

**ESSEX REGIONAL RETIREMENT BOARD
REGULAR SESSION
July 26, 2021**

At the regular meeting of the Essex Regional Retirement Board held on Monday, July 26, 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 (8:35 a.m., remote), 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 (remote)
Cassandra Green, ERRS Executive Assistant
Michael Sacco, ERRS Counsel
Sherrie LeBlanc, Wenham Treasurer

Ms. Yaskell called the meeting to order at 8:30 a.m.

Statement

From the Chair: 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). 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 Zoom 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.

Approval of Board Minutes

Upon a motion by Vincent R. Malgeri, seconded by Andrew J. Sheehan, the Board voted by roll call as follows: Mr. Malgeri, Yes; Mr. Merz, Yes; Mr. Sheehan, Yes, and Ms. Yaskell, Yes; To approve as amended the minutes of the regular and executive session of the meeting of June 28, 2021.

Public Comment Period

There were no public comments.

New Enrollments

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted by roll call as follows: Mr. Malgeri, Yes; Mr. Merz, Yes; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; That the following named employees be enrolled in the Essex Regional Retirement System, a list of twenty names beginning with Mark Allain and ending with Carla Warren.

Last Name	First Name	Unit	Title/Position	Enrollment Date	Group
Allain	Mark	Lynnfield	Custodian	3/8/2021	1
Ardolino	Adele	Manchester	Assistant Town Clerk	2/11/2019	1
Augustine	Anthony	Essex	DPW Laborer	12/1/2020	1
Colburn	Aila	Merrimac	Library Circulation Asst	6/21/2021	1
Contreras	Jonathan	North Andover	Police Officer	6/7/2021	4
Golini	Dominic	North Andover	Firefighter	6/14/2021	4
Grullon Castro	German	Lynnfield	Custodian	4/20/2021	1
Levasseur	Christian	Salisbury	Heavy Equipment Operator	7/1/2021	1
McDonald	Andrew	Lynnfield	Police Officer	6/6/2021	4
Meisinger	Kerry	North Andover	Human Resources Director	6/14/2021	1
Messina	Mathieu	North Andover	Police Officer	6/7/2021	4
Mnubi	Haji	Middleton	School Custodian	6/14/2021	1
Neal	Edward	Hamilton	Mechanic	6/7/2021	1
Sevigny	Nicole	Merrimac	Firefighter	7/1/2021	4
Shelp	Kathleen	North Andover	Director of Elder Services	6/14/2021	1
Titus	Adam	Ipswich	DPW Laborer/Driver	5/24/2021	1
Varoutsos	Brian	North Andover	IT Support analyst	6/15/2021	1
Vasque	Sean	Hamilton	Police Officer	6/7/2021	4
Vu	Michael	North Andover	Firefighter	6/14/2021	4
Warren	Carla	North Andover	Town Clerk	6/1/2021	1

New Retirements

Ms. Yaskell asked Mr. Kostro if he could give background on the adjustment for Colleen Soares. Mr. Kostro stated that the calculation done by PERAC had a slightly higher result than that of the calculation done by ERRS, and so Ms. Soares' benefit was adjusted to match the figures from PERAC and she will receive a one-time payment to account for the difference. Mr. Malgeri asked how often this happens; Mr. Kostro stated this was the first time there has been a difference between the two calculations, to his recollection. Mr. Merz asked if we are paying interest; Mr. Kostro answered yes, we are paying 3% interest. 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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; That the following fourteen members of the Essex Regional Retirement System be awarded superannuation retirement benefits calculated as follows:

1. Patricia L. Brangiforte, Secretary, Town of Lynnfield, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 2,633.02
Annual Retirement Allowance: \$ 31,596.24
2. Katherine E. Carleton, Retirement Counselor, Essex Regional Retirement System, Group 1
Effective Retirement Date: June 30, 2021

- Monthly Retirement Allowance: \$ 4,467.35
Annual Retirement Allowance: \$ 53,608.20
3. Effie Chigas, Paraprofessional, Masconomet School District, Group 1
Effective Retirement Date: June 21, 2021
Monthly Retirement Allowance: \$ 453.06
Annual Retirement Allowance: \$ 5,436.72
 4. Cathy J. Darby, Director of Human Resources, Town of North Andover, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 1,858.90
Annual Retirement Allowance: \$ 22,306.80
 5. Susan M. Hersee, Administrative Assistant, Town of Wenham, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 2,369.32
Annual Retirement Allowance: \$ 28,431.84
 6. Mary F. Jordan, Instructional Assistant, Town of Topsfield, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 521.64
Annual Retirement Allowance: \$ 6,259.68
 7. Maureen M. Lanpher, Payroll/Benefits Coordinator, Town of Lynnfield, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 3,446.04
Annual Retirement Allowance: \$ 41,352.48
 8. Martha C. Legrow, IT Support Analyst, Town of North Andover, Group 1
Effective Retirement Date: June 18, 2021
Monthly Retirement Allowance: \$ 1,897.15
Annual Retirement Allowance: \$ 22,765.80
 9. Sheila A. Lishner, Instructional Assistant, Town of Lynnfield, Group 1
Effective Retirement Date: June 30, 2021
Monthly Retirement Allowance: \$ 721.62
Annual Retirement Allowance: \$ 8,659.44
 10. Donna L. Madden, Education Support Professional, Tri-Town School Union (Boxford), Group 1
Effective Retirement Date: June 17, 2021
Monthly Retirement Allowance: \$ 1,130.85
Annual Retirement Allowance: \$ 13,570.20
 11. Lucille R. Manning, Dispatcher, Town of Georgetown, Group 1
Effective Retirement Date: June 30, 2021

- Monthly Retirement Allowance: \$ 2,051.70
Annual Retirement Allowance: \$ 24,620.40
12. William A. McCarthy, Fire Chief, Town of North Andover, Group 4
Effective Retirement Date: July 1, 2021
Monthly Retirement Allowance: \$ 8,748.90
Annual Retirement Allowance: \$ 104,986.80
13. William C. Mehaffey, District Director, Northeast MA Mosquito Control, Group 1
Effective Retirement Date: May 28, 2021
Monthly Retirement Allowance: \$ 4,418.07
Annual Retirement Allowance: \$ 53,016.84
14. Matthew Nadeau, Cemetery Supervisor, Town of Rowley, Group 1
12(2)(d) benefit for surviving spouse Jennifer Nadeau
Effective Retirement Date: May 18, 2021
Monthly Retirement Allowance: \$ 332.79
Annual Retirement Allowance: \$ 3,993.48
15. **ADJUSTED** Ordinary Disability Retirement, Collen E. Soares, Town of Rockport, Police Officer- Group 4
Effective Retirement Date: June 29, 2019
Monthly Retirement Allowance: \$ 2,290.32
Annual Retirement Allowance: \$ 27,483.84

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; That the retirement system staff has verified that the required payment having been received, that the following six members of the Essex Regional Retirement System be awarded creditable service as follows:

1. Gina A. Bertelli shall be awarded one year and eight months of creditable service for the purchase of reserve police service rendered from March 6, 2016 to November 26, 2017 with the Town of Merrimac, and seven months of creditable service for the purchase of reserve police service rendered from August 1, 2015 to March 5, 2016 with the Town of Hamilton.
2. Patricia L. Brangiforte shall be awarded two years and six months of creditable service for the purchase of prior non-membership service rendered from September 1, 1991 to May 1, 1998, with the Town of Lynnfield.
3. Glen A. Davis shall be awarded nineteen years and one month of creditable service for the purchase of call firefighter service rendered from December 1, 1990 to December 31, 2018 with the Town of Lynnfield.

4. Shirley A. Fontaine shall be awarded three years and six months of creditable service for the purchase of prior non-membership service rendered from January 1, 2014 to September 3, 2019 with the Pentucket Regional School District.
5. Chad P. LaBrie shall be awarded five years and two months of creditable service for the purchase of reserve police service rendered from February 21, 2006 to July 30, 2012 with the Town of Wenham.
6. Belinda Young shall be awarded one year and four months of creditable service for prior late entry into membership service rendered from July 7, 2011 to November 15, 2012 with the Salem Retirement Board, and for which the Salem Retirement Board has accepted liability.

Liability Requests

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To take the following action on requests for the acceptance of liability received by the retirement system:

1. To accept, upon proper payment, fourteen years and six months of liability as requested by the Andover Contributory Retirement System on behalf of Paul A. Dubois, for prior refunded service rendered with the Town of North Andover from February 3, 1986 to May 1, 1995, and with the Town of Ipswich from July 11, 1995 to October 22, 2000.
2. To deny liability as requested by the Massachusetts Teachers' Retirement System on behalf of Claire Gerin-Buell for non-membership service rendered from October 1994 to June 1995 with the Pentucket Regional School District as this individual was not eligible for membership in the retirement system, did not remit contributions, and was not wrongfully excluded.

Refund Warrant – July 2021

Upon a motion by Andrew J. Sheehan, seconded by Kevin A. Merz, 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 approve the refund warrant for July 2021, to refund, rollover, or transfer the accounts of the individuals listed below, a list of members beginning with Marisa Batista and ending with Celeste Winter, in the total net amount of \$392,674.64.

Name	Type	Board or Institution
Batista, Marisa T.	Transfer	Middlesex County Retirement Board
Belser, Jill E.	Withdrawal	

Brown, Timothy B	Transfer	Mass Teachers Retirement System
Cena, Carol F.	Withdrawal	
Chigas, Effie	Withdrawal	
Cody, Donna A.	Transfer	State Retirement Board
Cook, Colin	Transfer	Mass Teachers Retirement System
Couture, Michelle E.	Transfer	Mass Teachers Retirement System
Delaney, Paul J.	Withdrawal	
Edwards, Alexandria Corine	Transfer	Newton Retirement Board
Erle, John D.	Transfer	Mass Teachers Retirement System
Gonsalves, Stacey D.	Withdrawal	
Hardenstine, Rochelle A.	Transfer	Salem Retirement Board
Hoyt, Jessica A.	Rollover	Fidelity Management Trust
Joyce, Cheryl L.	Withdrawal	
Juliano, Erica A.	Transfer	Mass Teachers Retirement System
Langlais, Stephen O.	Transfer	Haverhill Retirement Board
Larussa, Jennifer A.	Withdrawal	
Larussa, Jennifer A.	Transfer	Mass Teachers Retirement System
Lishner, Sheila A.	Withdrawal	
Maciel, Anne Marie	Withdrawal	
Madden, Donna L.	Withdrawal	
Manning, Lucille R.	Withdrawal	
McCarthy, William A.	Withdrawal	
McCue, Christopher J.	Rollover	Vanguard
Salvatore, Kirk W.	Withdrawal	
Winter, Celeste M.	Transfer	Mass Teachers Retirement System

June 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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To approve the retirement allowances for the month of June 2021 in the actual amount of \$4,326,131.36.

July 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; Mr. Sheehan, Yes; and Ms.

Yaskell, Yes; To approve the retirement allowances for the month of July 2021 in the estimated amount of \$4,400,000.00.

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To approve the payment of the ERRS employee payrolls for July 2, 2021, in the amount of \$23,193.48, and for July 16, 2021, in the amount of \$24,809.74.

Cash Disbursement Warrant CD2021.07

Upon a motion by Andrew J. Sheehan, seconded by Kevin A. Merz, 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 approve the Cash Disbursement Warrant CD2021.07 for July 2021 as presented in the total amount of \$14,147.07.

Vendor	Amount (\$)
Access - Records Storage - Monthly Fee	524.68
Arbella Insurance Group - Business Owner's - 8/1/21-7/31/22	3,339.00
Arbella Insurance Group - Workers Comp - 8/1/21-7/31/22	774.00
Benefit Strategies - Monthly Administrative Fee	1.00
Comcast - Monthly Fee – Phone	310.29
Town of Danvers, Danvers Electric - #201 - Monthly Fee	113.72
Town of Danvers, Danvers Electric - #202 - Monthly Fee	141.83
Harper's Payroll Service - 2021.07.02	81.81
Harper's Payroll Service - 2021.07.16	58.71
HCOPT - Monthly Condo Fees	1,511.00
HIQ Computers - #129217	440.00
HIQ Computers - #129350	450.00
HIQ Computers - Monthly Replication Services	90.00

Red Sun Press - Annual Statement Envelopes	590.00
Red Sun Press - #10 Window Envelopes	370.00
Ricoh USA, Inc. - 2021.07	244.57
S.J. Services, Inc. - Office Cleaning - Monthly Fee	283.33
W.B. Mason Company, Inc. - Office Supplies - 2021.06	920.13
Law Offices of Michael Sacco - 2021.06	3,903.00
Total	14,147.07

Cash Disbursement Warrant CD2021.07a – Annual Appropriation Transfer

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2021.07a and to authorize the Executive Director to transfer to the PRIT Cash Fund \$25,000,000.00.

Vendor	Amount
Annual Appropriation Transfer to the PRIT Fund	25,000,000.00
Total	25,000,000.00

Cash Disbursement Warrant CD2021.07b

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2021.07b for July 2021 as presented in the total amount of \$5,785.06.

Vendor	Amount (\$)
Quadient Finance, USA, Inc. – Postage	1,000.00
Red Sun Press – Spring Newsletter	4,785.06
Total	5,785.06

Ascent Venture Partners Fund III – Dissolution Agreement

Mr. Kostro explained this dissolution agreement is to close one of the few remaining privately managed funds in ERRS' investment portfolio, as we move towards the goal of having 100% of the retirement system's assets invested in the PRIT Fund. He noted that currently over 99% of

assets are in PRIT. Mr. Merz asked if we are actively trying to close out the other remaining privately managed funds; Mr. Kostro responded that will likely take place over the course of the next year or two. 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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To approve the dissolution of AVP Fund III and to authorize the Chair to sign the agreement as presented.

Potential Survivor Benefit Overpayment and Options

Mr. Kostro explained this item concerns a survivor benefit that he believes should have terminated in June 2010, but did not. The discovery was made recently when the member called looking for a copy of the benefit award letter, which dates to 1997. In summary, the former spouse of a deceased member received a survivor benefit and a child dependent allowance in her role as the guardian of the couple's child in 1997. This benefit was to be terminated when the child turned 18, or 22 if a full-time student. The award of this benefit was directed by PERAC. The child was a full-time student and turned 22 in June of 2010. The Board did not terminate the benefit in 2010. In November of 2011, the member returned a census form noting that the child was no longer a student. At that time, the dependent allowance was terminated, but not the survivor benefit. The survivor benefit continued to be paid up until June of 2021, when it was terminated upon discovering this information. For reasons that remain unclear, the survivor benefit was coded as a 12(2)(d) benefit, which means it would not have been picked up in reports as a benefit that has a possible termination date. Mr. Kostro also noted that in reviewing the file he noticed an enrollment form in which the former spouse was listed as the beneficiary, and so he is not sure why there was not a lump sum distribution paid from the member's account at the time of death. Mr. Malgeri asked if there was an estimate as to the total amount of overpayment of the survivor benefit; Mr. Kostro stated it is around \$60,000. Mr. Sacco explained that he does not believe the member qualifies for a waiver, and would seek authorization from the Board to work with Mr. Kostro on making demand for repayment. Ms. Yaskell asked if there has been any dialogue with the member; Mr. Kostro said there has been some written communication and the Finance Director has spoken to her on the phone. Mr. Sheehan asked how staff would know to terminate this type of benefit; Mr. Kostro explained that this normally would be coded in a manner which would indicate that it would be terminated at some point. Mr. Malgeri asked Mr. Sacco what the process would be if the Board decides the member does not qualify for a waiver. Mr. Sacco said the process would be to make written demand for repayment and request a financial statement from the member to explore possible means for doing so, and possibly secure a judgement on the matter. Mr. Merz stated that he would be in favor of granting a waiver, as it is not clear whether the member was aware that the benefit should have been terminated, and noted that collection can be very difficult. Ms. Yaskell said she would rather invite the member in for a discussion about her ability to repay. Mr. Malgeri agreed with Ms. Yaskell, stating that the award letter was clear about the nature of the benefit and he is in favor of at least beginning to pursue repayment, and asked if the Board had a policy relating to situations such as this one. Mr. Sacco said no, not beyond recognizing that the Board has the discretion to grant a waiver without a request, and Mr. Kostro said that it has generally been required of members to request that the Board grant a waiver when there has been

an error. The Board agreed to direct Mr. Sacco and Mr. Kostro to invite the member to a hearing at the August Board meeting.

Executive Session – Paul Wise ADR & Litigation Strategy

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To move to executive session to act on the disability application of Paul Wise and to discuss litigation strategy in the matter of Reed v. ERRS and PERAC, and Shailor v. ERRS and Bristol County Retirement System, as an open meeting may have a detrimental effect on the litigating position of the retirement system.

Statement of the Chair

Ms. Yaskell 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.

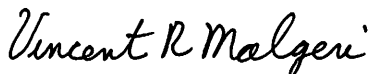
The Board entered executive session at 9:24 a.m.

Motion to Adjourn

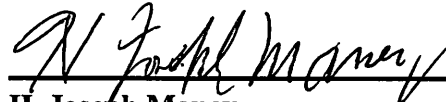
The Board returned from executive session at 9:49 a.m.

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; Mr. Sheehan, Yes; and Ms. Yaskell, Yes; To adjourn the meeting.

The meeting adjourned at 9:50 a.m.



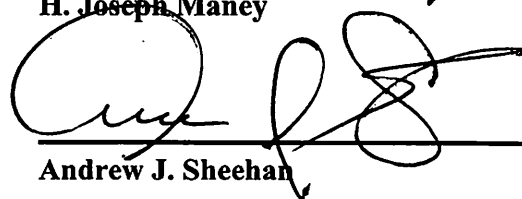
Vincent R. Malgeri



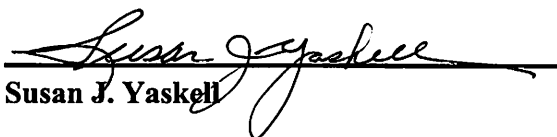
H. Joseph Maney



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
Draft 2020 Financial Audit
New Enrollments
Retirement and Benefit Calculation Supporting Documents
Creditable Service Award Letters
Warrants
AVP Fund III – Dissolution Agreement
Correspondence Relating to the Over-Payment of a Survivor Benefit

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
ERRS Current Vendor List
Executive Director's Schedule
Financial Reports - July 2021 - Interim Monthly Cash Flow Report
Financial Reports – June 2021 - Monthly Cash Flow Report
Financial Reports - May 2021 – Adjustments
Financial Reports - May 2021 – Disbursements
Financial Reports - May 2021 - General Ledger
Financial Reports - May 2021 - Receipts
Financial Reports - May 2021 - Trial Balance
PERAC 91A and Excess Earnings Report.2021
PERAC Investment Report 2020
Public Records Response - Fund Map.07142021
Public Records Tracking.2021