

CHELSEA RETIREMENT BOARD MEETING
500 Broadway, Chelsea MA, 3rd Floor Conference Room of the Chelsea City Council
Minutes from the Meeting held on Thursday, December 17, 2019 at 9:00AM

Present Were: Board Chairman, Mr. Joseph M. Siewko, Mr. Edward Dunn, Ms. Carolyn Russo, Ms. Cheryl Watson Fisher and Mr. Richard Carroccino

Also Present: Mrs. Barbara A. O'Brien, Executive Director, Mrs. Cindy Donarumo, Assistant Director, Mr. Brian P. Monahan, Esq., Board Counsel and William N. Krasco, Jr.

Chairman Siewko called the meeting to order at 9:15 AM.

At 9:16 AM Ms. Russo made a motion seconded by Ms. Watson Fisher to approve the Regular Session and Executive Session minutes from the November 5, 2019 Special Retirement Board Meeting. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:18 AM Ms. Watson Fisher made a motion seconded by Ms. Russo to approve the Regular Session and Executive Session minutes from the November 19, 2019 Retirement Board meeting as amended. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Next on the agenda was William N. Krasco, Jr.:

- Application for Superannuation Retirement
- Application for Ordinary Disability Retirement and Application for Accidental Disability Retirement – Member's Applications, Treating Physician's Statements and Employer's Statements received

At 9:20 AM Ms. Russo made a motion seconded by Ms. Watson Fisher to enter Executive Session under Purposes 1 and 7 of the Open Meeting Law regarding William N. Krasco Jr.'s above requests. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:35 AM the Board returned to Regular Session.

At 9:35 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve William N. Krasco Jr.'s request for a Superannuation Retirement effective November 22, 2019. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:36 AM Ms. Watson Fisher made a motion seconded by Mr. Dunn to ask William N. Krasco Jr.'s employer to provide clarification to the responses previously provided for Questions 6 and 7 on the Employer's Statement as it pertains to the incidents or hazards upon which the disability retirement is claimed. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Chairman Siewko stated that the applications for disability are tabled until such time that the Board receives the requested information from the employer.

William N. Krasco Jr. who was present since the beginning of the meeting left at 9:37 AM.

Mr. Edward Dunn disclosed that, in regards to the matter relating to William N. Krasco, Jr., Lieutenant Brian Dunn is Mr. Edward Dunn's cousin. Mr. Edward Dunn stated that he will be seeking clarification from the State Ethics Commission to determine if there are any limitations on his participation going forward.

Ms. Cheryl Watson Fisher disclosed that as City Solicitor, in regards to William N. Krasco, Jr., she was aware of potential discipline and an investigation against the applicant. She further stated that she is disclosing that she is unbiased at this time, that the discipline is no longer going forth and that she would not know whether the investigation is pending as she is not privy to that information.

Board Counsel received confirmation from both Mr. Edward Dunn and Ms. Watson Fisher that neither one of them felt prejudiced or incapable of being unbiased in terms of their deliberations or action as it relates to the handling of William N. Krasco Jr.'s application for Superannuation retirement or the tabling of the Disability applications, at this time.

At 9:43 AM Mr. Dunn made a motion seconded by Mr. Carroccino to approve Giovanni A. Recupero's request to buyback his elected official service for the period from January 1, 2012 through December 31, 2017 with the makeup amount due of \$8,728.13 which includes interest through December 31, 2019. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:45 AM Ms. Russo made a motion seconded by Mr. Dunn to approve a refund to Felix Torres in the amount of \$350.93 for Retirement Deductions erroneously withheld on overtime. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

In response to Mr. Dunn's request, the Executive Director confirmed that she has asked Maria Acosta, Assistant Business Manager for the School Payroll, to provide documentation outlining all School Department employees who had retirement deductions erroneously withheld from snow overtime.

Chairman Siewko explained next on the agenda was Allan Alpert – Refund of Retirement Deductions pursuant to M.G.L. c.32, §5(2)(f) and on earnings determined to not be Regular Compensation.

Ms. Watson Fisher received confirmation from Chairman Siewko that since this matter does not involve discussion relating to the agreement between the City Manager and Mr. Alpert, she no longer has to recuse herself.

At 9:49 AM Mr. Dunn made a motion seconded by Mr. Carroccino to refund Allan Alpert the amount of \$1,510.62, less 20% Federal Tax, pursuant to M.G.L. c.32, §5(2)(f) and on earnings determined to not be Regular Compensation. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Regular Compensation determination on stipend – Mr. Dunn explained that this payment to an employee of the City Clerk's office was not technically out of grade pay but was an action that the City's administration took to avoid a grievance filing. Ms. Watson Fisher stated it is not a stipend. In response to Board Counsel's inquiry as to what the underlying reason was for the payment, Ms. Watson Fisher explained that it was pay for work performed at a grade higher than what she was paid during the time that the Department Head was out on maternity leave. Board Counsel opined that this payment would be considered regular compensation and the Board members agreed.

At 9:51 AM Ms. Russo made a motion seconded by Ms. Watson Fisher that the payment outlined above be considered regular compensation in accordance with 840 CMR 15.03 (3)(b). The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

The following members have submitted an application for voluntary superannuation retirement benefits pursuant to M.G.L. c. 32 §5:

Name/Title	DOR	Age	Years of Service	Estimated 3 Yr. Average
Pam Monziona/ Business Manager	12/31/19	65	27 years and 10 months	\$80,907.83
Susan Kelley/ Senior Cook	11/28/2019	61	20 years and 3 months	\$27,930.47
Ruben Villanueva/ Firefighter	01/11/20	60	32 years and 5 months	\$76,026.52

At 9:56 AM Mr. Carroccino made a motion seconded by Mr. Dunn to approve the above superannuation retirements. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Attorney's Report:

- Board Counsel referenced the Supreme Judicial Court (SJC) Decision relating to Plymouth County's appeal of the Gomes decision that the Board members received in their monthly packet. Board Counsel stated that essentially the SJC came back stating that members do have to pay for reserve time creditable service if they actually worked.

- Board Counsel stated that the Special Meeting has already been scheduled for the Board’s deliberation on the McLaughlin M.G.L. c.32, §15(7) matter and stated that all Board members should have already received the transcript from the Board’s M.G.L. c.32, §15(7) hearing. Board Counsel reminded the Board that the Attorney briefs are due to the Board by December 27, 2019. Board Counsel advised the Board members to read the material well in advance of the Special Meeting and advised them to provide him with advance notice of any questions of law or requests for an opinion so that he has opportunity to review these and address them at the Special Meeting on January 23, 2020. Board Counsel stated that PERAC has asked the Board to make a decision relative to M.G.L. c.32, §15(7) and originally he agreed with the Board doing so. However, Board Counsel stated after further reflection, he believes the Board should make a recommendation to PERAC since statutorily PERAC is mandated to make the decision and he does not want the Board to be in the position of having made a decision. Board Counsel stated that any appeal made by Mr. McLaughlin would be on PERAC’s decision. In response to Ms. Watson Fisher’s question, Board Counsel stated that they will provide a Statement of Facts to PERAC as they have requested.

Executive Director’s Report:

- The Executive Director stated that the 2013-2016 PERAC Audit is scheduled to begin December 30, 2019 and PERAC estimated that it may take approximately five weeks. Mr. Dunn referenced the City Audit and the fact that the Retirement Department is looked at as well. Mr. Dunn explained that the City’s designated independent auditor has prepared a representation letter and has asked him to sign the letter, as a Board member. Mr. Dunn received confirmation from the Board that they are comfortable with him signing the letter. Mr. Dunn explained that according to the City’s designated independent auditor, PERAC is recommending that the City’s designated independent auditor do a more extensive audit of the Retirement System than what they currently are doing and if that is the case, Mr. Dunn explained, that the City would not bear that cost. The Executive Director stated she provided the PERAC memo that relates to audits in a prior month’s packet. Ms. Russo stated she doesn’t look at it as a recommendation by PERAC more to the point that if the City’s designated independent auditor or another firm selected by the Retirement Board in accordance with M.G.L. c.32, §23B does do a more extensive audit of the Retirement financials, it should be submitted to PERAC.
- M.G.L. c.32, §3(2)(g) – The Executive Director stated she met with Christine Lee, the Human Resources Director of the School Department, and together they created a form that the School Department will complete when applicable to provide the Retirement Office with the information that is required in accordance with M.G.L. c.32, §3(2)(g).

The following vouchers were approved for payment for the December 2019 Accounts Payable Warrant:

City of Chelsea – Reimb. of Postage	\$ 243.00
Coen Business Forms/Kingsbury Press	\$ 325.87
Cindy Donarumo – Reimb. for plant arrangement	\$ 114.25
Brian P. Monahan, Esq.	\$ 3,000.00
ReadyRefresh	\$ 5.39
The Law Offices of Michael Sacco, P.C.	\$ 3,875.00
Felix Torres – Refund of erroneously withheld ret. ded.	\$ 280.74
Doris O. Wong Associates-McLaughlin Transcript.	\$ 1,573.75
City of Chelsea-Federal Taxes- Felix Torres	\$ 70.19

Retiree and Staff payroll were approved

Distribution of:

- PRIT Balance Sheet and Trial Balance
- PERAC’s Local System Mortality Analysis
- Schedule of 2020 Retirement Board meetings
- SJC Decision – Plymouth Retirement Board v. CRAB
- Approval of Funding Schedule

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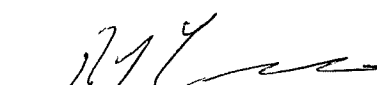
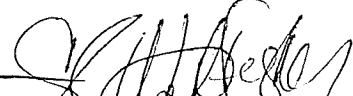
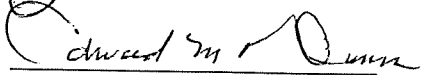
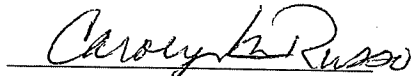
At 10:09 AM Ms. Russo made a motion seconded by Ms. Watson Fisher to adjourn. The votes were as follows:
Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Respectfully submitted,



Barbara O'Brien
Executive Director

Members' Approval:


Joseph M. Siewko, Chairman
Richard Carroccino
Cheryl Watson Fisher
Edward M. Dunn, Ex Officio
Carolyn M. Russo