

MINUTES FOR THE 1,267th BOARD MEETING

STATE BOARD OF RETIREMENT

DATE: August 31, 2023

TIME: 10:05 A.M.

PLACE: One Winter Street – 8th Floor, Boston, MA/Remote

There being a quorum, the August 31, 2023, meeting of the State Retirement Board (“Board”) was called to order at 10:05 a.m. by Deputy Treasurer/General Counsel Sarah Kim.

Deputy Treasurer/General Counsel Sarah Kim 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: Deputy Treasurer/General Counsel Sarah Kim; 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; 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; Jenna Slivinski, Disbursement Unit Manager; Sharon L. Sullivan, Budget & Finance Manager; Brendan McGough, Associate General Counsel, Stephanie Sicard, Assistant Director of Benefit Services

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; 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; John Durgin-Legal; Alberto Anzola, Deputy Director of Policy and Legislative Affairs.

Members of the public were provided access to the meeting via a call-in number. Those registered as attending were: Josh Bowdridge; Department of Correction; David Kargho; Nana Ama Baffoa; Annette Appiah Dapaah.

Deputy Treasurer/General Counsel Sarah Kim 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.

Deputy Treasurer/General Counsel Sarah Kim 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 July 27, 2023, 1,266th BOARD MEETING

On a motion by Mr. Valeri and seconded by Ms. McGoldrick the Board voted unanimously to approve the Open Session and Executive Session Minutes of the 1,266th Board Meeting, held on July 27, 2023.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

THE BOARD ENTERS INTO EXECUTIVE SESSION

At 10:09 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. Deputy Treasurer/General Counsel, Sarah Kim indicated the Board would reconvene in Open Session after the Executive Session.

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

THE BOARD RECONVENES IN OPEN SESSION

At 11:01 a.m. Mr. Valeri left the meeting.

TAB 2- GROUP CLASSIFICATIONS

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

1. **Raymond Jackman** – Program Coordinator III, Pappas Rehabilitation Hospital, DPH
2. **Cheryl Lajoie** – Vocational Instructor A/B, DDS
3. **Harold Leaming** – State Building Inspector, Office of Public Safety & Inspection
4. **Elizabeth Mahoney** – Associate Probation Officer, MA Trial Court
5. **Steven Malloy** – Court Officer III, MA Trial Court
6. **Kevin Martin** – Chief Probation Officer, MA Trial Court
7. **Charles Mellinger** – Social Worker II, DCF
8. **Kimberly Oztunc** – Social Worker II, DCF
9. **Theresa Poirier** – RN IV, Tewksbury Hospital, DMH
10. **Elzy Tubbs** – Probation Officer, MA Trial Court

GROUP 2 (Board Review)

1. **Priscilla Jones** – Social Worker I, DCF

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. Gormley	Yes
Ms. Kim	Yes

2. **Erin O'Brien** – Special Investigator AB, MA Parole Board

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
Ms. Kim	Yes

GROUP 2 (TABLED) (Board Review)

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

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. Gormley	Yes
Ms. Kim	Yes

GROUP 2 (RECONSIDERATION) (Board Review)

1. **Joseph Medeiros** – Maintenance Engineer Welder, Bristol Sheriff's Department

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

Then on a motion made by Mr. Gormely and seconded by Ms. McGoldrick voted to approve this request.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Ms. McGoldrick	Yes
Mr. Gormley	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. **Marie Gerta Fontin** **Department of Public Health (Lemuel Shattuck Hospital)**
LPN II 04/03/05- 07/12/12
2. **Trod Harold** **Department of Children and Families**
Social Worker I – 09/23/1990 - 02/18/1995
Social Worker III – 02/19/1995 - 12/15/2001
Social Worker C – 12/16/2001 - 01/23/2016
Social Worker II – 01/24/2016 - 01/25/2018

GROUP 2 PRO-RATE (Board Review)

1. **Luz Garcia*** **Department of Public Health**
HSC C – 01/13/2013 - 09/28/2019
HSC II – 09/29/2019 - 04/04/2023

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. Gormley	Yes
Ms. Kim	Yes

2. **Colette Santa**

Department of Corrections

Deputy Superintendent – 03/15/2010- 03/19/2016

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. Gormley	Yes
Ms. Kim	Yes

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

1. **Brenda Fonseca**

Department of Developmental Services

Habilitation Coordinator C – 09/23/2012-
09/11/2021

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. Gormley	Yes
Ms. Kim	Yes

2. **Elvira Navarro**

**Department of Public Health(Lemuel Shattuck
Hospital)**

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 deny this request.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Ms. McGoldrick	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. **Mark Cavanaugh** – Correction Officer, DOC
2. **Adam Coste** – Corporal, Suffolk County Sheriff’s Department
3. **James Dube** – Correction Officer I, DOC
4. **Joshua Frisbie** – Captain, Plymouth County Sheriff’s Department
5. **Joseph Halloran** – Correction Officer II, Essex County Sheriff’s Department
6. **Christopher Holmes** – Correction Officer I, DOC
7. **Craig Kingston** – Correction Officer, Suffolk County Sheriff’s Department
8. **Michael Koslowsky** – Industrial Instructor II, DOC
9. **James Lawless** – Correction Officer II, DOC
10. **Matthew Leary** – Correction Officer I, DOC
11. **John MacGeachey** – Correction Officer, Worcester County Sheriff’s Department
12. **Lucien Mandeville** – Correction Officer I, DOC
13. **Mario Moore** – Correction Officer I, DOC
14. **Antonio Oliveira** – Captain, Bristol County Sheriff’s Department
15. **Pamela Rogers** – Correction Officer II, DOC
16. **John Sullivan** – Captain, Suffolk County Sheriff’s Department
17. **Andrew Wong** – Correction Officer I, DOC

After discussion of the available information, the Board on a motion made by Mr. Gormley and seconded by Ms. McGoldrick voted to remove John MacGeachey from the approved list.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

GROUP 4 (Board Review)

1. **John MacGeachey** – Correction Officer, Worcester County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to take no action on this request.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

2. **Alex Bouffard** – Correction Officer, Berkshire County Sheriff’s Office

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. Gormley	Yes
Ms. Kim	Yes

3. **Sandra Daub** – Assistant Deputy Superintendent, Nantucket 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. Gormley	Yes
Ms. Kim	Yes

4. **Patrick Donohue** – Correction Officer, Worcester County Sheriff’s Department

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. Gormley	Yes
Ms. Kim	Yes

5. **Kostantinos Economou** – Correction Officer I, DOC

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. Gormley	Yes
Ms. Kim	Yes

6. **Paul Majenski** – Correction Officer, Essex County Sheriff’s Department

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. Gormley	Yes
Ms. Kim	Yes

GROUP 4 (Reconsideration) (Board Review)

1. **Durwood Araujo**- Assistant Superintendent, Dukes County Sheriff's Department

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

Then on a motion made by Mr. Gormely and seconded by Ms. McGoldrick voted to approve Group 4 Classification.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

2. **Robert Horta**- Assistant Superintendent II/Calculation/Categorization, Bristol 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 the reconsideration.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

Then on a motion made by Ms. McGoldrick and seconded by Mr. Gormely voted to approve Group 4 Classification.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

GROUP 4 (Reconsideration) (Tabled) (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. Gormley voted to deny this request.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Ms. McGoldrick	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. John Cahill

Plymouth County Sheriff's Department

Correction Officer – 07/01/1988 - 08/11/1995

2. Julio Pena

Suffolk County Sheriff's Department

Jail Officer – 09/01/2003 - 02/01/2019

TAB 3: REPORT OF THE EXECUTIVE DIRECTOR

Cost of Living

Ms. Kougias reported to the Board the payment of the 3% COLA that was included in the August 31, 2023, pension payment for eligible retirees. The payment was retro-active to July 1 2023. Processing the payment was dependent on the Governor signing the FY2024 budget on August 9 2023.

82, Conference Committee Report

Ms. Kougias introduced Section 82 to inform the Board of the process if this provision were to be allowed for those members who at age 70 elected to stop their contributions under Chapter 32, Section 90G ¾. Staff counsel conferred outside counsel to seek advice on requesting a letter ruling from the Internal Revenue Service.

General Counsel Kim presented a memorandum dated August 2023 to the Board with a complete explanation of Section 82, Chapter 28 of the Acts of 2024 and to explain actions the Board staff has and plans to undertake in response to the legislation.

Theresa McGoldrick motioned to ratify the MSRB staff's actions to date to implement section 82, Chapter 28 of the Acts of 2024, including assessment that a private letter ruling is required to implement Section 82(a) and instructions to outside counsel that they seek a private letter ruling from the Internal Revenue Service, and to authorize the Executive Director to take all actions necessary to effectuate the same.

On a motion made by Ms. McGoldrick and seconded by Mr. Gormley the Board voted to accept the recommendation.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Ms. McGoldrick

Yes

Mr. Gormley	Yes
Ms. Kim	Yes

Section 91A for calendar year 2022

Ms. Kougias informed the Board that 153 members who have retired in accordance with Section 91A disability have not complied. The second reminder letter was mailed on August 28, 2023, to inform each member of the reporting requirements and ultimate consequences if the required reporting is not met.

A review of the Board’s policy is underway regarding SRB’s administrative requirements. Efficiencies should be considered to streamline the process. Any recommended changes will be presented to the Board for its input.

MSRB Workforce Update

Ms. Kougias informed the Board of key personnel reporting changes and explained why such changes were made. The Administrative functions-- Legal, Finance, IT, Audit and Training report directly to Treasury; Sarah Kim, General Counsel; Minot Powers, Chief Investment Officer, Steve Mclsaac, Chief Information Officer, Kathleen McNamara, Internal Auditor, and Swee Lin Wong, Chief of Human Resources have assumed management of the respective SRB teams.

Kathryn Kougias, Executive Director, and Sandor J. Zapolin, Deputy Executive Director/Chief Operating Officer, will continue to direct and lead all business efforts for the administrative functions and the member benefit functions. The current focus is to promote and retain talent, backfill positions, ensure positions are accurately and competitively classified, and add staff to meet business needs. Assessing workflow and business practices is being examined by both Ms. Kougias and Mr. Zapolin with the goal of improving, adding efficiencies, and ensuring best practices. This is a much-needed undertaking.

Monthly Operations Data

Ms. Kougias reviewed and highlighted the year-to-date numbers through July (and August where available) for the monthly pension payment, accelerated payments, benefit adjustments, and distributions. First payments for retirees improved since July (133 to 217); number of distributions processed were up (402 to 422) with an increase in dollars by \$1.9 million.

Sharon Sullivan, Finance & Budget Manager, added to the discussion and provided additional information of the breakdown of the distributions by refunds, rollovers, and transfers to other Boards. Staff deficiencies have impaired production in this area.

Telephone calls and walk ins remained steady through the summer months, however, outreach attendance was down somewhat.

The FY2023 operating and capital spending report was presented. The operating spending for the year was 70% of the total budget.

The FY2024 spending for the first month of the fiscal year was just under 3%.

A summary of the PRIT Fund assets and performance was accompanied by the full report for the Board's review. The fund has completed three successful quarters. Assets have increased to \$98.5 billion in July 2023. The rate of return for the calendar year to date in July was 8.5% and for the one-month 1.75%

Legal Update Memorandum

Ms. Kougiaris summarized the Legal Update as prepared by Associate Counsel Yande Lombe. There were six cases—3 classification, 1 regular compensation, 1 accident disability and 1 retirement allowance. There was a brief discussion of the case outcomes.

2023-2024 Election Schedule

With an elected position term expiring on April 30, 2024, the Election process has begun. Ms. Kougiaris presented the election schedule and the election rules. Ms. Kougiaris appointed Ms. Paula Daddona as the election officer.

On a motion made by Mr. Gormley and seconded by Ms. McGoldrick the Board voted to approve the proposed 2023-2024 election schedule and rules as presented.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

2024 Board Meeting Dates

Ms. Kougiaris presented the proposed 2024 Board meeting dates to allow consideration for scheduling and to ensure that a quorum is reached. If a change is needed, advance discussion will be conducted.

Communications

A copy of the August 2023 Retiree MSRB Retiree eNews Bulletin was included. The Bulletin is sent electronically to all retirees who sign up to receive it. Currently, it is distributed to 52,830 retirees.

ADJOURNMENT

On a motion by Theresa McGoldrick and seconded by Arch Gormley the Board voted to adjourn the meeting at 11:57 a.m.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

The next meeting of the State Board of Retirement is scheduled for Thursday September 28 2023.