

MINUTES
HULL CONTRIBUTORY RETIREMENT BOARD MEETING
December 18, 2013

The regular meeting of the Hull Contributory Retirement Board, duly posted to be held in the selectman's meeting room, Town Hall, Hull, MA on the above date was called to order at 9:02 a.m. Present were, Members, Marcia Bohinc, Gregory Galvin, Leonard Colten, Phil Lemnios and Retirement Administrator Lauren Durham. Brian Thompson was absent.

In accordance with the open meeting law, the Chair was notified and it was announced that Lauren Durham was making an audio recording of the meeting.

Minutes:

Phil Lemnios made a motion, seconded by Leonard Colten to approve the minutes from the November 20, 2013 regular Board meeting as presented.

Unanimously Voted.

Payments:

Greg Galvin made a motion for discussion seconded by Phil Lemnios to approve the Bill Warrant for December 2013. Phil Lemnios requests that all personal information contained on bills be properly blacked out for appropriate identity protection.

Unanimously Voted.

Phil Lemnios made a motion to approve and sign the Payroll Warrant for December 2013, seconded by Greg Galvin.

Unanimously Voted.

Service Purchases:

Barry Phillips of the Hull Fire Department has requested permission to purchase one (1) month of creditable service for the period of February 1, 2013 through March 1, 2013, for time he was placed in an unpaid status. Phil Lemnios requests this request is tabled until the member submits a written request to purchase the service.

Phil Lemnios made a motion, to grant James Tucker of the School Department permission to purchase military service from 9/2/1974 through 1/17/1978, three (3) years and three (3) months for a total of \$4,796.58 with proper review of his DD2-14 from the Town of Hull Veteran's agent. Leonard Colten seconded the motion.

Unanimously Voted.

Review/Discussion:

Phil Lemnios made a motion to postpone the annual Retirement Administrator review until March 2014 as we just completed an extensive contract review a few months ago. But to also grant a 3% pay increase as stated in the administrator's contract effective January 1, 2014. Greg Galvin seconded the motion.

Unanimously Voted.

Marcia Bohinc will submit the appropriate paperwork to the Treasurer's office.

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Updates:

The Trial Balance for October 2013 was reviewed thoroughly as well as the statement of change in New Plan assets for October 2013 and the PRIM Board Update for October. Marcia Bohinc noted that investment Income is up nearly \$8 million year to date.

Dual Membership:

An issue of Dual membership prior to July 1, 2009 has been brought to the attention of the Board. Joe Stigliani is currently a member of the Hull Retirement system with his service beginning in November of 2008. In August 2010, a transfer of service and accumulated deductions was received and posted from the town of Hingham, which included service through June 30, 2009. After much investigating, it has been determined that this transfer never should've occurred from Hingham. Pension Reform on 2009 states:

Section 7 adds G.L. c. 32, § 5(2)(e) and establishes the calculation formula for persons who are employed concurrently by more than one governmental unit and who are members of more than one retirement system. Under this formula the person would be paid an allowance that is calculated as if his or her employment was solely in each position with each benefit separately calculated. The two allowances would then be added together. The limitation does not apply to persons who are vested (having been granted 10 years of creditable service in each of 2 or more systems) and who receive regular compensation from 2 or more units in more than one retirement system, as of January 1, 2010. It also does not apply to any member who does not receive regular compensation from each of 2 or more units concurrently on or after January 1, 2010. Consequently such a member can retire before January 1, 2010 under the previous formula. The allowance of members not subject to the limitation will be calculated using the formula in effect before the amendment.

The Board has requested that three sets of calculations are performed for Mr. Stigliani before any additional action is taken; Calculate pension with combined service, calculate separate pensions with current service at both, calculate separate pensions with actual service in Hingham, and 10 years creditable service with Hull. The Board would like to review this at their next meeting.

Elected Officials:

Selectman John Reilly contacted the Board regarding his service purchase request from 2007. At the October 23, 2007 Board meeting, Mr. Reilly was granted permission to purchase his service with the Town of Hull from May 1995 through 2007. At the time he had planned to rollover funds. There was an error in the paperwork and the rollover never occurred. Mr. Reilly asked the Board if he could still purchase this service, with additional interest added on.

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Phil Lemnios made a motion to grant permission to purchase service with the town of Hull from May 1995 through July 2007, twelve (12) years in the amount of \$3,382.89. All paperwork for the rollover must be completed and submitted by January 31, 2014 with documentation provided to the Retirement Board and the remaining balance must be paid by Mr. Reilly in one lump payment no later than February 27, 2014. Failure to comply the terms set forth will result in the Board not granting service for this time and the Board will not revisit the request at a later date. The Board Requests that Mr. Reilly sign and return and acknowledgement form stating he understands the conditions of this agreement.

Unanimously voted.

Section 25 provides that a person in a position that pays less than \$5,000 will be allowed creditable service for the service for periods after July 1, 2009 if they were serving in the position as the result of an election, appointment, or contract that was in effect on July 1, 2009. This service is to be granted until the end of the term, appointment, or contract, but may not be granted for a period after July 1, 2012. The Retirement Administrator will be reviewing the files of elected officials to be sure they are in compliance with this section and will address each on a case by case basis.

The Board has requested that the Administrator requests members come into the retirement office to sign acknowledgement forms when a Board decision has been made in order to provide proper documentation for the members and the Board.

Informational Mail:

The Board reviewed the following Informational Mail:

- PERAC Memo #30/2013- Enforcement of Post-Retirement Limits of a Public Retirement System who take employment with any Public Entity in Massachusetts
- Michael Sacco- 11/20/2013- Recent Decisions and PERAC Memo #20/2013
- PERAC Memo #33/3013- MacAloney v. Worcester Regional Ret. System and PERAC
- Michael Sacco- 12/3/2013- PERAC memo #33/3013- Implementation of the MacAloney CRAB decision

The Board's next scheduled meeting is for Tuesday January 29, 2014 at 9:00 a.m. In the Selectman's Meeting Room.

Meeting adjourned: 10:34 a.m._____

Marcia Bohinc, Chairperson

Gregory Galvin

Phil Lemnios

Leonard Colten

Brian Thompson