

MINUTES OF THE 1,279th BOARD MEETING
STATE BOARD OF RETIREMENT

DATE: August 29, 2024

TIME: 10:05 A.M.

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

There being a quorum present, the August 29, 2024 meeting of the State Retirement Board (“Board”) was called to order at 10:05 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 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; 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 August 29, 2024 meeting were Kathryn Kougias, Executive Director; Sandor Zapolin, Deputy Executive Director/Chief Operating Officer; Micarlie Baptiste-Merisier, Office Manager/Executive Assistant; Jasmine Chasse, Disability Retirement Case Counselor; Joisei Horton, Senior Disability Retirement Counselor; Lisa Zale, Assistant Director, Disability Unit; Yande Lombe, Associate Board Counsel; Athila Soares-Nunes, Paralegal; Pamela Diggs, Senior Paralegal; Robin Chu, Associate Board Counsel; John Durgin, Associate General Counsel; Brendan McGough, Associate General Counsel; Jennifer Hunt, Associate General Counsel; Paula Daddona, Director of Member Experience, Communications & Operations; Zachary Pierce, Communications Coordinator, II; Diana Reyes, Director of Disbursements & Survivor Benefits; Sharon Sullivan, Budget & Finance Manager; Joseph MacInnis, Assistant Director of Benefits Services; Angela Olszewski, Director of business Support; Drenna Barrett, Assistant Director of Member Account Management; Kwaku Duah, MSRB Senior Auditor; Matthew Szafranski, Associate Board Counsel; Nidhi Garg, Director of Benefit Account Management; Marsha Knight, Manager of Disbursements; Pam Forde, Assistant Director of Service Purchases; Tristian Davis, Paralegal.

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

Members of the public were provided access to the meeting via a call-in number. Those registered as attending were as follows: William Keefe, PERAC; Patrick Charles, PERAC; SaraKate

Matthews, Department of Correction, Personnel Officer I; Lynda Kelly; Shannon Anderson, Sergeant, Middlesex Sheriff's Office; Jeffrey Black; Alison Eggers; Madhavan Chandrasekaran, Sagitec; Sriram Ramanujam, Sagitec.

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. No person indicated that they were making a recording.

Treasurer Goldberg 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 then resume when the Board returns to Open Session.

Vote to approve

MINUTES OF THE MEETING OF THE JULY 25, 2024

On a motion by Mr. Valeri and seconded by Mr. Gormley the Board voted unanimously to approve the Open Session and Executive Session Minutes of the 1,278 Board Meeting held on July 25, 2024.

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS

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

THE BOARD ENTERS EXECUTIVE SESSION

At 10:08 a.m. the Board entered Executive Session for today's meeting on August 29, 2024 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. Goldstein 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	Absent
Ms. Goldstein	Yes
Mr. Gormley	Yes
Treasurer Goldberg	Yes

THE BOARD RECONVENES IN OPEN SESSION

TAB 2- GROUP CLASSIFICATIONS

GROUP 2

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

1. **Nadine Blanchett** - RN II, Taunton State Hospital, DMH
2. **Karin Daigle** - Benefits Eligibility Referral Social Worker, Worcester Recovery Center & Hospital, DMH
3. **William Daneault** - RN III, Worcester Recovery Center & Hospital, DMH
4. **David Holmes** - State Building Inspector III, Office of Public Safety & Inspections
5. **Dennis Lawson** – Court Officer II, MA Trial Court
6. **Paul Marcinkus** - Head Chef, Worcester County Sheriff's Office
7. **Thomas O'Donnell** - University Police Lieutenant, UMass Amherst
8. **Christina Paterno** - Probation Officer, MA Trial Court
9. **Carmen Rivera**– Nursing Assistant I, Holyoke Veteran's Home

GROUP 2 (Board Review)

1. **Jesse Hill** - RN V, Taunton State Hospital, DMH

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
Ms. McGoldrick	Absent
Ms. Goldstein	Yes

Mr. Gormley	Yes
Treasurer Goldberg	Yes

2. Brian Richer – Program Director, DYS

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

GROUP 2 (Tabled) (Board Review)

1. Leonie Forbes-Sanderson– RN V, DMH

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

Group 2 HSC I (Board Review)

1. Mary Sorensen - HSC I, DMH

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

2. Rene Perez - HSC I, DDS

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

Group 2 HSC II (Board Review)

1. Maria Morales – HSC II, DMH

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	Absent
Ms. Goldstein	Yes
Mr. Gormley	Yes
Ms. Kim	Yes

Group 2 HSC II (Tabled) (Board Review)

1. Jeffrey Schwartz – HSC II, DMH

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

ON THE ROLL CALL THE VOTE WAS AS FOLLOWS:

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

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

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

1. Patricia Delois

Department of Children and Families

Social Worker I – 08/23/1992 - 05/13/1995
Social Worker II – 05/14/1995 - 12/15/2001
Social Worker D – 12/16/2001 -
01/23/2016
Social Worker III – 01/24/2016 -
02/07/2019

2. Elvira Guardiola

MA Trial Court

Associate Court Officer – 01/18/1994 -
03/26/2000
Probation Officer – 02/14/2000 -
11/10/2006

Group 4

Pursuant to the Board’s Classification Policy the following are approved for Group 4 Classification

1. **Brian Barkley** - Correction Officer/Head Cook, DOC
2. **John Bosse** - Correction Officer I, DOC

3. **Patrick Charette** - Assistant Deputy Superintendent, Plymouth County Sheriff's Office
4. **Leisa Crawley** - Correction Officer III, DOC
5. **David Cusack** - Correction Officer III/Chef, DOC
6. **Donald Doyle** - Assistant Deputy Superintendent, Barnstable County Sheriff's Office
7. **Stephen Fleet** - Correction Officer, Plymouth County Sheriff's Office
8. **David Gentile** - Correction Officer I, DOC
9. **Henry Harrison** - Industrial Instructor II, DOC
10. **Robert Jacobucci** - Parole Officer A/B, MA Parole Board
11. **George Leblanc** - Correction Officer, Middlesex County Sheriff's Office
12. **Mary Lee** - ADA, Bristol County District Attorney's Office
13. **Paul Letendre** - Correction Officer II, DOC
14. **Kevin Lynch** - Correction Officer, Worcester County Sheriff's Office
15. **Patrick Moran** - Lieutenant Colonel, Executive Office of Energy & Environmental Affairs
16. **Nelson Resendes** - Captain, Bristol County Sheriff's Office
17. **Nabil Said** - Sergeant, Suffolk County Sheriff's Department
18. **Heather Turco** - Correction Officer I, DOC
19. **Corey Turner** - Assistant Deputy Superintendent II, Middlesex County Sheriff's Office

Pursuant to the Board's Classification Policy the following are approved for Group 4 Pro-Rate Classification

- | | |
|--------------------------------|--|
| 1. <u>Dennis Lawson</u> | <u>Hampden County Sheriff's Department</u>
Correction Officer – 11/02/1992 -
01/27/2001
Corporal – 01/28/2001 - 06/05/2004 |
|--------------------------------|--|

Pursuant to the Board's Classification Policy the following are approved for 20/50 Classification

1. **Shannon Anderson** - Sergeant, Middlesex County Sheriff's Office
2. **Todd Howell** - Correction Officer II, Suffolk County Sheriff's
3. **David Lane Jr.** - Lieutenant, Middlesex County Sheriff's Office
4. **Phillip Medeiros** - Correction Officer I, DOC
5. **Robert Ranieri** - Correction Officer I, DOC
6. **Clinton Silverio** - Sergeant Training, Bristol County Sheriff's Office
7. **David Thompson** - Jail Officer, Suffolk County Sheriff's Department
8. **James Ward** - Correction Officer II, Essex County Sheriff's Department

TAB 3: REPORT OF THE EXECUTIVE DIRECTOR

Board Operations

- PERAC guests:

William “Bill” Keefe, Executive Director and Patrick Charles, Assistant Deputy Director attended today’s meeting and provided a brief summary of the recent proposed legislation enacted into law:

- HERO Act
- Disability Pension/Violent Assault
- Wage Transparency

Mr. Keefe summarized the communications in play to support the legislation and the impact on retirement boards.

- PERAC Triennial Audit

Ms. Kougias presented the draft audit and draft SRB responses for the period July 1, 2017 through June 30, 2021. There were three audit findings as follows: cash reconciliation, late payments to members and transfers out to other Boards and §91A noncompliance and overearnings. Ms. Kougias offered the details and the resolutions of the findings. She noted that in each area, the response, resolution, and implementation will satisfactorily meet the audit requirements.

On a motion by Mr. Valeri and seconded by Mr. Gormley, the Board voted to approve the draft document and the Board’s responses as presented.

ON THE ROLL CALL, THE VOTE WAS AS FOLLOWS:

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

- Section 91A 2023: At the time of publication, 217 members who retired under disability retirement have not complied with the requirements pursuant to Section 91A. Since the last report, 74 members have complied. Outreach by the disability team commenced

the week of August 19 and follow up correspondence was mailed the week of August 26.

- Board processes: Ms. Kougias provided an overview of ongoing projects such as: police salary adjustments, County employee records analysis/state's obligation, Qualified Excess Benefit Arrangement, OnBase System Health Check, Framework Testing Upgrade, HERO Act implementation and Age 65 Mandatory Retirement. These projects require business and technology specifics to ensure efficient implementation.
- Workforce Update: Ms. Kougias informed the Board of the recent staff changes. In summary, there were six new hires to the benefit calculation, paralegal, IT and finance teams. Since the July meeting, one resignation occurred.

With the impending member self-service project, we are recruiting for the business lead position. This position will also be responsible for other business needs as they relate to MARIS and OnBase.

- Ms. Kougias reviewed the Monthly Operations Reports included in the Board materials on page 260 for the month ending July 2024 along with information where available for August 2024. The Monthly July warrant was \$250,901,921. The first payments for July were 205 and 35 Estimated Initial Benefit Payments. The disbursement warrants for July totaled over \$11.4 million that resulted in 469 payments. There were 66 accelerated payments made that totaled \$1.2 million. Benefit adjustments for July were 126.
- Ms. Kougias summarized the telephone calls, in-person visits, and outreach information for July 2024 as presented on page 261. There were 9,289 telephone calls made to the main number and this is consistent with prior months. There were 122 visits by members to the Boston office. Outreach continued with consistent attendance during July.
- The Operating Expenses for FY2024 totaled \$16,745,575 or 76.55% of the total approved budget of \$21,876,467.
- The Capital Expenses for FY2024 totaled \$749,922 or 23.51% of the total approved budget of \$3,190,000. Budget planning anticipated higher expenditures than realized for the first year of the members self-service project.
- Ms. Kougias reported the PRIT Investment summary with total assets on July 31, 2024 at \$107 billion. Performance shows a 1.57% rate of return for one month and 9.74% rate of return for one year. The complete PRIT Fund statement as of July 31, 2024, was provided in the Board materials starting on page 267.
- Member Self-Service: Ms. Kougias verbally informed the Board that based on information that the Project Management Team and the legal department learned subsequent to the

June 28, 2024 Board meeting has resulted in a withdrawal of the recommendation of MTX Group, Inc. as the vendor for the project. Ms. Kougias further noted that the PMT will meet in the coming weeks to choose a vendor from the remaining eligible bidders. At that time, a recommendation will be made to the Board for its review and approval.

Legal Update Memorandum

Ms. Pam Diggs highlighted a few notable cases from the August Legal Memorandum. In the past month, the Board received one CRAB decision and a number of DALA decisions on a variety of matters, including Group 2 classifications, anti-spiking matter and an Accidental Disability matter. Please note that the first entry on the legal update memorandum for this month has a typographical error. Caitlin Hamm was a CRAB decision and not a DALA decision.

I would like to make special note of two decisions presented in the memorandum: Julie McKinnon and Rosario Small. The two DALA decisions involve Group 2 classifications. Ms. McKinnon was a Physical Therapist II at Lemuel Shattuck Hospital. The question in the case was whether Ms. McKinnon treated persons who were “mentally ill” and provided direct care to them over half of her work time. She testified to providing direct care during her daily rounds to DOC and DMH units. She also worked in clinics where she treated DOC and DMH patients.

Ms. Small was a Registered Nurse II at Tewksbury Hospital. The question was also whether she provided direct care to the statutory population. The magistrate found that 75% of the patients on her unit had a mental illness diagnosis that required ongoing treatment from a psychiatrist and psychologist.

In each case, the magistrates found that the mental illness diagnosis drove the care in the units where the members were working. The cases reflect the shift in the “primary diagnosis test”, initiated by CRAB in a 2023 decision. The Primary Diagnosis Test asks, “what truly drives a patient’s care?” If a member proves that they cared for patients whose mental illness condition drove their care, even when mental illness was not the primary diagnosis, they may qualify for Group 2.

The Magistrate found that both of these members are entitled to be classified in Group 2, and therefore, DALA reversed the Board’s denial.

MSRB Retiree eNews Bulletin, August 2024

The August edition was enclosed in the board materials. It is electronically sent to retirees each month with articles of interest.

On a motion by Ms. Goldstein and seconded by Mr. Valeri the Board voted to adjourn the meeting at 11:50 p.m.

On the Roll Call the Vote was as follows:

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

The next meeting of the State Board of Retirement is scheduled for Thursday, September 26, 2024.