

SALEM RETIREMENT BOARD
OPEN SESSION MEETING MINUTES
MARCH 19, 2019
11:00 A.M.

I. Fifth Member Appointment

In attendance at this regular meeting of the Salem Retirement Board (“the Board”) were Dominick Pangallo (Chair), Laurie Giardella, Sarah M. Hayes, Marcia A. Pelletier, and Robert T. Lutts. Also in attendance were Board Treasurer Kathleen McMahon and Executive Director Paul Findlen.

Four applicants were invited to interview with the Board for the position of Fifth Member of the Board. The applicants appeared as follows:

- 1) James Fleming: Mr. Fleming interviewed with the Board via phone, as he was travelling and unable to appear in person. Mr. Fleming answered questions posed to him by the Board, and then read a prepared statement, in which he withdrew his application.
- 2) Alexander Lowry: Mr. Lowry entered the meeting at 11:15 a.m., and answered several questions about his relevant experience as well as his understanding of board function and dynamics. Mr. Lowry left the meeting at 11:29 a.m.
- 3) Britt Lazar: Ms. Lazar entered the meeting at 11:29 a.m., and discussed her experience working at the Massachusetts Teachers’ Retirement System, as well as municipal retirement boards in Massachusetts. Ms. Lazar answered several questions and discussed her experience in matters relating to M.G.L. c. 32, and the manner in which that experience has prepared her to serve as a board member.

Mr. Pangallo and Mr. Lutts entered the meeting at 11:45 a.m.

- 4) Robert T. Lutts: Mr. Lutts discussed his 9 years of experience serving as the Fifth Member of the Salem Contributory Retirement Board, and answered questions regarding his view of the role of board members, as fiduciaries and members of the community they serve. Mr. Lutts’ interview concluded at approximately 12:00 p.m.

The Board discussed the qualifications of each of the three remaining candidates. On a motion made by Mr. Pangallo and seconded by Ms. Giardella, the Board voted by roll call: Ms. Giardella, yes, Ms. Hayes, no, Mr. Pangallo, yes, Ms. Pelletier, no, to appoint Robert T. Lutts as the Fifth member of the Board. As a result of the tie vote, the motion did not carry. On a motion made by Ms. Hayes and seconded by Ms. Pelletier, the Board voted by roll call: Ms. Giardella, no, Ms. Hayes, yes, Mr. Pangallo, no, Ms. Pelletier, yes, to appoint Britt Lazar as the Fifth member of the Board. As a result of the tie vote, the motion did not carry. On a motion made by Ms. Hayes and seconded by Ms. Pelletier, the Board voted by roll call: Ms. Giardella, no, Ms. Hayes, yes, Mr. Pangallo, no, Ms. Pelletier, yes, to appoint Alexander Lowry as the Fifth member of the Board. As a result of the tie vote, the motion did not carry. Pursuant to M.G.L. c. 32 § 20(4)(b), the Board has thirty days from the expiration of the Fifth Member’s term to appoint a Fifth Member and, “if the fifth member is not chosen by the other four members within thirty days after the expiration of the term of the fifth member, said member shall be appointed in a city by the mayor”.

Ms. McMahon entered the meeting at approximately 12:00 p.m.

II. Regular Matters of Business

Meeting Minutes

The minutes of the previous Board meeting, held on February 27, 2019, were reviewed and, on a motion made by Mr. Lutts and seconded by Ms. Hayes, the Board voted 5-0 to approve the February meeting minutes as submitted.

Recent Enrollments

All recent new enrollments were reviewed. On a motion made by Mr. Lutts and seconded by Ms. Pelletier, the Board voted 5-0 to acknowledge the new enrollments as submitted.

III. Treasurer's Report

Board Treasurer, Kathleen McMahon, presented a comprehensive report on the monthly reconciliation performed on behalf of the Board. The Board reviewed the reconciliation report for the month of February. On a motion made by Mr. Lutts and seconded by Ms. Hayes, the Board voted 5-0 to accept the Treasurer's Report as submitted.

IV. Executive Director's Report

Mr. Findlen presented the Board with a report on all cash receipts for the month of February, as well as a trial balance for the month of February for the Board's review. Mr. Findlen also presented the Board with a monthly expenditure report for the month of February, a monthly report on the traffic experienced by the Board's website, and a monthly report of the Employee Self-Service portal usage. On a motion made by Ms. Hayes and seconded by Mr. Lutts, the Board voted 5-0 to acknowledge the Executive Director's Report.

V. PERAC Memos

The Board reviewed and discussed PERAC memo #10, which provided several administrative reminders to the Board.

VI. Executive Session

A motion was made by Mr. Lutts and seconded by Ms. Giardella to enter into Executive Session under Purpose 7 of the Open Meeting Law and in compliance with exemption (c) of the Public Records Law (G.L. c. 4, s. 7(26)(c)) exempting personnel and medical files or information and other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy. On roll call, the vote was as follows:

VOTED:	Laurie Giardella	Yes
	Sarah M. Hayes	Yes
	Robert T. Lutts	Yes
	Marcia Pelletier	Yes
	Chair Dominick Pangallo	Yes

At approximately 12:30 p.m. the Board went into Executive Session. The Chair stated that the Board would return to Open Session.

At approximately 12:39 p.m. the Board reconvened in Open Session and the Chair announced the Board's actions during Executive Session on the following items:

ACCIDENTAL DISABILITY RETIREMENT

1. Dennis A. Levasseur

The Board reviewed an application for accidental disability retirement benefits, submitted on behalf of Dennis A. Levasseur, together with a treating physician's statement, as well as a statement submitted by Mr. Levasseur's employer. On a motion to accept the application submitted on behalf of Dennis A. Levasseur, Deputy Fire Chief for the City of Salem, and request the appointment of a regional medical panel, made by Ms. Pelletier and seconded by Ms. Giardella, the roll call vote was as follows:

VOTED:	Laurie Giardella	Yes
	Sarah M. Hayes	Yes
	Robert T. Lutts	Yes
	Marcia Pelletier	Yes
	Chair Dominick Pangallo	Yes

VOTED: The application submitted on behalf of Dennis A. Levasseur, for accidental disability retirement benefits, was accepted and the Board will petition PERAC to convene a regional medical panel.

VII. 2019 Board Election Update

The Board reviewed an amended election timeline for the election of the first elected member of the Board. The amendments proposed were to alter the date of the vote so as to not conflict with the 2019 Spring MACRS Conference, as well as abridge the term of the first elected member. The Board discussed shortening the term of the first elected member, so as to expire on December 1, 2021, which would assure compliance with M.G.L. c. 32 § 20(4)(b), which states that "the term of the third and fourth member shall be so arranged as not to expire in the year of expiration of the term of the fifth member". On a motion made by Ms. Pelletier and seconded by Mr. Lutts, the Board voted 5-0 to accept the proposed amendments to the election timeline for the election of the first elected member of the Board and to set the expiration date for the new term to December 1, 2021.

VIII. 2019 Spring MACRS Conference

The Massachusetts Association of Contributory Retirement Systems recently announced that the dates for the 2019 MACRS Kevin J. Regan Annual Conference had been confirmed for June 2nd through June 5th, and that this year's conference will be held at the Cape Cod Conference and Resort Center, as it has been in years past. On a motion made by Ms. Giardella and seconded by Mr. Lutts, the Board voted 5-0 to approve travel to and attendance of the 2019 Spring MACRS Conference.

IX. Old Business

There were no old business matters that required the Board's attention.

X. New Business

The Board acknowledged a letter from Kimberley Driscoll, Mayor of the City of Salem, documenting Mayor Driscoll's re-appointment of Dominick Pangallo to serve on the SCRB as the mayor's appointee, for a term of three years, set to expire on April 1, 2022. The Board also discussed the upcoming vote to consider a Cost of Living Adjustment (COLA) for eligible benefit recipients. After a brief discussion, the Board determined that the vote would be held at the April 24th regular meeting of the Board. On a motion made by Ms. Pelletier and seconded by Ms. Giardella, the Board voted 5-0 to schedule the COLA vote for the April 24th regular meeting of the Board, and have Mr. Findlen notify City Council of the scheduled vote.

On a motion made by Ms. Hayes and seconded by Mr. Lutts, the Board voted 5-0 to adjourn the meeting at 12:59 p.m.

Dominick Pangallo, Chair

Laurie Giardella

Sarah M. Hayes

Marcia A. Pelletier

Robert T. Lutts

Documents used in SCRB Board meeting of March 19, 2019

- Agenda for March 19, 2019 SCRB Board meeting
- SCRB Fifth Member applications
- Open Session minutes of February 27, 2019 SCRB Board meeting
- New Member Enrollment Report
- February Treasurer's Report
- February Cash Receipts
- February Trial Balance
- February monthly expenditure report
- Monthly ESS Usage Report
- Monthly Website Traffic Report
- PERAC Memo #10/2019
- 2019 Board Election Timeline Proposal
- CRAB Decision in *Joseph Duffy v. Brookline Retirement Board*
- Letter of Re-Appointment for Dominick Pangallo