#### MINUTES FOR THE 1,274<sup>TH</sup> BOARD MEETING

#### **STATE BOARD OF RETIREMENT**

**DATE:** March 28, 2024

TIME: 10:04 A.M.

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

There being a quorum, the March 28, 2024, meeting of the State Retirement Board ("Board") was called to order at 10:04 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; Theresa McGoldrick, Elected Member; Joanne Goldstein, Appointed 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; Micarlie Baptiste-Merisier, Office Manager/Executive Assistant; Lisa Zale, Disability Unit Manager; Jasmine Chasse, Disability Retirement Case Counselor; Joisei Horton, Senior Disability Retirement Counselor; Yande Lombe, Associate Board Counsel; Robin Chu, Andrew Dickey, Paralegal; Athila Soares-Nunes, Paralegal; Pamela Diggs, Paralegal; Paula Daddona, Director of Member Experience, Communications & Operations; Zachary Pierce, Communications Coordinator, II; Ebenezer Shim, Communications Specialist; Diana Reyes, Director of Benefits; Sharon L. Sullivan, Budget & Finance Manager; Brendan McGough, Associate General Counsel; Jennifer Hunt, Associate General Counsel; Kimberly Griffin, Director of Information Systems & Technology; Stephanie Sicard, Assistant Director of Benefit Services; Tyler Williams, Constituent Service Liaison; Robin Chu, Associate Board Counsel; John Durgin, 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; Lizandra Gomes, Deputy Chief of Staff, DE&I Program Manager; Andrew Napolitano, Deputy Communications Director; Emily Kowtoniuk, Legislative Director; Kathleen McNamara, Internal Auditor; Elizabeth Morrocco, Associate General Counsel/Procurement Director; Mikaela Cole, Deputy Communications Director; Anzola, Alberto L., 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 as follows: Jeffrey Black – HSC A/B, DDS; SaraKate Matthews;

Department of Correction, Personnel Officer I; Kristyn Camilleri – Director of Personnel, Department of Correction; Matthew Albanese, DOR; David St. Martin; Rob McMullen.

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 February 29, 2024 1,273rd BOARD MEETING

On a motion by Ms. McGoldrick and seconded by Mr. Gormley the Board voted unanimously to approve the Open Session and Executive minutes of the 1,273<sup>rd</sup> Board Meeting, held on February 29, 2024.

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

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

Mr. Valeri joined the meeting at 10:08 am

# 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. Treasurer Goldberg indicated the Board would reconvene in Open Session after the Executive Session.

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

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

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

# THE BOARD RECONVENES IN OPEN SESSION

# **TAB 2- GROUP CLASSIFICATIONS**

# GROUP 2

# <u>Pursuant to the Board's Classification Policy the following are reported as approved for Group 2 Classification:</u>

- 1. Susan Cain Social Worker II, DCF
- 2. Gloria Caprioli Social Worker II, DCF
- 3. Mary Cullinane Social Worker II, DCF
- 4. Tamara Gofman Social Worker III, DCF
- 5. Frank Lor Social Worker II, DCF
- 6. Abdul-Latif Sackor Chaplain II, DOC
- 7. Jodi Thomas Paraprofessional, Southeastern Educational Collaborative

#### **GROUP 2 (Board Review)**

1. Patricia Ballou – Physical Therapist II, Lemuel Shattuck Hospital, DPH

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

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

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

#### 2. Maria Benitez – Social Worker, DCF

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
Ms. Goldstein	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

3. **Donald Buckley** – Lieutenant, Plymouth County Sheriff's Department.

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

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

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

4. Beth Litchfield – Social Work Internal Coordinator, North River Collaborative

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

Ms. Goldstein requested to see the DALA decisions on this matter. The information will be furnished to all Board members.

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

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

5. Beth Ann McGlory – Program Director/Administrative Officer IV, DYS

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

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

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

#### **GROUP 2 (Reconsideration) (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 seconded by Ms. McGoldrick voted to approve the reconsideration.

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

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

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
Ms. Goldstein	Yes
Mr. Gormley	Yes
Treasurer Goldberg	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. Kathleen Burns	Department of Children and Families
	Social Worker I – 11/29/1987 - 07/22/1989
	Social Worker III – 07/23/1989 - 01/23/1993
	Social Worker IV - 01/24/1993 - 09/12/1999
2. <u>Steven Burton</u>	Department of Mental Health
	MHW I – 03/07/2011 - 11/06/2020
3. Martha Moretti-Giguere*	Department of Developmental Services
	(Metro Residential Services)
	LPN II – 06/15/2014 - 05/01/2024

\* Membership established after April 2, 2012, and so the member 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. Erika Grandberg

#### UMass Medical School

Site Mental Health Director – 07/02/2000 -10/16/2007 Mental Health Professional – 10/17/2006 -06/30/2007 Clinical Director – 09/28/2008 - 02/01/2014

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

# ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

- Mr. ValeriYesMs. McGoldrickYesMs. GoldsteinYesMr. GormleyYesTreasurer GoldbergYes
- 2. Robert Long

# **Department of Youth Services**

Program Coordinator - 08/28/1988 - 03/12/1994

Assistant Facility Administrator – 03/13/1994 - 06/30/1997

After discussion of the available information, the Board on a motion made by Ms. McGoldrick seconded by Mr. Gormley voted to approve both positions, the Program Coordinator and Assistant Facility Administrator.

Yes Yes Yes Yes Yes

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

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

3. Carol Mici

4. David Sedelow\*

#### **Department of Correction**

Director of Treatment - 04/11/1999 -10/14/2000 Deputy Superintendent - 10/15/2000 -05/21/2005

After discussion of the available information, the Board on a motion made by Ms. McGoldrick seconded by Mr. Gormley voted to approve both positions, Director of Treatment and Deputy Superintendent.

Yes Yes Yes Yes Yes

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

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

#### Hampden County Sheriff's Department.

Electrician - 01/12/2015 - 07/21/2018 Electrician II - 07/22/2018 - 08/22/2020 Senior Electrician - 08/23/2020 -03/26/2022 After discussion of the available information, the Board on a motion made by Ms. McGoldrick seconded by Mr. Gormley voted to approve the three positions, Electrician, Electrician II, and Senior Electrician.

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

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

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

# Group 2 (Tabled) (Board Review)

1. David Sedelow\*

Hampden County Sheriff's Department

Technical Maintenance Manager – 03/27/2022 - 01/12/2024

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
Ms. Goldstein	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

# GROUP 4

# Pursuant to the Board's Classification Policy the following are reported as approved for Group <u>4 Classification:</u>

- 1. <u>Steven Assad</u> Correction Officer, Bristol County Sheriff's Office
- 2. <u>Chris Correia</u> Correction Officer, DOC
- 3. <u>Michael Dellechiaie</u> Correction Officer III/Chef, DOC

- 4. <u>William Gleason</u> Correction Officer I, DOC
- 5. John Griffith Lieutenant, Essex County Sheriff's Department
- 6. Jan Hanratty Industrial Instructor III, DOC
- 7. David Hanson Correction Officer II, DOC
- 8. Scott Hennessey Captain, Barnstable County Sheriff's Office
- 9. Mark O'Gara Correction Officer I, DOC
- 10. Mark Paone Correction Officer I, DOC
- 11. Shawn Pollard Correction Officer, Barnstable County Sheriff's Office
- 12. Colleen Poliseno Correction Officer, Plymouth County Sheriff's Department
- 13. Shaun Santos Colonel/Director of Enforcement, MA Environmental Police

#### **GROUP 4 PRO-RATE**

<u>Pursuant to the Board's Classification Policy the following are reported as approved for Group</u> <u>4 Pro-Rate Classification:</u>

1. John Costello\*

# Middlesex County Sheriff's Department

Correction Officer – 10/12/2014 -01/17/2024

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

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

1. Carol Mici

# **Department of Correction**

CPO A/B - (12/21/1987 -09/15/1990) CPO C - (09/16/1990 - 09/05/1992) CPO D - (09/06/1992 - 04/10/1999)

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

# ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

# TAB 3: REPORT OF THE EXECUTIVE DIRECTOR

#### **Business Operations Report**

Ms. Kougias explained the **Fifth Member Board** appointment process. The current fifth member's term expired on March 24, 2024. A notice was posted on March 6, 2024, to solicit candidates to apply for the non-compensated, 3-year term. Statements of interest and resumes needed to be submitted by end of business March 27, 2024Ms. Kougias informed the Board that Archibald Gormley, Jr. was the only applicant received by the deadline. Mr. Gormley is the incumbent and has served since 2018.

Based on this information, Mr. Valeri motioned to approve Mr. Gormley as the Fifth Member of the Massachusetts State Board of Retirement effective today, March 28, 2024, through March 27, 2027; seconded by Theresa McGoldrick.

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

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

Ms. Kougias highlighted **PERAC's Retirement On-Ramp** deck, a reference tool for the Board and Board staff. Although PERAC has general responsibility for the efficient administration of boards according to Chapter 32, the Board must ensure SERS operates accordingly. Most recently with the changes to the Board composition, we have incurred processes relative to elected and appointed members that must adhere to Chapter 32 and PERAC regulations. PERAC's online PROSPER tool tracks Board member requirements and actions taken by the Board.

The information previewed included various SERS provisions, financial and fiduciary responsibilities, oversight, and filings governed by different authorities.

Although there are resources available, Ms. Kougias emphasized that she and the Board staff are available to the Board Members and happy to assist with all matters at their convenience.

Discussion ensued on the all-encompassing Chapter 32 and the challenges it presents in applying it to SERS. The Board expressed great appreciation for the staff's commitment, work, and knowledge to work through the complexities to serve the members.

The **Benefit Adjustment** update was presented by Ms. Kougias. Highlights were provided on the process and as follows:

- The Benefit Adjustment process for post-retirement payments in December 2021 is near completion. Over 2,000 adjustments were processed through the March 2024 payroll.
- The 2022 contract has generated 400 post-retirement adjustment. That population is in process as of March 2024.
- The most recent January 2024 contract has so far generated approximately 300 post-retirement adjustments.

Ms. Kougias reports that staffing resources were added to speed up the process and process improvements have been introduced.

The Board expressed satisfaction with the accomplishment of the completion of the 2,000 plus adjustments.

The **Member Annual Statement for 2023** will be issued to each member in the June/July time period. Ms. Kougias presented the quote submitted by Standard Modern at a cost of \$27,861.08. Standard Modern was contracted last year and met the requirements timely and within budget. The previous contract included an additional year through June 2024. It was determined that engaging Standard Modern allows for an efficient process. Based on the discussion, Ms. Kougias requested the Board vote to approve the recommendation to hire Standard Modern at the quoted price.

Based on this information, Mr. Valeri motioned to approve Standard Modern's quote of \$27,861.08 to provide production and mail services to issue the Member Annual Statement for 2023 as presented, seconded by Ms. McGoldrick.

#### THE ROLL CALL VOTE WAS AS FOLLOWS:

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

We continue to apply significant resources to the recruitment, interview, and hire process. Ms. Kougias noted in the **Workforce Update** that we have to work more expeditiously when we identify the person to whom we want to extend an offer to hire. Lengthy decision-making can result in candidates dropping out of the process, which puts SRB at a disadvantage.

Theresa McGoldrick acknowledged the workload and member inquiries and wants everything to be done possible to hire people to do the work. Frank Valeri feels it is important to maintain institutional knowledge and to continue to hire in those areas where it is needed.

#### SRB data and financials

The **monthly warrant numbers** were highlighted noting total first pays of 226 and the estimated initial benefit payments of 85 (included in the 226) for the month of March. The accelerated payments generated were 42. There were 84 benefit adjustments completed. There were 410 refunds, rollovers, and transfer processed in March.

**Incoming Telephone calls** continue to show consistency with an approximate 10,000 plus calls per month. In person traffic for March was 120 **visits** to One Winter Street. The SRB **Outreach** continues to be popular; we reach members through Webinars and other social media platforms.

**Operational expenses** through February are at 45.92% of budget. The **capital expenses** are at 10.73%. We are working with DCAMM on expansion for the Springfield location. I visited the offices in the fall, but there has been little to no progress on this development. The capital budget includes funds for construction expenses.

A summary of the **PRIT plan assets and performance** was presented along with the full report as of February 29, 2024. The fund is strong at \$102b and the performance reflects its growth.

# Information Systems & Technology Update

Kim Griffin was present to provide the quarterly update. Ms. Griffin highlighted the systems and technology impact and results of the Estimated Initial Benefit Payment Program Phase I through March 2024. As Ms. Griffin explained, the teams are working towards bringing the program up to date by programmatically identifying pending applications that will be eligible for an estimated payment and focusing Benefit Calculation support staff efforts on readying those applications for estimated payment processing. The business and IT teams are weekly monitoring the program's live operations and address feedback to streamline business and system processes. Looking toward Phase II, it is anticipated that scope planning will be initiated in May.

The Member Self Service procurement team received four responses to the RFP that was posted to COMMBUYS. The responses are under review and a presentation is tentatively scheduled for the June Board meeting. The MSS project team continues to document current business workflow and system processes.

Ms. Griffin also outlined the operational accomplishments over the last quarter.

An Infrastructure improvement has been initiated by MSRB. Ms. Griffin informed the Board of the MARIS upgrade to the latest version of Sagitec's Neospin Framework, Version 6.23. This upgrade is meaningful in that it enables MARIS to be integrated with any third-party application which will be necessary for the member self-service integration.

Other efforts are underway, such as engagement with Databank for upgrade of the OnBase Content Management System that is needed to stay current with OnBase software, maintenance, and support.

The MSRB Project schedule was included in the materials that shows all projects for FY2024.

#### Legal Update Memorandum

Counsel Yande Lombe's memorandum was included for the Board's review. Ms. Kougias offered a brief summary of the following cases:

Scott Szajna v. State Board of Retirement, a contract service case. DALA upheld the Board's decision that Mr. Szajna was not a contract employee and therefore not eligible to purchase service.

Christopher Tomeo v. State Board of Retirement, a contract service case. DALA upheld the Board's denial and Mr. Tomeo was employed with a vendor and not subject to DYS's supervision and control. Ms. Tomeo was not entitled to purchase his service.

Darlene Pina v. State Board of Retirement, a classification case. DALA ruled in favor of the member for the Group 2 classification declaring that duties and abilities were related to the care, instruction, and supervision of person with developmental disabilities. SRB has appealed the decision.

Marytza Reves v. State Board of Retirement, an accidental disability retirement case. CRAB affirmed DALA's decision that affirmed the Board's decision to deny the accidental disability. Ms. Reves did not meet her burden of proving that she sustained a personal injury or underwent a hazard in the course of her employment as required by law.

Debra Antonelli v. State Board of Retirement, a classification case. DALA affirmed the Board's denial of Group 2 classification of prior services as a certified nursing assistant and as a registered nurse.

Joyce Rodriguez v. State Board of Retirement, a contract service case. DALA upheld the Board's decision to deny purchase of service as a temporary worker employed and paid by a third-party contractor.

Regina Flynn v. State Board of Retirement, a contract service case. DALA upheld SRB's denial to purchase service; the member did not satisfy the relevant legal requirements. The immediateness and consecutiveness requirements were not met.

Yvonne Murphy v. State Board of Retirement, a classification case. DALA disagreed with SRB's argument. The question on motion for summary decision is whether any genuine issue of fact

exists to prevent the moving party from prevailing as a matter of law. There was no trace of a genuine dispute of fact. The Boad does not plan to appeal the DALA decision.

Kari Cincotta v. State Board of Retirement, an anti-spiking case. DALA upheld the Board's decision to apply the anti-spiking rule. The member claimed she qualified for one of the exceptions. The magistrate upheld SBR's application of the anti-spiking provision because to qualify for the salary specified by law, the law must precisely and explicitly state the position's salary. The statutes related to the determination of salaries of his position did not "list a salary that must be paid."

Richard Huber v. State Board of Retirement, a retirement allowance case. DALA upheld SRB's decision that the member be classified as Group 3 and not Group 4 since he did meet the requirement of retiring at age 55 as stipulated in Section 123 of the Act that consolidated the Metro Police with the State Police. Mr. Huber has appealed to CRAB.

Barbar Coe v. State Board of Retirement, a classification case. DALA agreed with the Board's denial of Group 2 for the entirety of the work as an HSC III. From September 10, 1993, to end of 1997 was deemed Group 2, for 1998 through 2007, Group 1 was the proper classification.

#### **Board & MSRB Communications**

The March **Retiree** eNews Bulletin was included in the materials for the Board's review. It included articles of interest such as Annual Statements of Earned Income, Retroaction Retirement Allowance Benefit Adjustment updates, information on GIC annual enrollment and other information.

The Spring **Active** eNews Bulletin included an article on Ralph W. White's passing, Joanne Goldstein's 3-year appointment to the Board, and Theresa McGoldrick's re-election by members to serve on the State Board of Retirement for another three-year term. Other information related to SERS operations was included.

On a motion by Mr. Valeri and seconded by Mr. Gormley the Board voted to adjourn the meeting at 12:03 p.m.

#### On the Roll Call the Vote was as follows:

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

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