

HAMPSHIRE COUNTY RETIREMENT SYSTEM
Election of Member or Retiree to serve on the Hampshire County
Retirement Board
for the term of January 1, 2023 – December 31, 2025

INSTRUCTIONS TO CANDIDATES SEEKING NOMINATION

1. Prior to circulating nomination papers:
 - a. Read and certify eligibility by signing Affidavit of Eligibility (reverse side of nomination form)
 - b. Print name at top of nomination form (front side of nomination form)
 - c. Print name in statement accepting nomination
 - d. Sign and date bottom of form as accepting nomination.
2. Obtain a minimum of five (5) qualified signatures and addresses of active and/or retired members of the Hampshire County Retirement System supporting your nomination. For ease of verification of signatures, please make sure that signers also clearly print their names and addresses.
3. Submit completed form to the offices of the Hampshire County Retirement System at 99 Industrial Drive, Suite 2, Northampton, MA 01060-2326.
4. Candidates may submit (optional) a personal statement to accompany or be printed on the ballots.
 - a. Candidate Statements must not exceed a maximum of 50 words. Statements which do not conform to these parameters will be rejected or modified at the sole discretion of the election board.
 - b. Due to time required to print ballots, candidate statements should be submitted with the nomination papers, but no later than 4:30 p.m. on November 17, 2022 to be included on or with the ballots.
 - c. Statements submitted after this deadline will be rejected and only the candidate's name and employing unit will be placed on the ballot.

SUBMISSION DEADLINE:

Nomination papers must be received at the office of the Hampshire County Retirement System, 99 Industrial Drive, Suite 2, Northampton, MA 01060-2326 **no later than 4:30 p.m. on November 14, 2022.** Late forms will not be accepted for any reason.

Nominations will be certified by the Election Board on **November 18, 2022 at 10:00 a.m.** If there are two or more qualified nominees, an election will be conducted entirely by mail according to M.G.L. Chapter 32 section 22(3) (h). The **postmark date of December 22, 2022** has been set for the election date. Ballots will be counted and the election will be certified beginning at **1 p.m. on December 29, 2022.**

If you have questions regarding the election process, please contact the office of the Hampshire County Retirement System at (413) 584-9100.

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General Information Regarding the Hampshire County Retirement Board

Governing Authority and Regulations:

Massachusetts Public Pension Systems are governed by M.G.L. Chapter 32 and by rules and regulations (840 CMR) promulgated by the Public Employee Retirement Administration Commission (PERAC).

Current Board:

Chairman	Patrick E. Brock, Retired Member - Amherst	12/31/2020
Advisory Council Appointed	Jane Wolfe , Treasurer – Belchertown Water District	12/31/2020
Elected Member (1)	Harry Chadwick, Retired Auditor – PERAC	12/31/2023
Elected Member (2)	Vacancy	12/31/2022
*vacancy		
Fifth Appointed Member	Joyce Karpinski, Appointed Member	12/16/2020

General Duties, Responsibilities and Liabilities of Retirement Board Member:

840 CMR 1.01 Board Members' Duty: "A board member shall discharge all of his/her duties **solely in the interest of members and their beneficiaries**, and (1) For the exclusive purpose of: (a) providing benefits to members and their beneficiaries; and (b) defraying reasonable expenses of administering the system; (2) With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims; (3) by diversifying the investments of the system so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so; (4) in accordance with the Massachusetts General Laws, the rules and regulations promulgated by the Commission, and rules and regulations adopted by the Board and approved by the Commission."

840 CMR 1.03 Liability For Breach of Fiduciary Duty: "(1) Failure to comply with the fiduciary standard set forth in M.G.L. c. 32 § 23 and 840 CMR 1.01 may subject the fiduciary to personal liability for any losses to the system resulting from such failure. (2) If a fiduciary knowingly participates in or knowingly conceals an act or omission of a co-fiduciary which is a breach of fiduciary duty the fiduciary may be subject to personal liability for any losses to the system resulting from such breach. (3) If, by failing to comply with his/her fiduciary duty, a fiduciary enables a co-fiduciary to breach his/her fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach. (4) If a fiduciary has knowledge of a breach of fiduciary duty by a co-fiduciary and the fiduciary fails to make reasonable efforts under the circumstances to remedy the breach of fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach."

Meetings: Regular business meetings conducted monthly
Quarterly reviews of investment managers
Evidentiary Hearings or Special Meetings conducted as necessary
Meetings with Advisory Council (minimum 2 annually)

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Candidate’s Affidavit of Eligibility

840CMR 1.03 Prohibition Against Certain Persons Holding Certain Positions

“No individual who has been convicted of robbery, bribery, extortion, embezzlement, fraud, grand larceny, burglary, arson, a felony violation of state or federal law defined in Section 102(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970, murder, rape, kidnapping, perjury, assault with intent to kill, any crime described in Section 9(a)(1) if the Investment Company Act of 1940 (15 U.S.C. 80a-9(a)(1)), a violation of Section 302 of the Labor-Management Relations Act, 1947 (29 U.S.C. 186), a violation of Chapter 63 of Title 18, United States Code, a violation of Section 874, 1027, 1503, 1505, 1506, 1510, 1951, or 1954 of Title 18 United States Code, a violation of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 401), any felony involving abuse or misuse of such person’s position or employment in a labor organization or employee benefit plan to seek or obtain an illegal gain at the expense of the members of the labor organization or the beneficiaries of the employee benefit plan, or conspiracy to commit any such crimes, or a crime in which any of the foregoing is an element or has been found by the Commission or any court to have violated his/her fiduciary duty or has been found by the Ethics Commission or any court to have violated M.G.L. c 268A, shall serve or be permitted to serve: (1) As a member, administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee or representative in any capacity of a board. (2) As a consultant, manager or provider of goods or services to a board. (3) In any capacity that involves decision making authority or custody or control of the monies, funds, asset or property of any system.”

I, _____, have read and understand the above prohibition and hereby certify under the pains and penalties of perjury that I am not prohibited from holding a position with the Hampshire County Retirement Board. I also certify that I am an active or retired member of the Hampshire County Retirement System and an eligible candidate for the position of elected member of the Hampshire County Retirement Board.

Signature of Candidate

Date

See Reverse Side

Hampshire County Retirement System

Policy For Assisting Election Candidates' With Campaign Mailing

Candidates are provided the opportunity to include a 50 word statement that will be included on or with the election ballot. The distribution of any additional campaign statements or material is the sole responsibility of the candidate.

However, due to recent changes in the law regarding confidentiality of member/retiree names and addresses, the Hampshire County Retirement System (HCRS) can no longer provide mailing lists or labels to election candidates.

Upon request and with advance notice the HCRS will provide the following service for a fee consisting of time and materials. Estimated cost for a full mailing is \$125. This service is being offered on a trial basis and is limited to valid candidates of this current election and for the sole purpose of distributing campaign material.

- HCRS will provide, print and apply mailing labels to the candidate's prepared mailing of campaign materials;
- HCRS will deliver mailing to the US Postal Service;
- HCRS will not provide any other materials or services (copying, folding, inserting, postage or other services);
- HCRS reserves the right to refuse said service if content is deemed inappropriate, inflammatory or offensive to members or retirees.

The candidate is responsible for all content, preparations and costs of mailing, including but not limited to the following:

- Content must be limited to campaign materials pertaining to the election of a member/retiree to serve on the Hampshire County Retirement Board for the term of January 1, 2023 – December 31, 2025.
- Content must include a statement that the Hampshire County Retirement Board does not endorse any candidate and is not responsible for the content of campaign material.
- Candidate must provide HCRS with a sample of material being mailed and a notarized statement indemnifying HCRS against any and all claims arising from said mailing.
- Mailing must comply fully with U.S. Postal Service regulations;
- Mailing must be pre-stamped with required postage;
- Mailing must include space (2" x 4.5") for labels to be placed;
- Mailing shall not include a return address;
- Mailing shall include at least 4,000 pieces for a full mailing (including Active members, Inactive members, and Retirees);
- Mailing must be completely ready for delivery to U.S. Post Office;
- Mailing must be delivered to the Hampshire County Retirement Office at 99 Industrial Drive, Northampton no later than **November 17, 2022** to be mailed prior to ballots. Ballots are scheduled to be mailed on December 2, 2022. Mailings received after November 17, 2022 may be delayed until after ballot mailing is completed.