

MINUTES FOR THE 1,271st BOARD MEETING

STATE BOARD OF RETIREMENT

DATE: December 21st, 2023

TIME: 10:01 A.M.

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

There being a quorum, the December 21st, 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; Ms. 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; Jasmine Chasse, Disability Retirement Case Counselor; Yande Lombe, Associate Board Counsel; 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.

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; John Durgin, Associate General Counsel.

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; Matt Smith First Assistant Criminal Identification Officer.

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 November 29, 2023, 1,270th BOARD MEETING

On a motion by Mr. Gormley and seconded by Mr. Valeri the Board voted unanimously to approve the Open Session & Executive Session Minutes of the 1,270th Board Meeting, held on November 29, 2023.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

THE BOARD ENTERS INTO EXECUTIVE SESSION

At 10:04 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
Ms. McGoldrick	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. **Ann Blakeslee** – RN 3, Erich Lindemann Mental Health Center, DMH
2. **Veronica Dexter** – Social Worker, DCF
3. **Chris Fedirko** – Social Worker, DCF
4. **Elaine Gillespie** – Nursing Assistant, Lemuel Shattuck Hospital, DPH
5. **Nicholas Holahan** – Social Worker, DCF
6. **Margaret LaFleur** – Paraprofessional, South Coast Educational Collaborative
7. **Agueda Medina** – Vocational Instructor A/B, Hogan Regional Center, DDS
8. **Donald O’Keefe** – First Assistant Chief Probation Officer, MA Trial Court
9. **John Russo** – District Engineering Inspector III, Department of Fire Services
10. **Marlene Safford** – LPN I, Central Residential Services, DDS
11. **Brian Waldron** – Court Officer II, MA Trial Court

GROUP 2 (Board Review)

1. **Elizabeth Anderson** – Psychologist IV, Worcester Recovery Center and Hospital, DMH

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. **Sheila Dupre**- Program Manager II, Hampden County Sheriff’s Department

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

3. **Clodel Louis** – DSW III, Metro Region, DDS

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
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

4. **Cynthia Mirasolo-Currant** – RN III, Chelsea Soldier’s Home

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

5. **David Sedelow** – Technical Maintenance Manager, Hampden County Sheriff’s Department

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

Group 2 (Tabled)

1. **Luis Mendonca**- Direct Care/ Team Leader, Southeastern MA Educational Collaborative

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. **David Thomas**- Social Worker, DCF

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

GROUP 2 HSC C (Board Review)

1. **Bernadette McGrail** – HSC II, Pocasset Mental Health Center, DMH

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:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

GROUP 2 PRO-RATE (Board Review)

**1. Elizabeth Byrne
(Tewksbury Hospital)**

Department of Public Health

Attendant Nurse – 10/07/1985 - 08/09/1986
Nursing Assistant I – 06/26/1988 - 01/20/1990
Nursing Assistant I – 01/21/1990 - 11/30/1991
Physical Therapist Aid - 12/01/1991 - 02/20/1993
Nursing Assistant I – 02/21/1993 - 03/01/1997
RN II – 03/02/1997 - 06/14/1997
RN III – 06/15/1997 - 09/13/1997
RN II – 09/14/1997 - 08/14/2014

After discussion of the available information, the Board on a motion made by Ms. McGoldrick and seconded by Mr. Gormley voted to deny the request for Attendant Nurse and Nursing Assistant I.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

On a motion made by Mr. Gormely and seconded by Mr. Valeri voted to approve the request for Nursing Assistant I 01/21/1990 - 11/30/1991 and Physical Therapist Aid.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

Further, on a motion made by Ms. McGoldrick and seconded by Mr. Gormely voted to deny the request for Nursing Assistant I 02/21/1993 - 03/01/1997 and RN I, RN III AND RN II.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

Mr. Valeri	Yes
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. David Duarte

Department of Correction

Director of Operations and Security – 10/04/2015 - 02/04/2017
Deputy Superintendent – 02/05/2017 - 12/14/2019
Secure Facilities/ Superintendent – 12/15/2019 - 06/03/2021

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
Ms. McGoldrick	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. **Neville DePass** – Lieutenant, Suffolk County Sheriff’s Department
2. **Roger Gadry** – Correction Officer I, DOC
3. **Guy Glodis** – Sheriff, Worcester County Sheriff’s Department
4. **David Granese** – Assistant Deputy Superintendent, Suffolk County Sheriff’s Department
5. **Jennifer Holley** – Corporal, Hampden County Sheriff’s Department
6. **Daniel Leone** – Lieutenant, Middlesex County Sheriff’s Department
7. **Peter Monteiro** – Assistant Superintendent, Barnstable County Sheriff’s Department

8. **Kevin St. John** – Lieutenant, Military Division
9. **Scott Waldron** – Captain, Franklin County Sheriff’s Department
10. **Scott Woodward** – Correction Officer I, DOC

GROUP 4 PRO-RATE

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

- | | |
|------------------------|---|
| 1. Gerard Leone | <u>Middlesex District Attorney’s Office</u>
District Attorney – 01/04/2007 - 04/12/2013 |
| 2. David Tuttle | <u>Worcester County Sheriff’s Department</u>
Superintendent – 02/23/2014 - 03/08/2024 |

GROUP 4 CPO (Board Review)

1. **Thomas Hartley**- CPO D, DOC

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
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

20/50 GROUP CLASSIFICATION

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

1. **John Ledo** – Lieutenant, Bristol County Sheriff’s Department
2. **Kenneth Pacunas** – Correction Officer, Hampshire County Sheriff’s Department

TAB 3: REPORT OF THE EXECUTIVE DIRECTOR

Business Operations Report

Ms. Kougias presented the December memorandum and provided an overview of the COLA payments to other Retirement Boards. The total amount disbursed in the calendar year 2023 was \$13,418,091.28. The funds are allocated from the Commonwealth's pension appropriation each fiscal year.

The retiree year-end statement issued in December reports the cumulative information for calendar year 2023. Ms. Kougias informed the Board that the 1099-R will be issued by no later than January 31, 2024. The retiree earnings are available online at PayInfo.

An election update was offered to the Board noting that nomination papers are due to the SRB Boston office by the close of business on Thursday, December 28, 2023.

Ms. Kougias introduced the "Active Member eNews Bulletin." This quarterly bulletin will be sent to active members to connect with members each quarter. It will present articles of interest pertaining to MSRB, SERS, Social Security, and general retirement information. This complements other online and print communications and the ever-popular monthly Webinars. The first issue was released at year-end.

Ms. Kougias and Mr. Zapolin continue with recruiting, hiring, and training staff. This effort is supported by Treasury Human Resources. There are several open positions. Ms. Kougias reports that the year-end performance evaluations are in process.

Monthly Operations Data

The monthly warrant financials were presented as of November 2023. There were 193 first payments completed. Ms. Kougias noted the preliminary December first payments of 257. The accelerated payment program generated 108 payments for November. As we near the close of the year, the benefit adjustments queue has approximately 440 cases remaining for applications received in 2022. The distribution warrant processing is lagging when compared to last quarter. This is a direct result of the staffing challenges—the open positions—on that team.

We continue to field an approximate 10,000 telephone calls per month although November did show a 10 percent decrease. Other areas such as in-person visits and outreach show good consistency.

Ms. Kougias reviewed the Operating and Capital Expense schedules which report the year-to-date spending compared to budget. Operating spending is running under budget at 27.15 percent. Capital spending reports on what has been billed for the Member Self-Service Project, and the spending through November is 7.67 percent.

Legal Update Memorandum

Ms. Kougias offered a summary of five cases outlined in the memorandum prepared by Associate Counsel Yande Lombe. The cases included a spiking case where DALA affirmed the Board's decision and instructed the Board to return the member's excess withholdings with interest; a contract service purchase case where DALA affirmed the Board's decision to deny purchasing contract service since the service was not "substantially similar" to the position the member held upon entry into service with the Commonwealth; a contract service purchase case where DALA affirmed the Board's decision to deny the purchase. The member's appeal was not timely and regardless it has been established that prior contract service when rendered...does not allow for the purchase of service based on work for a third-party; a reinstatement of section 9 benefits revived by a legislative amendment case where DALA affirmed the Board's decision to reinstate the member's benefits effective only as of the reinstatement application in 2021 rather than to be reinstated retroactively back to when the "remarriage penalty" was eliminated; an accidental disability retirement case where DALA affirmed the Board's decision to deny the member's application for accidental disability retirement benefits.

Board Communications

As mentioned earlier by Ms. Kougias, the new "Active Members eNews Bulletin" released its first issue and a copy was presented to the Board. The "Retiree eNews Bulletin" was included and was sent electronically to approximately 55,000 retired members. Information regarding the Veteran's HERO Act recently filed was included. Ms. Kougias noted that Board staff have met to work out the impact to Veteran's while they are in public service and members of SERS.

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
Ms. McGoldrick	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

The next meeting of the State Board of Retirement is scheduled for Thursday, January 25, 2024.