$ 748.16

Jennifer Miller confirmed with John MacLeod, Hull Light Plant's Acting General Manager, that Mr. Reed retired from the 1st Class Lineman position, which is equivalent to the Journeyman Line of Local 104 and not the Head Lineman as calculated by Mr. Hynes.

After a review of the discrepancy in the number of weeks at each rate of pay, a complete review of week ending dates and check issue dates were completed. It was determined that the amount of earnings which would have been reported on Mr. Reed's W2 for calendar 2005 would have been \$69,474.00 and not \$69,248.40, therefore reducing the refund due to the retirement board to \$6,253.36 a reduction of \$225.60. See attached calculation.

The Board stands firm on its decision and will begin making payroll deductions in March. It will discuss whether it will obtain counsel at a later date.

Travel Approval

PERAC Memo #15/2007 Re: Calendar Year 2006 Annual Statements – Jennifer Miller request permission to attend the PERAC workshop on March 13, 2007 at the Plymouth County Retirement Board. Motion made by Leonard Colten seconded by Gerald Ball to allow Jennifer Miller and Marcia Bohinc to attend the PERAC workshop.

Unanimously voted:

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Alternative Investing East Landsdowne Resort, Landsdowne, VA April 15-17, 2007.
 No one will be attending the Alternative Investing East in Landsdowne.

Review

Jennifer Miller – 12 month merit review effective September 6, 2005. Salary request \$30.00 hourly or \$46,800.00 annually based on 30 hours per week. Current salary \$28.85 hourly.
 The Board reviewed Jennifer Miller's self-evaluation, as well as Marcia Bohinc's evaluation and written opinion. All of the members were given a blank evaluation for their review and return with comments to Marcia Bohinc for future evaluations. The Board has been happy with Ms. Miller's performance and agreed that there is always room for improvements.
 The Board reviewed salary comparison from the PERAC Website. The Board also reviewed their original job posting and what their salary expectation was for the position.
 The recommendation for salary was discussed and determined that the position will become a salary position, based on 25 hours per week, at a rate of \$43,000.00 per year.

Motion made by Gerald Ball seconded by Rocky Tenaglia to increase the salary of the Retirement Administrator to \$43,000.00 annually based on a 25-hour workweek effective March 1, 2007.

February 15, 2007 Boston Globe Article – Patrick targets pension systems State would take over under performing funds. The Board expressed its satisfaction with its decision to join the PRIT Fund on its own free will and decided it would like to place an article in the local paper regarding its progress.

MACRS Memorandum dated February 6, 2007 re: Legislation –Email dated February 15, 2007 re: Governor's Municipal Partnership Act- Email dated February 16, 2007 re: same.

Year-to-date trial balance and cash accounts reconciliation prior to year-end close.

- Old business

Marcia Bohinc informed the Board that Michael Sacco prevailed on the appeal of Donald Brooker vs. Hull Retirement Board on both the removal of the sick leave conversion buy out which resulted in the re-calculation of his retirement allowance with a lower three-year average and the denial of his waiver for overpayments made prior to the re-calculation.

- New Business

The Board was advised of the Selectmen's meeting on March 6, 2007 at 7:30 p.m. to discuss Chapter 55 and Section 3 of Chapter 64 of the Acts of 2006 (Local Acceptance Implementation of Local Option Accidental Death Benefit Increase); which the Board voted to accept on August 16, 2006. Marcia will attend on the Board's behalf.

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Informational Mail

- Notice of rescheduling in the Boothby v. Hull Retirement Board
- PERAC Memo #8/2007 Actuarial Data
- PERAC Memo #9/2007 2007 Limits under Chapter 46 of the Acts of 2002
- PERAC Memo #10/2007 Buyback and Make-up Repayment Worksheets Using Regular Interest
- PERAC Memo #11/2007 Buyback and Make-up Repayment Worksheets Using Interest
- PERAC Memo #12/2007 Data Verification for PERAC's Annual Report
- PERAC Memo #13/2007 Retirement Board Change Form
- PERAC Memo #14/2007 840 CMR 10:10(3) & 10:15(4) – Annual Review of Medical Testing Fees
- PERAC Memo #16/2007 An Act further Regulating the Rights of Certain Firefighters or Police Officers Who Were Laid Off in the Year Nineteen Hundred and Eighty-one and Nineteen Hundred and Eighty-two, Chapter 324 of the Acts of 1983
 An Act Further Regulating the Rights of Certain Firefighters and Police Officers, Chapter 235 of the Acts of 1994
- PERAC Memo #17/2007 Proposed Lump-Sum Settlements
- Retired State, County and Municipal Employees Association of Mass Newsletter
- Segal Company Bulletin

Meeting adjourned: 10:15 a.m.

Marcia Bohinc, Chairman

Leonard Colten

Gerald Ball

Maurice Murphy

Rocky Tenaglia