

## MINUTES FOR THE 1,266<sup>th</sup> BOARD MEETING

### STATE BOARD OF RETIREMENT

**DATE:** July 27, 2023

**TIME:** 10:06 A.M.

**PLACE:** One Winter Street – 8<sup>th</sup> Floor, Boston, MA/Remote

There being a quorum, the July 27, 2023, meeting of the State Retirement Board (“Board”) was called to order at 10:06 a.m. by Treasurer & Receiver General Deborah B. Goldberg, Chair.

Treasurer Goldberg announced pursuant to the Commonwealth’s Open Meeting Law Massachusetts General Law chapter 30A, §20, as amended recently by Chapter 107 of the Acts of 2023, that the meeting of the Board was being held via the internet and was being called to order with the following Members who would be participating remotely for all or part of the meeting and who were identified at this time: Deborah B. Goldberg, Treasurer & Receiver General, Chair; Theresa McGoldrick, Elected Member; Francis Valeri, Elected Member; Archie Gormley, Chosen Member. Unless otherwise noted, all votes taken at the meeting were taken by roll call vote.

Board staff that were present or participated remotely for all or part of the meeting were: Kathryn Kougias, Executive Director/Director of Finance; Sandor Zapolin, Deputy Executive Director/Chief Operating Officer; Micalie Baptiste-Merisier, Office Manager/Executive Assistant; Lisa Zale, Disability Unit Manager; Joisei Horton, Disability Benefits Support Analyst; Yande Lombe, Associate Board Counsel; Teneshia Lewis, Associate General Counsel; Jennifer Hunt, Associate Board Counsel; Pamela Diggs, Paralegal; Andrew Dickey, Paralegal; Athila Soares-Nunes, Paralegal; Paula Daddona, Assistant Director of Communications & Member Outreach; Zachary Pierce, Communications Coordinator, II; Ebenezer Shim, Communications Specialist; Diana Reyes, Assistant Director of Member Services; Sharon L. Sullivan, Budget & Finance Manager; Brendan McGough, Associate General Counsel.

Treasury staff that participated remotely for all or part of the meeting were: Sarah Kim, Deputy Treasurer/General Counsel; Alexa Michon, Legislative & Policy Analyst; Rachel Healey, Hearing Officer; Elizabeth Morrocco, Treasury Legal; Jim MacDonald, First Deputy Treasurer; Chandra Bork, Chief of Staff; Lizandra Gomes, Deputy Chief of Staff, DE&I Program Manager; Andrew Napolitano, Deputy Communications Director; Mary Wilkins, Communications Executive Assistant; Makayla Fucile, Special Assistant, Treasury; Emily Kowtoniuk, Legislative Director; Suzanne Morson, Executive Assistant; Thyme Morton- Intern.

Members of the public were provided access to the meeting via a call-in number. Those registered as attending were: Jennifer Wilson; Brian Deevy; MaryAnne Wolk; Attorney Charlie Casartello; Josh Bowdridge; Sandra Christensen, SaraKate Matthews – Personnel Office I, Department of Correction.

*Treasurer Goldberg announced in accordance with the Commonwealth’s Open Meeting Law that any person may make a video or audio recording of an open session of a meeting of a public body, and she was obligated to inform participants of any recording at the beginning of the meeting. She then asked that anyone who is making any recording identify themselves as doing so to Treasury staff monitoring the public access platform.*

*Treasurer Goldberg also announced that for those members of the public accessing the open portion of the Board meeting, that access will conclude when the Board enters Executive Session and resume when the Board returns from Executive Session.*

**MINUTES OF THE June 29, 2023, 1,265<sup>th</sup> BOARD MEETING**

On a motion by Mr. Gormley and seconded by Mr. Valeri the Board voted unanimously to approve the Open Session and Executive Session Minutes of the 1,265<sup>th</sup> Board Meeting, held on June 29, 2023.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

**THE BOARD ENTERS INTO EXECUTIVE SESSION**

*At 10:12 a.m. the Board entered Executive Session to review applications for disability retirement, associated benefits, litigation strategy, and to also consider the reputation, character, physical condition, or mental health of individuals with business before the Board. Treasurer Goldberg indicated the Board would reconvene in Open Session after the Executive Session.*

Mr. Gormley made a motion to enter Executive Session, Mr. Valeri seconded the motion.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

**THE BOARD RECONVENES IN OPEN SESSION**

**TAB 2 GROUP CLASSIFICATIONS**

**Pursuant to the Board’s Classification Policy the following are reported as approved for Group 2 Classification:**

1. **Terence Beck** – Social Worker II, DCF
2. **Catie Blake-Burnett** – Occupational Therapist II, Cape Cod Community Mental Health Center, DMH
3. **Edward Carberry** – Vocational Instructor C, DDS
4. **Kenneth Flanagan** – Educational Specialist A/B, DOC
5. **Karen Greaney** – Social Worker III, DCF
6. **Anne Hoffman** – RN II, Pappas Rehabilitation Hospital, DPH
7. **Susan Mahoney** – Occupational Therapist Assistant, Southern Worcester County Educational Collaborative
8. **Stephen Melchin** – Court Officer III, MA Trial Court
9. **Eugene Novak** – State Building Inspector III, Division of Occupational Licensure
10. **Frank Nunes-Sylvia** – Court Officer III, MA Trial Court
11. **Sherry Otero** – Court Officer III, MA Trial Court
12. **Mary Plante** – Physical Therapist II, Hogan Regional Center, DDS
13. **Karine Pradieu** – RN III, Pappas Rehabilitation Hospital, DPH
14. **Carolyn Timbie** – Occupational Therapist II, Hogan Regional Center, DDS

**GROUP 2 (Board Review)**

1. **Paula Ayer** – RN II, Tewksbury Hospital, DPH

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. **Rachele Bodkin** – RN III, Lemuel Shattuck Hospital, DPH

After discussion of the available information, the Board on a motion made by Mr. Valeri and seconded by Mr. Gormley voted to table this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

3. **Joseph Machado** – MHW III, Taunton State Hospital, DMH.

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

4. **Colette Mannion** – RN III, RAP Unit, Taunton State Hospital, DMH.

After discussion of the available information, the Board on a motion made by Mr. Valeri and seconded by Mr. Gormley voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

5. **Jacqueline Mosselle** – Social Worker III, DCF

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

6. **Robin Oakland** – CNA, Western Mass. Hospital, DPH

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

7. **Collette Santa** – Parole Board Member/Program Manager VIII, MA Parole Board

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

8. **Mark Theberge** – Social Worker III, DCF

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

*Treasurer Goldberg left the meeting at 11:11 a.m. and appointed Ms. Sarah Kim to lead the meeting.*

**GROUP 2 HSC A/B (Board Review)**

1. **Sandra Willette** – HSC I, DMH

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 2 (Tabled) (Board Review)**

1. **Stephen Nolette** – Campus Police Officer, Taunton State Hospital, DMH

After discussion of the available information, the Board on a motion made by Mr. Valeri and seconded by Mr. Gormley voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Mr. Gormley	Yes
Mr. Valeri	Yes
Ms. Kim	Yes

*Theresa McGoldrick joined the meeting at 11:16 a.m. Ms. Kim left the meeting due to a technical issue and rejoined at 11:30 a.m.*

**GROUP 2 HSC A/B (RECONSIDERATION) (Tabled) (Board Review)**

1. **Jennifer Wilson** – HSC A/B, DDS

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Ms. McGoldrick voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Gormley	Yes
Mr. Valeri	Yes
Ms. Kim	Yes

**GROUP 2 PRO-RATE**

**Pursuant to the Board’s Classification Policy the following are reported as approved for Group 2 Pro-Rate Classification:**

1. **Brenda Fonseca** **Department of Developmental Services**  
MRA – 05/28/1985 - 12/13/1986  
MRW – 12/14/1986 - 01/30/1993  
Recreational Therapist I – 01/31/1993 - 05/03/1997  
Recreational Therapist I – 06/14/1998 - 08/14/2010  
Habilitation Coordinator A/B - 08/15/2010 - 09/22/2012
2. **Jodi Fritz** **Department of Children and Families**  
Social Worker I – 11/20/1988-09/22/1990  
Social Worker III – 09/23/1990 - 11/23/1996  
Social Worker IV – 11/24/1996 - 03/02/2001  
Social Worker IV – 12/09/2001 - 02/15/2003
3. **Elizabeth Leonard\*** **South Shore Educational Collaborative**  
Paraprofessional – 08/27/2013 - 09/06/2023

\*Member established membership after April 2, 2012, and so is required to pro-rate any position that they wish to classify, including the position that they currently hold.

**GROUP 2 PRO-RATE (Board Review)**

1. **Brenda Fonseca**

**Department of Developmental Services**  
Habilitation Coordinator C – 09/23/2012 -  
9/11/2021

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to table this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

2. **Anita Grimes**

**Department of Public Health**  
Social Worker III – 07/01/1997 - 12/15/2001  
Social Worker C – 12/16/2001 - 06/13/2009

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to deny this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

3. **Elvira Navarro**

**Lemuel Shattuck Hospital, DPH**  
RN I – 06/11/1989 - 05/31/1990  
RN II – 06/01/1990 - 02/13/1993  
RN III – 12/14/1993 - 02/28/2000



After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to table this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

4. **Alicja Sadowicz**

**Department of Developmental Services**

HSC A/B - 04/29/2007 - 09/28/2019

HSC I - 09/29/2019 - 11/06/2021

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to deny the requests for both positions.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 4**

**Pursuant to the Board's Classification Policy the following are reported as approved for Group 4 Classification:**

1. **James Allain** – Correction Officer III, DOC
2. **Michael Amatucci** – Correction Officer/Corporal, Suffolk County Sheriff's Department
3. **Paul Aylward** – Industrial Instructor II, DOC
4. **John Boardman** – Correction Officer II, Essex County Sheriff's Department
5. **Danette Britto** – Correction Officer/ Sergeant, Plymouth County Sheriff's Department
6. **Clarence Brown** – Assistant District Attorney, Middlesex District Attorney's Office
7. **Scott Chumsae** – Correction Officer III, DOC

8. **James Clark** – Correction Officer I, DOC
9. **Ann Clegg** – Field Parole Officer A/B, MA Parole Board
10. **Kristopher Collins** – Correction Officer, Essex County Sheriff’s Department
11. **Nestor Cruz** – Captain, DOC
12. **David Fournier** – Correction Officer/ Farm Officer, Plymouth County Sheriff’s Department
13. **James Henderson** – Correction Officer III, DOC
14. **Timothy Jamros** – Correction Officer, Berkshire County Sheriff’s Office
15. **Peter Lundy** – Lieutenant, Essex County Sheriff’s Department
16. **William Lunn** – Correction Officer I, DOC
17. **Kenneth McCrosson** – Correction Officer I, DOC
18. **David Miller** – Field Parole Officer A/B, MA Parole Board
19. **Patrick Milott** – Correction Officer, Worcester County Sheriff’s Department
20. **Thomas Phelan** – Corporal, Hampden County Sheriff’s Department
21. **Drew Powell** – Correction Officer/Primary Captain, Franklin County Sheriff’s Office
22. **Scott Raymondo** – Correction Officer III, DOC
23. **George Rivera** – Correction Officer I, DOC
24. **Mark Rodi** – Lieutenant, Bristol County Sheriff’s Department

**GROUP 4 (Board Review)**

1. **Richard Hopkinson** – Assistant Deputy Superintendent II, Middlesex County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Ms. McGoldrick voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

2. **Paul Meehan** – Assistant Deputy Superintendent II, Middlesex County Sheriff’s Office

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

3. **Kevin Slattery** – Assistant Deputy Superintendent II, Middlesex County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Ms. McGoldrick voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 4 (Tabled) (Board Review)**

1. **Christopher Alessi** – Correction Officer, Suffolk County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Ms. McGoldrick voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 4 (Reconsideration) (Board Review)**

1. **Josh Bowdridge** – Program Director, Middlesex County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Valeri voted to table this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 4 Correction Program Officer (Board Review)**

1. **Tobie Fortes** – CPO D, DOC

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Valeri voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

**GROUP 4 PRO-RATE**

**Pursuant to the Board’s Classification Policy the following are reported as approved for Group 4 Pro-Rate Classification:**

1. **Kevin Lynch** **Worcester County Sheriff’s Office**  
Correction Officer – 12/16/2001 - 01/22/2018
2. **Colette Santa** **MA Parole Board**  
Chief Parole Supervisor – 03/20/2016-12/31/2017

**GROUP 4 PRO-RATE(Board Review)**

1. **Stephen Hoctor\***                      **Middlesex County District Attorney’s Office**  
Assistant District Attorney – 05/04/1991 - 02/11/1999  
Assistant District Attorney – 07/18/2005 - 07/26/2013

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to approve this request.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

\*Membership established after April 2, 2012, and therefore, it is required to pro-rate any position that the member wishes to classify, including the position that they currently hold

**20/50**

**Pursuant to the Board’s Classification Policy the following are reported as approved for 20/50 Classification:**

1. **Donna Bohmbach** – Correction Officer, Plymouth County Sheriff’s Department
2. **Frico Damas** – Correction Officer, DOC
3. **Frank Maine** – Correction Officer I, DOC
4. **James Thornton** – Correction Officer II, DOC

**TAB 3: REPORT OF THE EXECUTIVE DIRECTOR**

**1. Business Operations Report**

- **Cost of Living Adjustment (“COLA”) to Retirees**

Ms. Kougias informed the Board that the FY2024 Commonwealth budget has not been finalized, and consequently, the retiree COLA will not be reflected in the July 2023 retiree payroll. The Board will be kept informed of this matter. The retirees will receive information with the July payment to let them know the delay of the COLA payment.

- **MA Association of Regional Planning Agencies.**

Ms. Kougias met with the abovementioned and its representative from Tremont Strategies. It was reported that the Association's position of the contribution rate set forth by the legislature is beyond what the agencies can afford. Ms. Kougias informed the Association that it is not the role of the State Board of Retirement to determine the rate or propose a new rate. The State Retirement Board issues the invoices, records the payments, and does its due diligence to collect the outstanding receivables.

- **Section 91A, Initial 2022 Notification**

Section 91A refers to members who receive retirement benefit due to a disability. Each year, those members must comply with the criteria set for in Section 91A to ensure that they continue to be eligible for the benefits. At this time, there are 250 retirees who have not complied, and letters were sent out to notify each of the non-compliance. The Board's practice is to send three reminder notices before any action to suspend a payment is taken.

- **Form 1099R, Upcoming Election, and Benefit Verification Process**

Ms. Kougias offered a brief overview of the upcoming operational requirements and noted that additional information will be forthcoming over the next few months. As required, Board staff will initiate the search for a vendor with the support of Treasury procurement for each process and recommendations will come before the Board for a vote.

- **MSRB Workforce Update**

Ms. Kougias noted that progress has been made within several units and the focus is training. We will continue to recruit to backfill management and staff positions. Ms. Kougias noted two team members who recently resigned from the Refunds and IT units.

- **Monthly Operations Data**

Ms. Kougias presented the various data pertaining to the monthly warrant, accelerated benefit payments and benefit adjustments. Overall, the data shows consistency although there was an increase of \$1.2 million in the July retiree payroll when compared to June. For July, there were 70,684 payees of which 130 were first-time retirement payments.

## **2. FY2023 Operating and Capital Expenses as of June 30, 2023**

Ms. Kougias summarized the operating and capital expenditures relative to the FY2023 budget to date as of June 30, 2023. The June spending includes expenses paid in Period 13; however, a final report will be presented in July to give a complete expense report of FY2023 expenditures for both the operating and capital expenditures.

Mr. Valeri noted the status of the spending and that each year the Board is underbudget. He expressed that more attention should be given to retaining employees; the funds are available to spend. He expressed concern with the staff resignations which has resulted in the loss of institutional knowledge. Ms. McGoldrick echoed Mr. Valeri's concerns and noted that more staff is needed. It's a challenge to retain employees but resources are available to offer competitive salaries. Ms. McGoldrick mentioned that she hears from members about the service.

First Deputy Treasurer James MacDonald noted that the retirement board is under the Treasury and always has been. He noted that a 4% COLA was recently done across the board to all staff and that this has never been done before. Mr. MacDonald informed the Board that Treasury is always looking to make improvements.

*Treasurer Golberg rejoined the meeting at 12:08 p.m.*

Treasurer Goldberg offered that the employment issue is more complicated than just salary. The Chair noted that she and the Treasury management team are taking a macro look at the retirement board to make improvements rather than focusing just on salaries.

## **3. PRIT Fund Financials**

Ms. Kougias summarized the June 30, 2023, fund performance, assets, and fund allocation. The Board has furnished the Pension Reserve Investment Management Board full report. It was noted that there have been three consecutive quarters of positive performance. Ms. Kougias informed the Board that Mr. Michael Trotsky is tentatively scheduled to attend the September 2023 Board meeting. Total assets are at \$96.5 billion for MSERS and MTAERS million with a rate of return of inception to date at 9.28%.

## **4. Legal Update Memorandum**

Ms. Kougias reviewed the Legal Update Memorandum for the Board. Four cases were presented in a memorandum based on the Division of Administrative Law Appeals ("DALA") recent decisions—two beneficiary designations, one accidental disability, and one Group 2 classification. DALA reversed the Board's decision in the beneficiary determination case of Charles Horahan v. State Board of Retirement, CR-21-0549 (June 23, 2023).

## **Board & MSRB Communications**

Ms. Kougias informed the Board of the upcoming one-day “Emerging Issues Forum” offered by PERAC on September 21, 2023, at Holy Cross.

**ADJOURNMENT**

On a Motion by Mr. Valeri and seconded by Ms. McGoldrick the Board voted to adjourn the meeting.

**ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:**

Ms. McGoldrick	Yes
Mr. Valeri	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

The next meeting of the State Board of Retirement is scheduled for Thursday, July 27, 2023. The Meeting adjourned at 12:20 P.M.