

Revere Retirement Board

Meeting Minutes

February 26, 2020 - 9:00 a.m.

At a meeting of the Revere Retirement System (RRS), held on Wednesday, February 26, 2020, at 9:00 a.m. in the Council Chambers the following Revere Retirement Board (RRB), members were present: Mr. Viscay, Mr. Manion, Mr. Cataldo, and Mr. Cullen. Mr. Henry participated remotely for geographic reasons. Also in attendance at the meeting: Mr. Zapolin, Retirement Administrator. Mr. Zaleznik, Board Counsel, participated by telephone.

Chairperson Mr. Viscay, called the meeting to order at 9:04 a.m.

Agenda Item 2a - Approval of Board Minutes

On an affirmative vote, Mr. Viscay moving, the RRB voting 4-0-1 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-abstain, Mr. Cullen-yes, Mr. Cataldo-yes) to approve the RRB minutes of the meeting of January 29, 2020.

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to take matters out of order.

Agenda Item 4- Unfinished Business and Addendum

The RRB discussed PERAC Memo #11/2020 Payment Required for Service Credited under G.L. c. 32, s. 4(2)(b), PERAC's interpretation in the Mass. Supreme Judicial Court decision in *Plymouth Retirement Board v. CRAB and PERAC*, 482 Mass. 600 (2019). Robert Fortuna and Kevin O'Hara from Revere Firefighter Local 926, were present. Mr. Manion discussed his interpretation of case. The RRB discussed the chart prepared by Mr. Zapolin of affected firefighters. On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to table the matter until the next meeting.

Agenda Item 3 - Legal Matters and Addendum

John Reidy, President of PTG, discussed the incident involving a retiree whose address and direct deposit information were changed utilizing in part the PTG ESS

portal. Mr. Reidy stated that five other retirement systems had experienced similar situations, all involving public safety retirees. He indicated that a company has been hired to try to identify the source of the changes. Mr. Reidy discussed the security enhancement that PTG will be rolling out in the next two weeks. Mr. Cataldo discussed software security issues with Mr. Reidy. Mr. Reidy and the RRB agreed that an enhancement would be added by PTG that would require Retirement Office staff to pre-approve any new ESS accounts.

After discussion of methods of assuring that banking information changes only be made by the retiree, on an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to require that the Direct Deposit form be notarized going forward.

Agenda Item 4- Unfinished Business and Addendum – continued

The RRB discussed the PERAC letter dated February 14, 2020 regarding the recalculation request for John Finn. Robert Fortuna and Kevin O'Hara, from the Firefighters Association, were present. Mr. Viscay discussed his letter. Mr. Zapolin indicated that PERAC would reevaluate the matter if additional information was provided. The RRB and Mr. Fortuna and Mr. O'Hara discussed what additional information could have been supplied in the letter. The RRB agreed that it was not realized that the letter to PERAC should have included additional information. Mr. Viscay moved to draft a new letter describing the circumstances of Mr. Finn's membership. Mr. Cataldo moved to amend Mr. Viscay's motion to also provide the June 2019 minutes and Mr. Zaleznik's legal option. Mr. Viscay and Mr. Cataldo withdrew the motion. Mr. Henry introduced a confirmatory motion to address what occurred in prior meetings. On an affirmative vote, Mr. Henry moving, the RRB voting 3-2 (Mr. Viscay-yes, Mr. Henry-no, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-no) that: The Revere Retirement Board (RRB) hereby confirms that John Finn, a member of the Revere Fire Department, was erroneously excluded from membership in the Revere Retirement System (RRS), through no fault of his own, due to administrative errors which occurred during the time period between February 16, 1986 and February 18, 1988. At a meeting of the RRB on June 19, 2019, the RRB acknowledged that errors had occurred and voted to change the original date of Mr. Finn's membership in the RRS to February 16, 1986 and communicate this information to PERAC. Further, the RRB authorized the

Administrator of the RRS to allow Mr. Finn to purchase said erroneously excluded creditable service time in the RRS for the period from February 16, 1986 to February 18, 1988, with interest. Mr. Viscay will draft a letter addressing the issue and the confirmatory motion.

The RRB discussed the request from Robert Fortuna, Secretary/Treasurer of the Revere Firefighters Association dated February 20, 2020. Robert Fortuna and Kevin O'Hara, from the Firefighters Association, were present. The RRB discussed the issue of the regular compensation of payments made for fire certifications included in the union agreement. Mr. Manion discussed the payments, when and how they are paid. Mr. O'Hara stated that payments began in 2001 and the amounts and maximum amounts had changed in subsequent contracts. Mr. Zapolin discussed how payments are classified as regular compensation in the city payroll system. The RRB discussed the effect of including such payments on members and retirees as well as the administrative difficulty in retroactively approving items as regular compensation. On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to retroactively calculate retired contributions from payments for fire certifications as of July 1, 2018, the effective date of the last union contract. Mr. Viscay and Mr. Zapolin will meet to discuss the specifics of implementing this motion.

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to have Board Counsel review the statute, regulations and decisions that have a direct bearing on the issue of the regular compensation of payments made for fire certifications for the next meeting.

The RRB discussed the COLA. On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to notify the City Council that the RRB will hold a hearing on increasing the COLA to 3% for eligible retirees.

Agenda Item 5 - New Enrollments

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to approve membership in the system of Jesse Fiorentino, MNRECC, 2/6/2020, Christian Chalonec, MNRECC, 2/6/2020, Marisa Verrutro, MNRECC, 2/6/2020, Michael

Roper, MNRECC, 2/6/2020, Barbara Moore, MNRECC, 2/13/2020, Scott Porter, Collector, 1/29/2020, Jacqueline McLaughlin, Mayor, 1/27/2020 and Mark Montalto, Housing, 1/6/2020.

Agenda Item 6 - New Retirements

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to approve the retirements of Paul King, Housing, 1/30/2020, Super Option C \$54,836.64, Elise Ferraro, School, 2/28/2020, Super Option A \$30,798.00, Jannine Ellis, Comm. Aff., 2/3/2020, Super Option A \$27,012.96, subject to PERAC calculation approval.

Agenda Item 7 – Changes in Benefits

The RRB noted the passing of Ann Freisinger, School, 2/9/2020.

Agenda Item 8 – Survivor Benefits – N/A

Agenda Item 9 – Disability Benefit Awards – N/A

Agenda Item 10 and Addendum – Awards of Creditable Service/Approval of Installment Plans/ Acceptance of Liability – N/A

Agenda Item 11- Approval of Warrant

On an affirmative vote, Mr. Viscay moving, the RRB 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to approve the transfer from PRIT to Bank of America in the amount of \$1,448,000.00 to fund the February 2020 retiree payroll.

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to approve the following warrant expenditures: \$3,501.00 to Lawson & Weitzen LLP, \$335.78 to WB Mason, \$11.83 to Kingsbury Press, \$ 54,220.59 to Cambridge Retirement Board for 38c reimb., \$15,996.82 to Swampscott Retirement Board for 38c reimb., \$19,699.29 to Chelsea Retirement Board for transfer out FBO Y. Ysasis, \$42,702.28 to Essex Reg Ret Board for transfer out FBO L McAskill, \$1,894.34 to Brian Vesce for refund, \$473.58 to Bank of America for 20% fed tax - Vesce, \$68,232.66 to Andrew Hudson for refund, \$17,058.17 to Bank of America for 20% fed tax - Hudson, \$40,000.00 to Robert Rice for settlement, \$23,148.53 to City of Revere for

Rice settlement, \$1,220.00 to Melrose Retirement Board for 38c reimb., \$10,159.00 to Amity Insurance for fiduciary ins., \$578.00 UMass Med/DES for medical review, \$89.49 to Ricoh USA Inc. , \$1,000.00 to Pension Benefit Information Inc. for annual fee, \$3.18 to Crystal Rock, \$139,680.96 to MTRS for 38c reimb., \$19,331.38 to Marcos Garcia for refund, \$4,832.84 to Bank of America for 20% fed tax - Garcia, \$7,778.10 to Diana Reardon for refund and \$1,944.53 to Bank of America for 20% fed tax - Reardon.

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to acknowledge the January 2020 RRS retiree payroll in the amount of \$1,372,560.26 and the January 2020 RRB payroll in the amount of \$15,868.76.

Agenda Item 12a – Executive Session – Disability Applications - N/A

Agenda Item 12b – Litigation Strategy

Mr. Zaleznik indicated that a court date of April 20, 2020 has been scheduled and he will confer with the Assistant District Attorney, when one is assigned.

Agenda Item 13 - New Business/Review of Administrative Items – N/A

Agenda Item 14a– Administrative/Other Items

The RRB discussed the hiring of the Retirement Analyst. Mr. Viscay and Mr. Zapolin will meet to discuss further staffing issues.

The RRB acknowledged receipt of \$20,423.56 from Lynn Retirement Board for 38c reimbursement, \$4,104.08 from Medford Retirement Board for 38c reimbursement, \$1,953.14 from Everett Retirement Board for 38c reimbursement, \$10,282.98 from Mass. Teachers' Retirement Board for 38c reimbursement, \$4,144.99 from Salem Retirement Board for 38c reimbursement, \$2,972.09 from Winthrop Retirement Board for 38c reimbursement and \$166.85 from Estate of Cynthia Tatelman for overpayment due to death.

Agenda Item 14b– Administrator's Report

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to accept the Trial

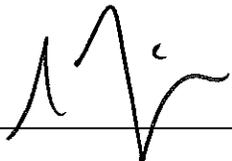
Balance, Adjustments, Cash Receipts Report, Cash Disbursements Report, Reconciliation, Budget Report, Cash Flow Report and PRIT report.

Agenda Item 15- Communications and Addendum

On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to place on file the following correspondence: PERAC Pension News, PERAC Memo #11/2020 Payment Required for Service Credited under G.L. c. 32, s. 4(2)(b), letter to PERAC re: R. Rice, PERAC Memo #10/2020 2020 Interest Rate set at 0.1% and PERAC Memo #12/2020 IRS Determination Letters.

Agenda Item 16 - Other Inquiries – N/A

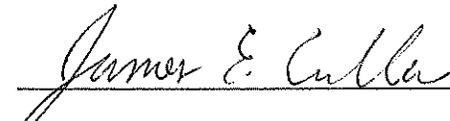
On an affirmative vote, Mr. Viscay moving, the RRB voting 5-0 (Mr. Viscay-yes, Mr. Henry-yes, Mr. Manion-yes, Mr. Cullen-yes, Mr. Cataldo-yes) to adjourn the meeting at 11:35 a.m.



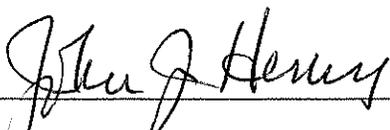
Mr. Zapolin, Administrator



Mr. Cataldo



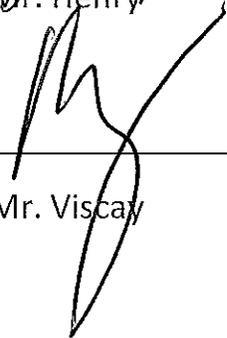
Mr. Cullen



Mr. Henry



Mr. Manion



Mr. Viscay