

Minutes of the meeting held on March 4, 2024

Present: Francis Murphy – Chair, Michael Gardner, Nadia Chamblin-Foster, Joseph McCann, James Monagle, Ellen Philbin and Chris Burns.

The meeting was called to order at 11:04 AM. The meeting was digitally recorded. This was a hybrid meeting, held in-person in the Sheila Tobin Conference Room at 125 CambridgePark Drive, with some participants joining via Zoom videoconference.

Agenda Item #1 – Minutes

Motion by Chamblin-Foster, seconded by Monagle to accept the regular minutes of the meeting held on February 5, 2024. Voted unanimously.

Motion by Monagle, seconded by McCann to accept the executive session minutes of the meeting held on February 5, 2024. Voted unanimously.

Agenda Item #2 - Warrants

Motion by Chamblin-Foster, seconded by McCann to accept payment of Warrant #4 in the amount of \$9,242,692.42 and Warrant #5 in the amount of \$218,233.99. Voted unanimously.

Agenda Item #3 – Superannuations

Motion by McCann, seconded by Gardner to accept the Superannuation retirement applications submitted by Marita Barrett, Physician Assistant, Cambridge Health Alliance with seventeen years, four months; Paul Coutinho, Lieutenant, Police Dept. with thirty-five years, nine months; Karen Roust, Senior Account Clerk, Dept. of Human Services with thirty-nine years, seven months; Maria Vigneau, Senior PACS Administrator, Cambridge Health Alliance with nineteen years, nine months; Lynne Zeidler-Cayford, Paraprofessional, School Dept. with twenty-three years, five months. Voted unanimously.

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

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

Motion by Chamblin-Foster, seconded by Monagle to allow the make-up of deductions for Margaret Allen for one year, one month; John Caldera for two years, two months; Makeva Council for four years, one month; James Johnson for two months; Timothy Norton for two months (accepting liability for service with the Commonwealth of Massachusetts); and Carolyn Rodrigues for one year, four months. Voted unanimously.

Motion by Monagle, seconded by McCann to allow the redeposit of a refund for Anna Anderson for one year, five months. Voted unanimously.

Agenda Item #5 – Refund Applications

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

Motion by Chamblin-Foster, seconded by McCann to accept nine 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 at the conclusion of the executive session. On a roll call, the vote was as follows:

James Monagle:	YES
Michael Gardner:	YES
Nadia Chamblin-Foster	YES
Joseph McCann:	YES

Francis Murphy: YES

Agenda Item #6 – Accidental Disability Benefit – William Daley

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 William Daley's application for Accidental Disability benefits. Attorney David DiCenso appeared with Mr. Daley.

Motion by Gardner, seconded by Monagle to accept the findings of the medical panel and grant Accidental Disability benefits to William Daley, Electrician in the Dept. of Public Works. Voted unanimously.

Agenda Item #7 – Accidental Disability Benefit – Jacques Desrosiers

The Board reviewed the certificates and narrative reports of three separate medical panels, the member's application, treating physician's statement and employer's statement filed in connection with Jacques Desrosiers' application for Accidental Disability benefits. Attorney Morgan Gray appears with Jacques Desrosiers.

Motion by Monagle, seconded by Chamblin-Foster to accept the findings of the medical panel and grant Accidental Disability benefits to Jacques Desrosiers. Voted unanimously.

Agenda Item #8 – Accidental Disability Application – Zachary Brown

The Board reviewed the member's application, treating physician's statement, and employer's statement pertaining to Zachary Brown's application for Accidental Disability benefits. Attorney Thomas Gibson appeared, representing the member.

Motion by Chamblin-Foster, seconded by McCann to accept the application for Accidental Disability benefits filed by Zachary Brown, a Patrol Officer in the Police Dept. and to request that PERAC convene a medical panel. Voted unanimously.

Agenda Item #9 – Review of Executive Session Minutes

The Board reviewed Executive Session minutes from January 2020 through December 2023.

Motion by McCann, seconded by Monagle to approve release of the Executive Session minutes as redacted by the staff. Voted unanimously.

Agenda Item #10 – 91A Repayment – Juan Carlos Pons

The Board reviewed correspondence from Attorney Gibson, correspondence from Cambridge Housing Authority and other materials related to Juan Pons' 91A calculation.

Gibson noted that the Housing Authority responded to inquiries sent by the Retirement Office. Based on that correspondence, it appears that CHA made a determination in 2014 that Pons' position should be classified as the equivalent of an Assistant Planner, at Grade 9. Since that time, the Assistant Planner position was reclassified as part of a collective bargaining process.

The job title is now Assistant Project Manager and classified as Grade 10. Gibson stated that he still feels that Grade 11 Assistant Construction Manager position still most closely reflects the full scope of duties that Pons was performing when employed. Gibson argued that, at the very least, it is now clear that Pons should be classified at Grade 10. He noted that the Grade 10 classification would still mean that Pons would be required to repay over \$5000 in overearnings.

Monagle stated that he felt that since Pons was classified at Grade 8 at the time of his retirement, any other classification would be speculative, and the Board should keep the calculation at Grade 8. Gardner stated that he would prefer to defer to the Employer's definition of the equivalency and that he was prepared to accept that the documents provided show that the member would be properly classified in Group 10 had he continued working. He said that he did not feel that Attorney Gibson's theory of a Group 11 classification determined by comparing lines on resumes and job descriptions should be given any weight.

Gibson stated that there was some ambiguity as to exactly what duties Pons was performing during his employment. CHA provided two different job descriptions when he applied for Accidental Disability benefits.

McCann stated that he was skeptical of the information provided by CHA, given that they had classified him in Grade 9 in 2014 and then apparently provided Grade 8 salaries in subsequent years. Burns described the process of gathering 91A data, noting that he generally had to request salary information on at least 30 retirees each year and that he would not expect the employer to keep detailed records on employees who are already retired.

Monagle asked if Pons should be subject to a restoration to service process, given that he is apparently working a significant number of hours as a truck driver. Gibson stated that the RTS process is run by PERAC, and that Pons would be subject to reexamination on a schedule determined by PERAC.

Gardner moved to recalculate the 91A overearnings based on a Grade 10 employee. Murphy seconded the motion. Gardner noted that insisting on a Grade 8 classification is clearly contrary to the determination of the CHA and the union. On a roll call, the motion carried on a 3-2 vote. McCann and Monagle voted in the negative.

#### Agenda Item #11 – 2024 Administrative Budget

The Board reviewed a proposed administrative budget for the calendar year 2024.

Philbin noted that there is a significant jump in the line item for utilities and building fees. Philbin stated that this number is generally difficult to gauge, and that the landlord recalculates and trues up the total at year end. Monagle asked how the electric bill for the system was being calculated, and Philbin stated that it was based on the number of square feet occupied. The retirement office does not have a separate meter. Monagle asked that the Director review the calculation to be sure that the system is not being charged for electric costs related to the ongoing construction. The budget includes a line item to purchase new iPads for the Board as the current models are now four years old.

PTG has offered retirement systems to prepay for three years of service at a discount. Philbin stated that the system has already signed a contract with PTG that runs through the end of 2026. The budget includes that prepayment amount for 2024.

Motion by Monagle, seconded by McCann to accept the administrative budget in the total amount of \$13,200,335.00. Voted unanimously.

#### Agenda Item #12 – PERAC Memos

The Board reviewed PERAC memo #9.

The Director stated that she would send actuarial data to PERAC within the next week.

#### Agenda Item #13 - Old Business

Gardner reported that the Executive Director position was posted on the MMA website, the system's website, PERAC and Indeed. There have been 25 applications received to date.

Applications are due on March 22<sup>nd</sup>. Gardner stated that he expected that the Board could begin to review applicants' resumes at the April 1 meeting.

#### Agenda Item #14 – New Business

Not needed

#### Agenda Item #15 – Executive Session

Agenda Item #6 – adopted

Agenda Item #7 – adopted

Agenda Item #8 – adopted

Agenda Item #9 – adopted

Agenda Item #16 - Chairman's Report

None offered.

Agenda Item #17 – Executive Director's Report

Philbin stated that she and Burns will meet with the City's Human Resources staff, including Sheila Keady-Rawson, Jean Montout and the new Benefits Representative, Vitaliy Khachiyan. The Benefits office also hired a new manager, who will start in May.

Philbin stated that she has scheduled a kick-off call for KPMG's audit of the system.

Burns stated that annual affidavits were mailed in February. Retirees must return them by April 15.

Gibson reminded the Board that the MACRS conference would be held in June and that there would be a Saturday TEDS session for Board members. Gardner stated that he would encourage MACRS to make the conference viewable via videoconference.

The following documents were also reviewed by the Board:

- Notice of Retiree Deaths
- PERAC Pension Newsflash – February 15, 2024
- Correspondence from PERAC re: PROSPER Retiree Portal for 91A
- Bernstein Litowitz Berger & Grossman LLP – Q4 2023 Report
- Manager/Vendor Disclosures: Acadian International Equity Fund, Fidelity Broad Market Duration Commingled Pool, Fidelity Emerging Markets Debt, Hamilton Lane Private Equity Fund VI, Hamilton Lane Private Equity Fund VIII, Income Research & Management, Loomis Sayles US High Yield Fund, M&T Bank/Wilmington Trust, Segal Marco Advisors

Monagle moved to adjourn at 1:05 PM.