

**ESSEX REGIONAL RETIREMENT BOARD**  
**REGULAR SESSION**  
**May 23, 2022**

At the regular meeting of the Essex Regional Retirement Board held on Monday, May 23, 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. Absent: Andrew J. Sheehan.

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

Charles Kostro, ERRS Executive Director  
Cassandra Green, ERRS Membership Coordinator  
Michael Trotsky, PRIM Executive Director and Chief Investment Officer  
Michael Sacco, ERRS Counsel  
Michael White, Member from the Town of Lynnfield  
Janet McElligott, Fiancee of Mr. White  
Kaylene Crum, Counsel to Mr. White  
Tony Fratoni, Town of Lynnfield Assistant Director of School Operations  
Debra Rogers, Member from the Town of Hamilton  
Daniel Napolitano, Counsel to Ms. Rogers

Ms. Yaskell called the meeting to order at 8:33 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. In Mr. Maney's absence, I will be chairing this meeting. 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. Merz, Yes; and Ms. Yaskell, Yes; To approve the minutes of the regular and special sessions of the meetings of April 25, 2022. (Maney, Sheehan absent)

**Public Comment Period**

There were no public comments.

## **PRIT Fund Annual Meeting**

Mr. Trotsky gave a presentation on the PRIT Fund performance over the last year and the outlook for the remainder of the year. He noted that the fund's market value as of March 31, 2022 was \$101.5 billion, up from \$95.7 billion in FY2021, but cautioned about headwinds due to the war in Ukraine, inflation, and the likelihood of economic recession.

### **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 applications of Stephen R. Lee, Debra Rogers, and Michael J. White, and to remain in executive session to discuss strategy with respect to litigation in the matters of Stephen Meola versus the Essex Regional Retirement Board, Elizabeth Sciandra versus the Essex Regional Retirement Board, Shawn Smith versus the Essex Regional Retirement Board, the Worcester Regional Retirement Board and others versus PERAC, and James Fernandes v. the Essex Regional Retirement Board as an open meeting may have a detrimental effect on the litigating position of the retirement board. 9:18am.

*Mr. Maney left the meeting at approximately 10:00am.*

*Mr. Merz recused himself and left the meeting for discussion of Shawn Smith.*

### **Statement of the Chair**

The Board will be returning to open session upon the conclusion of the executive session.

### **Michael White – Disability Application**

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 Michael White and to record this vote in the open session minutes of the meeting.

### **Debra Rogers – Disability Application**

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; and Ms. Yaskell, Yes; To seek further clarification from the medical panel and to authorize ERRS Counsel to draft a request for clarification and to ask questions as he may deem necessary, and to record this vote in the open session minutes of this meeting.

## Stephen R. Lee – Disability Application

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; and Ms. Yaskell, Yes; To approve the application for an accidental disability retirement for Stephen R. Lee and to record this vote in the open session minutes of this meeting.

*The Board returned to open session at 11:06am.*

## Statement of the Chair

Ms. Yaskell stated that, as Mr. Maney has left the meeting and there are no remote participants, there will not be a roll call vote on the remaining agenda items.

## New Enrollments

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; That the following named employees be enrolled in the Essex Regional Retirement System, a list of thirty-four names beginning with Catherine Bourque and ending with Belinda Young:

Last Name	First Name	Unit	Title/Position	Enrollment Date	Group
Bourque	Catherine	Town of Wenham	Adult Services Librarian	4/4/2022	1
Brousseau	Cameron	Town of Rockport	Laborer	9/14/2021	1
Buckley	Daniel	Town of Rockport	Police Officer	2/4/2022	4
Cepeda	Malcolm	Town of Georgetown	Paraprofessional	12/7/2020	1
Chouinard	Joette	Town of Rockport	Food Service	9/24/2021	1
Cilluffo	Aaron	Town of Rockport	Assistant DPW Director	10/18/2021	1
Crocker	Kristin	Manchester-Essex RSD	Teaching Assistant	1/10/2022	1
DeLeo	Diana	Town of Lynnfield	Outreach Coordinator	4/28/2022	1
Drillis	Stephen	Town of Rockport	DPW Garage Foreman	1/10/2022	1
Dukes	Elizabeth	Town of Rockport	Assessor	4/26/2021	1
Ellard	Katherine	Town of Merrimac	Police Officer	4/25/2022	4
Frontiera	Stephanie	Town of West Newbury	Town Accountant	11/4/2019	1
Gray	Shauna	Pentucket RSD	Paraprofessional	11/17/2021	1
Hart	Joseph	Rockport Housing Authority	Executive Director	4/18/2022	1
Healey	Timothy	Town of Hamilton	DPW Truck Driver/Laborer	4/19/2022	1
Kemp	Jillian	Town of North Andover	Administrative Assistant	4/4/2022	1
Leconte	David	Town of Rockport	Police Officer	1/6/2022	4
Lopez	Jared	Town of Rockport	Police Officer	1/14/2022	4
Lunde	Cecelia	Town of Georgetown	Paraprofessional	6/1/2021	1
Mey	John	Town of Salisbury	Dispatcher	4/24/2022	1

Morris	Rebekah	Town of Rockport	Cafeteria Worker	12/18/2020	1
Mountain	Karyn	Town of Rockport	DPW Clerk	6/1/2021	1
Nicastro	Jeremy	Town of Rockport	DPW Skilled Craftsman	7/23/2022	1
Oranczak	Michael	Town of Rockport	DPW Skilled Craftsman	8/9/2021	1
Osier	Danielle	Town of Rockport	School Monitor	4/22/2022	1
Piscitello	Rebecca	Town of Rockport	School Cafeteria	9/2/2021	1
Pizzimenti	Anthony	Town of Rockport	DPW Specialist	2/25/2022	1
Proctor	Michele	Triton RSD	Instructional Assistant	12/6/2021	1
Souza	Emily	Town of Rockport	Children's Librarian	12/31/2021	1
Thomas	Brian	Town of Rockport	IT Tech Support	1/11/2021	1
Ulrich	Joshua	Town of Rockport	Police Officer	2/16/2022	4
Waldsmith	Edwin	Town of Rockport	Police Officer	5/31/2019	4
Xavier	Alexizz	Town of Hamilton	Police/Fire Signal Operator	4/26/2022	1
Young	Belinda	Town of Wenham	Treasurer/Collector	4/4/2022	1

### New Retirements

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; That the following named members of the Essex Regional Retirement System be awarded retirement benefits calculated as presented, a list of four names, beginning with Michael Farrell and ending with Chitra Shankar:

1. Farrell, Michael, Town Administrator, Town of Georgetown, Group 1  
Effective Retirement Date: March 24, 2022  
Monthly Retirement Allowance: \$3,098.49  
Annual Retirement Allowance: \$37,181.88
2. Rich, Donna, Purchasing Agent, Town of Topsfield, Group 1  
Effective Retirement Date: April 30, 2022  
Monthly Retirement Allowance: \$2,504.80  
Annual Retirement Allowance: \$30,057.60
3. Sandman, Kory, Custodian, Town of Topsfield, Group 1  
Effective Retirement Date: May 13, 2022  
Monthly Retirement Allowance: \$747.33  
Annual Retirement Allowance: \$8,967.96
4. Shankar, Chitra, Paraprofessional, Pentucket RSD, Group 1  
Effective Retirement Date: May 1, 2022  
Monthly Retirement Allowance: \$342.96  
Annual Retirement Allowance: \$4,115.52

### **Creditable Service Awards**

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; That the retirement system staff has verified that the required payment having been received, that the following four members of the Essex Regional Retirement System be awarded creditable service as presented below:

1. Saskia R. Nugent shall be awarded seven months of creditable service for the purchase of prior non-membership service rendered from November 1, 2015 to June 30, 2016 with the Town of Rockport.
2. Mary J. Reade shall be awarded one year and five months of creditable service for late entry into membership with the Pentucket Regional School District, and her membership date shall be changed to September 30, 1993, as she was eligible for membership as of that date.
3. Pamela Scangas shall be awarded one year and four months of creditable service for the purchase of prior non-membership service rendered from January 27, 2011 to August 28, 2013, with the Town of Lynnfield.
4. Dolores F. Sheehan shall be awarded nine years and nine months of creditable service for the purchase of prior refunded service rendered from January 18, 1988 to June 28, 2002, with the Gloucester Retirement System.

### **Liability Requests**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To take the following actions on a request for the acceptance of liability received by the retirement system:

1. To accept, upon receipt of proper payment, two years of liability as requested by the Danvers Contributory Retirement System on behalf of Frank Giacalone for prior refunded service rendered with the Town of Hamilton from July 1, 2007 to June 30, 2009.
2. To deny liability as requested by the Middlesex County Retirement System on behalf of Susan Lombard for the period of October 2017 to February 2022, as this individual was not eligible for membership in the retirement system, did not remit contributions, was not wrongfully excluded from membership, and was not employed in a temporary, provisional or substitute position.
3. To accept, upon receipt of proper payment, one year and eight months of liability as requested by the Lynn Retirement Board on behalf of Kenneth F. Pedone for reserve police service rendered with the Town of Rockport from July 28, 2017 to February 9, 2019, as ERRS failed to provide Mr. Pedone with a timely estimate to purchase this service when he was a member of this retirement system.

## Refund Warrant – May 2022

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; To approve the refund warrant for May 2022, to refund, rollover, or transfer the accounts of the individuals as presented below, a list of twenty-eight members beginning with Deborah Barnwell and ending with Jennifer Vitarisi, in the total net amount of \$301,328.49.

<b>Name</b>	<b>Type</b>	<b>Board or Institution</b>
Barnwell, Deborah A.	Rollover	Fidelity Investments
Brickett, Zachary Jonathan	Rollover	Fidelity Investments
Cann, Jennifer L.	Withdrawal	
Cann, Jennifer L.	Transfer	Massachusetts Teachers' Retirement System
Curtin, Susan E.	Transfer	Massachusetts Teachers' Retirement System
DeFazio, Ernest Joseph	Transfer	Haverhill Retirement Board
DeFronzo, Sarah A.	Transfer	Massachusetts Teachers' Retirement System
Didion, Ali M.	Withdrawal	
Farrell, Michael F.	Withdrawal	
Gallant, Brittany Lyn	Withdrawal	
Girard, Jake	Transfer	State Retirement Board
Grade III, Kenneth Dean	Withdrawal	
Graffeo, Lorelee G.	Withdrawal	
Krikorian, Matthew R.	Withdrawal	
MacAskill, Lyn Marie	Transfer	Newburyport Retirement Board
McIntyre, Molly A.	Transfer	Andover Retirement Board
Messier, Darryl G.	Transfer	Stoneham Retirement Board
Najjar, Eman Ziyad	Transfer	Stoneham Retirement Board
Narducci, Molly E.	Withdrawal	
Parsons, Katrina Marie	Transfer	Haverhill Retirement Board
Ramsden, Theresa M.	Rollover	Fidelity Investments
Richard, Lori Ann	Transfer	Massachusetts Teachers' Retirement System
Schuettnner, Allyssa Ashley	Transfer	Massachusetts Teachers' Retirement System
Sciandra, Elizabeth W.	Withdrawal	
Tantraporn, Margaret R.	Transfer	Massachusetts Teachers' Retirement System
Taylor, Shanelle	Withdrawal	
Updike, Miranda M.	Rollover	TD Ameritrade
Vitarisi, Jennifer	Transfer	Massachusetts Teachers' Retirement System

### **April Retirees Payroll**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To approve the retirement allowances for the month of April 2022 in the actual amount of \$4,559,049.59.

### **May Retirees Payroll**

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; To approve the retirement allowances for the month of May 2022, in the estimated amount of \$4,500,000.00.

### **ERRS Payroll**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To approve the payment of the ERRS employee payroll for May 6, 2022, in the amount of \$18,507.67, and for May 20, 2022, in the amount of \$23,905.10.

### **Cash Disbursement Warrant CD2022.05**

Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; To approve the Cash Disbursement Warrant CD2022.05 for May 2022 as presented below in the total amount of \$114,982.06.

<b>Vendor</b>	<b>Amount (\$)</b>
Barnstable County Retirement Board - 2021 3(8)(c)	83,191.85
Access - Records Storage - Monthly Fee	636.59
Benefit Strategies - Admin Fees - 2022.04	1.00
Comcast - Monthly Fee - Internet	189.80
Comcast - Monthly Fee - Phone	303.77
Town of Danvers, Danvers Electric - #201 - Monthly Fee	106.04
Town of Danvers, Danvers Electric - #202 - Monthly Fee	144.84
Group Insurance Commission - Health - 04/01/2022-06/30/2022	14,924.25
Harper's Payroll Service - 2022.05.06	78.21
Harper's Payroll Service - 2022.05.20	93.66

HCOPT - Monthly Condo Fees - 2022.06	1,554.00
HIQ Computers - #132361	275.00
HIQ Computers - Monthly Replication Services	90.00
Kostro, Charles - Zoom - Annual Fee	159.27
Law Offices of Michael Sacco - 2022.04	6,993.00
North of Boston Media Group - Legal Services RFP	298.20
Red Sun Press - Spring 2022 Newsletter	4,658.27
S.J. Services, Inc. - Office Cleaning - April	283.33
W.B. Mason Company, Inc. - Office Supplies - 2022.04	756.41
Ricoh USA, Inc. - 2022.05	244.57
Total	114,982.06

#### **Cash Disbursement Warrant CD2022.05a – PRIT Fund Transfer**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To approve the Cash Disbursement Warrant CD2022.05a for a transfer from the PRIT Fund as presented below in the total amount of \$2,000,000.00.

<b>Vendor</b>	<b>Amount</b>
Transfer from PRIT Cash to Eastern Bank	\$2,000,000.00
Total	\$2,000,000.00

#### **Senior Retirement Counselor Position Description**

Mr. Kostro explained that the position description is similar to that of the position recently vacated by Michael Nicolazzo, though the title has been changed to reflect an emphasis on retirements, and the duties pertaining to deduction posting have been removed. He stated this is intended to be the senior of the two retirement counselor positions and will handle disability retirements as well as the refund warrant. Ms. Yaskell asked what Mr. Nicolazzo's salary was at the time he resigned; Mr. Kostro said \$87,500, up from \$85,000 in May 2021 due to a 2.9% pay increase effective January 1, 2022. Mr. Malgeri asked if Mr. Nicolazzo submitted a resignation letter in addition to the email included in the Board's packet; Mr. Kostro said no, the resignation notice consisted of the email sent on May 2<sup>nd</sup>, and Mr. Nicolazzo's last day was May 13<sup>th</sup>. Mr. Kostro notified the



Board of an issue relating to electronic files. Discussion ensued regarding the restoration of electronic files and that the retirement system's back-up system functioned effectively. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; To approve the job description for the position of Senior Retirement Counselor as presented, and to authorize the Executive Director to interview and hire a qualified candidate for this position with a starting salary range of \$80,000 to \$85,000, and at a vacation accrual rate consistent with the selected candidate's years of experience, but which does not exceed four weeks per year.

### **Staff Interim Stipends**

Mr. Kostro noted that, as the retirement system is now down two staff members. He said that Ms. Green is performing duties of Membership Coordinator as well as Executive Assistant, Mr. Provensal will be doing the refund warrant, and Ms. Coen will be processing all superannuation and new disability retirements, as well as military service purchases and service purchases associated with retirements. He stated that he will be doing the administrative portion of refunds, service purchases, and will continue working on new enrollments. Upon a motion by Vincent R. Malgeri, seconded by Kevin A. Merz, the Board voted 3-0; In recognition of the additional duties to be assumed by staff, the Board does hereby approve interim stipends for the following ERRS staff, which stipends shall be paid until the retirement system is fully staffed, and which shall be paid as follows effective with the June 3, 2022, employee payroll:

Scott Provensal, Director of Finance	\$500.00 per pay period
Jan Coen, Retirement Counselor	\$500.00 per pay period
Cassandra Green	\$500.00 per pay period

### **Copier Lease Renewal**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To approve a three-year lease for the provision of a new copier to be awarded to Ricoh USA pursuant to state contract ITC66 and to select the one-time cash incentive payment of \$1,200.

### **Legal Services RFP Award**

The Board opened the two bids that had been received in response to the RFP and began reviewing and rating the technical proposals. Mr. Kostro compiled a composite score. The Board opened and reviewed the price proposals. Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To designate the firm of The Law Offices of Michael Sacco, P.C. as the apparent winning bidder in response to the Request for Proposals for Legal Services and to authorize the Executive Director to negotiate an agreement for said services for submission to the Board.

### **Motion to Adjourn**

Upon a motion by Kevin A. Merz, seconded by Vincent R. Malgeri, the Board voted 3-0; To adjourn the meeting.

The meeting adjourned at 12:31 p.m.

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**Vincent R. Malgeri**

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**H. Joseph Maney**

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**Kevin A. Merz**

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**Andrew J. Sheehan**

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**Susan J. Yaskell**

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

Meeting Minutes  
PRIM Presentation  
New Enrollments  
Retirement and Benefit Calculation Supporting Documents  
Creditable Service Award Letters  
Documents and Letters Supporting Liability Acceptance or Denial  
Refund, Retiree Payroll, Employee Payroll and Cash Disbursement Warrants  
Draft Position Description  
Copier Lease Renewal Quote and State Contract  
Legal Services RFP Documents, Proposals and Compliance Information

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  
COLA Increase Notice to PERAC.04272022  
Executive Director's Schedule  
Financial Reports - March 2022 – Adjustments  
Financial Reports - March 2022 – Disbursements  
Financial Reports - March 2022 - General Ledger  
Financial Reports - March 2022 – Receipts  
Financial Reports - March 2022 - Trial Balance  
Financial Reports - PRIM Board Quarterly Update - Q1 2022  
Financial Reports - PRIM Performance Report - Essex Regional - April 2022  
Financial Reports - PRIM Performance Update - April 2022  
Financial Reports - PRIM's 2021 Essex Regional IRR Calculation  
Financial Reports - PRIM's 2021 Essex Regional Participant Flows  
Financial Reports - PRIM's Asset Allocation – 2021  
Financial Reports - PRIM's Asset Allocation Ranges - December 31, 2021  
Financial Reports - PRIM's Asset Allocation Ranges - February 17, 2022  
Kostro, Charles - Longevity Payments Ethics Response.04262022  
PERAC Electronic Signature Regulation  
Public Records Tracking Report