

Regular Meeting – July 28, 2021

The Taunton Retirement Board (the “Board”) met at 1:00 p.m. today at the retirement board offices, 104 Dean St., Suite 203, Taunton, MA with Chairperson Ann Marie Hebert presiding and board members Barry J. Amaral, Gill E. Enos and Dennis M. Smith in attendance participating in person and member Thomas A. Bernier participating via remote 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, Board Counsel

Atty. Honey Polner, Counsel for Ms. Corrigan

Kerin Corrigan

Dawn Rabbitt – Dunn Reporting Agency (stenographer)

REGULAR BUSINESS:

Minutes – from the June 23, 2021 regular meeting.

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

VOTED: to approve the minutes.

VOTE: 5-0-0

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

Warrants – Review warrants #55 thru #65 for 2021.

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

VOTED: to approve the warrants.

VOTE: 5-0-0

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

New members of the system to date:

- Rebecca Raposa, Taunton Public Schools, Group 1, 9+2%
- Destiny Frates, Veteran’s Office, Group 1, 9+2%
- Dwight Gomes, Taunton Fire Department, Group 1, 9+2%
- Daniel Miller, Jr., Taunton Fire Department, Group 1, 9+2%
- Vicci Snyder, GATRA, Group 1, 9+2%
- Christopher Fagan, Taunton Public Schools, Group 1, 9+2%
- Kevin Medas, Jr., DPW, Group 1, 9+2%
- Justin Stone, Taunton Housing Authority, Group 1, 9+2%

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

VOTED: to approve the new members.

VOTE: 5-0-0

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

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

- Nicola Pallotti, Taunton Public Schools, Refund

- Deborah Rioux, Taunton Public Schools, Refund
- Marguerite Mitchell, School Dept., Transfer to State. Taunton service: 07/23/2012 to 05/02/2021 - 8 yrs., 9 months creditable service under G.L. c. 32, Section 3(8)c.

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

VOTED: to approve the refunds & transfers.

VOTE: 5-0-0

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

Retirement/survivorship applications:

- Armand Martins, TMLP, Superannuation, Group 4, 9/7/2021
- Cynthia Clark, TMLP, Superannuation, Group 1, 8/10/2021
- Nathan Furtado, TMLP, Ordinary disability posthumous, Group 4, 2/20/2021
- Mary Jane McCoy, TNH, Superannuation, Group 1, 5/29/2021
- Diane Bell, School, Superannuation, Group 1, 9/1/2021
- Ann Marie Hebert, Superannuation, Group 1, 10/30/2021
- Scott J. DeSantis, Assessor’s, Superannuation, Group 1, 8/9/2021
- Kathleen Kisamore, GATRA, Superannuation, Group 1, 8/31/2021

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

VOTED: to approve the retirements and survivorships.

VOTE: 4-0-1

A roll call vote was taken and recorded as follows: Member Amaral “YES”; Member Bernier “YES”; Member Hebert “YES” but voted ‘present’ on her own retirement; Member Smith “YES”, Member Enos “YES”.

Deaths – there were none to report.

Make-up/redeposits and liability for creditable service:

- Faith Wagner, make up, School, 1 year, 4 mos, 2 days

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

VOTED: to approve makeup payment for creditable service.

VOTE: 5-0-0

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

PERAC Memo’s and correspondence:

- PERAC Memo #18/2021-Updated Member and Beneficiary Application for Distribution of Accumulated Total Deductions Forms
- PERAC Memo #19/2021 – Mandatory Board Member Training, 3rd Quarter 2021
- PERAC Memo #20/2021 – Tobacco Company List
- PERAC Investment report 2020
- PERAC Memo #21/2021- Cost of Living Increase for Supplemental Dependent Allowance Paid to Accidental Disability Retirees and Accidental Death Survivors

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

VOTED: to receive and place on file.

VOTE: 5-0-0

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

Investments & accounting:

- Accounting reports for m/e 05/31/2021 – Trial Balance, Cash Receipts & Disbursements, and Journal Entries. Bristol County Savings Bank Checking account statement and reconciliation as of m/e 05/31/2021. After full review of all reports, the Board voted as follows:

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

VOTED: to approve accounting reports for m/e 05/31/2021 – Trial Balance, Cash Receipts & Disbursements, and Journal Entries; the Bristol County Savings Bank Checking account statement and reconciliation as of 05/31/2021.

VOTE: 5-0-0

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

- Investments Purchased (\$9,427,870.47) and Sold \$9,413,948.62 for m/e 05/31/2021.

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

VOTED: to approve the purchases & sales as of 05/31/2021.

VOTE: 5-0-0

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

Funding & Budget requests:

The Board reviewed budget expenditures and account balances thru m/e 06/30/2021.

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

VOTED: to approve expenditures & balances and place on file.

VOTE: 5-0-0

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

Travel, Education & Conferences: The Board reviewed upcoming Fall conference for NCPERS from September 26-28, 2021 to be held in-person in Scottsdale, AZ. After review and discussion, the Board voted as follows:

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

VOTED: to authorize any board member or staff to attend with a provision that no travel reimbursement will be given if the conference is cancelled for some reason.

VOTE: 5-0-0

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

Legal matters:

The Board reviewed legal expenses of \$1,291.00 for m/e 06/30/2021 for Atty. Michael Sacco.

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

VOTED: to the legal expenses for m/e 06/30/2021.

VOTE: 5-0-0

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

Executive Director’s report

- PERAC annual report of earnings for 2020 – review disability retirees who have not fully complied with PERAC’s filing under G.L. c. 32, section 91A – Roberta Newcomb, David Pereira

& Alfred Borges. Mr. Borges has complied and Ms. Newcomb brought in her W-2 form to the office that PERAC needs. The only remaining retiree that has outstanding items due to PERAC was David Pereira.

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

VOTED: to inform Mr. Pereira that he has until the next board meeting – August 25, 2021 – to comply with PERAC or face termination.

VOTE: 5-0-0

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

- Ex. Director reported that Asst. Director Karen Medeiros returned to work July 12, 2021 with no restrictions. The interim part-time helper has stopped working. Chairperson Hebert recommended sending a letter of thanks to Lori Holmes-Smith who filled in during Ms. Medeiros’ medical leave and remote work.

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

VOTED: to send a thank you note to Ms. Holmes-Smith thanking her for filling in.

VOTE: 4-0-1

A roll call vote was taken and recorded as follows: Member Amaral “YES”; Member Bernier “YES”; Member Hebert “YES”; Member Smith “present/abstain”, Member Enos “YES”.

EXECUTIVE SESSION:

At 1:15 p.m., Chairperson Hebert entertained a motion to go into Executive Session pursuant to M.G.L. c. 30A, s. 21(a)(3) for the purpose of reviewing the report(s) of the application for accidental disability of Kerin Corrigan, the DALA appeal of Kevin Brocato, and CRAB appeal of August Loura. 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 Bernier “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 1:50 p.m.

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

VOTED: to record the votes that were taken during the executive session in open session.

VOTE: 5-0-0

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

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

VOTED: to accept the application of Kerin Corrigan for accidental disability and to request PERAC to convene a medical panel exam subject to receipt of some additional medical records and clarification of the essential duties of her job description as Principal Clerk in the Water dept.

VOTE: 5-0-0

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

Supplementary Regulations

The Board and Atty. Sacco met to review the existing supplementary regulations regarding the rule for “once a member, always a member” and the threshold requirements for becoming eligible for membership and service. Ex. Director Slivinski presented two cases where two current members ceased membership and then became re-employed as a School Nurse, the other as a Tutor/Sub-Teacher. These types of positions generally do not enroll in the Taunton Retirement System but instead (eventually) enroll with the Mass. Teacher’s Retirement System. Both of these are under the required 20 hours/week threshold and Ex. Director noted that they should not be allowed to continue accruing creditable service. However the Ex. Director believed there may be a conflict with the provision of “once a member, always a member.”

Atty. Sacco noted that the board’s current supplementary regulation is sufficient to address this situation. Atty. Sacco stated that because there was a break in service that these employees need to satisfy the board’s current enrollment criteria – a minimum of 20 hours/week regularly employed and earning at least \$5,000/year. Since these two members do not meet the current regulation, then they are rightfully excluded from continuing to accrue creditable service. Any contributions that may have been withheld are to be returned as “deductions in error” and the members are to remain as Member-Inactive and instead enroll in the OBRA plan with the City of Taunton.

OLD BUSINESS: There was none.

NEW BUSINESS:

The board briefly discussed pending legislation with the State regarding the adding of three years of service or age for essential workers during the pandemic. It is unclear if the legislation does pass, if the City of Taunton will adopt it and the costs appear to be prohibitive.

Ex. Director provided a copy of the Conflict-of-Interest law to all members and staff and requested all to sign acknowledgment-of-receipts.

There being no further business to come before the Board, it was voted to adjourn at 2:30 p.m.

APPROVED BOARD OF RETIREMENT

Ann Marie Hebert, Ex-Officio, Chairperson

Paul J. Slivinski, Executive Director

Dennis M. Smith, Elected Member

Barry J. Amaral, Appointed Member

Thomas A. Bernier, Elected Member

Gill E. Enos, Appointed Member