

MINUTES OF MEETING August 29, 2019

The regular monthly meeting of the Northampton Retirement Board was called to order by Vice-Chairperson Susan Wright at 1:33 p.m. in City Council Chambers, Municipal Hall, 212 Main Street, Northampton, MA.

Members present were Michael Lyons, Melissa Roberts-Cote, Thomas Sullivan and Susan Wright. Joyce Karpinski arrived at 1:35 p.m. Also present was Administrator David Shipka and Administrative Assistant Elsie Vazquez.

Visitors

None

New Business

None

Regular Business

The Board accepted the following new members:

Jae Casella (Senior Services)
Sarah Tannozzini (School)
Amy Sidoti (School)
Mirek Kos (Central Services)
Eric Miller (DPW)
Stephen Zadworny (Custodian)

The Board reviewed superannuation retirement applications for the following members:

None

The Board reviewed disability retirement applications for the following members:

None

The Board reviewed retirement allowances for the following retirees:

David Callahan (Police)
Lucinda Trusas (School)

On a motion made by Mr. Lyons and seconded by Ms. Roberts-Cote, the Board voted unanimously (4-0) to approve the aforementioned retirement allowance(s) (Lyons: Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes).

The Board reviewed the following deceased members/retirees/survivors:
Dorothy Rivette (Building Inspector)

Chairperson Joyce Karpinski arrived at 1:35 p.m.

On a motion made by Ms. Wright and seconded by Mr. Sullivan, the Board voted unanimously (5-0) to approve the minutes of the regular meeting held on July 29, 2019 (Karpinski: Yes, Lyons:Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes).

On a motion made by Ms. Wright and seconded by Mr. Lyons, the Board voted unanimously by roll call (5-0) to approve the minutes of the Executive Session held on July 29, 2019 (Karpinski: Yes, Lyons:Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes). No discussion of the specifics of the meeting were required.

The Board reviewed and approved the following warrants:
Board and staff payroll warrant totaling \$10,852.91
Pension payroll warrant totaling \$921,826.38
Accounts payable warrant totaling \$219,701.69

The Board reviewed the following reports:
June Trial Balance
Transaction journal from the de Burlo Group, Inc for July 2019
PRIT Statement for July 2019

The Board reviewed the following wire transfers for the current month:
\$5,936.67 from PRIM to Peoples' United Bank (distribution)
\$880,000 from Peoples' United Bank to Florence Bank

The Board reviewed the treasurer's report on the Florence Bank account for July:
Bank statement: \$259,638.15
Outstanding disbursements: \$225,041.05
Adjusted bank balance: \$34,597.10
Outstanding receipts: \$16,950.22
Trial Balance end of month balance: \$51,547.32

The Board reviewed the following makeup/buyback requests:

Wayne Feiden

Make-up of service prior to membership which was provided under contract for the City of Northampton from 11/14/88 – 3/31/91,

amounting to 2 years and 4 months of creditable service for \$14,481.39 plus future interest.

The administrator discussed his conversation with attorney Jim Quirk regarding this matter. Mr. Feiden had provided the Board with copies of three contracts between himself and the City of Northampton for the above period of time. Quirk had opined that the three contracts were similar enough to warrant consideration as a whole with regards to Mr. Feiden's eligibility to purchase the service.

Although the City had clearly sought to employ Mr. Feiden as a contract worker, in Mr. Quirk's view the contracts revealed an underlying appearance of an employer/employee relationship during the entire period. In providing this analysis he referenced the 2018 CRAB decision on Cook vs. Northampton Retirement Board in which CRAB determined that Mr. Cook was an employee of the City. He noted that the contracts regarding that case had been in force during approximately the same time as Mr. Feiden's contract and were of a very similar nature. In Mr. Quirk's opinion, the situations were too similar to warrant any reasonable denial of Mr. Feiden's request.

Mr. Quirk further noted that the "ABC" test commonly used to determine workers' status in the workers' compensation field would decide in Mr. Feiden's favor as an employee. Other determining factors in Mr. Quirk's recommendation that the Board approve this request were the fact the City compensated Mr. Feiden for social security payments, required weekly minimum hours of work, provided leave time, and tied his compensation increase in one of the contracts to that of a future City bargaining unit agreement.

Following a brief discussion, on a motion made by Mr. Sullivan and seconded by Ms. Wright, the Board voted unanimously (5-0) to approve the aforementioned request (Karpinski: Yes, Lyons: Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes).

Kathryn Mizula

Make-up of service prior to membership, from 1/1/81 – 12/31/82 amounting to 1 year and 7 months of service for the cost of \$1,973.57 plus future interest.

On a motion made by Ms. Wright and seconded by Ms. Roberts-Cote, the Board voted unanimously (5-0) to approve the aforementioned request (Karpinski: Yes, Lyons: Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes).

The Board reviewed the following correspondence:

PRIM	July Update and quarterly report
PERAC #21	FY20 cost-of-living-increase for dependents of accidental disability retirees

Old Business

None

Other Business

Mr. Lyons and the administrator will be attending the Fall MACRS Conference in Springfield, September 30th – October 2nd.

Adjournment

On a motion made by Mr. Sullivan and seconded by Mr. Lyons, the Board voted unanimously (5-0) to adjourn the meeting at 2:04 p.m. as follows: (Karpinski: Yes, Lyons: Yes, Roberts-Cote: Yes, Sullivan: Yes, Wright: Yes).

The next regular meeting is scheduled for Thursday, September 26, 2019 1:30 p.m. in Council Chambers.

Respectfully Submitted,

Administrator

THESE MINUTES WERE APPROVED BY THE RETIREMENT BOARD ON 9/26/2019

APPROVED:

_____ **Joyce Karpinski, Chairperson**

_____ **Melissa Roberts-Cote**

_____ **Michael J Lyons**

_____ **Thomas Sullivan**

_____ **Susan Wright**

