

Minutes of the meeting held on May 3, 2022

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

The meeting was called to order at 11:00 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 Webex videoconference.

Agenda Item #1 – Minutes

Motion by Shinkwin, seconded by Monagle to accept the regular minutes of the meeting held on April 4, 2022. Voted unanimously.

Motion by Chamblin-Foster, seconded by Monagle to accept the executive session minutes of the meeting held on April 4, 2022. Voted unanimously.

Agenda Item #2 - Warrants

Motion by Monagle, seconded by Shinkwin to accept payment of Warrant #8 in the amount of \$8,742,584.25 and Warrant #9 in the amount of \$559,177.82. Voted unanimously.

Agenda Item #3 – Superannuations

Motion by Gardner, seconded by Monagle to accept the Superannuation retirement applications submitted by Patricia Lewis, Psychiatric Clinical Nurse Specialist, Cambridge Health Alliance with twenty-one years; Denise Rivera, Paraprofessional, School Dept. with twelve years; and Ellen Watson, Office Manager, License Commission with thirty-five years, one month. Voted unanimously.

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

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

Motion by Shinkwin, seconded by Monagle to allow the make-up of deductions requested by Angelica Guerra for 11 months. Voted unanimously

Motion by Shinkwin, seconded by Monagle and to allow the redeposit of a refund by Ralph Wade for 16 years, 11 months. Voted unanimously.

Agenda Item #5 – Refund Applications

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

Motion by Gardner, seconded by Monagle 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 the conclusion of the executive session. On a roll call, the vote was as follows:

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

Agenda Item #6 – Accidental Disability Application – Juan Casanova

The Board reviewed the member's application, treating physician's statement and employer's statement pertaining to Juan Casanova's Accidental Disability application. Attorney Judith Gray appeared with Juan Casanova.

Motion by Shinkwin, seconded by Monagle to accept the application for Accidental Disability benefits filed by Juan Casanova, a Laborer in the Dept. of Public Works, and to request that PERAC convene a medical panel. Voted unanimously.

Agenda Item #7 – Accidental Disability Benefit – Katie Masse

The Board reviewed the certificate and narrative report of three separate medical exams, the member's application, treating physician's statement and employer's statement pertaining to Katie Masse's Accidental Disability application. Attorney Alan Shapiro appeared with Ms. Masse.

Motion by Shinkwin, seconded by Monagle to accept the findings of the medical panel and grant Accidental Disability benefits to Katie Masse, a Patrol Officer in the Police Dept. Voted unanimously.

Agenda Item #8 – Hearing Officer's Report – James Ravanis

The Board reviewed a report from the hearing officer, James Quirk and correspondence from PERAC. Attorney Thomas Gibson and Attorney Gerry McDonough appeared with Kerry Ravanis.

Motion by Gardner, seconded by Monagle to adopt the findings of the Hearing Officer and to transmit new findings to PERAC, reaffirming the grant of Accidental Death benefits to the surviving spouse of James Ravanis. Voted unanimously.

Agenda Item # 9 – Survivor Benefit – Joyce McClure

The Board reviewed an application for survivor benefits.

Quirk stated that the application was in good order. Motion by Gardner, seconded by Monagle to grant survivor benefits pursuant to section 12 (2) (d) to Leonard Nunley, surviving spouse of Joyce McClure, a Paraprofessional in the School Dept. Voted unanimously.

Agenda Item #10 – Survivor Benefit – June Murray

The Board reviewed an application for survivor benefits.

Quirk stated that the application was in good order. Motion by Shinkwin, seconded by Monagle to grant survivor benefits pursuant to section 12 (2) (d) to Dana Murray, surviving spouse of June Murray, a Benefits Coordinator at Cambridge Health Alliance. Voted unanimously.

Agenda Item #11 – Return of Accumulated Deductions – Lawrence Hudson

The Board reviewed Lawrence Hudson's death certificate and correspondence from his surviving relatives.

Motion by Gardner, seconded by Monagle to pay out the balance of Lawrence Hudson's Annuity Savings Fund to his surviving siblings. Voted unanimously.

Agenda Item #12 – Group Classification – Emergency Communications Dispatchers

The Board reviewed correspondence from PERAC and a written report from the subcommittee reviewing the dispatchers' status.

Gardner reported that he and Monagle had been assigned to review the history of the creation of the Emergency Communications Department and advise on if the current functions performed by ECD dispatchers would qualify them for Group 2 status. He noted that prior to 1996, fire dispatchers fell under the Electrical Department and held the title of "Fire Alarm Operator". In addition to dispatch work, they were also responsible for the maintenance of signal boxes. Following the merger, the former Police dispatchers were trained to perform all the maintenance work previously performed by Fire Alarm Operators. All dispatchers in ECD now held the title

of “Emergency Telecommunications Dispatcher”. Because the duties still included electrical maintenance work, the Board created a supplementary regulation to classify ECD dispatchers in Group 2, and that regulation was approved by PERAC.

In November 2021, PERAC requested that the Retirement Board review the group status for dispatchers. The subcommittee met with Christina Giacobbe, Executive Director of the ECD. They reviewed the current duties of ECD dispatchers. They toured the ECD facility, observed operations, and spoke with dispatchers on duty. They reported that the City has more direct-link signal boxes now than were present at the time of the merger. Many other cities in Massachusetts have moved away from the use of these signal boxes but Cambridge has maintained them as a useful way of maintaining communications that is not reliant on cellular signals. Dispatchers are occasionally required to go out into the field to assist Electrical Dept. employees in repairing signal boxes. Maintenance issues are more likely to arise during extreme weather, and dispatchers must work under all conditions. Gardner discussed the stressful nature of the work, due to high call volume and dealing with violent, or life-threatening situations. The subcommittee found that dispatchers are required to perform the same duties as Fire Alarm Operators were prior to the merger. They found that they were still at risk of electric shock while performing maintenance work. They found that the number of signal boxes requiring service has increased over the last twenty years. They recommended that the Board inform PERAC of these findings and urge that there be no change to the approved regulation granting Group 2 status to ECD Dispatchers. Finally, the subcommittee recommended that the Board take appropriate legal action if PERAC attempts to void the regulation on their own authority. Chamblin-Foster recommended that the ECD may wish to prepare a video highlighting the dispatchers’ work in order to strengthen their case.

Christina Giacobbe appeared and addressed the Board. She described the routine of daily testing of equipment performed by each dispatcher. She also described the stresses of the job and noted that several states have classified 911 dispatchers as first responders, along with police and firefighters. She stated that Cambridge now has 160 police call boxes and has been receiving an increasing number of calls through those boxes.

Gardner stated that he felt the Board’s response to PERAC should focus on the physical hazards involving live electricity, rather than psychological stress. The electrical work was the major basis for granting Group 2 status originally, and it appears to be the main issue that PERAC was questioning in their letter.

Gardner moved to adopt the recommendations of the subcommittee, as supplemented by the report supplied by the Executive Director of the ECD; that the Board inform PERAC that they feel the existing regulation remains valid and that there has been no change to the relevant duties of ECD dispatchers. Monagle seconded the motion and it was voted unanimously.

Agenda Item #13 – Membership Status – Building Substitutes

The Board reviewed correspondence from Attorney Quirk and an employment contract and job descriptions for Building Substitutes.

Quirk noted that a group of employees holding the title of “Building Substitute” are not currently members of any retirement system. He noted that, typically any certified teacher would become part of the Massachusetts Teachers Retirement System, but the MTRS has already denied membership to these employees. The School Department has reported that a teaching certification is not a requirement for the position. Some Building Substitutes are certified, and some are not. Quirk noted that Substitute Teachers have never been part of the retirement system since they do not work regular hours. The job description for Building Substitutes is different, in that they report for work at the same school every day. Quirk advised that such employees, if they are not certified teachers, may qualify for membership in the Cambridge Retirement System. He reminded the Board that any employee who becomes a member of the system will remain in the system, even if they subsequently drop below the normal minimum

requirement for hours worked. They would also become eligible to buy back prior non-membership service.

The Director stated that she had already made an administrative decision to allow membership for non-certified Building Substitutes, starting in September 2021. To date, none of them have asked to buy back prior service. The School Dept. Human Resources office expressed concern about the certified teachers who were being excluded, and they requested that the Board consider accepting all Building Substitutes. Quirk stated that the Building Substitutes may have an issue that could be litigated at DALA due to their exclusion from the MTRS.

Chamblin-Foster asked if the School Dept. could provide information as to how much time Building Substitutes and Paraprofessionals are spending doing teaching duties, and how reliant they are on part-time employees. Gardner stated that he felt that questioning the division of labor might be outside of the Board's purview.

Gardner moved to affirm the Director's decision to accept non-certified Building Substitutes for membership; to continue to exclude certified Building Substitutes for membership, instructing those employees that they should seek membership in the MTRS; and that active members, employed as Building Substitutes, who attain certification during their employment should similarly be instructed to attempt to transfer their membership to the MTRS. Monagle seconded the motion and it was voted unanimously.

Agenda Item #14 – PERAC Memos

The Board reviewed PERAC Memo #11. No action was taken.

Agenda Item #15 - Old Business

Not needed.

Agenda Item #16 - New Business

Not needed.

Agenda Item #16 – Executive Session

Agenda Item #6 – adopted

Agenda Item #8 – adopted

Agenda Item #9 – adopted

Agenda Item #11 – adopted

Agenda Item #17 - Chairman's Report

None offered.

Agenda Item #18 – Executive Director's Report

The Director stated that 160 annual affidavits from retirees are still outstanding. Third notices were sent to these retirees.

The Board members congratulated Monagle on his retirement and thanked him for his service on the Board.

The following documents were also reviewed by the Board:

- Notice of Retiree Deaths
- Manager/Vendor Disclosures – Hamilton Lane Private Equity Fund VIII
- RhumbLine Organizational Update

Monagle moved to adjourn at 2:55 PM.