

**HAMPDEN COUNTY REGIONAL
RETIREMENT BOARD**

**MINUTES OF MEETING
JUNE 1, 2022**

The regular monthly meeting of the Hampden County Regional Retirement Board took place at the Agawam Corporate Center, 67 Hunt Street, Suite 116, Agawam, Massachusetts. The meeting was conducted through Zoom Remote Meeting and in person at the Retirement Board office. The Chairman called the meeting to order at 10:02 A.M.

THOSE BOARD MEMBERS IN ATTENDANCE:

Karl J. Schmaelzle, Chairman/Treasurer present in office
Robert Taylor, Member – present in office
Patrick E. O’Neil, Member – present in office
Michelle L. Hill, Member - present in office
Thomas Sullivan Member– present in office

BOARD STAFF IN ATTENDANCE:

Atty. Alfredo ViVenzio – Co-Counsel present in office
Karen Martin, Executive Director present in office

Also viewing the meeting via Zoom were various members of the public, including town officials from the members units.

1. **MINUTES:** Mr. O’Neil made a motion to approve and sign the executive minutes from the April 25, 2022, board meeting, Mr. Taylor seconded the motion, and the roll call was: Ms. Hill – Abstained; Mr. O’Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan- Abstained, and Chairman Schmaelzle – Yes. Motion approved 3-0 Abstained 2-0.

Mr. O’Neil made a motion to approve and sign the minutes from the May 4, 2022 board meeting, Mr. Taylor seconded the motion, and the roll call was Ms. Hill – Yes; Mr. O’Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan- Abstained, and Chairman Schmaelzle – Yes. Motion approved 4-1.

2. **WARRANTS:** Mr. Taylor made a motion to reaffirm the warrants issued May 31, 2022, Mr. O’Neil seconded the motion, and the roll call was: Ms. Hill – Yes; Mr. O’Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan- Yes, and Chairman Schmaelzle – Yes. Motion approved 5-0.

#27 Salary 1-4 includes overtime pay	\$	25,693.19
#28 Board Member's Compensation	\$	2,833.33
#29 Refunds and Transfers to Other Systems	\$	168,598.04
#30 Monthly Expenses	\$	29,475.50
#31 A Monthly Retirement Allowances	\$	4,116,160.05
#31 B 3 (8) (C)	\$	185,809.32

Hampden County Regional Retirement Board Agenda
 Meeting on Wednesday July 13, 2022 @ 10:00 A.M.
 The meeting will be conducted in person at the Retirement Board Office
 67 Hunt Street Suite 116 Agawam, MA and remotely via Zoom.
 Please see the end of the Agenda for the Zoom meeting link

Agenda Item #1 MINUTES: Vote to consider approving the Executive Session minutes of the meeting held on June 16, 2022, and the minutes from the June 1, 2022 Board Meeting.

Agenda Item #2 WARRANTS: - Vote to reaffirm the following warrants issued June 30, 2022

#32 Salary 1-5 includes overtime pay	\$	26,970.51
#33 Board Member's Compensation	\$	2,833.33
#34 Refunds and Transfers to Other Systems	\$	231,173.06
#35 Monthly Expenses	\$	31,422.55
#36 A Monthly Retirement Allowances	\$	4,125,624.33
#36 B 3 (8) (C)	\$	-

Agenda Item #3 BALANCES: 05/31/2022 Reconciled Balances
PEOPLES BANK: - Vote to accept reconciled balances for 5/31/2022 on the following:

Money market Account Bal as of May 31, 2022	\$3,737,232.16
Checking Account	\$ 3,145,027.50

Agenda Item #4 TRANSFER: - Vote to reaffirm transfer amount for Warrants

A. Needed for warrants:	\$	4,418,023.78
B. <u>Transfer for warrants: 06/30/2022</u>	\$	4,600,000.00
From Peoples Bank Money Market Account to Peoples Bank Checking Account		

Agenda Item #5 NEW ALLOWANCES Vote to approve the following New Retirement Allowances
SUPERANNUATION -

DELGADO, Luis	Agawam	4/7/2022
FAUTEUX, Michael-Resubmit	Hamp/Wilb	8/17/2019
LYONS, Dwayne	Hamp/Wilb	4/1/2022
HIGGINS, JoAnne	Holland	3/31/2022
BUCIOR, Denise	Palmer	3/10/2022
SKOWRONEK, Gerald	Palmer	4/1/2022
SEARLES, Debra	Wilbraham	4/9/2022

Agenda Item #6 NEW ALLOWANCES
SUPERANNUATION - Vote to approve the recinding of the Retirement Application of:

<u>Name</u>	<u>Unit</u>	<u>Effective</u>
BRADWAY, Deborah	Monson	6/30/2022

Agenda Item #7 APPLICATIONS FOR RETIREMENT - Vote to consider new Applications for Retirement

<u>Name</u>	<u>Unit</u>	<u>Date</u>	<u>Group</u>	<u>Age</u>	<u>Service</u>
CHASE, Kathleen	Agawam	6/24/2022	1	62-01	10 Years
GORMLEY, Mark	Agawam	7/8/2022	1	64-03	23-09
PETRUCCI, Shari	Agawam	5/8/2022	1	62-02	20-07
SCOTT, William	Agawam	8/1/2022	1	65-05	12 Yrs 4 mo
CELETTI, Kathleen	East Long	6/30/2022	1	64-02	32-09
CHARETTE-SMITH, Theresa	East Long	7/29/2022	1	68-09	10 Years 1 mo
DUNN, Joseph	East Long	8/1/2022	1	55-01	14-06
GORMAN, Linda	East Long	6/30/2022	1	75-03	37-00
TISDEL, Beverly	East Long	6/16/2022	1	68-03	25-00
TYBURSKI, Maureen	East Long	6/10/2022	1	64-04	17-01
GUILBAULT, Kay	Hamp/Wilb	6/30/2022	1	70-01	30-10
LAVOIE, Edna	Hamp/Wilb	6/30/2022	1	67-04	22-02
FISHER, Christina	Long	9/14/2022	1	61-00	22-04
HIGGINS, Debra	Long	6/17/2022	1	63-01	23-07
MANTE, Donna	Long	7/8/2022	1	69-05	15-04
SHEEHAN, Lee-Ann	Monson	6/30/2022	1	62-07	22-00
MELNICK, John	Palmer	6/16/2022	4	56-04	31-00
PARDO, Lynn	Palmer	7/29/2022	1	67-06	30-02
WARD, Nadine	Swck/Toll	6/17/2022	1	74-08	33-05

Mr. O'Neil made a motion to take Item 18. Out of order Mr. Taylor seconded the motion, and the roll call was: Ms. Hill – Yes; Mr. O'Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan- Yes, and Chairman Schmaelzle – Yes. Motion approved 5-0.

18 LEGAL UPDATE – Hearing on Daniel Carr Re Offset and Sherry Souliere case update.

Board Hearing pursuant to G.L. c.32 Section 14A

Daniel Carr – Not Present

Atty. Christopher Collins -representing Daniel Carr

Attorney Vivendi addressed the Board to present the facts to support a recommendation as to a vote regarding the HCRRB offset in accord with MGL c. 32, Section 14, 14A and 16 based on a third-party claim, suit being filed, mediation, settlement, whereby HCRRB was kept in the dark until the case was settled and distributed to Town of Wilbraham as employer, Insurer (Federal Cabot) Atty. Ballwin, and Daniel Carr. Legal Counsel presented facts of the Failure to Prosecute Fully or Failure to Cooperate with the Board as well as recommendation for a Third-Party Claim Settlement/Wage Offset for the Board's consideration and Vote.

Attorney Vivenzio provided copies of the Notices and Supplemental Notices with receipts for the postage to Daniel Carr and his legal counsel, including an email copy. Due to illness, Legal Counsel stated that Mr. Carr would not attend.

Attorney Vivenzio provided the Board with an Extensive memorandum detailing the specific dates or events and facts relevant to the case. The memorandum is included in the record and lists the Issues: Failure to Prosecute/Cooperate with the Board and Third Party Claim/Settlement/Wage Offset. Attorney Vivenzio summarized the memorandum. And asked the Board if it had any questions as to each of the issues. The memorandum included Exhibits A through F which are included: A – Settlement Demand letter to Insurance companies relative to the February 6, 2018 Incident giving rise to the Injuries occurring at the Woodcrest Condominiums in Wilbraham complex while serving a warrant to take a person into custody for an involuntary commitment. The Demand Summarized the Basis for Liability and Injuries (head/shoulder), medical Bills, and Loss of Earning Capacity. The letter demanded \$1,250,000 in settlement. B - Civil Cover Sheet in Superior court. C – Release of Claims in the amount of \$325,000. D – email from Carr's Attorney 11/10/2021. E – Copy of Settlement Check. F – Life Expectancy Tables.

Attorney Vivenzio reviewed the information in the documents summarizing it to the Board.

Attorney Collins addressed the board on the facts, settlement and recent case law. His presentation to the board was based on his view an offset amount that was fair based on the recent case. Attorney Collins and Attorney Vivendi were asked questions by board members.

Both attorneys presented facts and arguments to support their positions.

Attorney Vivendi asked the Board for Motions on the issues in the hearing notices.

Motions:

A motion was made by member O'Neil and seconded by Member Hill to find that the employee failed to cooperate. Discussion included a Question as to employee's notification to us and Atty Vivenzio reiterated there was no notice at any stage of Mr. Carr's claim. In a roll call vote, Member Taylor voted "no" while Members Hill, O'Neil, Sullivan and Schmaelzle voted "yes". Atty Vivenzio recommended a vote to suspend benefits. Member Sullivan requested that the matter be tabled. A roll call vote was held on the Sullivan motion, seconded by Hill and approved unanimously: Sullivan, Hill, Taylor, O'Neil and Schmaelzle voting in favor.

Motion on Offset Amount:

Attorney Vivenzio recommended an Offset amount of \$50,000 payable in a lump sum or installments to settle the offset claim.

Other Option:

There also was discussion of another option. Mr. Carr could waive his ADR, pay HCRR the difference between his ADR and his Superannuation Benefit and claim his Superannuation Benefit. Information was given to Attorney Collins on the cost to his client. Attorney Collins said he needed to go over numbers with Atty. Vivenzio and his client.

Motion for Recess for five minutes by Member Sullivan, Second by Member Hill, roll call voted unanimously in favor: Sullivan, Hill, Taylor, O'Neil and Schmaelzle voting in favor.

Motion to table by Member Hill, Second by Sullivan, roll call voted unanimously in favor: Sullivan, Hill, Taylor, O'Neil and Schmaelzle voting in favor. Attorney Collins said he needed to go over numbers with Atty. Vivenzio.

Upon return from Recess, motion to return to Open Session by Member Sullivan, Second by Member O'Neil, roll call voted unanimously in favor: Sullivan, Hill, Taylor, O'Neil and Schmaelzle voting in favor.

Sherry Souliere

Report from Attorney Vivenzio that Sherry Souliere has submitted objections to the decision dated May 6, 2022 with the Contributory Retirement Appeal Board (Docket No. CR-19-0053). Copy of Objections that were filed by Attorney for Ms. Souliere provided to Board. No action by Board required at this time. Atty. Vivenzio will keep the Board advised as to any developments in the case.

3. **BALANCES:** The Board members reviewed copies of the checking & savings account statements from Peoples Bank that were provided in their packets along with reconciled records

for the checking account. Ms. Hill made a motion to approve the account balances. Mr. O'Neil seconded the motion, and the roll call vote was Ms. Hill - Yes; Mr. O'Neil - Yes; Mr. Taylor - Yes; Mr. Sullivan - Yes, and Chairman Schmaelzle - Yes. Motion approved 5-0.

BALANCES: 03/31/2022 & 4/29/2022 Reconciled Balances

PEOPLES BANK: - Vote to accept reconciled balances for 3/31/2022 & 4/29/2022 on the following:

Money market Account Bal as of April 29, 2022	\$3,399,680.08
Checking Account	\$ 1,709,710.32

4. **TRANSFER:** Mr. Sullivan made a motion to reaffirm the transfer for Warrants for May 31, 2022. Mr. O'Neil seconded the motion, and the roll call vote was Ms. Hill - Yes; Mr. O'Neil - Yes; Mr. Taylor - Yes; Mr. Sullivan, - Yes, and Chairman Schmaelzle - Yes. Motion approved 5-0.

TRANSFER: - Vote to reaffirm transfer amount for Warrants

A. Needed for warrants:	\$ 4,502,944.82
B. <u>Transfer for warrants: 05/31/2022</u>	\$ 4,502,944.82
From Peoples Bank Money Market Account to Peoples Bank Checking Account	

5. **NEW ALLOWANCES:** Mr. O'Neil made a motion to approve the new retirement allowances. Mr. Taylor seconded the motion, and the roll call vote was Ms. Hill - Yes; Mr. O'Neil - Yes; Mr. Taylor - Yes; Mr. Sullivan - Yes, and Chairman Schmaelzle - Yes; Motion approved 5-0.

<u>Name</u>	<u>Unit</u>	<u>Effective</u>	<u>Annuity</u>	<u>Pension</u>	<u>Total</u>
JOANIDES, Gregory	Long	1/31/2022	\$ 5,353.20	\$ 9,956.16	\$ 15,309.36
STARK, Karen	Long	2/2/2022	\$ 5,859.84	\$ 13,184.64	\$ 19,044.48
SICILIANO, Lori	Monson	1/24/2022	\$ 2,749.80	\$ 5,995.32	\$ 8,745.12
MAJKA, David	Palm FD	2/28/2022	\$ 14,519.88	\$ 48,622.32	\$ 63,142.20
DEMING, Edwin	Tolland	2/28/2022	\$ 5,769.12	\$ 17,143.68	\$ 22,912.80
VIERTHALER, Richard	Wilb	1/21/2022	\$ 7,420.44	\$ 16,254.48	\$ 23,674.92

6. **APPLICATIONS FOR RETIREMENT:** Ms. Hill made a motion to approve the new retirement allowances. Mr. O'Neil seconded the motion, and the roll call vote was Ms. Hill - Yes; Mr. O'Neil - Yes; Mr. Taylor - Yes; Mr. Sullivan - Yes, and Chairman Schmaelzle - Yes; Motion approved 5-0.

<u>Name</u>	<u>Unit</u>	<u>Date</u>	<u>Group</u>	<u>Age</u>	<u>Service</u>
CHASE, Kathleen	Agawam	6/24/2022	1	62-01	10-00
FERRARA, Shirleen	Agawam	6/30/2022	1	68-01	19-08
GOODSELL, Jeanne	Agawam	6/30/2022	1	64-05	21-07
DILLON, Rosemarie	Hamp/Wilb	5/4/2022	1	62-07	11-07
OMARTIAN, Karen	Long	6/30/2022	1	69-10	22-05
ROBERTS, Fred	Long	5/20/2022	1	65-00	12-05
SKALA, Maria	Long	5/15/2022	1	66-05	22-07
WHITE, Barbara	Ludlow	5/14/2022	1	71-03	20-05
BAILEY, Sandra Chg date fr 6/30/2022	Monson	5/24/2022	1	73-04	25-08
BRADWAY, Deborah	Monson	6/30/2022	1	60-02	25-10
KOWALYSHYN, Leigh	Monson	6/30/2022	1	67-01	13-00
COSTA, Catherine	Palmer	4/9/2022	1	63-02	20-01
NICOLOPOULOS, Leah	Palmer	6/17/2022	1	70-00	23-05
SMITH, Coleen	Swak/Toll	6/30/2022	1	64-02	27-07
ZOLLO, Robert	Wilb	6/25/2022	4	59-01	31-04

7. INVESTMENT TRANSACTIONS: The board reviewed the April 30, 2022, statement provided by the PRIT fund cash account and general allocation account as provided in the monthly packet each received prior to this meeting.

Mr. O'Neil made a motion to accept PRIT fund cash account and general allocation account as provided in the monthly packet each received prior to this meeting. Mr. Taylor seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan – Yes; and Chairman Schmaelzle – Yes; Motion approved 5-0.

8. NOTICES OF INJURY: No Notice of Injury reports

9. NEW MEMBERS: Mr. O'Neil made a motion to approve and file the new members.

Mr. Taylor seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil- Yes; Mr. Taylor – Yes; Mr. Sullivan- Yes and Chairman Schmaelzle – Yes. Motion approved 5-0

HAMPDEN/WILBRAHAM

CARTER, Tiffany	1	4/4/2022
CLOONAN, Maria	1	2/28/2022
DRAP, Katarzyna	1	2/23/2022
JASKULSKI, Ryan	1	3/24/2022
O'CALLAGHAN, Cynthia	1	3/28/2022
PROULX, Tianna	1	3/17/2022
THOMAS, Matthew	1	2/23/2022
WANDS, Jennifer	1	2/28/2022

LONGMEADOW

GARIBIAN, Tanya	1	3/28/2022
JANIK, Annette	1	3/25/2022
JENSEN, Adam	1	3/28/2022

LUDLOW

JODOIN, Chad	1	3/14/2022
REGADAS, Almira	1	3/21/2022
SAKASKE, Shania	1	2/28/2022

MONSON

SOTO, Raymond	1	4/19/2022
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PALMER

GRAVELINE, Jacob	1	2/28/2022
HOOD, Charles	1	2/28/2022
KONRAD, Auriel	1	2/28/2022
KOPACZ, Felicia	1	2/2/2022
MANN, Holly	1	3/21/2022
RICE, Angela	1	

PATHFINDER

PONTBRIAND, Angela	1	2/28/2022
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SOUTHWICK

GAGNON, Geoffrey	1	2/15/2022
KAROLIDES, Elizabeth	4	2/14/2022

WESTCOMM

PARKS, Veida	1	2/28/2022
STAFFORD, Tristan	1	2/28/2022
TAYLOR, Alize	1	2/28/2022
WALKOWICZ, Matthew	1	2/28/2022
WONG, Anthony	1	2/28/2022

10. **DISABILITY REPORT AND EXPENSE BREAKDOWN**—Board reviewed disability report and expense breakdown.

11. **AUDIT COMMITTEE REPORT** – May 19, 2022 Audit Committee Meeting was cancelled.

12. **DIRECTOR'S REPORT** – Ms. Martin reviewed the monthly directors report which they received in their monthly packet prior to the meeting.

13. **TRIAL BALANCE REPORT**- Mr. Taylor made a motion to approve the trial balance reports for January 2022, February 2022, and March 2022. Mr. Sullivan seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil- Yes; Mr. Taylor – Yes; Mr. Sullivan- Yes and Chairman Schmaelzle – Yes. Motion approved 5-0

14. **PERAC MEMOS** – Board reviewed PERAC Memos.

15. **PRIT FUND TRANSFER** – Mr. O'Neil made a motion to affirm the transfer from the PRIT fund to People's Money Market of \$2,000,000.00 to cover June expenses. Mr. Taylor seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil- Yes; Mr. Taylor – Yes; Mr. Sullivan – Yes , and Chairman Schmaelzle – Yes. Motion approved 5-0.

16. **COMMUNICATIONS POLICY**— Ms. Hill made a motion to approve the new Communications Policy. Mr. O'Neil seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil- Yes; Mr. Taylor – Yes; Mr. Sullivan – Yes; Chairman Schmaelzle – Yes. Motion approved 5-0.

19. **OLD BUSINESS** – No Old Business

20. **NEW BUSINESS** – No New Business

There being no further business before the Board, Mr. Sullivan made a motion to adjourn the meeting at 11:45. A.M. Mr. Taylor seconded the motion, and the roll call vote was Ms. Hill – Yes; Mr. O'Neil – Yes; Mr. Taylor – Yes; Mr. Sullivan- Yes- and Chairman Schmaelzle -- Yes. Motion approved 5-0.




