

CHELSEA RETIREMENT BOARD MEETING

002034

Minutes from the meeting held on January 20, 2022 at 9:00AM

In accordance with Governor Baker's order, signed on March 12, 2020, suspending certain provisions of the Open Meeting Law G.L. c. 30A, §20, this meeting was held via conference call using Webex. As indicated on the agenda, instructions on how to join the meeting were available by emailing the Executive Director @ bobrien@chelseama.gov before or during the meeting.

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

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

At 9:05 AM Chairman Siewko opened the meeting, stated that the meeting was being recorded and then all present stated their names and titles.

Michael McLaughlin matter:

- Review of Pleadings
- Schedule Meeting for Count 2

Board Counsel referenced the Motion to Recuse submitted by Attorney Boumil and the Board's response, the Order received by Magistrate Rooney giving the Board to September 22, 2022 to issue a Status Report of the remaining counts or two weeks from the Board's final decision for Count 3. Board Counsel stated he sent clarification to Magistrate Rooney explaining that there is one M.G.L. c.32, s.15(4) hearing comprising of 3 counts and any appeal to District Court would take place at the conclusion of Count 3. He also explained to Magistrate Rooney that because the member is exercising his statutory right to a private hearing the Board cannot issue or release any Board decisions regarding the counts while the matter remains open. Board Counsel stated he did not receive a response from Magistrate Rooney. Board Counsel verified that the Board received the Count 2 memorandum from Attorney Sacco on behalf of Executive Director O'Brien by the January 14, 2022 deadline. Presiding Officer Siewko granted Attorney Boumil's request for an extension to file the memorandum by end of business on January 21, 2022. There was discussion relating to the fact that the binders of documents for Count 2 still need to be assembled by the Assistant Director and that it would be best to have the binders distributed to the Board members prior to scheduling the deliberations for Count 2.

Approval of the Regular Session Minutes and the Executive Session Minutes of the December 14, 2021 Retirement Board meeting-transcribed by the Executive Director

At 9:31 AM Mr. Dunn made a motion seconded by Ms. Russo to approve as amended the Regular Session Minutes of the December 14, 2021 Retirement Board meeting-transcribed by the Executive Director. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:33 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to table the approval of the Executive Session Minutes of the December 14, 2021 Retirement Board meeting-transcribed by the Assistant Director. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:33 AM, following the motion, Ms. Russo lost connection until 9:42 AM. The Board waited until Ms. Russo regained connection to continue with the meeting.

At 9:42 AM upon Ms. Russo regaining connection to the meeting, Chairman Siewko repeated the motion and Ms. Russo voted: Yea.

At 9:48 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve the Executive Session Minutes of the December 14, 2021 Retirement Board meeting-transcribed by the Executive Director. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 9:49 AM Mr. Dunn made a motion seconded by Ms. Russo to table the approval of the Executive Session Minutes of the December 14, 2021 Retirement Board meeting-transcribed by Chairman Siewko. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

The Board discussed the City of Chelsea's Covid vaccination policy and started discussions relating to whether the Board should adopt its own policy. However, at 9:55 AM Ms. Russo lost connection to the meeting.

Between 9:55 AM and 9:57 AM Ms. Russo did not have connection to the meeting. The Board did not continue with discussions during this time.

At 9:57 AM, upon Ms. Russo regaining connection to the meeting, Mr. Dunn made a motion seconded by Mr. Carroccino to take the agenda items out of order. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Calendar Year 2022 Budget- the Board agreed to amend the Calendar Year 2022 budgeted amount for PRIT Management fees to reflect \$1,500,000.00 which is approximately 56 basis points of the current value.

At 10:01 AM Mr. Dunn made a motion seconded by Ms. Russo to approve the Calendar Year 2022 budget in the amount of \$1,844,105.00. The votes were as follows: Chairman Siewko:Yea Mr. Dunn:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

*At 10:02 AM Mr. Dunn left the meeting due to a prior commitment.

The Board continued conversation relating to the City's Covid vaccination policy, State Law regarding this matter and CDC guidelines.

At 10:06 AM Ms. Watson Fisher made a motion seconded by Ms. Russo to follow the CDC's advice as current policy and deal with the use of sick time when/if the situation arises. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

The following beneficiaries of a Superannuation Option B retiree requested a refund of the annuity balance in accordance with Ch. 32, §11(2)(b):

Retiree/ Date of Death	Remaining Deductions	Beneficiary	Proportion to be paid to beneficiary	Taxes Withheld
Josephine Thomas/ November 5, 2021	\$40,941.30	Karrisa Thomas	33 1/3%	Yes
		Danielle Thomas	33 1/3%	Yes
		Samantha Thomas	33 1/3%	Yes

At 10:07 AM Mr. Carroccino made a motion seconded by Ms. Russo to approve the above refunds. The motion passed 4-0 and the votes were as follows: Chairman Siewko: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/Group	DOR	Age	Years of Service	Estimated 3 Yr. Average
Albert Peters/Firefighter/4	01/05/2022	55	32.4167	\$107,220.00
Carol Martinez/Ass't Director/1	01/01/2022	62	24.5833	\$75,323.08
Robert P. Delaney/Firefighter/4	01/02/2022	60	32.0000	\$92,412.83

At 10:08 AM Ms. Russo made a motion seconded by Mr. Carroccino to approve the above retirements. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

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

Name/Title/Group	Accumulated Deductions	Age	Service Credit	Taxes Withheld
Carmen Malave/Paraprofessional/1	\$5,769.67	57	2.5000	Yes
John Peralta/Paraprofessional/1	\$2,852.10	41	1.4167	Yes

At 10:09 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve the above refunds. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Jose Mejia-Follow Up from 2013-2016 PERAC Audit –correction of refund

At 10:11 AM Ms. Watson Fisher made a motion seconded by Ms. Russo to approve the above correction of the refund by paying Jose Mejia-\$104.73 less 20% Federal Tax. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Cheryl (Smith) Williams - Follow Up from 2013-2016 PERAC Audit –correction of refund

At 10:12 AM Ms. Watson Fisher made a motion seconded by Ms. Russo to approve the above correction of refund by collecting the amount of \$540.10 from Cheryl (Smith) Williams. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 10:13 AM Chairman Siewko acknowledged the recent passing of former Chelsea Retirement System Executive Director, David Pickering, and his wife.

Human Resources Request – Retirement based on Injured on Duty Disability

Board Counsel referred to the request made by the Human Resources Department and explained to the Board that he advised the Executive Director not to provide as requested, the members' address and telephone number (pursuant to exemption o) or medical reason for disability retirement (pursuant to exemption c). Board member Russo said that 840 CMR 6.08 "Access to Retirement Files by Employers" says that information can be shared with employers as it impacts present, past or prospective employment of our members.

At 10:23 AM Ms. Russo made a motion seconded by Mr. Carroccino to draft a form for the Human Resources Department to sign consistent with the wording in CMR 6.08 and then offer the additional information as previously requested so long as Human Resources signs the form. The Board agreed that this form should be used by the City for any future requests. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

The Board discussed the process relating to posting the Executive Director position since the current Executive Director's last date of employment due to her resignation is February 25, 2022.

Attorney's Report:

Executive Director's Report:

- Mark Lee Update-PERAC's Disability Transmittal approval-received on January 7, 2022
- Update-The School payroll office issued the refunds on the erroneously withheld retirement deductions-School/Snow Overtime on December 29, 2021 with the exception of one member who was refunded on January 5, 2022.
- Update-Cybersecurity Insurance-the Executive Director reported that she was waiting on further response from the IT Director who had advised that he would be speaking with Ned Keefe, Deputy City Manager

The Revised December 2021 Accounts Payable Warrant, totaling \$43,338.25 and consisting of the following vouchers, was emailed to the Board on January 19, 2022 for their review:

Lad Dell -Refund of Accum. Deductions	\$ 10,252.15
City of Chelsea-Federal Taxes-Lad Dell	\$ 2,563.04
Gloucester Contributory Retirement System	\$ 89.74
MA State Retirement System	\$ 748.18
AMTRUST North America	\$ 51.00
City of Chelsea-Reimb. Postage	\$ 234.04
Deborah Norcott-Refund of Deds.	\$ 1,392.40
City of Chelsea-Federal Taxes-Deborah Norcott	\$ 348.10
Richard Perisie-Refund of Deds.	\$ 894.14
City of Chelsea-Federal Taxes-Richard Perisie	\$ 223.53
Ricoh USA, Inc.	\$ 135.25
The Law Offices of Michael Sacco, P.C.	\$ 250.00
W.B. Mason	\$ 115.27
Brian P. Monahan, Esq.	\$ 4,500.00
Barbara O'Brien-Reimb. for Postage	\$ 46.77
ReadyRefresh	\$ 5.69
Cindy Donarumo-Reimb. for Parking Meter	\$ 137.40
Barbara O'Brien- Reimb. for Parking Meter	\$ 20.60
Natalie Oliveras-Refund of Accum. Deductions	\$ 4,413.73
City of Chelsea-Federal Taxes-Natalie Oliveras	\$ 1,103.43
Everett Retirement Board	\$ 15,971.79
Cindy Donarumo- Reimb for Parking Meter voided ch#15245	\$ -137.40
Barbara O'Brien- Reimb for Parking Meter voided ch#15246	\$ -20.60

The January 2022 Accounts Payable Warrant, totaling \$62,237.16 and consisting of the following vouchers, was emailed to the Board on January 19, 2022 for their review:

Berkshire County Retirement Board	\$ 124.28
Lowell Retirement Board	\$ 10,143.33
Lynn Retirement System	\$ 8,663.03
MACRS	\$ 600.00
MA Housing Finance Agency Employees Ret	\$ 12,343.27
Barbara O'Brien-Reimb. for Webex	\$ 172.13
Somerville Retirement Board	\$ 9,405.74
Brian P. Monahan, Esq.	\$ 4,500.00
ReadyRefresh	\$ 5.69
Revere Retirement System	\$ 4,894.09
Ricoh USA, Inc.	\$ 270.50
The Law Offices of Michael Sacco, P.C.	\$ 1,575.00
W.B. Mason	\$ 338.38
Carmen Malave-Refund of Accum. Deds.	\$ 4,615.74
City of Chelsea-Federal Taxes-Carmen Malave	\$ 1,153.93

John Peralta- Refund of Accum. Deds.	\$ 2,283.28
City of Chelsea-Federal Taxes-John Peralta	\$ 570.82
Jose R. Mejia-Correction of Refund of Accum. Deds	\$ 104.73
City of Chelsea-Reimb for Postage (Dec, 2021)	\$ 183.22
Postmaster Boston-Forever Stamps	\$ 290.00
Jose R. Mejia-stop pay/void ck 15301	\$ -104.73
Jose R. Mejia-Correction of 2014 Refund of Accum. Deds	\$ 83.78
City of Chelsea-Federal Taxes-Jose R. Mejia	\$ 20.95

At 10:43 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve the revised December 2021 and the January 2022 Accounts Payable Warrants. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

The following payroll and vendor warrants were emailed to the Board for their review on January 19, 2022:

Date	Retiree Payroll Warrant	Vendor Warrant
12/20/2021	\$1,165,964.66	\$137,220.29

Staff Payroll Warrants and Vendor Payment Warrants:

12/22/2021	\$3,286.70	\$1,030.24
12/29/2021	\$3,286.70	\$1,030.24
01/05/2022	\$3,286.70	\$1,030.24
01/12/2022	\$5,286.70 (includes Board Stipends)	\$1,375.99
01/19/2022	\$3,286.70	\$1,036.14

At 10:44 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve the Retiree and Staff Payrolls. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

At 10:45 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to approve the Vendor Warrants. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino: Yea

Distribution of:

- Michael McLaughlin: - Chelsea Retirement Board Decision re: Motion for Recusal
- Michael McLaughlin - Chelsea Retirement Order re: Count 2 of M.G.L. c.32, s. 15(4) proceedings
- Michael McLaughlin – DALA Order
- Michael McLaughlin – Update to DALA dated December 28, 2021
- Oct. and Nov. 2021 Cashbooks, Bank Statement, Bank Reconciliation, PRIT Balance Sheet
- Dominic Pagnato-Notice of Receipt of Appeal –DALA Docket No. CR-21-0685
- PERAC Memo #33, 2021–Tobacco Company List
- PERAC Memo #34, 2021- Disability Data
- PERAC Memo #35, 2021- 840CMR 10:10(3) & 10:15(1)(c)-Annual Review of Medical Testing Fee
- PERAC Memo #1, 2022-Fraud Attempt
- PERAC Memo #2, 2022-2022 Limits under Chapter 46 of the Acts of 2002
- PERAC Memo #3, 2022-2022 Limits under Section 23 of Chapter 131 of the Acts of 2010
- PERAC Memo #4, 2022-COLA Notice
- PERAC Memo #5, 2022-2022 Interest Rate set at 0.1%

- PERAC Memo #4a, 2022 Clarification of Previous COLA Notice Memo
- PERAC Memo #6, 2022 Mandatory Retirement Board Member Training, 1st Qtr 2022
- Group 4 Accidental Disability Retirees-Human Resources Public Records Request and Board Response
- PRIT Annual Comprehensive Financial Report – Fiscal Years ended June 30, 2021 and 2020-copy is on file in the Chelsea Retirement Office –additional copies available upon request.

002039

Board Counsel verified that DALA acknowledged the Pagnato appeal and stated that a Docket number has been assigned. In response to Board Member Watson-Fisher's inquiry, Board Counsel stated that he would represent the Board for this matter and stated that he will strongly suggest that this appeal be handled on written submissions as long as Mr. Pagnato agrees to that.

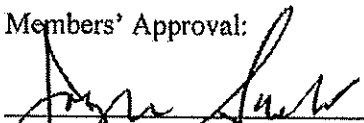
The Board did not enter Executive Session.

At 10:53 AM Ms. Watson Fisher made a motion seconded by Mr. Carroccino to adjourn. The motion passed 4-0 and the votes were as follows: Chairman Siewko:Yea Ms. Russo:Yea Ms. Watson Fisher:Yea Mr. Carroccino:Yea

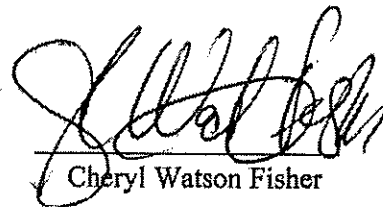
Respectfully submitted,

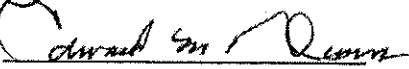

Barbara O'Brien
Executive Director

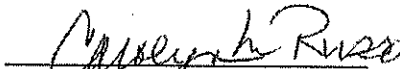
Members' Approval:


Joseph M. Siewko, Chairman


Richard Carroccino


Cheryl Watson Fisher


Edward M. Dunn, Ex Officio


Carolyn M. Russo

2022 MAR 17 P 4:04