

ESSEX REGIONAL RETIREMENT BOARD
February 25, 2019

At the regular meeting of the Essex Regional Retirement Board held on Monday, February 25, 2019, at 491 Maple Street, Suite 201 at 8:30 a.m. the following Board members were present for all or some of the meeting: Alan J. Benson, Vincent R. Malgeri, H. Joseph Maney (via Skype), Kevin A. Merz and Susan J. Yaskell.

Also in attendance for all or some of the meeting were:

Charles Kostro, ERRS Executive Director

Michael Sacco, ERRS Counsel

Cheryl Martin, ERRS Member from North Andover

Seth Schulman, Attorney for Ms. Martin

Board Vice Chair Susan J. Yaskell called the meeting to order at 8:45 a.m.

Ms. Yaskell stated that the Massachusetts Open Meeting Law permits meetings to be recorded and states that the Chair shall inform attendees at the beginning of the meeting of any such recording. Therefore, I am informing everyone that this meeting is being recorded. Ms. Yaskell further stated that pursuant to 940 CMR 29.10, the Chair is advising the meeting that Joseph Maney will be participating in this meeting remotely as permitted under Section (5) as geographic distance makes his attendance unreasonably difficult. I would also note for the record that a quorum of the Board is present at the meeting as required and that Mr. Maney is participating via Skype (full audio, partial video) and that he is clearly audible to everyone present. In Mr. Maney's absence, I will be chairing this meeting as required by the Remote Participation Regulation. Finally, I want to remind the Board and those in attendance that all votes at a meeting in which a member participates remotely shall be by roll call.

The Board said the pledge of allegiance.

Approval of Board Minutes

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows; Yes; Mr. Maney, Yes; Mr. Malgeri, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the minutes of the regular and executive session of the meeting of January 28, 2019.

Public Comment Period

There were no public comments.

New Retirements

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; That

the following members of the Essex Regional Retirement System be awarded superannuation retirement benefits calculated as follows:

1. Thomas J. Ash, Firefighter/Paramedic, Town of Topsfield, Group 4
Effective Retirement Date: December 31, 2018
Monthly Retirement Allowance: \$1,742.52
Annual Retirement Allowance: \$20,910.24
2. Robert A. Bonenfant, Fire Prevention Officer, Town of North Andover, Group 4
Effective Retirement Date: January 11, 2019
Monthly Retirement Allowance: \$5,539.38
Annual Retirement Allowance: \$66,472.56
3. Colleen A. Cowher, Administrative Assistant, Pentucket Regional Schools, Group 1
Effective Retirement Date: December 21, 2018
Monthly Retirement Allowance: \$804.94
Annual Retirement Allowance: \$9,659.28
4. Joy W. Jartman, Payroll & Benefits Clerk, Town of North Andover Schools, Group 1
Effective Retirement Date: January 4, 2019
Monthly Retirement Allowance: \$889.09
Annual Retirement Allowance: \$10,669.08
5. Betty J. Minton, Secretary, Hamilton-Wenham Regional School District, Group 1
Effective Retirement Date: December 31, 2018
Monthly Retirement Allowance: \$2,153.34
Annual Retirement Allowance: \$25,840.08
6. Richard M. Recine, Cemetery Laborer, Town of Ipswich, Group 1
Effective Retirement Date: January 16, 2019
Monthly Retirement Allowance: \$1,252.72
Annual Retirement Allowance: \$15,032.64
7. Claire A. Spirito, Library Tech, Town of Georgetown, Group 1
Effective Retirement Date: January 2, 2019
Monthly Retirement Allowance: \$1,246.20
Annual Retirement Allowance: \$14,954.40
8. Philip W. Stevens, Jr., Fire Chief, Town of Hamilton, Group 4
Effective Retirement Date: December 31, 2018
Monthly Retirement Allowance: \$5,364.69
Annual Retirement Allowance: \$64,376.28
9. Nels M. Story, Wastewater Operator, Town of Rockport, Group 1
Effective Retirement Date: January 25, 2019

Monthly Retirement Allowance: \$2,858.79
Annual Retirement Allowance: \$34,305.48

10. John H. Swallow, Town of Manchester, Police Officer, Group 4

Effective Retirement Date: April 23, 2013

Monthly Retirement Allowance: \$5,095.89

Annual Retirement Allowance: \$61,150.68

Creditable Service Awards

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; That the retirement system staff has verified that the required payments having been received, that the following three members of the Essex Regional Retirement System be awarded creditable service as follows:

1. Michael R. Anderson shall be awarded four years and two months of creditable service at no cost for reserve police service rendered from December 3, 2008 to February 5, 2013 with the Town of Rockport.
2. Michael J. Reardon shall be awarded two years and eleven months of creditable service at no cost for reserve police service rendered from July 1, 2009 to June 3, 2012 with the Town of North Andover.
3. Scott S. Whittaker shall be awarded one year and ten months of creditable service at no cost for reserve police service rendered from June 7, 1999 to April 15, 2001 with the Town of North Andover.

Liability Requests

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To take the following action on requests for acceptance of liability received by the retirement system:

1. To accept liability as requested by the Lawrence Retirement Board on behalf of Shawn J. Conway of one year and eleven months for service rendered from January 5, 1988 to December 31, 1989 as a reserve police officer with the Town of North Andover, provided, however, that the Board reserves the right to reconsider this decision upon the conclusion of litigation in the "Gomes" matter.
2. To accept liability as requested by the Lawrence Retirement Board on behalf of Chad R. Lawlor of one year and seven months for service rendered from June 7, 1999 to January 21, 2001 as a reserve police officer with the Town of North Andover, provided, however, that the Board reserves the right to reconsider this decision upon the conclusion of litigation in the "Gomes" matter.

3. To accept liability as requested by the Lawrence Retirement Board on behalf of Paul J. MacMillan of three years and six months for service rendered from March 26, 1994 to October 19, 1997 as a reserve police officer with the Town of North Andover, provided, however, that the Board reserves the right to reconsider this decision upon the conclusion of litigation in the “Gomes” matter.
4. To accept liability as requested by the Framingham Retirement Board on behalf of Scott M. Rocheville of eight years for prior refunded service rendered from February 17, 1990 to March 1, 1998 with the Essex County Sheriff’s Office.
5. To accept liability as requested by the Lawrence Retirement Board on behalf of Jeffrey R. Sapienza of two years and six months for service rendered from January 6, 1997 to June 20, 1999 as a reserve police officer with the Town of North Andover, provided, however, that the Board reserves the right to reconsider this decision upon the conclusion of litigation in the “Gomes” matter.
6. To accept liability as requested by the Newburyport Retirement Board on behalf of Matthew R. Thurlow of two years and five months for prior refunded service rendered from December 1, 2007 to June 30, 2010 with the Pentucket Regional School District.

Refund Warrant – February 2019

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve refund warrant RT2019.02 for February 2019, to refund, rollover, or transfer the accounts of the members listed below, a list of twenty members beginning with Robert A. Bonenfant and ending with Corey J. Southard, in the total net amount of \$122,273.04.

Name	Type	Board or Institution
Bonenfant, Robert A.	Withdrawal	
Campbell, Patricia A.	Withdrawal	
Huck, Kimberly M.	Transfer	Newburyport Retirement Board
Hughes, Colette A.	Withdrawal	
Johnson, Linda Marie	Rollover	Fidelity Management Trust
Kilroy, Sean M.	Withdrawal	
Kitchin, Savannah L.	Withdrawal	
Marshall, Carol A.	Withdrawal	
Martel, Jay	Withdrawal	
Mento, Justine M.	Transfer	Massachusetts Teachers Retirement System
Osborne, Dale L.	Transfer	Massachusetts Teachers Retirement System

Panchy, Wendy G.	Transfer	Massachusetts Teachers Retirement System
Redford, William A.	Rollover	Brookline Bank
Sailor, Chloe E.	Withdrawal	
Schumann, Mary Ellen	Rollover	Pershing, LLC
Sholemsen, Anne R.	Withdrawal	
Story, Nels M.	Withdrawal	
Fuhs, Jr., Paul P.	Death Refund	
LaMountain, Liana	Death Refund	
Southard, Corey J.	Death Refund	

January Retirees Payroll

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the retirement allowances for the month of January in the actual amount of \$3,861,093.43.

February Retirees Payroll

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the retirement allowances for the month of January in the estimated amount of \$4,300,000.00.

ERRS Payroll

Upon a motion by Vincent R. Malgeri, seconded by Kevin A Merz, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the payment of the ERRS employee payrolls for February 1, 2019, in the amount of \$17,832.90, and for February 15, 2019 in the amount of \$18,707.90.

Cash Disbursement Warrant CD2019.01a

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2019.01a for January 2019 for the wire transfer from the PRIT Fund to Eastern Bank as presented in the total amount of \$3,000,000.00.

Vendor	Amount
PRIM - Transfer to Eastern Bank	3,000,000.00
Total	3,000,000.00

Cash Disbursement Warrant CD2019.02

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2019.02 for February 2019 as presented in the total amount of \$40,393.14.

Vendor	Amount
ASI Flex - Administrative Fee	5.00
Access - 2019.02	360.07
Amity Insurance Agency, Inc.	30,291.00
Breen and Sullivan Mechanical Services - Service Call	475.00
Comcast - 2019.03	403.62
Town of Danvers, Danvers Electric - #201 - Monthly Fee	108.40
Town of Danvers, Danvers Electric - #202 - Monthly Fee	140.49
Harpers Payroll Services - 2019.01.30	68.40
Harpers Payroll Services - 2019.02.13	81.95
H.C.O.P.T. - Condo Fee - 2019.02	1,511.00
HIQ Computers - Monthly Replication Services	90.00
HIQ Computers - #120712 - Remote Access and Skype Issue	165.00
Kingsbury Press - 1099 Forms	49.00
Law Office of Michael Sacco - Monthly Bill	5,929.00
Neopost USA, Inc., Service Request	20.00
Ricoh USA, Inc. - 2019.02	288.69
S.J. Services, Inc. - Office Cleaning - 2019.02	241.67
W.B. Mason Company, Inc. - Office Supplies	164.85
Total	40,393.14

GFOA Reimbursement

Ms. Yaskell questioned why the amount of the registration fee went up so much this year. Mr. Merz indicated that in past years the former Finance Director in Ipswich was a member of the GFOA and as a result the registration fee was at the membership rate. This is not the case this year so the fee has gone up. Ms. Yaskell asked if this means that cost is \$200 more this year than it has been the past four years. Mr. Merz said yes, and said that he has saved that amount over the last four years. Ms. Yaskell asked Mr. Merz if he receives three board member training credits from PERAC for attending this conference, and Mr. Merz replied yes. Ms. Yaskell said that she felt that it was not worth it to pay \$575 for only three credits and that she was not sure that she could support this motion. Mr. Merz said that he cannot make it to the June conference as he has a treasurer-collector conference the week before and he questioned what the cost was for other board members to attend that conference.

Discussion ensued that the cost of the June conference ranges from \$600 to \$1,200 depending on which hotel the board member stays at. Mr. Merz said that there are a lot of retirement classes at the GFOA conference, but Ms. Yaskell said that she reviewed the brochure for the conference and there did not appear to be very many retirement classes. Mr. Malgeri asked Mr. Merz if he attended the classes on retirement and Mr. Merz responded that he did. Mr. Malgeri asked Mr. Merz if PERAC provides training credits for this conference and Mr. Merz responded that the GFOA conference was listed in a recent PERAC memo as being eligible for training credits. Upon a motion by Vincent R. Malgeri, seconded by H. Joseph Maney, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Abstain; Ms. Yaskell, Yes; To authorize travel-related expenditures as follows:

For Board member Kevin Merz, the sum of \$575.00 for the registration fee for the Government Finance Officers Association Conference to be held from May 19 to May 22, 2019, in Los Angeles, California, provided that PERAC training credits are awarded.

Third and Fourth Member Election Schedule

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows; Mr. Malgeri, Yes; Mr. Maney, Yes; Mr. Merz, Yes; Ms. Yaskell, Yes; To submit to the Advisory Council for approval the procedures and schedule as presented for the election of the Third and Fourth members of the Board.

Release of Executive Session Minutes

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call: Vincent R. Malgeri, Yes; H. Joseph Maney, Yes; Kevin A. Merz, Yes; and Susan J. Yaskell, Yes; release to the public the following executive session minutes:

1. That portion of the executive session minutes of January 23, 2017 that pertain to litigation in the matter of Frances Cooper.
2. That portion of the executive session minutes of April 24, 2017 that pertain to litigation in the matter of Debra Webster.
3. That portion of the executive session minutes of November 27, 2017 that pertain to litigation in the matters of Timothy Leonard, John Clement, and Frances Cooper.
4. That portion of the executive session minutes of May 29, 2018 that pertain to litigation in the matter of David Lynn.
5. That portion of the executive session minutes of May 29, 2018 that pertain to litigation in the matter of Jeffrey French.
6. That portion of the executive session minutes of May 29, 2018 that pertain to litigation in the matter of John Clement.
7. That portion of the executive session minutes of August 27, 2018 that pertain to litigation in the Timothy Leonard matter.

Executive Session

Upon a motion by Kevin A. Merz, 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 application of Mary Delamater for a disability survivor benefit and the application of Cheryl Martin for a disability retirement benefit.

The Board entered executive session at 9:04 a.m.

Mr. Benson arrived at the meeting at 9:10 a.m.

The Board returned from executive session at 9:24 a.m.

While in executive session, the Board voted as follows:

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call: Vincent R. Malgeri, Yes; H. Joseph Maney, Yes; Kevin A. Merz, Yes; and Susan J. Yaskell, Yes; To approve the application for an ordinary disability retirement for Cheryl Martin and to record this vote in the open session minutes for this meeting.

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call: Alan J. Benson, Yes; Vincent R. Malgeri, Yes; H. Joseph Maney, Yes; Kevin A. Merz, Yes; and Susan J. Yaskell, Yes; To table the application for accidental disability survivor benefits for Mary Delamater to a future meeting in order to provide an opportunity for the applicant to provide a letter from a physician supporting the application.

Motion to Adjourn

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted by roll call: Alan J. Benson, Yes; Vincent R. Malgeri, Yes; H. Joseph Maney, Yes; Kevin A. Merz, Yes; and Susan J. Yaskell, Yes; To adjourn the meeting.

The meeting was adjourned at 9:24 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
- New Enrollments
- New Retirement Calculations
- Service Purchase Award Letters
- Liability Letters
- Monthly Warrants
- Email on GFOA Registration
- Election Procedures and Schedule
- 2017 and 2018 Executive Session Minutes

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

- Agenda Posting Checklist
- ERRS Legal - Diorio-McGonnell, Kim - Notice of Hearing
- ERRS Legal - Gambale, Robert - PERAC's Memorandum of Law
- ERRS Legal - Vernava - Notice of Docket Entry
- ERRS Legal - Vernava - PERAC's Memorandum
- Executive Director's Schedule
- Financial Reports - Adjustments - November 2018
- Financial Reports - Cash Disbursements - November 2018
- Financial Reports - Cash Flow Report
- Financial Reports - Cash Receipts - November 2018
- Financial Reports - Trial Balance - November 2018
- PERAC - Revised Funding Schedule Letter
- PERAC Approved Revised Funding Schedule and New Appropriation Letter
- PRIT Fund - 2019 Asset Allocation - February 7, 2019
- PRIT Fund - Performance Detail - February 7, 2019
- State Street - Discontinuation of Class Action Services