

Minutes of the meeting held on January 4, 2021

Present: Francis Murphy – Chair, James Monagle, Michael Gardner, John Shinkwin, Ellen Philbin, James Quirk, Chris Burns and Tom Gibson.

Left Early: Nadia Chamblin-Foster (not present for agenda item #9).

The meeting was called to order at 1:03 PM. The meeting was digitally recorded. The entire meeting was conducted by Webex videoconference.

Agenda Item #1 – Minutes

Motion by Chamblin-Foster, seconded by Monagle to accept the minutes of the meeting held on December 7, 2020. Voted unanimously.

Motion by Chamblin-Foster, seconded by Monagle to accept the executive session minutes of the meeting held on December 7, 2020. Voted unanimously.

Agenda Item #2 - Warrants

Motion by Gardner, seconded by Monagle to accept payment of warrant #24 in the amount of \$7,813,552.01 and to accept payment of warrant #1 in the amount of \$202,539.12. Voted unanimously.

Agenda Item #3 – Superannuations

Motion by Chamblin-Foster, seconded by Monagle to accept the Superannuation retirement applications submitted by John Albert, Superintendent of Police with thirty-three years, eight months; Sandra Aurilio, Admin. Coordinator II, Cambridge Health Alliance with forty-one years, three months; Chris Bertolino, Lieutenant, Police Dept. with twenty-five years, eight months; John Crowley, Patrol Officer, Police Dept. with thirty-two years; George Downing, Mechanic, Cambridge Housing Authority with thirty-three years, three months; Harold Gaines, Driver, Dept. of Human Services with thirty years, two months; Banku Ho, Mechanic Aide, Cambridge Housing Authority with twenty-one years, seven months; Marie Joas, CNA, Cambridge Health Alliance with twenty-seven years, six months; Robert McGann, Electrical Inspector, Inspectional Services Dept. with twenty-seven years, eight months; Elizabeth Paden, Project Planner, Community Development Dept. with thirty-five years, eleven months; Lisa Peterson, Deputy City Manager with thirty-one years; Katherine Pye, Buyer, Purchasing Dept. with thirty-four years; Bernice Ryan, Staff Nurse, Cambridge Health Alliance with forty-four years; Nancy Schlacter, Executive Director, Human Rights Commission with twenty-two years, two months; Leonard Silva, Solid Waste Supervisor, Dept. of Public Works with forty-eight years, nine months. Voted unanimously.

Agenda Item #4 - Make-ups/Redeposits/Liability

The Board reviewed make-up and redeposit worksheets for two members.

Motion by Gardner, seconded by Chamblin-Foster to allow the make-up of deductions requested by Sharon A. Daley for one year, eight months; Sharon A Daley for four years; Romaine R. Waite for two months; and Romaine R. Waite for one year. The Director reviewed the method of calculating Daley's buyback, noting that she was eligible to purchase two separate periods of service. She also noted that the contribution rate was calculated as if Daley had become a member in 1978. Gibson requested that the staff send him a copy of the calculation worksheets. Voted unanimously.

Agenda Item #5 – Refund Applications

The Board reviewed a list of refund applications submitted in December.

Motion by Gardner, seconded by Shinkwin to accept four refund applications. Voted unanimously.

The Chairman requested to adjourn the open meeting and go into executive session for the purpose of discussing disability retirement applications. The Chairman stated that the meeting would reconvene in open session the conclusion of the executive session. On a roll call, the vote was as follows:

Michael Gardner:	YES
Nadia Chamblin-Foster	YES
James Monagle:	YES
John Shinkwin:	YES
Francis Murphy:	YES

Agenda Item #6 – Accidental Disability Benefit – Robert Elliott

The Board reviewed the certificates and narrative reports of three separate medical exams, the member's application, treating physician's statement and employer's statement filed in connection with Robert Elliott's Accidental Disability application. Attorney Michael Eagan appeared, representing the member.

Gardner moved to request clarification from the medical panel. Shinkwin seconded the motion. Monagle requested that the Board request sick leave documentation from the employer, which Gardner accepted as a friendly amendment. Voted unanimously.

Eagan requested that the Board take no action to grant Ordinary Disability benefits until he has had a chance to consult with the City's attorney to determine the impact on the Worker's Compensation claim.

Agenda Item #7 – Accidental Disability Application – Anthony Poleo

The Board reviewed the member's application, treating physician's statement and employer's statement filed in connection with Anthony Poleo's Accidental Disability application. Thomas Gibson appeared, representing the member.

Motion by Chamblin-Foster, seconded by Shinkwin to accept the Accidental Disability application filed by Anthony Poleo, Senior Storekeeper in the Traffic & Parking Dept., and to request that PERAC convene a medical panel. On a roll call, it was voted unanimously.

Agenda Item #8 – Accidental Disability Benefit – Michael Clinton

The Board reviewed the certificates and narrative reports of three separate medical exams, the member's application, treating physician's statement and employer's statement filed in connection with Michael Clinton's Accidental Disability application.

Motion by Monagle, seconded by Shinkwin to accept the majority findings of the medical panel and grant Accidental Disability benefits to Michael Clinton, a Fire Lieutenant. On a roll call, it was voted unanimously.

Agenda Item #9 – Request for Group Reclassification – Dorothy Campbell

The Board reviewed correspondence from Dorothy Campbell.

Quirk reviewed the language of the statute which describes which employees should be classified in Group 2. He noted that employees of a State or County facility, whose major duties involve the care or instruction on persons who are mentally ill, should be members of Group 2. However, members of municipal retirement systems were not included.

Campbell described the functions of her job, noting that she had been subject to assault from patients. She also described how State hospitals had been overwhelmed due to COVID and more and more patients were now being moved to Cambridge Hospital. The Chairman stated that he found her correspondence very persuasive, but that the language of the statute is unambiguous, leaving the Board no authority to reclassify her position. The Chairman suggested that Campbell may wish to try to petition the legislature to make a change to the law.

Motion by Gardner, seconded by Shinkwin to deny Dorothy Campbell's request for reclassification, based on the Board's lack of authority to make such a change. The motion carried on a 4-0 vote, with Chamblin-Foster absent.

Agenda Item #10 – PERAC Memos

The Board reviewed PERAC Memos, #34, 35, 36, 37 and 38.

The Director noted that the increase in the dependent allowance would be retroactive to July.

She also stated that she would report back to the Board on the process for submitting an affidavit to get credit for continuing education.

Agenda Item #11 - Old Business

Burns reported that all retirees that were reviewed at the December meeting have now complied with the 91A reporting requirement. No allowances were suspended.

Agenda Item #12 - New Business

Not needed.

Agenda Item #13 - Executive Session

Agenda Item #6 – requested clarification

Agenda Item #7 – adopted

Agenda Item #8 – adopted

Agenda Item #14 - Chairman's Report

The Chairman stated that he had been notified that members trying to use the "catch-up" provision in order to contribute additional money into their 457 account were required to provide certain documentation. This includes a breakdown of an employee's entire contribution history, which is not readily available from the fund managers. Monagle offered to report back on ways that contributions could be documented from records in the City's payroll system.

Agenda Item #15 – Executive Director's Report

The Director stated that the move went fairly smoothly. The system will be busy in the next month as quite a few people have applied for retirement in January and February. The office is now staffed on Monday through Thursday, with fully remote operations on Friday.

The following documents were also reviewed by the Board:

- Notice of Retiree Deaths

Monagle moved to adjourn at 3:15 PM.