

Barnstable County Retirement Association

A regularly scheduled meeting was held on September 30, 2019, at 9:00 a.m. in the office of the Retirement Association – 750 Attucks Lane, Hyannis, MA 02601.

Board Members Present: Judith Sprague – Advisory Member/Vice-Chairman, Robert F. Rolanti – Elected Member, Ronald Bergstrom, Commissioner’s Appointee, Harold S. Brunelle – Elected Member. The record is noted that the Ex-Officio/Chairman position is currently vacant.

Other Present for Board: Christine A. Tetreault – Executive Director, James H. Quirk, Jr. – Board Counsel

Vice-Chairman Sprague called the meeting to order at 9:00 a.m.

Executive Session:

Vice-Chairman Sprague announced pursuant to M.G.L. chapter 30A, section 21 (a)(1) the Board will convene in executive session to review, discuss and/or vote on the disability retirement application of Patricia Medina and the Accidental Death Benefit application of Sarah Sturgis as these matters involve the physical and/or mental health of the individuals. Vice-Chairman Sprague announced the open meeting will reconvene after Executive Session.

On a motion by Mr. Bergstrom, second by Mr. Rolanti, it was voted by roll call vote 4-0 to enter into Executive Session at 9:01 a.m. Roll Call: Judith Sprague – Yes, Robert Rolanti – Yes, Ronald Bergstrom – Yes, and Harold Brunelle – Yes.

Return to Open Session at 11:20 a.m.

Review/determine retirement eligibility under M.G.L.c. 32

It is noted that Mr. Jeff Jaran has patiently waiting for his matter to be addressed by the Board since 9:00 a.m.

On a motion by Mr. Bergstrom and second by Mr. Rolanti, it was voted to take the agenda out of order to review and determine the retirement eligibility under M.G.L.c.32 of Jeff Jaran. Motion unanimously passed.

Mr. Jaran is present for the discussion. Mr. Jaran was the Provincetown Police Chief who terminated service in May 2016. He subsequently retired on June 9, 2019 upon reaching age 55 with 6 years and 11 months creditable service and received his first retirement allowance check on July 31, 2019. This matter was brought to the Board’s attention for review. Atty. Quirk advised the Board that Mr. Jaran does not meet the eligibility requirements under M.G.L.c. 32 § 5 as he was not a member-in-service or on an authorized leave of absence upon attaining age 55 nor does he meet the eligibility requirements under M.G.L. c.32 § 10 as he did not meet the minimum of 10 years creditable service upon termination requirement. Atty. Quirk finds no provision under M.G.L. c. 32 allowing Mr. Jaran to collect a retirement allowance. Atty. Quirk explained to Mr. Jaran that the Board has a duty under § 20 of c. 32 to correct errors when they are discovered.

Mr. Jaran addressed the Board. He states he spoke with the retirement board office in 2016 and was told he could come back and retire at age 55. Mr. Jaran believes he should have recourse and damages if the Board rescinds the benefits claiming he has made life decisions based on information provided by this office. The Board sincerely apologized for the misinformation he was given but must uphold the provisions of law. Atty. Quirk assured him he has appeal rights that will be provided to him.

On a motion by Mr. Bergstrom and second by Mr. Rolanti, it was voted to rescind/revoke the superannuation retirement allowance of Jeff Jaran whereas he does not meet the eligibility requirements under M.G.L. c. 32 § 5 or 10. Motion unanimously passed.

Record in open session votes taken in Executive session:

On a motion by Mr. Bergstrom, second by Mr. Brunelle, it was voted to record in open session the following votes taken in Executive Session at the 9/30/19 meeting. Motion unanimously passed.

On a motion made by Mr. Rolanti, seconded by Mr. Bergstrom, the Board voted by roll call 4-0 to deny the accidental disability retirement application of Patricia Medina. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion made by Mr. Brunelle, seconded by Mr. Bergstrom, the Board voted by roll call 4-0 to deny the accidental disability retirement application of Darlene Johnson-Morris. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion made by Mr. Rolanti, seconded by Mr. Bergstrom, the Board voted by roll call 4-0 to deny the accidental disability retirement application of Daniel J. Perkins. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion made by Mr. Bergstrom, seconded by Mr. Rolanti, the Board voted by roll call 4-0 to request PERAC schedule a RMP to examine Jon Drake in conjunction with his application for an accidental disability retirement. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion by Mr. Rolanti, seconded by Mr. Bergstrom, the Board voted by roll call 3-0, with Judith Sprague abstaining, to approve the involuntary accidental disability retirement of Charles Schneckloth. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Abstained

On a motion made by Mr. Bergstrom, seconded by Mr. Rolanti, the Board voted by roll call 4-0 to refer the accidental disability retirement application of Brendan M. Burchell to Board counsel, Atty. Quirk, for review and recommendation. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion made by Mr. Rolanti, seconded by Mr. Bergstrom, the Board voted by roll call 4-0 to request PERAC schedule a RMP to examine Donna Holway in conjunction with her application for an accidental disability retirement. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

On a motion made by Mr. Rolanti, seconded by Mr. Bergstrom, the Board voted by roll call 4-0 to request PERAC schedule a RMP to examine Michael Mallard in conjunction with his application for an accidental disability retirement. Roll Call: Robert Rolanti – Yes, Ronald Bergstrom – Yes, Harold Brunelle – Yes, Judith Sprague – Yes

Prior Minutes:

On a motion by Mr. Rolanti and second by Mr. Bergstrom the August 27, 2019 regular and executive session meeting minutes were approved as submitted. Motion unanimously passed.

Legal Issues:

Atty. Quirk reported that he has filed a response to CRAB on Daniel Parkka's excess earnings case.

Warrants:

On a motion from Mr. Rolanti, second by Mr. Bergstrom, it was voted to approve the following Warrants as submitted. Motion unanimously passed.

1908 RET	8/30/19	RA & Agency	Retiree Payroll	\$8,121,192.50
1908OPTB	8/30/19	Option B Ref.	Retiree Payroll	\$32,129.29
1909EX1	9/01/19	Exp. Fd.	Admin/Legal/Rent	\$27,176.64
1909EX2	9/16/19	Exp. Fd.	Admin/Legal	\$45,230.83
Sep3019	9/30/19	Refund	Ref/RO/Trans	\$129,784.63
1909PA2	9/30/19	Payroll	Office Payroll/Bene	\$16,182.37
1909 RET	9/30/19	RA & Agency	Retiree Payroll	\$8,205,306.78
1909OPTB	9/30/19	Option B Ref.	Retiree Payroll	\$16,329.26
1910EX1	10/01/19	Exp. Fd.	Admin/Legal/Rent	\$22,763.94

91A Excess Earnings:

PERAC has determined Ray C. Blanchard has excess earnings of \$26,572.02 for 2018. Mr. Blanchard has arranged for his excess earnings to be recouped via offset of his retirement allowance beginning 9/30/19.

PERAC has determined David Hegarty has excess earnings of \$15,327.16 for 2018. Mr. Hegarty has refunded the system in full on 9/16/19.

PERAC determined Daniel Parkka has excess earnings of \$40,030.87 for 2018. It is noted that PERAC continues to use the methodology in determining Mr. Parkka's excess earnings that DALA has ruled inappropriate. When calculated to exclude 50% of the business proceeds Mr. Parkka would be under the allowable earnings. It is noted that PERAC has appealed to CRAB.

On a motion by Mr. Rolanti, second by Mr. Bergstrom, it was voted to take no action on the excess earnings of Daniel Parkka. Motion unanimously passed.

Membership:

On a motion by Mr. Brunelle, second by Mr. Bergstrom, it was voted to approve the following new retirements. Motion unanimously passed.

New Retirements:

Name	Unit	Date	Creditable Svc
Coughlan, Brian	Town of Harwich	8/15/2019	34.8333
Delaney, Mark	Town of Barnstable	7/25/2019	38.3333
Eldridge, Earl	Town of Nantucket	8/24/2019	31.0000
Fischer, Suzanne	Town of Eastham	8/11/2019	16.9167
Gould, Thomas	Town of Harwich	8/20/2019	22.0833
Gratis, Theresa	Town of Bourne	8/26/2019	52.5833
Harrison, Jacqueline	Town of Nantucket	8/04/2019	15.5833
Hayes, Colleen	Town of Sandwich	7/31/2019	12.7500
Ice, Nancy	Town of Brewster	8/09/2019	40.3333
Inglis, Robert	Town of Nantucket	7/13/2019	27.1667
Kipnes, Robyn	Town of Barnstable	8/30/2019	20.0000
Lang, Annemarie	Town of Barnstable	8/25/2019	24.3333
Lefave-Noon, Christine	Dennis/Yarmouth S.D.	8/31/2019	30.0833
Meyer, Nina	Dennis/Yarmouth S.D.	8/07/2019	25.8333
Panuczak, Linda	Monomoy Regional S.D.	8/19/2019	10.3333
Perry, Richard	Town of Barnstable	8/06/2019	28.0000
Ranney, Diane	Town of Bourne	8/02/2019	46.2500
Reeves, Kim	Dennis/Yarmouth S.D.	8/02/2019	20.3333
Silva, Stephen	Sandwich Water District	8/22/2019	40.3333
Smith, David	Town of Harwich	7/01/2019	19.5000
Vollmer, Judith	County of Barnstable	8/01/2019	38.2500

Survivor Applications:

On a motion by Mr. Bergstrom, seconded by Mr. Rolanti, it was voted to approve survivor benefits under M.G.L. c.32 §101 to Patty L. Chase, widow of William H. Chase, III. Motion unanimously passed.

On a motion by Mr. Bergstrom, seconded by Mr. Rolanti, it was voted to approve member-survivor benefits under M.G.L. c.32 § 12 (2)(d) to Margot Bradbury, widow of Stephen S. Bradbury. Motion unanimously passed.

Administrative Issues:

Collins Center Report - Wage & Classification Study – Board determined no action necessary.

On a motion by Mr. Rolanti, seconded by Mr. Bergstrom it was voted to adopt the Collins Center Policies & Procedures report to be incorporated into the BCRA Personnel Policy. Motion unanimously passed.

The Board reviewed the proposed amended BCRA Personnel Policy recommended by Ms. Tetreault that includes the recommendations from the Collins Center and revisions necessary due to the separation between the County and BCRA.

On a motion by Mr. Rolanti, seconded by Mr. Bergstrom, it was voted to approve the amended BCRA Personnel Policy. Motion unanimously passed.

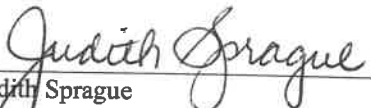
The Board reviewed the proposed RFP's for Actuarial and Independent Auditing Services submitted by Ms. Tetreault. If approved both will be advertised on PERAC and the BCRA websites.


On a motion by Mr. Bergstrom, seconded by Mr. Rolanti, it was voted to approve the Actuarial and Independent Auditing Services Request for Proposals. Motion unanimously passed.

Ms. Tetreault informed the Board that the Election Committee met on 9/20/19 and determined only 1 candidate was nominated for the BCRA election. The Election Committee has declared Robert F. Rolanti to be the Elected Member of the Barnstable County Retirement Board for a three-year term commencing 1/1/20 and ending 12/31/22, and therefore no election need be held. Mr. Rolanti was congratulated by the Board.

Mr. Bergstrom informed the Board that the County Commission had tabled the appointment of a new Ex-Officio/Chairman to the Board. He asked that a copy of M.G.L. c. 20C be forwarded to him so he can refer to the law when the County Commission takes the matter up again. He hopes to have a replacement of the ex-officio member by the October meeting.

On a motion by Mr. Bergstrom, second by Mr. Rolanti, it was voted to adjourn at 1:43 p.m. Motion unanimously passed.


Judith Sprague


Ronald Bergstrom


Robert F. Rolanti


Harold Brunelle