ESSEX REGIONAL RETIREMENT BOARD September 24, 2018

At the regular meeting of the Essex Regional Retirement System (ERRS) held on Monday, September 24, 2018, at 491 Maple Street, Suite 201 at 8:32 a.m. the following Board members were present for all or some of the meeting: Alan J. Benson, Vincent R. Malgeri, H. Joseph Maney, Kevin A. Merz and Susan J. Yaskell.

Also in attendance for all or some of the meeting were:
Charles Kostro, ERRS Executive Director
Pamela Lynch, ERRS Administrative Assistant
Michael Sacco, ERRS Counsel (via teleconference)
Kathleen Riley, Segal Company
Lisa VanDermark, Segal Company
Renee Davis, Powers & Sullivan
James Powers, Powers & Sullivan
Monica Holec, Levine Leichtman LLP (via teleconference)

Board Chair H. Joseph Maney called the meeting to order at 8:32 a.m. The Board said the pledge of allegiance.

Approval of Board Minutes

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 4-0; To approve the minutes of the regular and executive session of the meeting of August 27, 2018 as amended.

Public Comment Period

There were no public comments.

PERAC Memo #26/2018

Mr. Kostro provided a summary of the so-called "O'Leary Case" involving whether or not vacation buyback pay qualifies as regular compensation. Mr. Sacco reviewed the case history and his memo in response to the memo issued by PERAC. Mr. Malgeri asked Mr. Sacco if he knew what the timeframe would be for the appeals of CRAB's decision to be heard. Mr. Sacco reviewed the appeals process and said the entire process may take two to three years. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 4-0; Pursuant to the decision of the Contributory Retirement Appeals Board that the buyback of unused vacation time is not regular compensation as issued in the matter of O'Leary v. Lexington Retirement Board and PERAC, CR-15-30, and in view of the appeal of said decision, the Essex Regional Retirement Board directs that no retirement benefit previously approved and which may be affected by this decision shall be recalculated at this time. However, the Board further directs ERRS units to stop withholding retirement deductions from such payments and that anyone who retires while

this litigation is ongoing should not have these additional amounts included in the calculation of their retirement allowance.

Reports & Correspondence - Public Records Request

Mr. Kostro reviewed for the Board a public records request received from a group known as American Transparency. Mr. Kostro stated that the 2017 salary surveys were the only documents that were responsive to this request. He also said that he thought a notice to ERRS Chief Executives would be appropriate and that a draft of the notice was in the Board's packet. Mr. Kostro said that the 2017 salary surveys were in the Board's packet and that ERRS Counsel has reviewed the response and the documents. Mr. Malgeri noted that he had also received this request and had sent the organization a bill. Mr. Kostro said that the 2017 salary surveys were the closest document that ERRS had in its possession and control that was responsive to this request. Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 4-0; To approve the release of the 2017 salary surveys in response to a public records request submitted by American Transparency and to submit the notice to ERRS Chief Executives as presented.

Statement of the Chair

Mr. Maney noted that the next item on the agenda was to go into executive session. He stated that the Board will be returning to open session upon the conclusion of the executive session to act on the remaining items on the agenda.

Executive Session

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted by roll call; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; and Ms. Yaskell, Yes; To move to executive session to act on the accidental disability application of Joseph Bourgeois and to remain in executive session to discuss strategy with respect to litigation in the matter of the Essex Regional Retirement Board and others v. PERAC, the Swallow case, and other pending litigation matters.

The Board entered executive session at 8:44 a.m.

The Board returned from executive session at 8:53 a.m.

While in executive session, the Board voted as follows:

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted by roll call as follows: Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; and Ms. Yaskell, Yes; That the application for an accidental disability benefit of Joseph Bourgeois is approved.

Segal Company Actuarial Valuation Study

Kathleen Riley and Lisa VanDermark of Segal Company joined the meeting. Ms. Riley reviewed the January 1, 2018 Valuation Study. Ms. Riley reviewed the assumptions and the results of the valuation study. She noted that the funded ratio (the ratio of the actuarial value of assets to the actuarial accrued liability is 53.37%, compared to the prior valuation funded ratio of 51.87%. Using the market value of assets, the funded ratio is 55.40%, compared to 50.29% as of the prior valuation date. Ms. Riley stated that the investment rate of return assumption was lowered from 7.75% to 7.50%. She also noted that the administrative expense assumption was lowered from \$1,127,500 to \$1,000,000. She also reviewed the other assumptions used in the valuation study. The funding schedule included in the valuation study has 7.41% increases until Fiscal Year 2022, then a 6.36% increase in Fiscal Year 2023, a 4.98% increase in Fiscal Year 2024, and increases between 3.74% to 3.78% from Fiscal Year 2024 until the full funding date of Fiscal Year 2035. Mr. Benson joined the meeting. Mr. Kostro asked about the charge for free service that was added to the appropriation of two units. Ms. Riley said that these charges should appear in the next valuation study. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; That the Board approves the final valuation study as of January 1, 2018 as presented.

Powers & Sullivan 2017 Audit

Renee Davis and Jim Powers of Powers & Sullivan joined the meeting. Ms. Davis reviewed the results of the audit of ERRS finances and practices for 2017. Ms. Davis noted that this year had an accelerated schedule for completing the valuation study and the audit and everything worked out very well. Ms. Davis reviewed the financial reports and the section on the ten-year GASB 67 & 68 reporting. Ms. Davis, Mr. Powers, Ms. Riley and Ms. VanDermark left the meeting.

Annual Investment Manager Meeting – Levine Leichtman

Monica Holec from Levine Leichtman joined the meeting via teleconference. Ms. Holec reviewed the presentation submitted regarding the performance of Levine Leichtman Funds III and IV.

New Enrollments

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; That the following named employees be enrolled in the Essex Regional Retirement System, a list of seventy-eight names beginning with Julie Ambrose and ending with Mollie K. Watson.

Name	<u> Unit Name</u>	<u>Department</u>	<u>Date</u>	<u>Group</u>
Ambrose, Julie	North Andover	School	08/10/2018	1
Barrows, Rachael L.	Georgetown	School	09/04/2018	1
Bilicki, Stacey A.	Topsfield	School	08/27/2018	1

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Bonaiuto, Michael P.	Topsfield	Fire	08/15/2018	4
Bourque, Catherine R.	Newbury	Library	07/22/2018	1
Brockelbank, Colleen P.	Boxford	School	08/27/2018	1
Budrose, Mary E.	Topsfield	School	08/27/2018	1
Burke, Ashton M.	Manchester-Essex RSD	School	08/27/2018	1
Chiasson, Keri L.	Lynnfield	School	08/29/2018	1
Collins, Amanda E.	Pentucket RSD	School	08/27/2018	1
Comeau, Alyse M.	Topsfield	School	08/27/2018	1
Corsaro, Carrie B.	North Andover	School	08/28/2018	1
Curran, Melissa A.	North Andover	School	08/29/2018	1
DeFronzo, Sarah A.	Topsfield	School	08/29/2018	1
DeLeo, Alana N.	Lynnfield	School	08/27/2018	1
Degnan III, Leonard J.	North Andover	School	08/13/2018	1
Demetri, Danielle L.	Manchester-Essex RSD	School	08/27/2018	1
DePaolo, Heather L.	Triton RSD	School	08/27/2018	1
Desrosiers, Nathan L.	Manchester	DPW	09/04/2018	1
Dieter, Christopher D.	Ipswich	Computer/I.T./M.I.S.	08/13/2018	1
Donofrio, Romie L.	North Andover	School	08/20/2018	1
Driscoll, Mary S.	Pentucket RSD	School	08/27/2018	1
Ennis, Ashley A.	North Andover	School	08/29/2018	1
Farmer, Leigh T.	Boxford	School	08/27/2018	1
Frey, Lucy C.	North Andover	School	08/29/2018	1
Gillis, John T.	Lynnfield	DPW	09/11/2018	1
Hajec, Lauren P.	North Andover	School	08/29/2018	1
Healey, Alexandra E.	Topsfield	School	08/27/2018	1
Hession, Joanna C.	Lynnfield	School	08/29/2018	1
Hogan, Kelsey D.	Boxford	School	08/27/2018	1
Holden, Karen M.	Topsfield	School	08/27/2018	1
Johnson, Eric T.	Triton RSD	School	05/11/2018	1
Johnson, Jill M.	Pentucket RSD	School	09/11/2018	1
Joslin, Susan G.	Pentucket RSD	School	08/27/2018	1
Keane, Roberta E.	Lynnfield	School	08/14/2018	1
Kent, Leanne M.	North Andover	School	08/28/2018	1
Kiddy, Karlene E.	Lynnfield	DPW	09/11/2018	1
Lesch, Johanna E.	Lynnfield	School	08/29/2018	1
Luciano, Nicole M.	Boxford	School	08/27/2018	1
Malloy, Meghan A.	Topsfield	School	08/27/2018	1
Manning, Karen M.	Boxford	School	08/27/2018	1
Marotta, Andrea	Topsfield	School	08/27/2018	1
McDonough, Timothy P.	North Andover	School	08/29/2018	1
McLaughlin, Collin J.	North Andover	School	08/29/2018	1
Mercer, Alana E.	Pentucket RSD	School	08/27/2018	1
Mikson, Emily M.	Pentucket RSD	School	08/27/2018	1
Mongell, Colleen J.	North Andover	School	09/04/2018	i
Morris, Ashley F.	Ipswich	School	08/29/2018	1

Morse, Emily J.	Triton RSD	School	09/04/2018	1
Mullen, Brian D.	Georgetown	Housing Authority Staff	08/20/2018	1
Nasson, Olivia G.	Lynnfield	School	08/27/2018	1
Nichols, Julie W.	Triton RSD	School	08/27/2018	1
Niedbala, Erin A.	Georgetown	School	09/04/2018	1
Oldham, Rebecca L.	Groveland	Planning/Zoning	09/04/2018	1
Orlando, Nicole M.	Pentucket RSD	School	08/27/2018	1
Pasciuto, Francesca A.	Lynnfield	School	08/29/2018	1
Patten-Burrell, Jessica M.	Topsfield	School	08/27/2018	1
Phelan, Kelly N.	Ipswich	Police	08/09/2018	4
Procurot, Kelly A.	Boxford	School	08/27/2018	1
Ramy, Rebecca G.	North Andover	School	08/29/2018	1
Rausch, Richard P.	Topsfield	School	08/20/2018	1
Regan, Theresa F.	North Andover	School	08/29/2018	1
Richard, Jane M.	North Andover	School	08/29/2018	1
Robinson, Debra M.	Georgetown	School	09/04/2018	1
Roy, Michele M.	Pentucket RSD	School	09/04/2018	1
Rybicki, Kristen N.	Lynnfield	School	08/28/2018	1
Salach, Tara C.	North Andover	School	08/29/2018	1
Sargent, Stacy J.	Manchester-Essex RSD	School	08/27/2018	1
Scarpa, Josette A.	Ipswich	School	08/29/2018	1
Schuettner, Allyssa A.	Georgetown	School	09/04/2018	1
Shepard, Alyssa R.	Ipswich	School	08/29/2018	1
Snider, Elizabeth A.	Boxford	School	08/27/2018	1
Stella, Carmela F.	Manchester-Essex RSD	School	08/27/2018	1
Thistle, Lisa M.	Lynnfield	School	08/27/2018	1
Todd, Michelle D.	Masconomet RSD	School	08/29/2018	1
Towle, Leanne M.	Masconomet RSD	School	08/13/2018	1
Walsh, Matthew R.	Merrimac	Civil Pub Safety Disp.	09/01/2018	1
Watson, Mollie K.	Manchester-Essex RSD	School	08/27/2018	1

New Retirements

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted 5-0; That the following eleven members of the Essex Regional Retirement System be awarded superannuation retirement benefits calculated as follows:

1. Nancy A. Avery, Town of Middleton, Cafeteria Worker, Group 1 Effective Retirement Date: September 11, 2018

Monthly Retirement Allowance:

\$235.70

Annual Retirement Allowance:

\$2,828.40

2. Kimberley E. Cashman, Triton Regional School District, Teaching Assistant, Group 1

Effective Retirement Date: September 22, 2018

Monthly Retirement Allowance:
Annual Retirement Allowance:

\$1,447.55 \$17,370.60

3. Cynthia W. Fitzgerald, Pentucket Regional School District, Paraprofessional,

Group 1

Effective Retirement Date: August 1, 2018
Monthly Retirement Allowance: \$324.39
Annual Retirement Allowance: \$3,892.68

4. Judy A. Gallerie, Town of Middleton, Asst. Library Director, Group 1

Effective Retirement Date: July 31, 2018

Monthly Retirement Allowance: \$2,066.16 Annual Retirement Allowance: \$24,793.92

5. Frederick J. Glassett, Pentucket Regional School District, Custodian, Group 1

Effective Retirement Date: August 3, 2018

Monthly Retirement Allowance: \$1,641.31

Annual Retirement Allowance: \$19,695.72

6. Julie A. Hart, Town of Merrimac, Electric Light Dept. Office Manager, Group 1

Effective Retirement Date: August 17, 2018

Monthly Retirement Allowance: \$2,513.85

Annual Retirement Allowance: \$30,166.20

7. Annette J. Jankun, Masconomet Regional School District, Secretary, Group 1

Effective Retirement Date: September 14, 2018
Monthly Retirement Allowance: \$721.25
Annual Retirement Allowance: \$8,655.00

8. Janice M. McGrane, Town of Georgetown, Town Clerk, Group 1

Effective Retirement Date: August 17, 2018
Monthly Retirement Allowance: \$2,217.97
Annual Retirement Allowance: \$26,615.64

9. Lori E. Rauseo, Town of Boxford, Food Service Manager, Group 1

Effective Retirement Date: September 8, 2018
Monthly Retirement Allowance: \$356.79
Annual Retirement Allowance: \$4,281.48

10. Linda F. Valle, Town of Georgetown, Administrative Assistant, Group 1

Effective Retirement Date: August 7, 2018
Monthly Retirement Allowance: \$964.80
Annual Retirement Allowance: \$11,577.60

11. Arlene M. Viera, Town of Lynnfield, Permanent Substitute, Group 1 Effective Retirement Date: September 1, 2018

Monthly Retirement Allowance: \$727.50 Annual Retirement Allowance: \$8,730.00

Disability Retirement

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; That the following member of the Essex Regional Retirement System be awarded disability retirement benefits calculated as follows:

1. Brett C. Rodden, Town of North Andover, Firefighter, Group 4

Effective Retirement Date: March 10, 2018

Monthly Retirement Allowance: \$1,859.44

Annual Retirement Allowance: \$22,313.28

Survivor Benefit

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; That the following named person shall receive survivor benefits as calculated below pursuant to Massachusetts General Law Chapter 32, Section 12(2)(d):

1. Silvia Bammes, spouse of the late Michael S. Bammes, who passed away on January 28, 2018, shall receive the amounts listed below.

Monthly Allowance: \$28.35 Annual Allowance: \$340.20

Creditable Service Awards

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; That the retirement system staff has verified that the required payments having been received, that the following member of the Essex Regional Retirement System be awarded creditable service as follows:

- 1. Melissa A. Barron shall be awarded one year and four months of creditable service for the purchase of prior non-membership service with the Town of North Andover rendered from September 1, 2000 to November 18, 2007.
- 2. Cheryl A. Deveaux shall be granted late entry into membership and her enrollment date shall be changed to September 19, 2011, when she originally qualified for membership but did not have retirement deductions taken from her qualified earnings for her service with the North Andover Public Schools.
- 3. Linda A. Finlay shall be awarded two years and three months of service for the purchase of prior non-membership service rendered with the City of Gloucester, as the Gloucester Retirement Board has accepted liability for the period of January 10, 2000 through December 31, 2001 when this individual should have been a member of that system, and that the period of October 1, 1998 to January 9, 2000 shall be

- awarded as this service was rendered in a temporary, provisional or substitute capacity.
- 4. Andrea Papantonakis shall be granted late entry into membership and her enrollment date shall be changed to September 19, 2017, when she originally qualified for membership but did not have retirement deductions taken from her qualified earnings for her service with the Masconomet Regional School District.

Liability Requests

Upon a motion by Kevin A. Merz, seconded by Susan J. Yaskell, the Board voted 3-0, with Mr. Benson and Mr. Malgeri abstaining; To take the following action on requests for the acceptance of liability received by the retirement system:

- 1. To deny liability as requested by the Greater Lawrence Sanitary District Employees Retirement System on behalf of Donna E. Moran for service rendered with the Town of West Newbury from 1986 to 1988 as this individual was not a member of the retirement system during this period, did not remit contributions, and was not wrongfully excluded from membership.
- 2. To deny liability as requested by the Reading Retirement Board on behalf of Charles Tirone for service rendered with the Town of Boxford from June 23, 2008 to April 30, 2015 as this individual was not a member of the retirement system during this period, did not remit contributions, and was not wrongfully excluded from membership.

Refund Warrant - September 2018 RT2018.09

Upon a motion by Alan J. Benson, seconded by Susan J. Yaskell, the Board voted 5-0; To approve refund warrant RT2018.09 for September 2018, to refund, rollover or transfer the total accumulated deductions for twenty members beginning with Nancy A. Avery and ending with Catherine E. Weagle, in the total net amount of \$538,125.69.

Name	Type	Board or Institution
Avery, Nancy A.	Withdrawal	
Barclay, Michelle C.	Transfer	Massachusetts Teachers Retirement System
Bean, Jennifer A.	Transfer	Beverly Retirement Board
Bonnell, Paul F.	Withdrawal	
Cashman, Kimberley E.	Withdrawal	
Davidson, Leslie A.	Transfer	Marblehead Retirement Board
Faye, Brian L.	Withdrawal	
Ferrara, Ryan L.	Transfer	Middlesex County Retirement Board
Hannon, James V.	Withdrawal	

Hickey, Maureen L.	Rollover	Vanguard Fiduciary Trust
Ingall, Lynne Anne	Withdrawal	
Kavanagh, Shane M.	Rollover	National Financial Services
Labossiere, Robert N.	Transfer	Peabody Retirement Board
Ladd, Frederick A.	Transfer	Concord Retirement Board
Maguire, Joanna	Transfer	Massachusetts Teachers Retirement System
Murphy, Elizabeth A.	Transfer	Massachusetts Teachers Retirement System
Reynolds, Carolyn J.	Transfer	Massachusetts Teachers Retirement System
Varmahmoodi, Darius J.	Transfer	State Retirement Board
Viera, Arlene M.	Withdrawal	
Weagle, Catherine E.	Transfer	Marblehead Retirement Board

August Retirees Payroll

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the retirement allowances for the month of August in the actual amount of \$3,858,780.14.

September Retirees Payroll

Upon a motion by Alan J. Benson, seconded by Kevin A. Merz, the Board voted 5-0; To approve the retirement allowances for the month of September in the estimated amount of \$3,875,000.00.

ERRS Payroll

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the payment of the ERRS employee payrolls for August 31, 2018, in the amount of \$20,280.52, and for September 14, 2018 in the amount of \$18,405.53.

Cash Disbursement Warrant CD2018.09

Upon a motion by Alan J. Benson, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the Cash Disbursement Warrant CD2018.09 for September 2018 as presented in the total amount of \$11,333.26.

Vendor	Amount
Access Record Storage - Monthly Bill	351.02
ASI Flex - Administrative Fee	5.00
Town of Danvers, Danvers Electric - #201 - Monthly Fee	147.04
Town of Danvers, Danvers Electric - #202 - Monthly Fee	161.83
Framingham Retirement Board - Refund of 3(8)(c) Payment (Mark Rees)	1,583.46

Harpers Payroll Services - 2018.08.29	83.85
Harpers Payroll Services - 2018.09.11	45.30
HCOPT - Condo Fee - 2018.10	1,498.00
HIQ Computers #119246	275.00
Kostro, Charles - PRIM Board Meetings (Travel)	54.17
Kostro, Charles - PRIM Board Meetings (Parking)	84.00
Law Office of Michael Sacco - Monthly Bill	4,662.00
Neopost USA Inc 10/18 - 12/18	591.00
North of Boston Media Group - RFP Advertising for Audit Services	390.50
Ricoh USA, Inc 2018.08	288.69
S.J. Cleaning Services - Office Cleaning - 2018.09	233.33
S.J. Cleaning Services - Cleaning Supplies	114.52
Wayne Alarm Systems, Inc 09/01/18 - 02/28/19	179.70
W.B. Mason Company, Inc Office Supplies	584.85
Total	11,333.26

2018 Preliminary Administrative Budget

Mr. Kostro noted that the full narrative of the budget was in the Board's packet and that everything from the budget presented in August is the same, except the additional \$3,000 added by the Board for employee merit pay increases. Mr. Kostro reviewed his recommendations on the guidelines contained in the budget document for awarding the merit-based pay increases, including the service requirements and the cap of \$600 per employee. Ms. Yaskell asked if the Board will be advised about any employee pay increases. Mr. Kostro noted that all employee pay increases must be approved by the Board. Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; To approve the preliminary administrative budget as presented in the amount of \$1,082,750.

Employer Reporting Module Update

Mr. Kostro reviewed for the Board the status report on which units have submitted a test file and are filing their reports using the new employer reporting module. Mr. Kostro reminded the Board that as of their July meeting, only seventeen of the forty-seven units had submitted their test files. The report in the Board's packet, Mr. Kostro said, show that now all but one unit has submitted their test files. Mr. Maney asked why Ipswich was the only town not to have submitted a test file yet. Mr. Merz responded that payroll does not fall under his office and that he has spoken with the payroll office many times about this project. Mr. Merz stated that he will bring it up again with the Finance Director and that he is sure it will be resolved.

Motion to Adjourn

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted 5-0; To adjourn the meeting.

The meeting was adjourned at 10:19 a.m.

Alan J. Benson

Vincent R. Malgeri

H. Joseph Maney

Kevin A. Merz

Susan J. Yaskell

The following materials were provided to the Board for items acted upon at the meeting:

Agenda

Board Minutes

PERAC Memo #26/2018 and Related Correspondence

1/1/2018 Valuation Study

2017 Audit

Levine Leichtman Presentation

New Enrollment List

New Retirement Calculations

Disability Retirement Calculations

Survivor Benefit Documents

Service Purchase Award Letters

Liability Letters

Monthly Warrants

2019 Draft Administrative Budget

Employer Reporting Module Status of Completed Crosswalks

In addition to the materials provided to the Board for items acted upon at the meeting, the following documents were also provided:

Advisory Council - Agenda

Advisory Council - Second Member Election Notice

Advisory Council - Second Member Election Rules

Advisory Council - Second Member Sample Ballot

Agenda Posting Checklist

American Transparency - Salary Surveys

American Transparency Draft Response

American Transparency Notice to ERRS Chief Executives

DALA - Anderson, Mark - Dismissal

DALA - Bridgman, Michael - Order to Show Cause

DALA Dismissal - Pratt, Brian

Executive Director's Schedule

Gambale, Robert - Status Report

Kostro - Ethics Disclosure

Levine Leichtman Fund IV Distribution Letter dated August 31, 2018

Monthly Expenditure Report – August

PERAC Memo 27.2018 - Direct Deposit Scam

PRIT Fund August Report