

Regular Meeting – March 28, 2018

The Taunton Retirement Board (the “Board”) met at 1:00 p.m. today at 104 Dean Street, Suite 203, Taunton, MA with Chairperson Ann Marie Hebert presiding and board members Dennis M. Smith, Peter H. Corr, and Barry J. Amaral in attendance. Gill E. Enos participated in the meeting via remote conference call.

Roll Call

All members were present at the 1:00 p.m. roll call.

Also present were:

Paul J. Slivinski, Executive Director

Atty. Michael Sacco of Law Offices of Michael Sacco

Atty. Brian Fox of Murphy, Hesse, Toomey & Lehane, P.C.

Atty. Honey Polner, counsel for Thurman Evans

Thurman Evans

On the motion by Amaral, seconded by Smith, it was unanimously

VOTED: to approve member Enos to join the meeting via remote participation over the conference telephone. VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes” Atty. Sacco noted that all votes hereinafter must be taken via roll call vote.

REGULAR BUSINESS:

Minutes –from the February 28, 2017 regular meeting and executive session.

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to approve the minutes.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Warrants – #17 to #25 for 2018.

On the motion by Amaral, seconded by Corr, it was unanimously

VOTED: to approve the warrants.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

New members of the system to date:

- Ryan Hennessy, Fire, E911, Group 1, 9+2%
- Anastasia Lafontant, TNH, Group 1, 9+2%
- Keith Cloutier, Fire, E911, Group 1, 9+2%
- Monica Saviolakis, School, Group 1, 9+2%
- Michael Arruda, DPW –Water, Group 1, 9+2%
- Johnny Galarza, Police, Group 4, 9+2%
- Francisco Evora, School, Group 1, 9+2%
- Corrine Ford, School, Group 1, 9+2%
- Rick McCarthy, TMLP, Group 4, 9+2%
- Christopher Garcia, Fire, Group 4, 9+2%
- Faith Wagner, School, Group 1, 9+2%
- Taylor Torres, Economic Development, Group 1, 9+2%
- Michael Cardoza, DPW – Water, Group 1, 9+2%

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- Richard Fitts, School, Group 1, 9+2%
- Kenetra Hinkins, School, Group 1, 9+2%

On the motion by Amaral, seconded by Corr, it was unanimously

VOTED: to approve new members.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Refunds/transfers subject to D.O.R. liens:

- Wayne Walkden (Building) transfer to Town of Plymouth
- Sarah E. Gallagher (School) transfer to MTRS
- Ramon Fontes (TNH)

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to approve the refunds and transfers.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Retirement/survivorship applications:

- Claire Rivard, TNH, Superannuation, Group 1, 3/31/18
- Linda Henriques, Police, Superannuation, Group 1, 7/3/18
- Lorraine Sousa, School, Superannuation, Group 1, 6/30/18
- Karen Dulaney, School, Superannuation, Group 1, 3/31/18
- Debra Rose, School, Accidental disability, Group 1, 10/31/2008
- Michael Fairhurst, TMLP, Superannuation, Group 4, 07/07/2018
- Antonio Cabral, School, Superannuation, Group 1, 7/1/18

On the motion by Smith, seconded by Corr, it was unanimously

VOTED: to approve all retirements.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Deaths

- Frank Pirozzi (TMLP) deceased 03/17/2018 – Option C survivorship to widow Wilma Pirozzi.
- Phyllis Enos, survivor. No further benefits payable.
- Manuel Hathaway (TMLP) deceased 03/21/18 – Option B \$\$ used up – no Opt. B refund.

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to acknowledge deaths and place on file.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Make-up/redeposits and liability for creditable service:

- Corrine Ford (School) part-time service 12/14/2013 to 03/17/2018 – 1 year, 1 month, 14 days
- Peter Farinha (School) part-time service 05/24/2008 to 06/06/2009 – 10 months, 29 days

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to accept liability for creditable service and approve the makeup’s.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

PERAC Memo’s and correspondence:

- PERAC Memo #11/2018 – Investment Related Issues and Concerns
- PERAC Memo #12/2018 – PERAC vs CRAB & others, SJC No. 12331 (February 13, 2018)

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- PERAC Memo #13/2018 – Mandatory Ethics Training
- PERAC Memo #14/2018 – Interest Payments in Certain Situations
- PERAC Memo #15/2018 – Tobacco Company List

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to receive and place on file.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Investments & accounting:

- Accounting reports for m/e 12/31/2017 – Pre-closing Trial Balance with budget expenditures, Cash Receipts & Disbursements, Journal Entries. Bristol County Savings Bank Checking account statement and reconciliation as of 01/31/2018. After the Board’s full review of all reports, it was voted as follows:

On the motion by Smith, seconded by Corr, it was unanimously

VOTED: to approve the accounting reports and bank statement & reconciliation.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

- Investments Purchased (\$12,728,763.15) & Sold \$12,728,768.59 for m/e 01/31/2018.

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to approve all investment purchases & sales for January 2018.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

- City of Taunton FY18 Pension Appropriation \$3,861,792.75 due for q/e 3/31/18.

On the motion by Smith, seconded by Corr it was unanimously

VOTED: to invest the appropriation in the money market account at Peoples Bank/BNY Mellon.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Funding & Budget requests: there were none.

Travel, Education & Conferences: there were none.

Legal matters:

- Legal expenses of \$2,256.00 for m/e 02/28/2018 for Atty. Michael Sacco.

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to approve the legal expenses for m/e 02/28/2018.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

- Client memo on PERAC memo #14/2018

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to receive and place on file.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

- Notice of Appeal to DALA – Olga Chaves

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to receive and place on file.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

Executive Director’s report:

Executive Dir. Slivinski provided updates on the following:

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- PERAC audit for period of 2013 thru 2016. Audit commenced 03/19/2018.
- Contracts – Vontobel (Int'l Growth Equity) & GAM (Emerging markets). Atty. Sacco is currently reviewing draft contracts and side-letter agreements.
- Update on Systematic (Int'l Value Equity) & LMCG (Int'l Small-Cap Equity). Board members must log on to PROSPER to sign board member acknowledgement forms.
- Actuarial Valuation as of January 1, 2018 will start soon.
- Need to replenish petty cash.

The Board reviewed petty cash invoices #271 thru #275 and voted as follows:

On the motion by Smith, seconded by Amaral, it was unanimously

VOTED: to approve invoices #271 thru #275 and replenish petty cash up to \$150.

VOTE: 5-0-0 Roll Call vote: Amaral “Yes”; Corr “Yes”; Enos “Yes”; Hebert “Yes”; and Smith “Yes”

OLD BUSINESS: there was none.

NEW BUSINESS: there was none.

EXECUTIVE SESSION:

At 1:22 p.m., Chairperson Hebert entertained a motion by Amaral, seconded by Smith to go into Executive Session pursuant to M.G.L. c. 30A, s. 21(a)(3) to review the medical panel reports on Thurman Evans.

The Board noted that it would reconvene in open session following the executive session. **VOTE:** 5-0-0

A roll call vote was taken and recorded as follows: Member Amaral “YES”; Member Corr “YES”; Member Enos “YES”; Member Hebert “YES”; Member Smith “YES”

(The minutes of the executive session are kept in a separate minute book)

Open Session 1:38 p.m.

On the motion by Enos, seconded by Smith, it was unanimously

VOTED: to record votes from executive session in open session.

VOTE: 5-0-0 Member Amaral “YES”; Member Corr “YES”; Member Enos “YES”; Member Hebert “YES”; Member Smith “YES”

On the motion by Enos, seconded by Smith, it was unanimously

VOTED: to approve the application for involuntary accidental disability retirement of Thurman Evans and forward to PERAC for final review.

VOTE: 5-0-0 Member Amaral “YES”; Member Corr “YES”; Member Enos “YES”; Member Hebert “YES”; Member Smith “YES”

Legal Services – Interviews

The Board met with two finalists for retirement system legal services – Michael Sacco of the Law Offices of Michael Sacco and Brian Fox of Murphy, Hesse, Toomey & Lehane.

The Board listened to presentations from both attorneys on their experience with Chapter 32, PERAC regs 840 CMR, Appeals, Pension Forfeiture cases, Social Security Act cases, State Administrative Procedure

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Act, Disability retirement application process, Investment & Securities laws, Publications & Position papers, Fees, etc.

After interviews and discussion, the Board voted as follows:

On the motion by Enos, seconded by Smith, it was unanimously

VOTED: to re-hire attorney Michael Sacco of the Law Offices of Michael Sacco for a new 7-year term 04/01/2018 to 03/31/2025.

VOTE: 5-0-0 Member Amaral “YES”; Member Corr “YES”; Member Enos “YES”; Member Hebert “YES”; Member Smith “YES”

There being no further business to come before the Board, it was voted to adjourn at 2:20 p.m.

APPROVED BOARD OF RETIREMENT

Ann Marie Hebert, Ex-Officio, Chairperson

Paul J. Slivinski, Executive Director

Dennis Smith, Elected Member

Barry Amaral, Appointed Member

Peter H. Corr, Elected Member

Gill E. Enos, Appointed Member