

The regular meeting of the Montague Retirement Board, duly posted, was held in the Montague Town Hall Annex on the above date, and came to order at 9:00 AM.

Retirement Board Members Present: Cheryl Clark, Marianne Fiske, Angelica Desroches, Steven Ellis, and David Dion were present.

Retirement Board Staff Present: Administrator Deb Underhill was present.

Others Present: Board Attorney Thomas Gibson, Associate Attorney Uyen Tran.

Legal Update: Attorney Gibson gave an overview of recent and current legal cases and issues, as follows:

1. Dudley vs. Leominster Retirement Board, which came down at the end of 2025 deciding if extra pay is pensionable. The case determined that temporary extra pay for doing extra duties is not pensionable. However, if someone is appointed to an acting position with a higher pay rate, that higher salary is pensionable.
2. Combra vs State Board of Retirement, an accidental disability case involving a member being killed in a car accident while returning to work after lunch, which was after an off-site meeting. A member must be traveling from a work obligation to another work obligation to qualify for an ADR if injured or killed in a car accident.
3. A situation where a member of the public thought that the Retirement Board was a Municipal Board and that the municipality had jurisdiction over the Retirement Board. Attorney Gibson met with the selectboard of that municipality to explain that the Retirement System is an independent, autonomous governmental unit, although we work to support the employees of the municipality. Attorney Gibson said that while it is important that we work cooperatively, it is important to maintain the distinction between the two entities since they each have their own obligations and rules under state statute.

Questions from the Board:

1. Steven Ellis asked Attorney Gibson if it would be appropriate for the Retirement Board members to have Town email addresses. Mr. Gibson said that there could be problems and complications with doing this. He said that the upcoming legal panel at the June MACRS conference will have a presentation on this issue and public records law.
2. The Board discussed the Option D beneficiary form with Mr. Gibson. While it can be good for a member to complete this form in certain situations, the Town should not be telling anyone what is required in the retirement realm. Attorney Gibson suggested that members be given individual counseling by the Retirement Administrator regarding the Option D beneficiary, if possible.
3. Administrator Deb Underhill asked Attorney Gibson what the statute says if new employee retirement enrollment forms are not submitted to the retirement system. Mr. Gibson said that Chapter 32 Section 18 provides a remedy for this, that after 30 days' notice, the Retirement System can order the employer to suspend that employee without pay until they submit their retirement enrollment forms.
4. Attorney Gibson then discussed PERAC Memo 11/26 regarding Disability Presumptions and Pre-Employment physicals. He suggested that the Retirement system discuss this with the Fire and Police Chief. He does recommend that we use the HIPPA waiver that he created for Board use.

PERAC Memo 11/26 Disability Presumptions and Pre-Employment Physicals: PERAC would like the Boards to provide an optional, limited HIPPA waiver to new group 4 members that would allow the Board to obtain a copy of only the pre-employment physical records.

Pursuant to all three statutory presumptions (heart, lung & cancer), a complete copy of the pre-employment physical undergone or a copy of a physical undergone after entering service must be produced, as this document is a prerequisite to receiving an accidental disability under a presumption. Board Attorney Tom Gibson has prepared a HIPPA waiver for Board use, which he explained in detail at the meeting.

On a motion made by Steven Ellis and seconded by Marianne Fiske the Board voted to accept the HIPPA waiver form for Group 4 members as written and presented by Attorney Gibson.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

9:54 AM: Attorney Gibson & Attorney Uyen Tran left the meeting.

Minutes: January 27, 2026 Retirement Board meeting minutes for review and approval.

On a motion made by Marianne Fiske and seconded by Cheryl Clark, the Board voted to approve the January 27, 2026 Retirement Board Meeting minutes.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Abstained.

4 in Favor 0 Opposed 1 Abstained

Contributory Retirement Warrant: approve the March 2026 Warrant #3 dated March 31, 2026 in the amount of \$686,008.06.

Payroll	\$ 422,688.82
Expenses	\$ 12,436.87
Transfers & Refunds	\$ 15,548.10
3(8)c payments to other Boards	\$ <u>235,334.27</u>
Total Warrant	\$ <u>686,008.06</u>

On a motion made by Marianne Fiske and seconded by David Dion, the Board voted to approve the March 2026 Warrant #3 dated March 31, 2026 in the amount of \$686,008.06.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

New Members: Board to approve the new member listed below:

Joshua Lemay, TWN, Police Patrol Officer, effective 2/22/2026

On a motion made by Marianne Fiske and seconded by David Dion, the Board voted to approve the new member listed above.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

FY27 COLA: Retirement Board to determine whether to pay a cost of living adjustment (COLA) to retirees pursuant to G.L. Chapter 32, 103 (i), and to determine the amount of the COLA, up to a 3% maximum on the first \$30,000 paid annually, effective 7/1/2026, for retirees retired prior to 7/1/2025 and payable on 7/31/2026.

Discussion: Steven Ellis mentioned that he intends to vote for this since it is a less than \$1000 increase for any retiree due to the \$30K limit. While the increase to the \$30K limit did set us back a bit relative to our actuarial standing, we have a plan and are still on track to achieve full funding of the pension system.

On a motion made by David Dion and seconded by Marianne Fiske, the Board voted to approve to grant % (3% maximum, on a maximum benefit of \$30,000 annually) COLA effective 7/1/2026, for retirees retired prior to 7/1/2025 and payable on 7/31/2026 pursuant to section 103(i) (section 103(i) = maximum of 3%).

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

Liability Request: Tom Harnett is currently a member of the Franklin Regional Retirement System. Mr. Hartnett worked for GMRSD from 9/7/2004 – 12/5/2013 for a total of 9 years, 2 months and 29 days creditable service. Mr. Hartnett took a refund of his annuity savings on 1/31/2014 in the amount of \$22,938.21. Mr. Hartnett would like to buyback his creditable service with the Montague Retirement Board, through FRRS. Will the Board accept 9 years, 2 months and 29 days creditable service upon repayment in full with appropriate interest?

On a motion made by Marianne Fiske and seconded by David Dion, the Board voted to accept 9 years, 2 months and 29 days creditable service upon repayment in full with appropriate interest for Tom Hartnett, GMRSD 9/7/2004 – 12/5/2013, refunded on 1/31/2014.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Abstained, David Dion – Aye.

4 in Favor 0 Opposed 1 Abstained

Partial AS Refund: Board approve partial annuity savings refund for Marsha Beckwith, TWN, for deductions withheld in error on temporary out of grade pay on 2/5/2026.

On a motion made by Steven Ellis and seconded by Marianne Fiske the Board voted to approve partial annuity savings refund for Marsha Beckwith, TWN, for deductions withheld in error on temporary out of grade pay on 2/5/2026.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

10. **AS Refund:** Liana Pleasant, GMRSD, 06/01/2018 – 06/22/2023, 5 years, 0 months, 22 days.

On a motion made by Marianne Fiske and seconded by David Dion, the Board voted to approve annuity savings refund for Liana Pleasant, GMRSD, 06/01/2018 – 06/22/2023, 5 years, 0 months, 22 days.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

11. **Superannuation Retirement:** Board to approve the Superannuation Retirement, Option B for Linda Croteau, GMRSD, effective March 18, 2026.

On a motion made by Marianne Fiske and seconded by Steven Ellis, the Board voted to approve the Superannuation Retirement, Option B for Linda Croteau, GMRSD, effective March 18, 2026.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

12. **Notice of Retiree Death:** Steven Lively, TWN, date of death 2/18/2026. Option B with no funds remaining for a beneficiary.

13. **Notice of Retiree Death:** Sandra Bailey, GMRSD, date of death 2/23/2026. Her spouse Mark Bailey is her option B beneficiary. Board to approve the Option B refund.

On a motion made by Marianne Fiske and seconded by Steven Ellis, the Board voted to approve the Option B refund for Mark Bailey, beneficiary of Sandra Bailey.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

14. **Refund of Accumulated Deductions:** The Estate of Kenneth Miner is being refunded the Accumulated Deductions for his spouse, Teresa Miner, (deceased 9/21/22) TWN, Elected Official 5/21/2007 – 3/20/2020.

On a motion made by Marianne Fiske and seconded by Steven Ellis, the Board voted to approve the annuity savings refund to the Estate of Kenneth Miner, date of death 4/2/2024, (beneficiary of Teresa Miner, date of death 9/21/2022).

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye

5 in Favor 0 Opposed 0 Abstained

16. **Equipment:** Office PC is running out of storage space which is affecting daily work. More storage is also needed to upgrade Windows. There are 2 quotes from Suzor IT. Once quote for a PC and monitor for a total of \$1,330.14. Another quote for either a 14” or 16” laptop with monitor, for a total of \$1,427.80 (14”) or \$1,323.31 (16”).

On a motion made by Marianne Fiske and seconded by Steven Ellis, the Board voted to approve the purchase of a 16” laptop costing \$1323.31.

Roll Call Vote: Cheryl Clark - Aye, Angelica Desroches, Aye, Marianne Fiske – Aye, Steven Ellis – Aye, David Dion – Aye.

5 in Favor 0 Opposed 1 Abstained

17. **Notice:** PERAC has sent a pre-audit questionnaire to begin a 4-year audit for 2021-2024.
20. **Notice:** MACRS Spring Conference will be held in Springfield, MA Sunday, May 31 at 3 pm to Wednesday, Jun 3 at 12 pm at the Springfield Sheraton.
21. **Discussion:** Administrator Deb Underhill’s upcoming retirement effective 6/26/2026.

Board discussed setting up additional meetings to facilitate the hiring of a new Administrator. The first meeting will be held on April 7, 2026, at 9AM in the Retirement Office.

Adjourn: On a motion made by Marianne Fiske, seconded by Angelica Desroches, the meeting adjourned at 9:17 AM.

Upcoming Meetings:

Tuesday April 7, 2026 at 9AM – Special Meeting, discuss new Administrator hiring.

Tuesday, April 28, 2026 at 9AM – Regular Monthly Meeting

Tuesday, May 26, 2026 at 9AM – Regular Monthly Meeting

APPROVED BY THE MONTAGUE BOARD OF RETIREMENT

Cheryl Clark, Chairperson

respectfully submitted,

Angelica Desroches

Debra Underhill
Administrator
Montague Retirement Board

David Dion

Steven Ellis

Marianne Fiske

Meeting Materials:
Agenda March 31, 2026
February 24, 2026 Minutes
March 31, 2026 Warrant #3
PERAC Memo 11-2026
HIPPA Waiver

Angelica Desroches	ex-officio
Steven Ellis	5/21/2027
David Dion	5/30/2028
Cheryl Clark	12/16/2026
Marianne Fiske	1/31/2027