

ESSEX REGIONAL RETIREMENT BOARD
REGULAR SESSION
January 31, 2022

At the regular meeting of the Essex Regional Retirement Board held on Monday, January 31, 2022, 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 (remote), Kevin A. Merz, and Susan J. Yaskell, (Andrew J. Sheehan absent).

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

Charles Kostro, ERRS Executive Director
Cassandra Green, ERRS Executive Assistant
Chris Collins, ERRS Counsel
Stephen Lee, Member

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

Statement

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. If anyone else is recording the meeting, please identify yourself at this time.

Further, 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. In Mr. Maney's absence, I will be chairing this meeting as required. All votes at this meeting will be by roll call.

Approval of Board Minutes

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; and Ms. Yaskell, Yes; To approve the minutes of the regular and executive session of the meeting of December 20, 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. Maney, Yes; Mr. Merz, Yes; and Ms. Yaskell, Yes; That the

following named employees be enrolled in the Essex Regional Retirement System, a list of thirty-six names beginning with Theresa Apicella and ending with Ellen Weinhold.

Last Name	First Name	Unit	Title/Position	Enrollment Date	Group
Apicella	Theresa	Pentucket	Paraprofessional	8/25/2021	1
Baker	John	Newbury	Police Officer	08/24/2021	4
Beegan	Michele	Groveland	Assistant Treasurer/Collector	10/12/2021	1
Blanchard	Martha	Rowley	COA Director	10/18/2021	1
Brofsky	Hannah	North Andover- Schools	Teacher Aide	09/13/2021	1
Chadwick	Laurie	North Andover- Schools	Occupational Therapist	08/30/2021	1
Coogan	Matthew	Boxford	Town Administrator	08/09/2021	1
Crowe	Leslie	Masconomet	Paraprofessional	09/01/2021	1
Dailey	Romy	North Andover-Schools	Teacher Aide	09/27/2021	1
Didion	Ali	Triton	Cafeteria Worker	10/06/2021	1
Erickson	Hollis	Hamilton	Patton Homestead Director	11/09/2021	1
Firicano	Krystal	Lynnfield-School	Special Ed Paraprofessional	10/27/2021	1
Friedrich	Brooke	Essex	Treasurer Collector	09/13/2021	1
Goodwin	Ann	Georgetown Schools	Paraprofessional	9/20/2021	1
Gregory	Linda	North Andover- Schools	Cafeteria Worker	08/26/2021	1
Hennessey	Renee	North Andover-Schools	Teacher Aide	8/30/2021	1
Henriquez	Joel	Groveland	Police Officer	10/01/2021	1
Horgan	Patricia	Pentucket	Paraprofessional	9/27/2021	1
Kilroy	Anna	Topsfield-Schools	Instructional Assistant	10/18/2021	1
LeColst	Nicholas	Middleton	Firefighter	11/01/2021	4
Lee	Kaitlyn	Lynnfield-Schools	Paraprofessional	09/27/2021	1
Lequin	Jenissa	North Andover-Schools	Teacher Aide	09/02/2021	1
Lightizer	Robert	Pentucket	Custodian	10/06/2021	1
Lotspeich	Rhiannon	Middleton-Schools	Instructional Assistant	10/13/2021	1
Loverin	April	Pentucket	Technology Aide	12/07/2020	1
Lynch	David	North Andover HA	Public Housing Director	09/14/2021	1
Medwar	Kristen	North Andover-Schools	Kitchen Supervisor	09/01/2021	1
Packard	Kathryn	North Andover- Schools	Teacher Assistant	08/30/2021	1
Stevens	Spencer	Lynnfield	Library Tech	10/25/2021	1
Tamulynas	Pamela	North Andover- Schools	Cafeteria Worker	08/26/2021	1
Thompson	Aleta	North Andover-Schools	LPN	08/30/2021	1
Torres	Victoria	North Andover- Schools	Parent Liaison	10/12/2021	1
Trepanier	Kendall	Topsfield	Police Officer	5/10/2021	4
Wall	Andrew	North Andover	Accounting Specialist	09/08/2021	1
Walsh	Christen	North Andover- Schools	Teacher Assistant	08/30/2021	1
Weinhold	Ellen	North Andover HA	FSS Coordinator	10/04/2021	1

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; and Ms. Yaskell, Yes; That the following named members of the Essex Regional Retirement System be awarded retirement benefits calculated as presented, a list of nine names, beginning with Richard Clark and ending with Katherine Sheppard:

1. Richard Clark, Custodian, Tri-Town School District: Boxford, Group 1
Effective Retirement Date: December 21, 2021
Monthly Retirement Allowance: \$1,717.20
Annual Retirement Allowance: \$20,606.40
2. Christine Colvin-Whitehead, Teachers Assistant, Hamilton-Wenham RSD, Group 1
Effective Retirement Date: November 4, 2021
Monthly Retirement Allowance: \$364.47
Annual Retirement Allowance: \$4,373.64
3. Cheryl Deveau, District Baker, Town of North Andover, Group 1
Effective Retirement Date: December 1, 2021
Monthly Retirement Allowance: \$378.84
Annual Retirement Allowance: \$4,546.08
4. Marie McAndrew-Taylor, Head of Reference, Town of North Andover, Group 1
Effective Retirement Date: December 10, 2021
Monthly Retirement Allowance: \$1,561.48
Annual Retirement Allowance: \$18,737.76
5. Edwin Ogiba, Forestry Foreman, Town of Ipswich, Group 1
Effective Retirement Date: December 3, 2021
Monthly Retirement Allowance: \$733.44
Annual Retirement Allowance: \$8,801.28
6. Mark Phaneuf, Foreman, Town of Ipswich, Group 1
Effective Retirement Date: November 30, 2021
Monthly Retirement Allowance: \$3,223.98
Annual Retirement Allowance: \$38,687.76
7. Carol Powers, Site Coordinator, Town of North Andover, Group 1
Effective Retirement Date: January 25, 2022
Monthly Retirement Allowance: \$617.13
Annual Retirement Allowance: \$7,405.56

8. Kathleen Roche, Assistant Town Clerk, Town of Georgetown, Group 1
Effective Retirement Date: December 1, 2021
Monthly Retirement Allowance: \$969.75
Annual Retirement Allowance: \$11,637.00
9. Katherine Sheppard, Payroll Benefits Coordinator, Pentucket RSD, Group 1
Effective Retirement Date: December 1, 2021
Monthly Retirement Allowance: \$1,960.98
Annual Retirement Allowance: \$23,531.76

Creditable Service Awards

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

1. Matthew W. Bodwell shall be awarded eleven months of creditable service for reserve police service rendered from April 4, 2004 to April 2, 2005, with the Town of Ipswich.
2. Bruce J. Dow, Jr., shall be awarded four years and three months of creditable service for late entry into membership, and his membership date changed to October 1, 2006, and for the purchase of reserve police service rendered from July 17, 2002 to September 30, 2006, with the Town of Salisbury.
3. John M. Monaco III, shall be awarded two years and seven months of creditable service for reserve police service rendered from May 5, 2017 to December 8, 2019, with the Towns of Nahant and Boxford.
4. Jose Morel shall be awarded six months of creditable service for prior non-membership service rendered from August 28, 2005 to March 29, 2007, with the Town of North Andover.
5. Carol A. Powers shall be awarded two years and eight months of creditable service for late entry into membership, and her membership date shall be changed to September 6, 2011, as she was eligible for membership as of that date.
6. Kathy A. Spencer shall be awarded two years of creditable service for prior non-membership service rendered from January 1, 1993 to September 30, 1998, with the Town of Newbury.
7. Kelly A. Unsworth shall be awarded two years and two months of creditable service for late entry into membership, for which the Norwood Retirement Board has accepted liability, as she was wrongfully excluded during this period.

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

1. To deny liability as requested by the Massport Employees' Retirement System on behalf of Daniel P. Ciulla, for prior call firefighter service rendered with the Town of Lynnfield from October 2019 to October 2021, as this individual was not employed in a temporary, provisional or substitute position, was not eligible for membership in the retirement system, did not remit contributions, and was not wrongfully excluded during this period.
2. To accept, upon proper payment, three years of liability as requested by the State Retirement Board on behalf of Pamela Sarro, for prior refunded service rendered with the Essex County Sheriff's Department from October 1, 1992 to October 12, 1995.
3. To deny liability as requested by the Newburyport Retirement System on behalf of John M. Schmidt, for prior reserve police service rendered with the Town of West Newbury from 1996 to 1998, as this individual was not employed in a temporary, provisional or substitute position, was not eligible for membership in the retirement system, did not remit contributions, and was not wrongfully excluded during this period.

Refund Warrant – January 2022

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; and Ms. Yaskell, Yes; To approve the refund warrant for January 2022, to refund, rollover, or transfer the accounts of the individuals as presented below, a list of 10 members beginning with Gayle Billias and ending with Shawn Smith, Jr., in the total net amount of \$30,953.44.

Name	Type	Board or Institution
Billias, Gayle M.	Withdrawal	
Bodwell, Matthew W.	Withdrawal	
Houten, Timothy P.	Withdrawal	
Phaneuf, Mark W.	Withdrawal	
Powers, Carol A.	Withdrawal	
Precourt, Sharon Lori	Withdrawal	
Precourt, Sharon Lori	Rollover	NFS, LLC
Roche, Kathleen A.	Withdrawal	
Roche, Kathleen A.	Withdrawal	
Smith Jr., Shawn M.	Withdrawal	

December Retirees 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; and Ms. Yaskell, Yes; To approve the retirement allowances for the month of December 2021 in the actual amount of \$4,581,551.27.

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; and Ms. Yaskell, Yes; To approve the retirement allowances for the month of January 2022 in the actual amount of \$4,516,363.76.

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; and Ms. Yaskell, Yes; To approve the payment of the ERRS employee payroll for December 31, 2021, in the amount of \$22,028.09, for January 14, 2022, in the amount of \$21,606.088, and for January 28, 2022, in the amount of \$22,481.87.

Cash Disbursement Warrant CD2021.12b

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; and Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2021.12b for December 2021 as presented below in the total amount of \$187.80.

Vendor	Amount
Comcast – Internet – December 2021	187.80

Cash Disbursement Warrant CD2022.01

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; and Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2022.01 for January 2022 as presented below in the total amount of \$40,772.42.

Vendor	Amount (\$)
Massachusetts Housing Retirement System - 3(8)(c)	1715.87
Access - Records Storage - Monthly Fee	524.68
Benefit Strategies - Monthly Administrative Fee	1.00

Comcast - Monthly Fee - Internet	190.03
Comcast - Monthly Fee - Phone	305.45
Town of Danvers, Danvers Electric - #201 - Monthly Fee	92.69
Town of Danvers, Danvers Electric - #202 - Monthly Fee	129.12
Group Insurance Commission - 10/1/2021-12/31/2021	13,999.56
Green, Cassandra - Water Coolers	241.50
Harper's Payroll Service - 2021.12.30	93.86
Harper's Payroll Service - 2022.01.14	55.31
Harper's Payroll Service - 2022.01.28	208.86
HCOPT - Monthly Condo Fees	1,554.00
HIQ Computers - #130794	50.00
HIQ Computers - #130849	40.00
HIQ Computers - #130885	100.00
HIQ Computers - #131036	165.00
HIQ Computers - Monthly Replication Services	90.00
Law Offices of Michael Sacco - 2021.12	7,106.00
MACRS - 2022 Dues	600.00
Quadient Finance, USA, Inc. - Postage	3,929.00
Red Sun Press - Fall Newsletter	4,783.56
Red Sun Press - 2022 Census Supplies	865.00
Ricoh USA, Inc. - 2022.01	244.57
S.J. Services - Office Cleaning - 2021.12	283.33

Tab Products Co., LLC - Member Folders	984.02
WB Mason - Office Supplies	66.76
WB Mason - Office Supplies	2,353.25
Total	40,772.42

Cash Disbursement Warrant CD2022.01a – PRIT Fund 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; and Ms. Yaskell, Yes; To approve the Cash Disbursement Warrant CD2022.01a for a transfer from the PRIT Fund as presented below in the total amount of \$3,000,000.00.

Vendor	Amount
Transfer from PRIT Cash to Eastern Bank	
Total	\$3,000,000.00

91A Non-Compliance Hearing – Paul Alosky

Mr. Kostro stated that Mr. Alosky's accountant advised last week that he would send the paperwork PERAC, but PERAC confirmed that it has not been received yet. Mr. Kostro noted that the member has been notified that his benefit will terminate if the paperwork is not received by the end of the month. 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; and Ms. Yaskell, Yes; To terminate the retirement allowance of Paul Alosky for failure to comply with the requirements of MGL Chapter 32, Section 91A in calendar year 2020, which termination shall be effective as of the February benefit payment.

Schedule FY2023 COLA Hearing

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; and Ms. Yaskell, Yes; To schedule a separate meeting on Monday, April 25, 2022, at 8:30 a.m., in order to conduct a hearing to consider a Cost-of-Living Adjustment of up to 3% for eligible members of the retirement system, and that the Advisory Council be provided at least thirty days' notice of such hearing as recommended by PERAC.

Executive Director's Employment Agreement – Negotiating Subcommittee

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; and Ms. Yaskell, Yes; To appoint Board members H. Joseph Maney and Vincent R. Malgeri to negotiate an extension of the employment agreement for the Executive Director.

Boston Millennia II – Request to Waive Annual Audit

Mr. Malgeri asked if the Board has waived the annual audit in the past. Mr. Kostro stated this is the first time this measure has been requested, and the reason for the request is due to inactivity on the account. Mr. Merz concurred that the cost of an audit isn't justified, and he is in support of the motion. 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; and Ms. Yaskell, Yes; To approve the request of Boston Millennia Partners to waive that portion of Section 14.3.1.1 of Fund II's Second Amended and Restated Limited Partnership Agreement dated as of February 25, 2000, as amended, requiring that the Fund's annual financial statements be audited by a nationally recognized firm of independent public accountants.

Executive Director's Report

Mr. Kostro spoke about the appropriation correspondence from Topsfield and West Newbury included in the meeting packet, summarizing that there is concern stemming from increases in the units' annual appropriation amount. He noted that he will be attending meetings at both Topsfield and West Newbury to discuss.

Executive Session

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; and Ms. Yaskell, Yes; To move to executive session to act on the disability retirement application of Stephen Lee. 8:57am.

Statement of the Chair

The Board will be returning to open session upon the conclusion of the executive session only for the purpose of adjourning the meeting.

Disability Hearing – Stephen Lee

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; and Ms. Yaskell, Yes; That upon confirmation that all relevant medical records have been received, to request PERAC to appoint a regional medical panel for the purpose of examining the accidental disability retirement application of Stephen Lee and that this vote be recorded in the open session minutes of the meeting.

Motion to Adjourn

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

The meeting adjourned at 9:21 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
New Enrollments
Retirement and Benefit Calculation Supporting Documents
Creditable Service Award Letters
Liability Letters
91A Documents
Warrants
FY2023 COLA Documents
Executive Director's Employment Agreement
Boston Millennia Fund II Documents

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
Appropriation and Salary Survey FY23 to FY22 Comparison
Appropriation Correspondence – Topsfield
Appropriation Correspondence - West Newbury
ERRS Ethics Compliance Tracking
Executive Director's Schedule
Financial Reports - Cash Flow - January 2022
Financial Reports - Monthly Bank Reconciliation - November 2021
Financial Reports - November 2021 – Adjustments
Financial Reports - November 2021 – Disbursements
Financial Reports - November 2021 - General Ledger
Financial Reports - November 2021 – Receipts
Financial Reports - November 2021 - Trial Balance
Financial Reports - PRIT Fund Annual Comprehensive Financial Report - FY2021
Financial Reports - PRIT Fund ERRS Performance Report - November 2021
Financial Reports - PRIT Performance ERRS - December 2021
Financial Reports - PRIT Fund Performance Update - November 2021
Financial Reports - PRIT Fund Q3 2021 Quarterly Update
Financial Reports - PRIT Performance Update - December 2021
Levine Leichtman Announcement
Supervisor of Public Records Decision - Retiree Addresses as a Public Record