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CHELSEA RETIREMENT BOARD MEETING
500 Broadway, Chelsea MA, 3rd Floor Conference Room of the Chelsea City Council
Minutes from the Meeting held on Thursday, August 13, 2019 at 8:30AM

Present Were: Board Chairman, Mr. Joseph M. Siewko, Mr. Edward Dunn, Ms. Carolyn Russo, Ms. Alice Principe and Ms. Watson Fisher

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

Chairman Siewko called the meeting to order at 8:33 AM and apologized for having to reschedule this month's meeting originally scheduled for August 15, 2019.

Chairman Siewko stated that representatives on behalf of the Teamsters were in attendance and asked if they could comment regarding the July 18, 2019 Retirement Board meeting minutes. Chairman Siewko explained that the Board has a scheduled conference call and asked for a motion to take the items out of order to handle the matter related to the minutes since the Teamsters stated they would only need five to ten minutes of the Board's time.

At 8:34 AM Ms. Watson Fisher made a motion seconded by Ms. Russo to take the agenda out of order in order to allow the Teamsters to speak regarding the July 18, 2019 Retirement Board meeting minutes. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea

Chairman Siewko gave the floor to the Teamsters, announced that the meeting was being recorded and then all Board members, Board staff and Board Counsel introduced themselves.

Steven South, Vice President of Teamsters Local 25, stated that he represents the 911 Dispatchers, the 911 Dispatch Supervisors, and unrelated to this discussion, the DPW. He stated that also present were some of the 911 Dispatchers, including the Steward, Rossi, the Director of the Dispatcher Center, Keith Vetreno, Assistant Business Agent, Joe Foti, Labor Counsel from Teamsters Local 25, Luke Liacos and Political Director for Teamsters Local 25, James Donovan. Mr. South stated he wanted to speak regarding the vote that the Chelsea Retirement Board (CRB) took at the July 18, 2019 meeting moving the 911 Dispatchers from Group 2 to Group 1. Mr. South stated that the minutes from that meeting reflect that MA General Law obligates the Board to move the Dispatchers from Group 2 to Group 1 under the pretense that their job is not physically hazardous with the advent of new technology. Mr. South stated that their job is hazardous and referenced statements made by Mr. Koolian at the July 18, 2019 CRB meeting regarding the Dispatchers' obligation to go to court on a regular basis to testify in cases such as murder, assault and other violent crimes with many occasions gang members being the defendants. Mr. South also stated that they are currently in contract negotiations and that they have already agreed to further clarify in the Collective Bargaining Agreement (CBA) and to update in the job description that the Dispatchers will be performing EMD functions. Mr. South explained that during hurricanes, tornados and fires, the Dispatchers will be performing Emergency Management functions, included but not limited to the transport of first responders and members of the general public during emergencies as needed, as well as assisting the other first responders, the Fire Department, Police Department and EMT's in any way that was agreed to. Mr. South mentioned the job description from March of 2019 that was referenced in the July 2019 Retirement Board minutes and stated that they have not yet seen that job description and stated that James Donovan requested it from the CRB on August 7, 2019 but has not yet received it. Mr. South stated that another issue that has been brought up by this Board is that the Dispatchers are more like clerical employees and added that clerical employees are specifically excluded from their CBA. Mr. South stated that the Dispatchers were previously defined as Police and Fire Signal Operators, stated that it is still the same job with different technology and stated that M.G.L. c.32 specifically includes Police and Fire Signal Operators under Group 2. Mr. South stated that the Supervisors supervise the Dispatchers and also perform the exact same job as the Dispatchers. Mr. South stated that with all this being said, the fact that they have open litigation regarding these issues, as well as litigation regarding the job descriptions that they are filing today, they are respectfully asking the Board to table this issue

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do not approve the July 18, 2019 Retirement Board meeting minutes until this is adjudicated through the Labor Relations Board. Mr. South said tabling this matter will also give the CRB time to review all the items that they have brought up. Attorney Liacos then stated that in addition to the physical hazards of the Dispatchers' job there are also emotional and mental hazards and therefore the Dispatchers belong in Group 2.

Next on the agenda was Michael McLaughlin – Pre-Hearing Status Conference and Board review of c. 32, §15(7) allegations and responses – Member has exercised his right to have the matter heard in Executive Session

At 8:44 AM Mr. Dunn made a motion seconded by Ms. Watson Fisher to enter Executive Session for the purpose of discussing the matter relating to Michael McLaughlin who has statutorily asserted his Executive Session privilege under M. G. L. §16(1). The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea; The representatives from the Teamsters Union and the Dispatchers who were present for the Regular Session left the meeting; As advised by Board Counsel and Chairman Siewko, Barbara O'Brien, the Executive Director, left the meeting and will return upon the end of the Executive Session/beginning of the conference call regarding the Michael McLaughlin matter.

At 9:14 AM The Board returned to Regular Session, Barbara O'Brien, the Executive Director returned to the meeting and the Board then took a recess while technical issues regarding the conference call were being dealt with.

At 9:26 AM the Board returned from the recess.

At 9:26 AM Ms. Watson Fisher made a motion seconded by Mr. Dunn to enter Executive Session for the purpose of discussing the matter relating to Michael McLaughlin who has statutorily asserted his Executive Session privilege under M. G. L. §16(1).

At 10:08 AM the Board returned to Regular Session.

Assistant Business Agent, Joe Foti and Political Director for Teamsters Local 25, James Donovan returned to the meeting.

Approval of the Regular Session minutes from the July 18, 2019 meeting

At 10:13 AM Ms. Watson Fisher made a motion seconded by Mr. Dunn to approve the Regular Session minutes from the meeting held on July 18, 2019 as amended. The motion passed 4-0 and the votes were as follows: Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea; Chairman Siewko abstained as he was not present for the meeting held on July 18, 2019.

Chairman Siewko announced that the comments made by the Teamsters during the meeting this morning will be reflected on this month's minutes.

Posting Regular Session minutes

At 10:15 AM Ms. Russo made a motion seconded by Ms. Watson Fisher to begin posting the Regular Session minutes to the Chelsea Retirement website upon the minutes being approved and signed by the Board members. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea

Review of Agreement between Teamsters Local Union No. 25 and City of Chelsea Emergency Communications Supervisors for the period July 1, 2019 – June 30, 2022 for purpose of the determination of retirement eligible earnings and Group Classification of Emergency Communications Supervisor

There was discussion regarding four articles:

- Article 10, Section 11-Emergency Communications Court Time and whether pay received for time spent at court was retirement eligible or not. There was discussion that pay received for time spent at court during the course of an employee's regular schedule is retirement eligible and that pay for time spent at court outside the regular schedule is overtime and therefore not retirement eligible.
- Article 11, Section 2-Additional Duties Stipend- there was discussion relating to this stipend being discretionary since it is up to management who gets assigned the duties and as such is not retirement eligible.
- Article 11, Section 4-ECC Trainer Differential-There was discussion that this qualifies as regular compensation since if the employee gets certified, the employee receives the stipend.
- Article 11, Section 9-Language Proficiency Stipend- There was discussion that this qualifies as regular compensation since if the employee gets certified, the employee receives the stipend.

At 10:39 AM Ms. Russo made a motion seconded by Ms. Principe to find that Article 11, Section 4 ECC Trainer Differential and Article 11, Section 9 Language Proficiency Stipend be considered Regular Compensation in accordance with 840 CMR 15.03. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea

In regards to Article 10, Section 11 Emergency Communications Court Time, Ms. Russo stated that if the reading of the contract is that the Court Time is only paid when it is overtime for work outside of the employee's normal hours the Board has to conclude that it is not Regular Compensation because overtime is specifically excluded in the regulation.

In regards to Article 11, Section 2 Additional Duties Stipend, the Board agreed with Ms. Watson Fisher in that this vote should be tabled and that the parties should be asked to clarify the language in the agreement.

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 AVG
Wilfrido Velez/ Janitor/Custodian	09/20/2019	65	25.0833	\$51,683.42
Felix Torres/ Custodian	11/30/2019	55	19.7500	\$47,467.02

At 10:42 AM Ms. Russo made a motion seconded by Ms. Principe to approve the above retirements. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea

The following Retirement Systems have requested the transfer of funds for the following members:

Name/Title	Board Requesting Transfer	Accumulated Deductions	Total Service Credit/ 3(8)c Liability	10/12 Month Basis
Shaddai Vargas/ Paraprofessional	MTRS	\$9,792.79	3.00 years	12
Domenico Recchia/ Paraprofessional	MTRS	\$1,406.77	5 months	12
Maureen DeLuca/ Paraprofessional	Norfolk County Retirement System	\$2,239.76	7 months	12
Bethany Rosa/ Project Manager	Revere Retirement System	\$81,997.62	14 years, 1 month/ 9 months	12

At 10:43 AM Ms. Russo made a motion seconded by Mr. Dunn to approve the transfers relating to Shaddai Vargas, Maureen DeLuca and Bethany Rosa. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea

The Executive Director stated that she received a request from MTRS to transfer Domenico Recchia's funds from Chelsea Retirement to MTRS who has funds for him for service prior to and prospective from his Chelsea Retirement service dates and that Mr. Recchia has also inquired about receiving a refund of his Chelsea Retirement deductions. There was discussion that because MTRS has funds for service prospective from his Chelsea service, the Board is obligated to transfer his accumulated deductions to MTRS and that he is not eligible for a refund from Chelsea Retirement System.

At 10:48 AM Ms. Watson Fisher made a motion seconded by Ms. Principe to transfer Domenico Recchia's accumulated deductions as shown above to MTRS. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea.

The following members have requested a refund of their accumulated deductions:

Name/Title	Accumulated Deductions	Age	Service Credit	Taxes Withheld
Norilyz Figueroa/ IT Manager	\$12,058.97	32	1 year, 3 months	Yes
Alser Nunez/ Paraprofessional	\$1,699.73	37	7 months	Yes

At 10:52 AM Mr. Dunn made a motion seconded by Ms. Russo to approve the above refunds. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea.

Attorney's Report:

Attorney Monahan stated that he has a DALA Status Update due on September 18, 2019 regarding the Michael McLaughlin matter.

Executive Director's Report:

- Retirement Office received a copy of PERAC's 2018 Annual Report
- 2019 Annual Affidavits for Retirees and Survivors were mailed August 1, 2019 and are due October 1, 2019. The Executive Director stated that the Retirement Office has currently received approximately 25% of the affidavits back.
- Update on Retirement Board Election- The Executive Director stated that as of today two individuals turned in nomination papers, that the deadline to submit nomination papers is August 19, 2019 at 4:00 PM, the ballots will be mailed September 10, 2019 and that the Board election is on October 1, 2019. There was discussion that both nominees have been advised that they can provide a short biography to be included in the envelope with the ballots.

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

Norilyz Figueroa - Refund	\$ 9,647.18
City of Chelsea Federal Taxes – Norilyz Figueroa	\$ 2,411.79
Norfolk County Retirement System - Maureen DeLuca	\$ 2,239.76
MTRS – Shaddai Vargas	\$ 9,792.79
Alser Nunez -- Refund	\$ 1,359.78
City of Chelsea Federal Taxes – Alser Nunez	\$ 339.95
Revere Retirement System – Bethany Marie Rosa	\$ 81,997.62
City of Chelsea – Reimb. Postage Meter	\$ 393.40
Brian P. Monahan, Esq.	\$ 3,000.00
Ricoh USA, Inc.	\$ 133.17

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The Law Offices of Michael Sacco	\$ 625.00
Cindy Donarumo – Reimb. Board Packets	\$ 17.20
Postmaster Boston – 2 rolls of stamps	\$ 110.00
MTRS –Domenico Recchia	\$ 1,406.77

Retiree and Staff payroll were approved.

Distribution of:

- PRIT Balance Sheet and Trial Balance
- PERAC Memo #20/2019 – Reinstatement to Service under G.L. c.32 §105
- PERAC Memo #21/2019 – Cost of Living Increase for Supplemental Dependent Allowance Paid to Accidental Disability Retirees and Accidental Death Survivors
- PERAC Pension News #52, July 2019

At 10:17 AM Ms. Principe made a motion seconded by Ms. Russo to adjourn. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Principe:Yea Ms. Watson Fisher:Yea.

Respectfully submitted,

Barbara O'Brien
Executive Director

Members' Approval:

Joseph M. Siewko, Chairman
Alice Principe
Cheryl Watson Fisher
Edward M. Dunn, Ex Officio
Carolyn M. Russo

