

ESSEX REGIONAL RETIREMENT BOARD
REGULAR SESSION
June 28, 2021

At the regular meeting of the Essex Regional Retirement Board held on Monday, June 28, 2021, at 491 Maple Street, Suite 201 at 8:30 a.m., the following Board members were present for all or some of the meeting: Vincent R. Malgeri, H. Joseph Maney, Kevin A. Merz, Andrew J. Sheehan, and Susan J. Yaskell.

In attendance for all or some of the meeting were the following individuals:

Charles Kostro, ERRS Executive Director
Cassandra Green, ERRS Executive Assistant
Michael Sacco, ERRS Counsel
Francesco Daniele, PRIM Director Client Services
Jeffrey French, Member from the Town of Ipswich
Kevin Calnan, Attorney for Mr. French
Anthony Marino, Ipswich Town Manager
Kevin Feeley, Labor Counsel for Town of Ipswich

Mr. Maney called the meeting to order at 8:30 a.m. The Board said the Pledge of Allegiance.

Statement

Mr. Maney notified the meeting 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 Cassandra Green is recording this meeting.

Approval of Board Minutes

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; To approve the minutes of the regular session of the meeting of May 24, 2021.

Public Comment Period

There were no public comments.

Pension Reserves Investment Management Board Annual Meeting

Francesco Daniele gave a presentation on the PRIT Fund's performance, and specifically Essex Regional's investment return, as well as the changes to target ranges in the PRIT Fund Asset Allocation. He also outlined the organizational changes that have taken place at PRIM over the past year. Mr. Daniele left the meeting at 8:55 a.m.

New Enrollments

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; That the following named employees be enrolled in the Essex Regional Retirement System, a list of thirty names beginning with Ethan Abramowitz and ending with Joseph Wilson.

Last Name	First Name	Unit	Title/Position	Enrollment	Group
				Date	
Abramowitz	Ethan	Nahant	Police Officer	5/28/2021	4
Beaudoin,	Jacob	North Andover	Teaching Assistant	5/10/2021	1
Caufield	Jennifer	Hamilton-Wenham	Engagement Liaison	3/29/2021	1
Cili	Mario	Ipswich	School Lead Custodian	5/10/2021	1
Cutone	Cara	Manchester	Assistant to Assessor	4/26/2021	1
Defeo	Michael	Topsfield	School Custodian	4/2/2021	1
Doumanian	Jesse	Merrimac	Water Laborer	4/7/2021	1
Fleuriel	Kevin	Lynnfield	DPW Custodian	4/29/2021	1
Gamble	Jonathan	Topsfield	School Custodian	5/17/2021	1
Grenon	Benjamin	North Andover	DPW Heavy Equipment Operator	4/26/2021	1
Holmes	Nicholas	Lynnfield	Firefighter	4/1/2021	4
Janvrin	Kerrie	Ipswich	Teaching Assistant	4/8/2021	1
Juliano	Michael	Essex	Police Officer	4/29/2018	4
Kelly	Patrick	Triton	Technician	3/1/2021	1
Lord	Teresa	Hamilton-Wenham	Administrative to Assessor	5/17/2021	1
Marshall	Christine	Topsfield	Administrative Assistant	5/24/2021	1
Martinez	Gilberto	Boxford	School Custodian	1/25/2021	1
McIntyre	Molly	Merrimac	Library Youth Services	3/23/2021	1
O'Donnell	Keegan	Wenham	Police Officer	5/5/2021	4
Peltier	Candace	Merrimac	Firefighter	1/25/2021	4
Randall	Meghan	Topsfield	Administrative Assistant	3/29/2021	1
Reuter	Brandon	Ipswich	Behavior Technician	2/22/2021	1
Robinson	Dakota	Ipswich	Facilities Administrative Assistant	3/22/2021	1
Sampson Jr.	Neil	Ipswich	Driver/Laborer	3/15/2021	1
Sanger	Jacqueline	North Andover	Teaching Assistant	2/22/2021	1
Sculley	Brian	Rowley	Firefighter	3/15/2021	4
Tarrant	Ernest	Ipswich	Custodian	4/20/2021	1
Szuplat	Katherine	Newbury	Library Head of Circulation	4/13/2021	1
Valladares	John	Triton	School Custodian	4/1/2021	1
Wilson	Joseph	Manchester	Laborer	3/15/2021	1

Rescinding Membership

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted 5-0; To rescind the membership of Kristen Rybicki as this individual never met the requirements for enrollment in the retirement system.

New Retirements

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

1. Cheryl A. Butt, Administrative Assistant, Town of Topsfield, Group 1
Effective Retirement Date: June 25, 2021
Monthly Retirement Allowance: \$2,092.53
Annual Retirement Allowance: \$25,110.36
2. Cheryl L. Gorniewicz, Director of Assessing, Town of Salisbury, Group 1
Effective Retirement Date: May 31, 2021
Monthly Retirement Allowance: \$4,071.54
Annual Retirement Allowance: \$48,858.48
3. Susan G. Hazen, Town Clerk, Town of Rowley, Group 1
Effective Retirement Date: May 18, 2021
Monthly Retirement Allowance: \$2,477.07
Annual Retirement Allowance: \$29,724.84
4. Lisa S. Merski, Special Education Aide, Town of North Andover, Group 1
Effective Retirement Date: June 18, 2021
Monthly Retirement Allowance: \$538.48
Annual Retirement Allowance: \$6,461.76
5. William Wildes, Highway Operator, Town of Wenham, Group 1
Effective Retirement Date: April 2, 2021
Monthly Retirement Allowance: \$1,790.32
Annual Retirement Allowance: \$21,483.84

New Retirement – Involuntary Accidental Disability Retirement

Upon a motion by Susan J. Yaskell, seconded by Kevin A. Merz, the Board voted 5-0; That the following member of the Essex Regional Retirement System be awarded an involuntary accidental disability retirement benefit calculated as follows:

1. Robert Corliss, Town of Boxford, Police Sergeant Involuntary ADR - Group 4
Effective Retirement Date: April 21, 2021

Monthly Retirement Allowance: \$5,634.72
Annual Retirement Allowance: \$67,616.64

Creditable Service Awards

Upon a motion by Susan J. Yaskell, seconded by Kevin A. Merz, the Board voted 5-0; That the retirement system staff has verified that the required payment having been received, that the following twelve members of the Essex Regional Retirement System be awarded creditable service as follows:

1. Kathleen Barbarisi shall be awarded two years and two months of creditable service for the purchase of prior non-membership service rendered from January 7, 2002 to August 28, 2014, with the Towns of Ipswich and Topsfield.
2. Jill Barker shall be granted late entry into membership and her enrollment date shall be changed to September 7, 2004, as that is the date on which she was eligible for membership in the retirement system.
3. Robert M. Barreda shall be awarded two years and eight months of creditable service for the purchase of call firefighter service rendered from July 21, 2004 to April 10, 2007, with the Town of Nahant.
4. Colleen A. Castagna shall be awarded one year and three months of creditable service for the purchase of prior non-membership service rendered from January 9, 2001 to July 6, 2006 with the Town of Boxford.
5. Cheryl Butt shall be awarded three months of creditable service for the purchase of prior non-membership service rendered from August 24, 1994 to August 21, 1995, with the Town of Topsfield.
6. Diane Cote shall be granted late entry into membership and her enrollment date shall be changed to January 1, 2002, as that is the date on which she was eligible for membership in the retirement system.
7. Travis Good shall be awarded five years and two months of creditable service for the purchase of prior call firefighter service rendered from July 1, 1998 to December 31, 2008, with the Town of Essex.
8. Gary F. Hayward shall be awarded four years and seven months of creditable service for the purchase of reserve police service rendered from July 14, 1989 to February 13, 1994 with the Town of Topsfield.
9. Neal Hovey shall be awarded five years of creditable service for the purchase of reserve police service rendered from August 5, 2005 to August 4, 2010, with the Town of Topsfield.

10. Mary Beth Lawton shall be awarded three years and seven months of creditable service for the purchase of prior refunded service rendered from April 2004 to June 2005, and from May 7, 2007 to October 1, 2009, with the Plymouth County Retirement System.
11. William Mehaffey shall be granted late entry into membership and his enrollment date shall be changed to October 5, 1998, as that was the date on which he was eligible for membership in the retirement system, and, further, he shall be awarded six months of creditable service for the purchase of prior non-membership service rendered from April 6, 1998 to October 4, 1998, with the Northeast Mosquito Control District.
12. Michael J. Soltys shall be award one year of creditable service for the purchase of call firefighter service rendered from January 1, 2012 to December 31, 2012 with the Town of Boxford.

Refund Warrant – June 2021

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the refund warrant for June 2021, to refund, rollover, or transfer the accounts of the individuals listed below, a list of 28 members beginning with Justin Barry and ending with David Blackwell, in the total net amount of \$314,401.77.

Name	Type	Board or Institution
Barry, Justin J.	Withdrawal	
Batista, Marisa T.	Withdrawal	
Billias, Gayle M.	Withdrawal	
Brown, Katlyn Anne	Transfer	Leominster Retirement Board
Burns, Lorraine A.	Transfer	Middlesex County Retirement Board
Butt, Cheryl A.	Withdrawal	
Gill, Ann D.	Transfer	Winchester Retirement Board
Hanson, Beverly E.	Rollover	Voya Financial
Hazen, Susan G.	Withdrawal	
Joyce, Jennifer B.	Withdrawal	
Kelsen, David J.	Transfer	Hampshire County Retirement Board
Kozikowski, Kathryn M.	Transfer	Andover Retirement Board
Lawton, Mary Beth	Withdrawal	
Leuzarder, Noreen	Withdrawal	
Malvarosa, Jami L.	Transfer	Mass Teachers Retirement System
Manzi, Candice H.	Transfer	Mass Teachers Retirement System

Myles, Eleanor Diane	Withdrawal	
Myles, Eleanor Diane	Rollover	Fidelity Management Trust
Niedbala, Erin Alexandra	Transfer	Mass Teachers Retirement System
Noyes, Susan A.	Transfer	State Retirement Board
Ouellette, Courtney S.	Withdrawal	
Palmer, Justin S.	Withdrawal	
Rigney, Margaret	Rollover	Fidelity Investments
Segee, Nichole L.	Rollover	Fidelity Investments
Theriacault Jr., Mark C.	Transfer	Beverly Retirement Board
Wildes, William E.	Withdrawal	
Zimbaldi, Stephanie A.	Transfer	Mass Teachers Retirement System
Blackwell, David C.	Death Refund	

May Retirees Payroll

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the retirement allowances for the month of May 2021 in the actual amount of \$4,314,158.50.

June Retirees Payroll

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; To approve the retirement allowances for the month of June 2021 in the estimated amount of \$4,400,000.00.

ERRS Payroll

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted 5-0; To approve the payment of the ERRS employee payrolls for June 4, 2021, in the amount of \$23,193.44, and for June 18, 2021, in the amount of \$25,068.48.

Cash Disbursement Warrant CD2021.06

Upon a motion by Susan J. Yaskell, seconded by Andrew J. Sheehan, the Board voted 5-0; To approve the Cash Disbursement Warrant CD2021.06 for June 2021 as presented in the total amount of \$110,759.16.

Vendor	Amount (\$)
Beverly Retirement System - 2020 3(8)(c)	34,841.68

Newburyport Retirement Board - 2020 3(8)(c)	38,143.37
Salem Retirement System - 2020 3(8)(c)	28,375.62
Access - Records Storage - Monthly Fee	514.23
Benefit Strategies - Monthly Administrative Fee	1.00
Comcast - Monthly Fee - Phone	313.86
Town of Danvers, Danvers Electric - #201 - Monthly Fee	99.17
Town of Danvers, Danvers Electric - #202 - Monthly Fee	132.78
Green, Cassandra - Board Meeting Nameplates	40.66
Harper's Payroll Service - 2021.06.04	81.81
Harper's Payroll Service - 2021.06.18	95.36
HCOPT - Monthly Condo Fees	1,511.00
HIQ Computers - #128888	880.00
HIQ Computers - #128738	525.00
HIQ Computers - Monthly Replication Services	90.00
Law Offices of Michael Sacco - 2021.05	1,950.00
Quadient, Inc. - 7/1/2021-9/30/2021	760.12
Ricoh USA, Inc. - 2021.06	244.57
Ricoh USA, Inc. - Ink	256.33
S.J. Services, Inc. - Office Cleaning - Monthly Fee	283.33
TAB Products Co., LLC	1,354.16

W.B. Mason Company, Inc. - Office Supplies - 2021.05	265.11
Total	110,759.16

Cash Disbursement Warrant CD2021.06a

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; To approve the Cash Disbursement Warrant CD2021.06a for the wire transfer from the PRIT Cash Fund to Eastern Bank as presented in the total amount of \$1,000,000.00.

Vendor	Amount
PRIM Fund Transfer to Eastern Bank – June 2021	\$1,000,000.00
Total	\$1,000,000.00

West Newbury FY2022 Appropriation

Mr. Kostro explained that, due to a reporting error on the Town of West Newbury's salary survey, there was a miscalculation in the Town's appropriation amount. He noted that, while the proposed adjustment would be significant to the individual member unit, the effect on the other units would be negligible. Mr. Malgeri voiced his agreement with this assessment. Mr. Merz asked Mr. Kostro what the retirement system can do to prevent such errors in the future. Mr. Kostro stated that, going forward, ERRS will send a letter to the member units annually on July 1st asking for details regarding the pay schedule for the calendar year used for the salary survey. Mr. Kostro also said that the statement at the conclusion of the salary survey itself will be clarified by adding a checklist indicating to the units precisely what they are attesting to when they sign the salary survey as true and accurate. Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; That pursuant to the guidance provided by PERAC, the FY2022 appropriation amount to be paid by the Town of West Newbury shall be adjusted to \$792,602 if paid in two installments, or \$778,764 if paid on or about July 1, 2021.

Summer 2021 Newsletter

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; To approve the Summer 2021 Newsletter as presented.

Policy on Refunds

Mr. Kostro highlighted the change in the retirement system's refund policy, stating that it had been the practice of ERRS not to issue a refund to an inactive member who was employed by the Commonwealth of Massachusetts or one of its subdivisions. The new policy, under the direction of PERAC, allows refunds to be issued to inactive members so long as they are not employed by

a governmental unit which is a member of ERRS. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; That in accordance with recent guidance from PERAC, an inactive member, who is not a member of any other Massachusetts public retirement system, but who is employed by the Commonwealth or one of its subdivisions, but which employer is not a member unit of ERRS, shall be eligible for a refund or rollover of their contributions, but only upon receipt of a properly completed application.

Cleaning Services Contract Extension

Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; Pursuant to Item 3 of the agreement between the Essex Regional Retirement Board and SJ Services dated December 30, 2019, said agreement shall be extended to December 31, 2022.

IT Consultant Services Supplemental Agreement

Mr. Kostro advised the Board that the state contract under which the retirement system's IT consultant is employed, has been changed. He said that the proposed supplemental agreement is an update to the current supplemental agreement and that the only change is to reflect the change in the state contract that is now being used. Upon a motion by Vincent R. Malgeri, seconded by Susan J. Yaskell, the Board voted 5-0; To approve the supplemental agreement to State Contract ITC73 for the provision of IT Consulting Services as presented and to authorize the Chair to sign said agreement.

Amend Executive Director's Employment Agreement

Mr. Kostro stated that this is an amendment to his employment agreement to include reference to the longevity payments that the Board had previously authorized. Mr. Kostro said that when he first proposed longevity payments for ERRS employees, he excluded himself from this opportunity. He reminded the Board that they very generously voted to include Mr. Kostro in the longevity payments that were approved. Mr. Kostro then submitted a request for an opinion on this matter to the State Ethics Commission, a copy of which was in the Board's packet. Consistent with that opinion, Mr. Kostro has filed with the Board the required Chapter 268A disclosure. However, in reviewing his employment agreement recently, Mr. Kostro saw that the provision in his agreement relating to payments made to him had not been updated. This vote today confirms to the opinion of the State Ethics Commission and amends his employment to make it consistent with the vote of the Board to include the Executive Director in the longevity payment option. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 5-0; To amend the employment agreement between the Essex Regional Retirement Board and Charles E. Kostro as presented to reflect the Board's approval of a longevity payment for the Executive Director, and to authorize the Chair to sign the Chapter 268A disclosure form.

2021 Holiday Schedule Follow Up

Ms. Green stated that, after canvassing 18 of the municipal member units since the last Board meeting, it was found that 14 of the 18 were observing Juneteenth in 2021 or had plans to do so in 2022, and that 16 of the 18 municipalities either offer paid leave for the Friday following Thanksgiving or usually close town offices at the discretion of the select board or the town administrator. Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 5-0; To keep the day after Thanksgiving Day as a paid holiday in 2021, and moving forward in future years.

Increase in PRIT Cash Fund for FY2022

Mr. Kostro stated that the PRIT Cash Fund balance would be increased by \$1 million, from \$4,000,000 to \$5,000,000, to support the payment of the monthly warrants, particularly the pension payroll.

Executive Session – Jeffrey French Hearing & Litigation Strategy

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To move to executive session to discuss the retirement calculation for Jeffrey French under item 1 of the purposes for an executive session, and to remain in executive session to discuss litigation strategy in an unemployment claim appeal, as well as in the matter of Richard Shailor v. Bristol County Retirement Board and the Essex Regional Retirement Board, CR-20-0343, as an open meeting may have a detrimental effect on the litigating position of the retirement system.

Mr. Merz left the meeting at 9:40am., as he recused himself from the matter involving Jeffrey French.

Statement of the Chair

Mr. Maney stated that the Board will be returning to open session upon the conclusion of the executive session only for the purpose of adjourning the meeting.

The Board entered executive session at 9:34 a.m.

The Board returned from executive session at 10:29 a.m.

Upon a motion by Susan J. Yaskell, seconded by Vincent R. Malgeri, the Board voted 4-0 (Merz recused); To adjourn the meeting.

The meeting adjourned at 10:30 a.m.

Vincent R. Malgeri

H. Joseph Maney

Kevin A. Merz

Andrew J. Sheehan

Susan J. Yaskell

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

Meeting Minutes
PRIT Fund Presentation
New Enrollments
Documents Relating to the Rescinding of Membership
Retirement and Benefit Calculation Supporting Documents
Creditable Service Award Letters
Warrants
Documents relating to the FY2022 Appropriation for the Town of West Newbury
Draft Summer 2021 Newsletter
Memo on an Amended Policy on Refunds
Cleaning Services Agreement
Executive Director's Employment Agreement and Ethics Disclosure
ERRS Unit Holiday Analysis
PRIT Cash Fund Rebalancing Form for FY2022

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
Deduction Posting Log - 2021
Executive Director's Schedule
Extension of Emergency Orders - S.2475 - Chapter 20 of the Acts of 2021
Financial Reports - April 2021 – Adjustments
Financial Reports - April 2021 – Disbursements
Financial Reports - April 2021 - General Ledger
Financial Reports - April 2021 – Receipts
Financial Reports - April 2021 - Trial Balance
Financial Reports - Cash Flow - May 2021
Financial Reports - Expenditure Report – May 2021
Financial Reports - Monthly Bank Reconciliation - April 2021
Financial Reports - Monthly Bank Reconciliation - May 2021
Financial Reports - PRIT Fund - ERRS Monthly Performance Report
Financial Reports - PRIT Fund - Q1 2021 PRIM Board Quarterly Update
Financial Reports - PRIT Fund Performance Update.5.31
Hayward, John - Overearnings Letter.06042021
Kostro - Ethics Disclosure - Beverly Retirement Board - Legal Agreement Extension
Newburyport Retirement Board - PERAC Liability Letter Response
PERAC Memo #16.2021 - Reopening Retirement System Offices
PERAC Memo #17.2021 - Emergency Measures Extended - Update
Public Records Request - MTA - Retirees of Essex Regional School

Public Records Request - Public Records Tracking.2021
Quincy Bond for Outstanding Pension Liabilities
Reed, Arthur - Letter from Travelers - DALA Appeal
TA Realty - Cybersecurity Incident Notice