

Berkshire County Retirement Board Meeting
September 25, 2024

The meeting of the Berkshire County Retirement Board was called to order at 8:30A.M. in the Berkshire County Retirement Office, located at 29 Dunham Mall, Pittsfield, MA. Present at the meeting were Michael Ovitt, Chairman, Mark Bashara, Elected Member, Timothy Sorrell, Elected Member, Sue Funk, Advisory Board member and Beth Matson, Appointed member participated remotely.

PUBLIC COMMENT:

- 1.) Members of the public have the opportunity to address the Retirement Board. There was no public comment.

NEW BUSINESS:

Consent Agenda

Michael Ovitt: Sheila has advised me that the consent agenda should be first on the agenda, so we will take that matter up. So, does anyone have any questions?

Mark Bashara: I will make a motion to accept the consent agenda as presented.

Timothy Sorrell: I will second that motion

Michael Ovitt: Okay. We have motion and second. Can you tell us about the miscellaneous correspondence with PBI?

Sheila LaBarbera: There is a new company, ABL, and they provide death audit services. We met with them in early September, they wanted to go over the services and they provided a special rate for us as participants of the MACRS conference. ABL is offering a three-year plan for \$750 a year. With PBI, we were within a 90-day notice of termination for termination of service notice. I have heard that there were a couple of boards that were trying to get out of the renewal and PBI was doing things like not answering the phone, not responding, so that they would go over the 90 days. I figured I will take a shot, I sent them a letter of termination notice to terminate the service at the end of our contract on November 30th, and I actually got an email from them that said that is fine.

Michael Ovitt: So, they have acknowledged that?

Sheila LaBarbera: They have acknowledged it. I was not sure the letter would even work but it did. When I prepared the agenda, it was still unknown. I just got the paperwork from ABL, so we are eligible to sign up with them for December 1, 2024. We can enroll for the three years, and for three years, it is going to cost us \$750 per year.

Mark Bashara: Three years, so it is \$2250?

Michael Ovitt: For three years versus one.

Sheila LaBarbera: Yes, exactly.

Mark Bashara: This is for death notification, right? So, if someone passes, we know.

Sheila LaBarbera: Exactly. We need it if we are not mailing the affidavits annually.

Michael Ovitt: They have other services? Because PBI appeared to have other services available.

Sheila LaBarbera: We did not purchase any of them. They offered us the same suite and services. Actually, they are going to search our 10-year inactive. We cannot go over a thousand people because the price does go up, but we are at about 925-930 for retirees

Mark Bashara: Any background on them? Just curious, like, you know, heard anything good? Are they new?

Sheila LaBarbera: ABL is a publicly traded company and it is using AI technology so they can do it for much less. They are using better technology.

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Michael Ovitt: Or the same program as PBI?

Sheila LaBarbera: It is pretty much the same that they are searching databases and things like that and have a bit more capabilities because of newer technology.

Michael Ovitt: I do not want to see something in the consent agenda that, you know, is new to everybody. Let's have an idea, discuss it, and then vote on it. The next month or whatever.

Sheila LaBarbera: Well, I was not sure that it was even possible when I sent the letter, the timeframe for the termination was an issue, but sure.

Beth Matson: Can I just say that I looked into them too where we will be going with them here in Natick, and I had our attorney look at the contract before we agreed to sign into it, and he recommended that the staff or any users on that program get CORI checked. It is part of the language in the contract. So, if you do not have one done, the staff needs it. He said everything was fine. There was just some tricky language in there about getting CORI checked. He said he would not sign up until we were all done getting checked.

Sheila LaBarbera: I do not think they mentioned that, but it's okay a CORI check is simple. I will send the contract to Tom Gibson for review.

Michael Ovitt: Okay. Any other review or clarifications?

Sheila LaBarbera: Tom Sherman, his retirement has been effected by his death we will work with his spouse for the member in service survivor allowance.

Michael Ovitt: There was under the buyback a request for service buyback? There is two for Jason LaForest and I did not study that too much, but they are different amounts.

Sheila LaBarbera: Both of the buyback are for military time, one is for reserve time and the other is for active duty. They had to be calculated separately. He has a DD214 for active service, and then he has a DD214 for reserve service.

Timothy Sorrell: Well, we will see a lot of that with this bill because they said every action or deployment would give you a new DD214. If he has been activated six different times, you are going to have six different DD214.

Sheila LaBarbera: This is part of our solicitation to members with military service. We sent the mailing to the general membership. We had about 20+ people who were in various stages of approved but have not paid or have missed the deadline. They received letters that were tailored specifically to them and their notifications went out certified mail. Everybody has been notified. We are working on some people who had bad addresses and we will take care of them individually.

A motion was made by Timothy Sorrell to approve the consent agenda second by Mark Bashara.

A roll call vote was taken to approve the consent agenda as presented. The vote was unanimous.

Consent Agenda Detail:

MINUTES:

a.) The Board minutes of the regular and executive session meetings held August 28, 2024, were signed and approved.

Minutes provided as an attachment to email

INVESTMENTS:

b.) The Board received from PRIT a statement of performance for August 2024. The

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PRIT Fund returned 1.58% for the month of August.

BANK STATEMENTS:

c.) The Board received the bank statements for Aug 2024 and the budget for Sept 2024.
Cash Books for August were sent to Board by email.

MONTHLY WARRANTS:

d.) The Board approved payment vouchers:

09-01-24	\$72,822.85
09-02-24	\$282,465.50
09-03-24	\$20,468.51
09-04-24	\$8,242.53
09-06-24	\$1,276.33

REQUESTS FOR RETIREMENT:

e.) The Board approved the application for superannuation retirement from Thomas Rubino, Stockbridge, Police officer. The retirement will be effective 12/09/2024.

The Board approved the application for a 12(2(d) Member Survivor Allowance for Donna Sherman (Thomas Sherman), MGRSD, paraprofessional. The retirement will be effective 9/4/2024.

MEMBER TRANSFERS OUT OF SYSTEM:

f.) The Board approved the notice of transfer of the account of Leah Brooks, a member in CBRSD, to the Pittsfield Retirement Board. The Berkshire County Retirement Board will accept 1 years and 7 months of creditable service. The amount of the transfer is \$4,058.43.

The Board approved the notice of transfer of the account of Christopher Ketchen, a member in Lenox, to the State Retirement Board. The Berkshire County Retirement Board will accept 10 years and 2 months of creditable service. The amount of the transfer is \$211,289.94.

The Board approved the notice of transfer of the account of Brenda Marra, a member in Lenox, to the Hampden County Retirement Board. The Berkshire County Retirement Board will accept 7 years and 3 months of creditable service. The amount of the transfer is \$59,379.34.

The Board approved the notice of transfer of the account of Tori McClure, a member in CBRSD, to the Pittsfield Retirement Board. The Berkshire County Retirement Board will accept 3 years and 3 months of creditable service. The amount of the transfer is \$7,737.79.

REQUEST FOR SERVICE BUYBACK:

g.) Jason LaForest, a member in Egremont, is eligible to buy back 2 years and 1 month of military service through Chapter 178 of the Acts of 2024, veteran's buyback. If Mr. LaForest pays \$10,309.21 into the annuity savings fund by August 8, 2025, the Board will grant 2 years and 1 month of creditable service.

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Jason LaForest, a member in Egremont, is eligible to buy back 1 year and 3 months of military service through Chapter 178 of the Acts of 2024, veteran's buyback. If Mr. LaForest pays \$6,185.63 into the annuity savings fund by August 8, 2025, the Board will grant 1 years and 3 months of creditable service.

Benjamin Towne, a member in Lee, is eligible to buy back 3 years and 9 months of military service through Chapter 178 of the Acts of 2024, veteran's buyback. If Mr. Towne pays \$16,733.18 into the annuity savings fund by August 8, 2025, the Board will grant 3 years and 9 months of creditable service.

Shepley Evans, a member in Gt. Barrington, is eligible to buy back 2 years and 10 months of military service through Chapter 178 of the Acts of 2024, veteran's buyback. If Mr. Evans pays \$9,774.89 into the annuity savings fund by August 8, 2025, the Board will grant 2 years and 10 months of creditable service.

Nicholas Penna, a member in Lanesboro, is eligible to buy back 4 years of military service through Chapter 178 of the Acts of 2024, Veteran's Buyback. If Mr. Penna pays \$17,742.32 into the annuity savings fund by August 8, 2025, the Board will grant 4 years of creditable service.

REQUESTS FOR REFUNDS:

h.) The Board approved the applications for refunds from the following members: (Pending approval from Dept. of Revenue- child support division)

C. Ketchen	Lenox	\$305.75 (Partial Refund)
C. Thomson Jr	Great Barrington	\$970.58 (Partial Refund)
A.N. Garner	Clarksburg	\$1,400.31
W. Gregory	MGRSD	\$4,244.32
T. Ingalls	Florida	\$4,113.91
M. Kowitz	Williamstown	\$1,389.03
J. Mullen	BHRSD	\$2,272.68
D. Page	SBRSD	\$34,176.09
I. Smith	BHRSD	\$25,320.82

INJURY REPORTS:

i.) There were no injuries reported in month of September.

NEW MEMBER APPLICATIONS:

j.) The Board approved for membership in the Berkshire County Retirement System the following members:

7964	Zachary Reynolds	New Marlboro	8/7/2024	EMT/Firefighter	4
7965	Mark Cyrulik	Savoy	8/12/2024	Laborer/Truck Driver	1
7966	Nicole Crine	Lee	8/21/2024	Paraprofessional	1
7967	Jenna Bessey	Lee	8/21/2024	Paraprofessional	1
7968	Caramia Castagna	CBRS	10/1/2024	Title 1 Tutor	1
7969	Monique Tobet	CBRS	8/26/2024	Paraprofessional	1
7970	Ryleigh McGovern	CBRS	8/26/2024	Title 1 Tutor	1

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7971	Tabitha Barry	CBRSD	8/26/2024	Paraprofessional	1
7972	Roshanda Yates	BCRHA	8/5/2024	Service Coordinator	1
7973	Bridget Krans	BCRHA	8/26/2024	Paraprofessional	1
7974	Carla Champiney	FRRSD	8/26/2024	Business Office Assistant	1
7975	Angelique Chaffee	BHRSD	8/26/2024	Sped Program LPN	1
7976	Ryan Meyer	SBRSD	9/3/2024	Data Info	1
7977	Amelia Conklin	SBRSD	8/26/2024	ESP	1
7978	Laura Bassett	SBRSD	8/26/2024	Kitchen Helper	1
7979	Sarah Gillooly	SBRSD	8/26/2024	ESP	1
7980	Kellie Mosca	Lee	8/26/2024	Paraprofessional	1
7981	Christine Coons	BHRSD	8/26/2024	Paraprofessional	1
7982	Jane Dellea	Richmond	8/26/2024	Building Substitute	1
7983	Jeanne Girdler	Richmond	9/3/2024	Paraprofessional	1
7984	Emily O'Neill	CBRSD	8/26/2024	Paraprofessional	1
7985	Marcie Eastland	CBRSD	9/9/2024	Admin Assistant	1
7986	Regan Carroll	SBRSD	8/26/2024	ESP	1
7987	Aaron Goodell	Cheshire	8/21/2024	Police Officer	4
7988	Kayla Allen	Lenox	8/27/2024	Paraprofessional	1
7989	Kevin Roy Jr.	Dalton	8/26/2024	Operator	1
7990	Paige Jelliffe	FRRSD	8/26/2024	Paraprofessional	1
7991	Malia Rand	MGRSD	6/10/2024	Kitchen Assistant	1
7992	Lukas Loehr	Lee	8/26/2024	Permanent Substitute	1
7993	Stephen Hassmer Jr.	Lee	9/9/2024	Permanent Substitute	1
7994	Amy Stanwick	MGRSD	8/26/2024	Paraprofessional	1
7995	Kelly Hosner Crowley	MGRSD	8/26/2024	Paraprofessional	1
7996	Nycole Labendz	MGRSD	8/26/2024	Paraprofessional	1
7997	Tori Hallett	MGRSD	8/26/2024	Paraprofessional	1
7998	Adrienne Anifant	MGRSD	9/3/2024	Paraprofessional	1
7999	Aaron Cuevas	Gt. Barrington	9/10/2024	Police Officer	4
8000	Nickolas Huertas	Gt. Barrington	9/9/2024	Police Officer	4
8001	Michele Mirante	Clarksburg	8/28/2024	Teacher's Assistant	1
8002	Nellie Nicholas	Florida	8/26/2024	Paraprofessional	1
8003	Garret Barsalou	Richmond	9/16/2024	Highway Foreman	1
8004	Bailey Patella	Lenox	8/29/2024	Building Substitute	1
8005	Jean Robitaille	Lenox	8/26/2024	Paraprofessional	1

RETIREMENT ALLOWANCE APPROVALS:

k.) The Board received approval from PERAC to grant a retirement allowance to Bustin Buzzella, Dalton, as of 10/11/2023. Annual pension amount is \$43,829.28.

The Board received approval from PERAC to grant a retirement allowance to Charles Thomson, Gt. Barrington, as of 7/9/2024. Annual pension amount is \$30,521.40.

The Board received approval from PERAC to grant a retirement allowance to Jerry Morey Sr, Gt. Barrington, as of 8/8/2024. Annual pension amount is \$11,509.92.

The Board received approval from PERAC to grant a retirement allowance to Edward Flynn, Richmond, as of 8/1/2024. Annual pension amount is \$15,111.72.

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3(8)c REIMBURSEMENTS:

l.) The Board received a letter from PERAC ordering the Pittsfield Retirement Board through the provisions of MGL Sec 3(8)(c) to reimburse the Berkshire County Retirement Board \$6,141.51 a year toward the retirement allowance of Edward Flynn.

PERAC CORRESPONDENCE:

m.) The Board received from PERAC the following memorandums:

#24/2024 Tobacco Company List

Note: Copies of memorandums and letters given to each Board member

TRAVEL & EDUCATION APPROVALS:

n.) The Board approved the travel expense for staff and Board members to attend the Fall MACRS Conference at the Sheraton, Springfield MA., December 8-11, 2024.

MISCELLANEOUS CORRESPONDENCE:

o.) Copy of letter of termination for PBI services as of November 30, 2024.

2.) **Legal Update:** Presented by Board Counsel Thomas Gibson.
There was no legal update for the month of September.

3.) **Directors update:** MIIA grant, Marcum Draft audit, PTG review

MIIA Grant

Sheila LaBarbera: We were awarded \$2,124, through the cybersecurity grant. What I would like to do with the \$2,124 is take it and apply it to the quote of the \$5,125 for policies and procedures. The policies and procedures are important for our insurance. It has been pointed out to us by the state program that we are working with the KnowBe4 and with PERAC, and we really should have the detailed policies and procedures in case there is ever a breach or other events. We could apply the \$2,124 so it would cost about \$3,000 to do the policies and procedures. That is a one-time cost. The total request was for \$33,800. We are obviously not going to be anywhere near that, but we do have in the budget.

I spoke to Joel and John and we picked out the things that we absolutely need to update because it is urgent. We talked about the technology that we have for the equipment in our backroom. We do not have commercial-grade equipment and it needs to be upgraded to be able to support some of the upgrades in the future. The quote for that is \$2119, it is in the budget and I would like to get that done ASAP.

It has come to our attention that we have a problem with our IP addresses. Our IP addresses are probably more than 20 years old. They were set up as a public IP addresses and they are sitting in China. That is a problem. We need to change some equipment. There is a little bit of urgency in that one. It will probably be about \$5,000 out of our budget to complete these two things. I would like to do both of them with the money that we have in our budget right now. Then John is going to propose some of the active cybersecurity software that we need. I asked him to provide that to us so that we could review it during budget session this year.
Michael Ovitt: It might be better to email and not discuss it. Do you have any concerns about discussing it open meeting-wise?

Sheila LaBarbera: Because we just exposed our vulnerability. If you approve the \$2100 today, he is going to purchase the equipment and he will be done in about a week.

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Timothy Sorrell: Well, Sheila, so you want a motion now? We can do that right now. I will make that motion right now that we set aside \$5125 to update policies and procedures with an offset of \$2124 from the MIAA Grant.

Mark Bashara: I will second that.

A roll call vote was taken to approve the \$5125 to develop the Cybersecurity Policies and Procedures as presented. The vote was unanimous.

Sheila LaBarbera: Then the second motion is going to be for the equipment upgrades. The Ethernet, switches, and access point technology. NOVA will install and configure a sonic wall and Wi-Fi equipment and he will update our IP addresses.

Timothy Sorrell: I will make a motion to approve \$2119.14 towards equipment upgrade for our computer system.

Mark Bashara: I will second.

A roll call vote was taken to approve the \$2119.14 to install equipment upgrades and reset IP addresses as presented. The vote was unanimous.

MARCUM Financial Audit

I have received the Marcum draft audit. There were no findings in that draft audit. We are waiting for the Fraud Inquiry questionnaire to be prepared by the Chairman.

Michael Ovitt: Just reviewing a couple things.

Sheila LaBarbera: As soon as that questionnaire is completed, the final draft will be issued. We do have a couple of towns that are looking for the final draft because it includes the GASB 67/68. As soon as we receive the draft, I will send that out to all of you and to all of our member units.

PTG Updates

We met with PTG a week ago. They gave me what you were looking for; it is a review of the meeting. It is a review of PTG and their updates. There are service tickets, the statistics of incidents, availability and what is working well and what is not working that great. We have another meeting scheduled for October 8th at 9 AM.

Michael Ovitt: Did we get a handout to that effect?

Sheila LaBarbera: Yes. I sent it out to you with all the board materials.

Michael Ovitt: Oh, right here? I got it. Thank you.

Sheila LaBarbera: They did move us to another server, and so we have seen an increase in the speed in which some of those things are processed which has been an issue. There has been a few things that seemed to have come together, the portal for submitting the deductions and enrollment forms is up and running again. The actual time that it takes to post those deductions has improved. The service seems to be better than it has been in the past. They are attentive and responding to us in a very reasonable amount of time.

Mark Bashara: So, basically, we had 30 inquiries you folks had here to them.

Sheila LaBarbera: Since April, we had 61 tickets opened.

Michael Ovitt: And as far as being a critical issue versus a wish list?

Sheila LaBarbera: Obviously the federal tax rollout did not work. We have not had anything critical, annoyances here and there.

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Mark Bashara: What is this that says defect, grand total of 10? What do they consider a defect? Like something in their program or an issue?

Sheila LaBarbera: I am going to say that those would be a program issue and I think he actually listed them, so on the next page, see the issues update.

Mark Bashara: So, it looks like more issues on their end than they have problems that they are adjusting. The only reason I'm asking is because there must – I just like to know because if out of 30 inquiries you had they were available six times, that wouldn't be that good.

Jill Hersey: That is if there was an actual incident or an issue with their availability, so if the website was down or something of that nature. How hard the issue was. How they break apart, each issue will depend on ticket. We have different types of tickets that we put in.

A motion was made by Tim Sorrell to adjourn the meeting at 9:01 am. Mark Bashara, second. **A roll call vote was taken to adjourn, the vote was unanimous.**

The next regular board meeting is scheduled for Thursday, October 31, 2024 at 9am.

RESPECTFULLY SUBMITTED:

Sheila LaBarbera, Executive Director

APPROVED BY:

Michael Ovitt, Chairman

Mark Bashara, Elected Member

Timothy Sorrell, Elected Member

Sue Funk, Advisory Council Member

Beth Matson, 5th Member Appointed