

Berkshire County Retirement Board Meeting
July 31, 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:

- 2.) **Executive Session:** under Purpose 7 of the Open Meeting Law: To comply with Exemption (c) of the Public Records Law (G.L. c. 4, s. 7(26)(c)) exempting information and other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy. RE: Review of applications for disability benefits.

Michael Ovitt: I will make a motion to, under Purpose 7 of the Open Meeting Law, to comply with Exemption (c) of the Public Records Law, General Law, Chapter 4, Section 7, 26C exempting information and other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy regarding review of application for disability benefits. Mark Bashara: second.

A roll call vote was taken to enter executive session, all members attested to a private setting. The vote was unanimous.

Entered executive session at 9:11am

Returned to regular session @ 9:35am

When returning to regular session it was announced that the Board took a vote to approve ODR benefits for Bustin Buzzella and requested a medical panel for an ADR /ODR benefits for Kevin Larkin.

- 3.) The Board has received a notice from PERAC regarding 91A overearnings for W. Bartini in Calendar Year 2023.

Sheila LaBarbera: No longer an issue. He came in and paid in full on Monday. He has paid in full for the 2021 overearnings. He also indicated that he would not be appealing the decision of the magistrate for his late response for the 2021 overearnings.

Mark Bashara: Going forward, he will just pay if he goes over?

Michael Ovitt: So, there is no dispute on this?

Sheila LaBarbera: No, there is no dispute. He did argue with me a bit about what Great Barrington continues to give us for salaries but I told him that is not for us, take that up with Great Barrington.

Michael Ovitt: Okay, well, that is good so, there is no action we need to take?

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Sheila LaBarbera: No. He has paid and there are no appeals.

Michael Ovitt: Is that taken care of through PERAC or through us and then through PERAC?

Sheila LaBarbera: Well, actually PERAC is the one who brought it, so it is PERAC. We had originally communicated to PERAC that we would have it was on the agenda and hold a hearing next month. Since he came in and paid it in full there is no need to do any of that, so in September, we will just give PERAC a notice along with a copy of the check and it will be resolved.

Legal Update:

Bartini Appeal

Thomas Gibson: We filed an appeal of the PERAC and Board's calculation of his excess earnings. He made an argument about his spouse earning some of the money and PERAC's formula is incorrect, and he was prepared to make an argument. We had looked at that and rejected it, as had PERAC rejected it, but he exercised his right of appeal. However, he waited too long to file an appeal.

That issue was not raised by the Board or by PERAC. When the magistrate was trying the case, he raised the issue and wanted to know when and how Mr. Bartini was advised of the Board's decision. Mr. Bartini unfortunately waited too long to file his appeal because, in fact, he had the decision by email before it was delivered by mail. The Board does that because the mail delivery in some towns out there in Berkshire County is very sporadic and sometimes it is not functioning at all. To be safe, they will email the decision, and that is common these days. We email decisions all the time to members; they received one again in writing.

He had fifteen days to file an appeal, and he waited, filed it on the 16th or 17th. The magistrate essentially has dismissed the appeal, finding it had no jurisdiction to rule on it because the appeal was not properly before the Division of Administrative Law or Appeals. That is where we are with Mr. Bartini, the time for appealing that decision has gone by and DALA's decision is final and binding. That means that the payment plan that he is in is still valid.

Sheila LaBarbera: He has paid in full everything and he is not appealing anything.

Thomas Gibson: Well, that is good news.

Gerry McDonough: The FY25 budget has been completed. We found three different revisions that are relevant to retirement boards. One is there's going to be a task force to study post-retirement employment of public employees. That stems from the IG report of all the problems with people earning money after they retire that they should not be earning. T

There was something in the governor's Municipal Relief Bill that would have allowed some flexibility to municipalities to hire post-retirees without worrying about the implications under Section 91. The Inspector General's report came out, and the legislature at that point had no appetite to deal with that so they are going to have a task force to deal with that. There is another special commission to study cost of living adjustments for the state and teachers' system. That that does not have any effect on local communities but may have some spillover effect as time goes on, we see what that commission comes up with.

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The third item is one that we hadn't anticipated, would allow people who retire on disability to not only go back for an evaluation for return to service to the job that they retired from but to go for a completely different position in a completely different retirement system. We do not know how PERAC is going to deal with that. To some extent, it makes sense, sometimes you get someone who retires very young and they are able to go back to work but there are restrictions. It may be good but we have to wait to see how PERAC is going to deal with this and what kind of advice they are going to give to retirement boards.

The other issue is what was called the HEROES Act, which includes a variety of issues that are relevant to veterans including the one about the purchase of military service for creditable service retirement. The change in that was something that we had supported for a long time on behalf of a number of clients and now the governor included it in the HEROES Act. The HEROES Act passed unanimously in the House, unanimously in the Senate. The Senate changed some of the provisions in the House version. It has gone on to a conference committee. The issues have nothing to do with retirement.

There is also a Municipal Relief Bill that dealt with post-retirement opportunities for people from municipalities to hire people. The Senate eliminated that from the bill. There was another provision in there that dealt with remote meetings of public bodies, and that was stricken from the bill as well by the Senate. They may want to take just a closer look at that, and there are things there in the governor's bill that make a lot of sense. For example, all board members can participate remotely going forward if that had been enacted. The legislature knows it expires at the end of March 2025.

The only other item was an exception to the Anti-Spiking Law that has been enacted by the legislature, which is anyone's salary that has been increased as a result of the Mass Pay Equity Act. That will be exempt from the Anti-Spiking Law. Now that has been part of a bill, a wage transparency bill that includes other provisions. That has passed by the House and the Senate and now is sitting on the governor's desk. We do expect the governor to sign that bill in the next few days.

Thomas Gibson: PERAC sent out a warning shot about the veteran's bill telling boards to get ready. Sheila has postcards all set and ready to go to all of the members about the Veterans Law, but until it gets in writing and signed by the governor in black-and-white language, we are really kind of reluctant to make any kind of interpretation. That would conclude our report.

Michael Ovitt: Thank you Gerry and Tom.

Thomas Gibson and Gerry McDonough left the meeting at 9:47am

4.) Directors update: part time employee, PTG, cybersecurity RFQ

Sheila LaBarbera: First, we talked a little bit last month about the part-time employee. I have provided you with some of the information as far as the proposed job description, the budget item that was approved during the budget season last year. We are way overdue for some help in this office. I would like to be able to post this to Indeed and hire someone for

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between 15 and 19 hours a week. It is just going to be clerical. We will see what the level of ability and we will see how much additional training we can offer that person. We have some special projects here that we have been working on and they need to get finished up, there is plenty of work for them to do.

Michael Ovitt: What are those special projects are?

Sheila LaBarbera: Well, one of them is scanning. The scanning that is being done right now is being done as somebody enters the system and we are doing them now for the retirees, but it is not enough and the project that needs to be done. We have many records that we need to start sorting through for disposal.

Michael Ovitt: How is this different from our current staff? I mean, you guys obviously are up on the day-to-day functions, and the job description appears to be very overlapping of what you guys do on a day-to-day basis.

Sheila LaBarbera: Well, the other day you have three people that are here that need counseling that they did not make an appointment just walked in, they have already left their job and it is happening more frequently. Now that we are post-pandemic, we have many requests for seminars, which require us to be out of the office. The phone rings constantly.

Michael Ovitt: What was the reason for this seminar?

Sheila LaBarbera: We did not go out and do any during the pandemic. Now that it is post-pandemic, you can see by the retirements every month we have many new employees and they are starting to wonder what they have got in retirement and how it works. We are back out doing that again, but in general the phone rings off the hook all day. It is hard to get your work done with the interruptions; it would be nice to have a person in here to pick up the clerical aspect of the jobs. If they have the ability, we can engage them in some of the daily routines in the office.

Michael Ovitt: Engage? What is that?

Sheila LaBarbera: Engage them in some of the work that we do.

Michael Ovitt: Engage who?

Sheila LaBarbera: The new employee.

Timothy Sorrell: It's budgeted, right? It was in the budget.

Sheila LaBarbera: It is budgeted, yes.

Timothy Sorrell: It is going to help better serve the active and the retired members.

Sheila LaBarbera: Absolutely.

Timothy Sorrell: Because you can pay attention to them, I am assuming the clerical person will come in; take care of the stuff that's fallen behind in a bad sense, but needs to get done. That is not prioritized because you are taking care of the customers coming in.

Sheila LaBarbera: Correct.

Timothy Sorrell: To me it sounds like a no-brainer. It's budgeted. Is it going to be carrying on with this person or just to get caught up?

Sheila LaBarbera: I think that it is going to depend on a couple of things. I think the first is the ability of the person that we hire, aim high and see what we get, right? I think it would be nice to have somebody long-term. We have been talking about an extra person since 2017. We have actually budgeted once or twice since 2017. We just never got around to hiring.

Michael Ovitt: I think – I think part of – part of our day-to-day needs and the scanning program and the deduction program were brought before us and we weighed the balance of what we are doing on a day-to-day basis with our staff as opposed to a module that we purchased from the computer company. By purchasing that module, the deduction module, how did buying that module to replace that function. Come up with more work?

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Sheila LaBarbera: How did it come up with more work? It came up with different work. The process for posting them is similar too. It has different issues than it did before. The treasurers still make mistakes there are errors, the warnings. Now it is obvious and can be corrected. The data that we post is probably 95% better than it was when it was being done manually. It did not mean that the work went away. Deductions come in weekly and biweekly which means that just on the receipts side it has increased significantly.

Michael Ovitt: Weekly, biweekly payroll? You post them monthly, right?

Sheila LaBarbera: No.

Michael Ovitt: You post the electronic files now as they come in?

Sheila LaBarbera: Yes, now it becomes a job that is all throughout the month.

Michael Ovitt: Was it previously monthly?

Sheila LaBarbera: Yes

Michael Ovitt: So, you know, I guess these are changes that we have not been made aware of and, you know, we are trying to figure out what our priorities are and what our needs are, and, you know, that module was sold, I believe, to eliminate a lot of that manual processing.

Sheila LaBarbera: It eliminated all the manual processing.

Michael Ovitt: But it did not eliminate the need for that individual.

Sheila LaBarbera: It did not eliminate the job and it did not eliminate the time to post.

Michael Ovitt: And it did not free up any more time.

Mark Bashara: That was going to be my question.

Sheila LaBarbera: No.

Mark Bashara: So, then, getting the modules and things we got with PTG didn't really – it didn't free up any time as far as –

Sheila LaBarbera: No and it did not make the job go away. It is just an unrealistic expectation at this day and age to be able to enter that data manually.

Mark Bashara: Right. I know. I understand. I am just saying that freed up time that was going to be one of my questions.

Michael Ovitt: So, it did not save any time then?

Beth Matson: Can I just say that I have done both jobs in two different boards, and the deduction module infinitely saves time. A matter of hand-entering members in their regular base deduction and their 2% deduction was very time consuming versus a ten-minute process to upload and figure out, you know, what is wrong.

Mark Bashara: Here is something. What about as far as that especially special projects that do come along like you said, scanning and things that are of the ordinary, and then why not come to the board and maybe you work a few extra hours?

Sheila LaBarbera: No. We asked you to have that scanned and you have denied the request three times.

Mark Bashara: Well, I am saying for the staff here to pay.

Sheila LaBarbera: The scanning. Beth why not describe to the board what you have done at the other boards to implement that scanning in those retirement boards?

Beth Matson: I have done two scanning projects on two other different boards. I believe that if you are going to do the scanning project, she is right, and I have promoted this in the past. If you are going to do it, pay the money up front, pay a board. It is cheaper than hiring a part-time person to do it slowly. If you hire the company, they will come in, they will grab the – put them in bankers' boxes, take them to be scanned. They scan them, they label them, they upload them and attach them to the file, and then they return the files to you. I believe it

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was \$15,000 for the Marlborough project, but it is a one-time upfront deal and then you are done.

Sheila LaBarbera: Yeah, our estimates are between thirty and forty thousand dollars.

Beth Matson: Thirty and forty?

Sheila LaBarbera: That would finish the scan projects; it does not eliminate the need for an additional person in this office. The actual time that is consumed by 2500 members active, retired, inactive.

Mark Bashara: Has that changed over the years?

Sheila LaBarbera: We have more members now than we have ever had before, both active and retired.

Michael Ovitt: How big of a swing?

Sheila LaBarbera: We are probably up retirees about 200 to 250.

Michael Ovitt: We are up 250 retirees.

Sheila LaBarbera: Yes. We have about 950 now.

Michael Ovitt: For retirees? How about active?

Sheila LaBarbera: I mean I cannot give you the exact numbers, but I would say that we have were somewhere between 1100 to 1200 and we are probably up to about 1400 to 1600 for active members now.

Michael Ovitt: Helpful information. So, has there been any thought put in to working additional hours? I mean, we have – we have the capacity – is there any desire for anybody to work extra hours? I mean, we are – we are – we are under 40 hours a week now so that there's – you know, we can make it a 40-hour-a-week position.

Sheila LaBarbera: I say no.

Michael Ovitt: What our current – our current staff is capable and if it was a matter of wanting to make some more money and put in some more hours, that would eliminate hiring.

Mark Bashara: That would be 15 hours a week, I think.

Sheila LaBarbera: I am not interested.

Sue Funk: Is it possible that – is it possible that these projects once they are done that you do not need a person anymore after that?

Sheila LaBarbera: No. What I am trying to say is that the activity in this office has reached a point where we could use some additional help. During the day when the office is open between Monday through Friday and 8 to 4.

Timothy Sorrell: If I can ask a quick question. Fifteen hours overtime you are talking, right?

Mark Bashara: Not overtime because they work 35 hours a week.

Sheila LaBarbera: Yes.

Michael Ovitt: And if – and if it was presented to us, the potential for overtime could be – could be determined as well.

Timothy Sorrell: I guess – I am going to go on record. I support the part-time thing. I think we have to take care of the active and retired and active members. If it gets the stuff done, it gets the stuff done. I do not know if I will get somebody to second the motion if I make it. I mean, nobody wants to do the extra hours, which I would not want to do an extra 15 hours if I am not going to get the overtime for it because until you hit 40 you do not get overtime.

What is the cost of a part-time person? What was the budget?

Sheila LaBarbera: \$25 an hour, no benefits.

Sue Funk: So, Tim, I would actually second that motion.

Timothy Sorrell: For how many hours?

Sue Funk: 15 to 19.

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Timothy Sorrell: I am sorry, Sue she said 15 to 19 hours at 25.

Sue Funk: It is like Beth said. There is a little timing issue, but I would second that but maybe add a clause to reevaluate the work that has been done and that still needs to be done the following year. You know, maybe things improve and you do not need it, maybe they get worse and you need more.

Mark Bashara: You have a point there. The only thing with that is experience tells once somebody is hired; it is hard to say a year later, we do not need you anymore. It's just difficult to do that because then, let's say, they were needed for two years, they've been here two years, and now we go, well, things have slowed down, we don't really need you. Which wouldn't be fair to that person because at that point maybe they thought they had a possible future here at some point and now they are gone. Everybody gets used to the work pattern and what is being done and then, if anything, it is going to seem like it is double the workload if they were gone at that point.

Michael Ovitt: Did you make a motion?

Timothy Sorrell: I will make a motion to approve.

Michael Ovitt: I did not hear that you made a motion.

Michael Ovitt: We have almost a second but we did not have a motion.

Timothy Sorrell: Okay, I will make the official motion that we approve the part-time position for staff member \$25 an hour up to 19 hours a week.

Sue Funk: I would second that.

Michael Ovitt: Okay. I guess we will continue our discussion then. This was sent out to everyone, and when was this produced?

Sheila LaBarbera: During the budget season.

Michael Ovitt: So, back – back budget-wise. And how does this differ from, I guess, our regular day-to-day operations, preparing deposits, posting, account research, meetings, answering the phone, I mean, isn't that what Jill and Brian and you do?

Sheila LaBarbera: I am not going to hire someone to put in a corner, Mike; they are going to be included as a team member just like everybody here.

Michael Ovitt: But if – if you are targeting – you are targeting scanning. Scanning is – I am not sure how much of answering the phones, preparing deposits, and confirming, you know all this information that is on here. So, are we targeting specific, certain tasks or are we creating another general position?

Sheila LaBarbera: Not a general position. I am going to target specific tasks.

Michael Ovitt: Because this looks general.

Sheila LaBarbera: It is meant to be general. I am going to target specific tasks to see what the ability of the person that we are hiring. If their abilities are limited and I do not feel that they are going to fit – they are not going to stay first of all. They have to have some skills, and depending on what their skill limit is and what their expertise is, we will see what they can accomplish. The other thing is we can plan our days that way too. We are going to be in a seminar, we are going to need these three things done today, and this is on your plate today because we are going to be out of the office.

Timothy Sorrell: Answer the phones while we are out of the office or while I am working with a customer.

Sheila LaBarbera: Thank you. Exactly.

Mark Bashara: So, let me ask you. Do you foresee this person, if this person whoever it would be, was very qualified, did a good job; you are satisfied, of then creating another full-time position to move them into?

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Sheila LaBarbera: It depends on the workload and if it is needed. I would say, Mark, if you look around that most of the boards our size, they have four to five employees doing what we are doing. So, the answer to that, I think, long-term might be yes, but for right now, let us see if we can get them in here for 15 to 19 hours a week.

Mark Bashara: Right. No, I know you are not talking about next year, but I was just – if that was – if that is something you – you are considering or would consider down the road.

Sheila LaBarbera: I would if the person worked out and we had the workload.

Mark Bashara: Okay. So, doing the seminars and all that stuff, while you – we get good feedback, and that's good, it seems like that's becoming more and more of something that is leaving the stuff that needs to be done here to pile up because you guys have to be out there. What is our obligation to be out there that often?

Sheila LaBarbera: It is our obligation when asked.

Mark Bashara: You guys do a great job, I have heard that.

Sheila LaBarbera: Our obligation, Mark, is to make sure that our members are aware of the benefits that they are entitled to receive.

Mark Bashara: The members, right, but I am talking when you are talking the treasurers and the different people that we do the seminars. I mean are you talking going to regular retirees or future retirees explaining. Are you talking going to the towns talking to town government?

Sheila LaBarbera: I go to town government. I am going to town government to meet with somebody on Friday, but the seminars are with our membership.

Mark Bashara: Okay, right. That is what I wanted to separate to see what the difference is between are you doing more town government or more with the members. That is fine. They – that is important and I support that.

Sheila LaBarbera: Well, the town government too because it is necessary, Mark.

Mark Bashara: No, no, no, but that's something that could be – I'm just trying to look at ways that maybe out of those 19 hours, maybe 10 of them, I'm just picking a number, could be consolidated and made more efficient to be done in-house so that maybe then we need 10 hours a week for help. I am not saying 10 is a specific number. I am just trying to look to see, are there ways to cut.

Sheila LaBarbera: I think I would be the judge of what kind of work we have in this office and what needs to be done and how many hours it's going to take to do it. I would appreciate the opportunity to hire somebody to get somebody in the job and get him or her moving and then see what kind of hours are needed.

Mark Bashara: Right. Well, just like you said that, and I – you know, you have the right to that. We as a board, I feel, have an obligation to make sure to thoroughly investigate and look into to see if it is necessary seeing that, we are the fiduciaries of the funds of this retirement board.

Sheila LaBarbera: Right, and as a fiduciary, you have the obligation to make sure that we have enough staff here to do the job, and that is what I am telling you. We need more help.

Michael Ovitt: I guess communicating the particulars would be nice, not just – not just say in general we need all this stuff.

Timothy Sorrell: Well, I can understand the in general because I think Sheila wants to cover her butt saying, if we're busy with – all three of us are tied up with somebody in here, people asking questions, the person scanning, unless it's in their job description, the phone is ringing, they are not going to be obligated to answer the phone.

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Sheila LaBarbera: And it is only so much that this person is going to be able to do, you have to understand that there is many pieces that go with this. I am not ready to give people passwords and access to accounts until I am comfortable with them. Once we have a relationship so that I know that that person can be trusted in confidence. So, there are limitations to what they can do in general.

Timothy Sorrell: I am going to say on a side note, I appreciate you talking to the staff at the town hall because you can relate to this. I am sure at one point we had a person at our town hall who is taking retirement out of our detail pay, you know, and all of a sudden, luckily, somebody said, hey, you cannot be doing that. If you or I caught it, but – I mean, that could be going on and nobody is touching it and somebody is being shorted.

Mark Bashara: Like I said, my point was just to see if there's certain things that can be readjusted or done that doesn't adversely affect anything but maybe cuts back the 19 hours. That was what I was looking at.

Sue Funk: Not really. I can attest to the fact that it is great when they come to the town hall. Our employees definitely like it.

Mark Bashara: Yeah, no, that is good. That – that's – I was just curious was it more staff or was it more town government, and you clarified that for me. That was my question.

Sue Funk: Usually, I think when – when the retirement staff attends the Berkshire County Treasurers' Association meetings, that's as important as going out to talk to employees because then they can get us, treasurers, new information, old information, you know, have somebody look out for a new treasurer or something, so that's good.

Beth Matson: Are we still talking about the part-time people? There are a few things I – I wanted to ask, and my first question was, are you still in the process of the PERAC audit?

Sheila LaBarbera: The PERAC audit is complete. We are waiting for the final approval from PERAC.

Beth Matson: Okay. Did – did they indicate that you are understaffed in any way at the audit?

Sheila LaBarbera: I did not discuss the staffing during the audit.

Beth Matson: Well, they did kind of an observation that you were understaffed.

Sheila LaBarbera: They were only here for about three days, Beth. I do not think there was a lot for them to observe.

Beth Matson: All right. When you hire a new employee, do you have a package that includes those books at PERAC put out that explain the retirement system?

Michael Ovitt: Sheila, do we have the retirement guides that are handed out anymore or just a link to them?

Sheila LaBarbera: We have retirement guides and links too.

Beth Matson: You provide those to the new employees.

Sheila LaBarbera: Yes. Well, we send out a welcome letter, and I believe all the links in the welcome letter are there for all of the guides.

Beth Matson: So, all the information that you're giving in the seminar are in those guides, so it's not like they are flying blind, so I don't know that there needs to be as many out of the office at a time. And the last thing – do you close the office when you go out to these seminars? To do the seminars?

Sheila LaBarbera: Yes, we do, unless – sometimes just Jill and Brian will go and I'll stay or there maybe sometimes a person will stay in the office depending on how big and how many numbers there are. Do not forget, Beth, we have 45 units. You have been out here in the Berkshires. You know that they are spread out. I think we do a disservice to our

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membership to say, oh, here is a letter, look at the link, and figure it out yourself. When we go to those retirement seminars, there are many really good questions that many people have and they gain a lot of information from the seminars.

Beth Matson: I agree. I agree with that, but I don't think you – I think you can cut back on them is what I'm saying with the –

Sheila LaBarbera: I do not think we can, Beth. With the turnover that we have had since the pandemic, there is a significant amount of new people that have been hired, and there is also many people that are on the cusp of retiring, it is a moving target every day. I think that there is a lot to be gained and I think that is a service that we provide to our towns. When the town managers and the treasurers ask for it, we will go.

Beth Matson: That's – that is fine, but I just – I don't – do they ask for every seminar that you are delivering? Or are you on a schedule? Or a rotation?

Sheila LaBarbera: We usually try to get out to each unit at least once a year. Some of the towns actually have a benefits day, and when they have those, we can actually plan those in advance.

Michael Ovitt: Or it could be potentially one day a week out of the office for all three employees.

Sheila LaBarbera: It is but it never has been, Michael, but it could be. We try to combine – seminars, we are going to go to Dalton in September and we are going to combine a couple different units with that one seminar.

Sue Funk: We did that here in Egremont. We had Alford come, and I think we invited Monterey. Just to get more than one little town all at once.

Sheila LaBarbera: If you are participating in a meeting, you have to be on camera.

Mark Bashara: All right.

Michael Ovitt: Okay. Well, I guess I would like to – yeah, this – this is – this again is a general job description, and I guess I would like to know what our – what our deficiencies are and what you are targeting for this part-time position. Specifics.

Sheila LaBarbera: Why don't you just vote it down then, Mike, really? I think we have been as specific as possibly we can be.

Michael Ovitt: This is so very general.

Sheila LaBarbera: It is everything that we do in the office.

Michael Ovitt: You are talking about doing specific tasks, scanning, you know – this is – this is what we have staff for now, isn't it?

Sheila LaBarbera: And we do not have enough. That is what I am telling you. That we are busy all day every day. We would like to provide a little bit more service to our membership and to our retirees.

Michael Ovitt: So, maybe we need to prioritize what we are doing then.

Sheila LaBarbera: It is prioritized right now, and the things that fall away, we end up with three messages on the phone because we are busy with other members.

Michael Ovitt: Okay, so answering the phone?

Timothy Sorrell: Would it suffice if she were to put primary duties of the part-time employee will be – primary duties and then the following duties. Would that suffice?

Michael Ovitt: I am wondering why we have never heard about yes or no for the other employees, Jill and Brian, as far as working any extra.

Sheila LaBarbera: Jill is right here. I do not want to speak for Brian.

Michael Ovitt: All right. Was that – was that an option?

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Mark Bashara: Would you be willing to work an extra few hours – the five hours? Obviously, if it had to be more it would be more, but – a week.

Jill Hersey: I have a daughter.

Michael Ovitt: Again, these are general projects, not specific crises.

Sheila LaBarbera: It is not a crisis yet, Mike. It has just to operate the office in an efficient way so that things get done properly in a proper amount of time. I do not think a clerical position is rocket science or that we need to have ratios or how many phone calls you think they are going to answer in a day. You have worked in an office before. You know how busy an office is. This is a busy office. There is a lot going on here.

Michael Ovitt: Okay. Any further discussion?

Beth Matson: I just – I think that since I've been on this board, we have been very generous with – with, you know, approving modules and improving software and a lot of things to take the burden off of some of the work in the office. I understand you said it is getting busy, but it has – this is a busy time of year with school startup. I think that you did a good job with three employees – three full-time employees before with one – and now you are doing – you got a lot less work.

Sheila LaBarbera: We do not have less work, Beth. Please do not try to minimize what we do. You work in a board that's a third of the size as ours.

Beth Matson: Posting that it was Denise's full-time job has been more than cut in half – more than cut in half.

Sheila LaBarbera: It has not but all right, whatever. I wish Brian was here to speak to it, but it has not. The work has not gone away. It is just done differently.

Michael Ovitt: Sheila, I am not seeing a place for a vote on this.

Sheila LaBarbera: We have a motion and a second.

Michael Ovitt: Yeah, but on – on our agenda, it's – was it an update?

Sheila LaBarbera: We have motion – I was hoping for a vote, you have a motion and a second.

Michael Ovitt: We have a motion and second to add the part-time position. Any further discussion? This will be a rollcall vote. All those in favor of adding the part-time position signify by saying aye.

A roll call vote was taken to employee a part time staff 15-19 hours per week at \$25 per hour, no benefits. The part time position will be reviewed in one year.

The vote failed, two in favor three opposed. Tim Sorrell and Sue funk in favor. Mike Ovitt, Mark Bashara and Beth Matson opposed.

RFQ

Sheila LaBarbera: You have not done the cybersecurity RFQs. Do you want to go back to that or do you just want to skip it? There is not much to review.

Michael Ovitt: Okay. Did you see anything different among – last month, I believe, we were talking about maybe one or – one sole source.

Sheila LaBarbera: The sole source would be the one in green. It would be Nova Computers. Bug Busters was close, but they filed late. With Nova, we can work with Policies and procedures they are going to be required for our insurance, so we have to figure out how to get that done. The other ones the costs were just outrageous. ACS they have other retirement systems, and they are out in Brockton, but you can see that they are very expensive.

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Mark Bashara: Did you get a feeling for any of them that you think of what is there that would fit the needs?

Sheila LaBarbera: Well, I know that Joel and myself, we preferred Nova Computers only because they were local and they were willing to work with us. Bug Busters was probably second, they are somewhat related. I think they actually do business with each other. The other locals did not even want to apply.

Michael Ovitt: Bug Busters does work with Nova?

Sheila LaBarbera: They have worked together in the past on different projects I guess, so.

Mark Bashara: And they could fit accomplish everything we need.

Sheila LaBarbera: So, what I want to do is take Nova and look at the annual or the monthly cost and the annual cost and submit that to MIAA for a grant. I would to move quickly because the grant process opened on July 1, and they only have money until it is gone.

Michael Ovitt: And a grant would be potentially for one year?

Mark Bashara: So, you are saying a grant would cover part of this or all of this?

Sheila LaBarbera: I am trying to get as much as I can.

Michael Ovitt: As far as other systems go, is it MIAA pushing this?

Sheila LaBarbera: It comes from different places. First, it comes from MIAA because they are our insurer. It comes from PERAC because they are our governing agency. It comes from the state of Massachusetts because they want all the municipalities and retirement boards to be up to date on cybersecurity.

Michael Ovitt: So, there is a hundred retirement boards that are doing the same thing?

Sheila LaBarbera: No. Why would they do that? The city of Pittsfield has an IT department. A city system would not have to do it because they probably have their own IT

Mark Bashara: And the one with Lanesboro there is there – would they be available to come here to the office. If you needed them?

Sheila LaBarbera: And he was only \$90 an hour for anything outside of what would not have been covered. Everybody was between \$165 and \$200 an hour for services. In his monthly cost, he had rolled in the cost of the actual hardware. I will talk to Joel about that to see whether it is worth it for us to just buy the equipment ourselves rather than to get the equipment from him.

Mark Bashara: Now, is this in the budget?

Sheila LaBarbera: We only budgeted \$13,000 for cybersecurity this year.

Michael Ovitt: Sheila, I am just trying to look back as far as the particulars of the scope of services. I am not remembering looking at a big document.

Sheila LaBarbera: It was not a big document. It was the RFQ? I sent out copies of it to you.

Michael Ovitt: Okay. When did that go out?

Sheila LaBarbera: I think they went out last when we posted. It was last month's meeting maybe?

Michael Ovitt: Does anybody else want to look at that?

Mark Bashara: So, if we had, like, \$13 something budgeted would the rest come from the reserve fund?

Sheila LaBarbera: No. What I am looking for, Mark, is to see how much the grant will cover before we have any expenditures out of the budget. The key is to try to get the \$5100 approved because we need policies and procedures. It is coming up in our audits and its coming up in our insurance policy, so that is something that we have to get done.

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Michael Ovitt: So, how specific is that to our operation as opposed to boilerplate policies and procedures?

Sheila LaBarbera: I would not call it boilerplate. It is to standards, there are NIST standards, and there are some SAAS standards. Some of it is to a certain national standard but some of it is very specific to the equipment and what we are operating here in our office.

Michael Ovitt: Okay.

Timothy Sorrell: So, do we need that motion for that \$5100 now?

Sheila LaBarbera: So, it was an all-inclusive plan, and that is what he rolled it in to, so all the equipment, everything that we needed would have been covered in that \$2800 a month.

Michael Ovitt: So, when you present this to MIAA what are you presenting?

Sheila LaBarbera: I am going to present the 5125 exactly as it was presented to us because I have an actual separate quote.

Michael Ovitt: Can you update us on next month's meeting then?

Sheila LaBarbera: Well, I wanted to try to get at least something out by next month's meeting, so if I have to rework it I can send it to you by email. You can all look at it we are not obligated or anything to put it out for grant money, but at some point you do have to commit to something for cybersecurity.

Michael Ovitt: Okay. So, if I'm looking at this properly, the top three, one, two, and three, the cost for just the policies and procedures are \$65, \$43, and \$70.

Sheila LaBarbera: Correct.

Michael Ovitt: Versus 5100? Why such a difference?

Sheila LaBarbera: Because they travel, they are going to come out and see you. ACS, I met at the MACRS conference. I think he has a good product and everything but he is very expensive. It does not include the policies and procedures, but he said he would work on the policies and procedures with us after they implemented their cybersecurity program.

Michael Ovitt: I know we do a lot now with encryption.

Sheila LaBarbera: All the encryption like ZixEncrypt. We pay separately for that. We have a website. We pay separately for that web hosting. We pay for our URL. We pay for all that, and those are all separate they take over the services.

Michael Ovitt: Can we – can we weigh all that?

Sheila LaBarbera: None of them are very expensive it would be a savings of about \$3100, and we would use a secure Microsoft product instead of ZixEncrypt.

Michael Ovitt: Okay. If you can give us whatever update, you can. You have PTG down here as well. Is that ongoing?

Sheila LaBarbera: Yes. We are going to talk about the deduction posting and the inefficiency. It is just an ongoing issue with PTG.

Consent Agenda Detail:

MINUTES:

a.) The Board minutes of the regular session meeting held June 26, 2024, were signed and approved.

Minutes provided as an attachment to email

INVESTMENTS:

b.) The Board received from PRIT a statement of performance for June 2024. The PRIT Fund returned 0.74% for the month of June.

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BANK STATEMENTS:

c.) The Board is in receipt of the bank statements for June 2024 and the budget for July 2024. *Cash Books for June were sent to Board by email.*

MONTHLY WARRANTS:

d.) The Board approved payment vouchers:

| | | |
|----------|----------------|-------------------|
| 06-07-24 | \$202.50 | (Partial Refunds) |
| 07-01-24 | \$129,160.24 | |
| 07-02-24 | \$150,178.41 | |
| 07-03-24 | \$25,122.53 | |
| 07-04-24 | \$31,694.26 | |
| 07-05-24 | \$1,765,653.68 | |
| 07-06-24 | \$631.29 | (Partial Refunds) |

REQUESTS FOR RETIREMENT:

e.) The Board approved the application for superannuation retirement from Jeffrey Coe, Dalton, Chief of Police. The retirement will be effective 07/11/2024.

The Board approved the application for superannuation retirement from Jerry Morey, Gt Barrington, Mechanic. The retirement will be effective 08/08/2024.

The Board approved the application for superannuation retirement from Charles Browne, Lenox, Accountant. The retirement will be effective 08/04/2024. (Revised Date)

The Board approved the application for superannuation retirement from Douglas Miller, Florida, Laborer. The retirement will be effective 08/30/2024.

The Board approved the application for superannuation retirement from Christine Howard, Florida, Paraprofessional. The retirement will be effective 06/30/2024.

MEMBER TRANSFERS OUT OF SYSTEM:

f.) The Board approved the notice of transfer of the account of Michael Biagini, a member in Dalton, to the State Retirement Board. The Berkshire County Retirement Board will accept 22 years and 10 months of creditable service. The amount of the transfer is \$84,648.63.

The Board approved the notice of transfer of the account of Shamus Daley, a member in Lee, to the State Retirement Board. The Berkshire County Retirement Board will accept 1 year and 7 months of creditable service. The amount of the transfer is \$7,696.91.

The Board approved the notice of transfer of the account of Jenny Vanasse, a member in Lenox, to the Greenfield Retirement Board. The Berkshire County Retirement Board will accept 5 years and 4 months of creditable service. The amount of the transfer is \$57,832.87.

REQUEST FOR SERVICE BUYBACK:

g.) Lauren Nelson, a member in Monterey, is eligible to buy back 4 months of prior creditable service. If Ms. Nelson pays \$1,513.21 into the annuity savings fund by August 30, 2024, the board will grant 4 months of creditable service.

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Katherine Pemble, a member in MGRSD, is eligible to buy back 1 year and 3 months of prior creditable service. If Ms. Pemble pays \$2,441.19 into the annuity savings fund by August 30, 2024, the board will grant 1 year and 3 months of creditable service.

William Lenox, a member in Williamstown, is eligible to buy back 2 years and 11 months of prior creditable service. If Mr. Lenox pays \$14,522.47 into the annuity savings fund by August 30, 2024, the board will grant 2 years and 11 months of creditable service.

William Lenox, a member in Williamstown, is eligible to buy back 3 years and 5 months of prior creditable service. If Mr. Lenox pays \$25,382.98 into the annuity savings fund by August 30, 2024, the board will grant 3 years and 5 months 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)

| | | |
|------------------|---------------|-------------------------|
| R. DelGrande | BHRSD | \$392.96 (Partial-Deds) |
| J. Flynn | Sandisfield | \$238.33 (Partial-Deds) |
| C. Armstrong | BHRSD | \$885.60 |
| D. Boone | Dalton | \$323.15 |
| J. Gulotta | SBRSD | \$1,766.14 |
| A. Hardt | Lee | \$12,694.43 |
| R. LeClair | Sheffield | \$5,948.23 |
| H. Oakes | Williamstown | \$26,369.70 |
| T. Pickett-Vahle | Lenox | \$19,347.79 |
| A. Pulver | Gt Barrington | \$44,688.87 |
| D. Sultan | BHRSD | \$7,725.53 |
| L. Twing | SBRSD | \$3,562.64 |
| J. Wagner | CBRS | \$2,433.59 |
| S. Wilson | Monterey | \$3,727.99 |

INJURY REPORTS:

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

NEW MEMBER APPLICATIONS:

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

| | | | | | |
|------|-----------------|----------------|-----------|-------------------------|---|
| 7928 | Kimberly Gokey | MGRSD | 5/28/2024 | Kitchen Assistant | 1 |
| 7929 | Owen Hoffman | Dalton Fire | 7/1/2024 | Firefighter | 4 |
| 7930 | Cody Doyle | Dalton Fire | 7/1/2024 | Firefighter | 4 |
| 7931 | Bonnie Mancini | Gt. Barrington | 4/28/2024 | Van Driver | 1 |
| 7932 | Rebecca Craig | BCRHA | 5/20/2024 | TPP Director | 1 |
| 7933 | Tanajah Cameron | BCRHA | 5/21/2024 | Front End Navigator | 1 |
| 7934 | Tamara Loadholt | BCRHA | 5/13/2024 | TPP Service Coordinator | 1 |
| 7935 | Paula Fisher | Clarksburg | 6/17/2024 | Accountant | 1 |
| 7936 | Roger MacDonald | Monterey | 3/12/2024 | Town Administrator | 1 |

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| | | | | | |
|------|----------------------|----------------|-----------|---------------------------|---|
| 7937 | Eleanor Dawson | Lee | 7/1/2024 | Tri-Town Health Inspector | 1 |
| 7938 | Shannon O'Brien | Lenox | 6/24/2024 | Community Center Director | 1 |
| 7939 | Stephen Wood | Gt. Barrington | 7/8/2024 | Van Driver | 1 |
| 7940 | James Massey | Gt. Barrington | 7/8/2024 | Health Inspector | 1 |
| 7941 | Colleen Gibeau | Savoy | 7/15/2024 | Select Board Admin Asst. | 1 |
| 7942 | Claudette Litchfield | BHRSD | 7/8/2024 | Custodian | 1 |
| 7943 | Keelynn Harris | BHRSD | 7/8/2024 | Admin Assistant | 1 |
| 7944 | Kevin Leighton | Gt. Barrington | 7/22/2024 | Van Driver | 1 |

RETIREMENT ALLOWANCE APPROVALS:

k.) The Board received approval from PERAC to grant a retirement allowance to Christine Emerson, CBRSD, as of 05/14/24. Annual pension amount is \$15,412.32.

The Board received approval from PERAC to grant a retirement allowance to Bonnie Van Valkenburg, CBRSD, as of 06/12/24. Annual pension amount is \$18,083.76.

The Board received approval from PERAC to grant a retirement allowance to Pamela Bachli, CBRSD, as of 06/12/2024. Annual pension amount is \$13,758.96.

The Board received approval from PERAC to grant a retirement allowance to Rebecca Miller, Lenox, as of 06/17/2024. Annual pension amount is \$8,706.60.

The Board received approval from PERAC to grant a retirement allowance to Darcy Meyers, SBRSD, as of 07/02/2024. Annual pension amount is \$16,344.00.

The Board received approval from PERAC to grant a retirement allowance to Kathryn Hctor, FRRSD, as of 06/11/2024. Annual pension amount is \$7,182.36.

The Board received approval from PERAC to grant a retirement allowance to Kimberly Borden, BCRHA, as of 06/28/2024. Annual pension amount is \$24,318.60.

The Board received approval from PERAC to grant a retirement allowance to Roberta DelGrande, BHRSD, as of 06/14/2024. Annual pension amount is \$12,537.12.

The Board received approval from PERAC to grant a retirement allowance to Linda Wilcox, Lee, as of 06/17/2024. Annual pension amount is \$18,454.32.

3(8)c REIMBURSEMENTS:

l.) There were no 3(8)c reimbursements in the month of July.

PERAC CORRESPONDENCE:

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

- #16/ 2024 Forfeiture of Retirement Allowances List
- #17/ 2024 Mandatory Retirement Board Member Training
- #18/ 2024 Audit Process Via Prosper

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

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TRAVEL & EDUCATION APPROVALS:

n.) There were no requests for travel or Education reimbursements for July

MISCELLANEOUS CORRESPONDENCE:

o.) PERAC Investment Report 2023

Mark Bashara: made a motion to accept the consent agenda as presented.

Timothy Sorrell: I will second that.

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

The next regular board meeting is scheduled for Wednesday, August 28, 2024 at 8:30am.

A motion was made by Mark Bashara to adjourn the meeting at 10:04 am. Tim Sorrell, second.

A roll call vote was taken to adjourn, the vote was unanimous.

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