

## MINUTES FOR THE 1,270<sup>th</sup> BOARD MEETING

### STATE BOARD OF RETIREMENT

**DATE:** November 29<sup>th</sup>, 2023

**TIME:** 10:01 A.M.

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

There being a quorum, the November 29<sup>th</sup>, 2023 meeting of the State Retirement Board (“Board”) was called to order at 10:01 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; 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; Lisa Zale, Disability Unit Manager; Joisei Horton, Disability Benefits Support Analyst; Jasmine Chasse, Disability Retirement Case Counselor; Yande Lombe, Associate Board Counsel; Pamela Diggs, Paralegal; Andrew Dickey, Paralegal; Athila Soares-Nunes, Paralegal; Paula Daddona, Director of Member Experience, Communications & Operations; Zachary Pierce, Communications Coordinator, II; Ebenezer Shim, Communications Specialist; Diana Reyes, Director of Benefits; Carol Powers, Benefit Calculation Analyst III Sharon L. Sullivan, Budget & Finance Manager; Brendan McGough, Associate General Counsel, Jennifer Hunt, Associate General Counsel; Carol Powers, Benefit Calculation Analyst III.

Treasury staff that participated remotely for all or part of the meeting were: Sarah Kim, Deputy Treasurer/General Counsel; Rachel Healey, Hearing Officer; Chandra Bork, Chief of Staff; Andrew Napolitano, Deputy Communications Director; Emily Kowtoniuk, Legislative Director; Elizabeth Morrocco, Associate General Counsel/Procurement Director.

Members of the public were provided access to the meeting via a call-in number. Those registered as attending were: Jeffrey Black – HSC A/B, DDS; SaraKate Matthews, Personnel Officer I, Department of Correction; Krystin Camilleri; Catarina Moura; Ron St Pierre; Mikaela Cole.

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 October 26, 2023, 1,269<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 of the 1,269<sup>th</sup> Board Meeting, held on October 26, 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 10:01 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. Valeri made a motion to enter Executive Session, Mr. Gormley 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. **Danny Baez** – Chief Probation Officer, MA Trial Court
2. **Mary Ann Benedetto** – Social Worker III, DCF
3. **Michael Checkman** – Probation Officer II, MA Trial Court
4. **Ellen Doherty** – Nurse Professional I, UMass Chan Medical School
5. **Soree Kuyateh** – Mental Health Counselor II, UMass Chan Medical School
6. **Brendan Lucey** – Assistant Chief Probation Officer, MA Trial Court
7. **Minaly Pagan** – Registered Nurse, Hampden County Sheriff’s Department
8. **Edward Proctor** – Court Officer III, MA Trial Court
9. **Nancy Silva** – Nursing Assistant IV, Pappas Rehabilitation Hospital, DPH
10. **Richard Troutman** – RN, Franklin County Sheriff’s Office

**GROUP 2 (Board Review)**

1. **Jeffrey Bain** – Plumber, Worcester County Sheriff’s Department

After discussion of the available information, the Board on a motion made by Mr. Valeri 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

2. **Doris Cooper**- Nursing Assistant I, Tewksbury State Hospital, DPH

After discussion of the available information, the Board on a motion made by Mr. Gormley 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

3. **Marc Iannaco** – Court Officer, Massachusetts House of Representatives

After discussion of the available information, the Board on a motion made by Mr. Valeri 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

4. **Linda Kohler** – Launderer I, Worcester Recovery Center and Hospital, DMH

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

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

5. **Kathie Korona** – Bus Driver, READS Collaborative

After discussion of the available information, the Board on a motion made by Mr. Gormley 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. **Luzia Mendonca** – Direct Care Team Lead, Southeastern MA Educational Collaborative

After discussion of the available information, the Board on a motion made by Mr. Valeri 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

7. **Faustino Sanchez** – Community Control Officer/Maintenance, Hampden County Sheriff’s Department

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

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

8. **Kathleen Sylvia** – Food Service Supervisor, South Shore Educational Collaborative

After discussion of the available information, the Board on a motion made by Mr. Valeri 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

9. **David Thomas** – Social Worker, DCF

After discussion of the available information, the Board on a motion made by Mr. Valeri 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

**GROUP 2 HSC A/B (BOARD REVIEW)**

1. **Song Chen** – HSC I, DDS

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

**GROUP 2 HSC C (Board Review)**

1. **Maribel Goglas-Sicuso** – HSC II, 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

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

1. **Debra Moschos**

**Department of Developmental Services**

Fiscal Officer II – 03/24/1988 - 07/01/1995

Fiscal Officer IV – 07/02/1995 - 12/15/2014

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

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

Further, on a motion made by Mr. Gormely and seconded by Mr. Valeri voted to deny the request for Fiscal Officer IV.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. **Joseph Pietrzak**

**Department of Mental Health**

Mental Health Case Manager I – 07/26/1987 -  
09/21/1996

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

#### **GROUP 4**

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

1. **Brett Barros** – Correction Officer III, DOC
2. **John Belair** – Captain, DOC
3. **Jay Brule** – Correction Officer III, DOC
4. **Dalton Clayton** – Lieutenant, Suffolk County Sheriff's Department
5. **Shawn Conley** – Correction Officer, Worcester County Sheriff's Department
6. **Jason Cornell** – Correction Officer I, DOC
7. **Michael Gilbert** – Industrial Instructor II, DOC
8. **Mary Holton** – Captain, Suffolk County Sheriff's Department
9. **Albert Humphrey** – Lieutenant, Hampshire Sheriff's Office
10. **Michael Jenkins** – Correction Officer II, DOC
11. **Frederick Johnson** – Correction Officer I, DOC
12. **Edward Melanson** – Captain, Essex County Sheriff's Department
13. **Scott Messina** – Outreach Corrections Officer, Norfolk County Sheriff's Department
14. **Danielle Paige** – Correctional Counselor/CO, Hampden County Sheriff's Department
15. **Michael Rouleau** – Industrial Instructor II, DOC
16. **Dennis Servello** – Correction Officer, Suffolk County Sheriff's Department
17. **Richard Smith** – Senior Correction Officer III, Essex County Sheriff's Department
18. **Paul Souza** – Correction Officer, Bristol County Sheriff's Department
19. **Steven Souza** – Superintendent, Bristol County Sheriff's Department
20. **Brian Tate** – Correction Officer, Bristol County Sheriff's Department

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

1. **Paul Maijenski** – Correction officer, Essex County Sheriff's Department

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



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

1. **Peter Berthiaume** – Assistant Superintendent II Civil Division, Bristol County Sheriff’s Department

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

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

Further, on a motion made by Mr. Gormely and seconded by Mr. Valeri voted to approve the request.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

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

1. **Brendan Lucey** Department of Correction  
CPO A/B – 03/24/1991 - 04/29/1995

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

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

1. **Paul Cormier** – Correction Officer I, DOC
2. **Kelley Connors** – Sergeant, Hampshire County Sheriff’s Department
3. **Ryan Fitzmaurice** – Correction Officer, Middlesex County Sheriff’s Department
4. **Keith Repucci** – Correction Officer I, Essex County Sheriff’s Department
5. **Martha Silveira** – Correction Officer, Bristol Sheriff’s Department

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

**2023 Annual Report – Statement of Financial Condition**

Ms. Kougias and Ms. Sullivan presented the draft report and highlighted the year in review for the fiscal year ending June 30, 2023. Ms. Kougias noted the Board’s role and responsibility, membership demographics, retirement benefits, operational and administrative activity for the past year for the Massachusetts State Employees’ Retirement System (“MSERS”) and the Massachusetts Turnpike Authority Employees’ Retirement System (“MTAERS”). Ms. Sullivan reviewed the financials, funding, PRIT fund asset allocation, and explained the accounting requirements established by the Public Employee Retirement Administration Commission.

After discussion, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri voted to approve the draft report noting the change to the number of new retirements and member refunds and updating the Chair’s profile.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

**Section 91A Final 2022 Notification**

Ms. Kougias informed the Board of the members who have not complied with the requirements per Section 91A Disability. For calendar year 2022, PERAC has reported that 36 members to date have not complied, this represents 13 members who continue to not comply from prior years and an additional 23 members who are non-compliant for calendar year 2022. As a result, the accounts will be suspended starting with the November payroll.

After discussion, the Board on a motion made by Mr. Valeri and seconded by Mr. Gormley voted to approve the account suspensions of the 23 members and to continue the suspension of the 13 members.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

**Members in Service Age 70 and Older, Section 82, Chapter 28 of the Acts of 2024**

Ms. Kougias updated the Board on the change of events regarding this provision. It will not be necessary to seek a determination letter or a ruling from the IRS (as approved by a Board vote in August 2023). After consultation with PERAC’s team, PERAC will prepare a memorandum and forms that will be available to all retirement boards to use to allow eligible members to buyback the service if they have continued to work and elected to stop contributing at age 70. MSRB will notify members who are in this category.

**MSRB Workforce Update**

Efforts continue to shore up staffing across SRB. In summary, there were two staff hires this past month and three resignations. Two management promotions were announced, Director of Member Experience, Communications & Operations and Director of Benefits. Assessment of functions is ongoing with the goal of strengthening the team and improving alignment. The overtime opportunities have expanded to address the volume of work in the benefit calculation, refunds, and buyback departments.

**Monthly Operations Data**

The monthly and year-to-date numbers through October were presented. Ms. Kougias also verbally informed the Board of the November data where available. First payments for November were 192 which is down approximately 26% from October. Consistency was demonstrated in the benefit adjustments.

We continue to handle approximately 10,000 calls monthly and we have steady member walk-ins.

**Operating and Capital Expenses**

Ms. Kougias reviewed the month to date expenses compared to the budget of each schedule. The operating expenses are at 15.86% and the capital expenses are at 4.6%--both are well below budget.

**PRIT Fund Assets and Performance**

The Board reviewed the monthly report for the period ending October 31, 2023. October showed a decrease in assets of approximately \$2B, and, therefore, reflects a decline in the MSERS and MTAERS values. Calendar year to date performance was 3.20%; 1, 3 and 5 years respectively 5.32%, 7.12 %and 7.40.%

**Outstanding/Uncollectible Accounts Receivable**

Ms. Sullivan presented the annual outstanding benefit payments receivables based on a member’s date of death as of June 30, 2020, and continues to be outstanding as of June 30, 2023. Ms. Sullivan provided an informative table of the breakdown of the 208 number of accounts and the \$232,046.89 total owed. She explained the process in place to validate DOD and the due diligence in place to make every effort to collect the outstanding debt.

To comply with the Board’s policy, a vote is necessary to write off/waive the accounts deemed uncollectible.

After discussion, the Board on a motion made by Mr. Gormley and seconded by Mr. Valeri to authorize Board staff to write off/waive 208 accounts in the amount of \$232,04689.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

**Legal Update Memorandum**

Ms. Kougias outlined briefly the cases presented in the memorandum prepared by Associate Counsel Yande Lombe

There were two accidental disability retirement cases and one group classification. In Susan Gallagher v. State Board of Retirement, Division of Administrative Law Appeals, the member has appealed to CRAB.

The Matthew Gale v. State Board of Retirement, Contributory Retirement Appeal Board case, CRAB agreed with DALA that the member did not meet his burden. Susan Burnes v. State Board of Retirement, Division of Administrative Law Appeals, the Board’s decision to deny was affirmed regarding the member’s last year of work; however, DALA ruled that for the service prior to 2020 the member was eligible for Group 2. The Board has appealed to CRAB.

## **Election Update**

The Nomination period started on November 17, 2023 and forms must be received by Thursday, December 28, 2023 at 5 p.m. If a candidate emerges to oppose the incumbent, an election will be held.

## **Board Communications**

The Retiree eNews Bulletin was included for the Board's convenience along with the NCPERS Monitor newsletter. SRB is a member of NCPERS, and it is a resource to stay current of industry practices and to be included in the marketplace of ideas of defined benefit plans in the public sector.

## **ADJOURNMENT**

On a motion by Mr. Valeri and seconded by Mr. Gormley the Board voted to adjourn the meeting at 11:19 a.m.

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

Mr. Valeri	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

The next meeting of the State Board of Retirement is scheduled for Thursday, December 21, 2023.