

**Swampscott Retirement Board  
Meeting Minutes  
September 25, 2023**

A meeting of the Contributory Retirement Board was held in the First Floor Conference Room on Tuesday, September 26th, 2023.

Present:

Chair Thomas Driscoll, Vice-Chair John Behen, Kevin Breen, Amy Sarro

Via Zoom:

Robert Powell

Guest (in Person):

Mary Ellen Fletcher (Select Board liaison to Retirement Board)  
Sheila (retiree) and James Scranton

The meeting was unanimously called to order by a motion made by Tom Driscoll and seconded by Amy Sarro at 8:08 am.

**Approve Meeting Minutes**

The Board voted unanimously on a motion made by John Behen and seconded by Kevin Breen to approve the Meeting Minutes from July 25, 2023.

The Board voted unanimously on a motion made by John Behen and seconded by Kevin Breen to approve the Meeting Minutes from August 29, 2023.

**Acceptance of New Member Enrollments**

The Board voted unanimously on a motion made by John Behen and seconded by Amy Sarro to approve the following new members.

- Jocelyn Chan, SPS ABA Tutor, DOH 08/28/2023
- Carolyn Espinal, SPS Health Tutor, DOH 8/28/2023
- Chantal Horgan, SPS ABA Tutor, DOH 08/28/2023
- Ashley LeBlanc, SPS ESP, DOH 08/28/2023
- Emily O'Connor, SPS Spec Ed Tutor, DOH 08/28/2023
- Maureen Thomsen, SPS ESP, DOH 08/28/2023
- Janisa Negron, SPS ESP, DOH 09/05/2023

**Retirements**

None

## **Deaths**

The following member deaths were noted by The Board:

- Gertrude MacKenzie, Surviving Spouse of Former SFD Captain Graham MacKenzie, DOD 08/17/2023
- Allen Turner, Former SPS & Library Custodian, DOD 08/23/2023

## **Administrative Reports Put on File:**

The Board noted the following administrative report put on file:

- PERAC Memo #19/2023: Tobacco Company List

## **Expenses/Financials:**

The Board voted unanimously on a motion made by John Behen and seconded by Amy Sarro to approve the following expense.

- Expense Warrant 9/2023                      \$127,266.60

The Board voted unanimously on a motion made by Kevin Breen and seconded by John Behen to approve the following payroll warrant.

- Payroll Warrant 9/29/2023                      \$653,707.66

The Board voted unanimously on a motion made by Kevin Breen and seconded by Amy Sarro to approve the following transfer.

- M&T Transfer to MM Account                      \$625,000.00

The Board voted unanimously on a motion made by John Behen and seconded by Kevin Breen to approve the following transfer.

- PRIM Transfer to M&T                      \$625,000.00

June financials were reviewed - cash receipts, disbursements adjustments, trial balance & bank reconciliations.

2023 Budget was reviewed.

### **Transfers/Refunds/Rollovers**

The Board voted unanimously on a motion made by Amy Sarro and seconded by Kevin Breen to approve the following transfer:

- Stephanie Leonard, Former SPS Admin Assist., Transfer to Essex Regional Ret. System, 6 yrs. 9 mos.

The Board voted unanimously on a motion made by Amy Sarro and seconded by John Behen to approve the following transfer:

- Maihlikhaa Walker, Former SPS Tutor, Transfer to MTRS, 4 mos.

The Board voted unanimously on a motion made by Amy Sarro and seconded by John Behen to approve the following transfer:

- Katherine Paster, Former SPS Literacy Tutor, Transfer to MTRS, 3 yrs. 10 mos.

The Board voted unanimously on a motion made by Amy Sarro and seconded by John Behen to approve the following refund:

- Pamela Heller, Former SPS Tutor/Substitute Refund, 6 yrs. 10 mos.

The Board voted unanimously on a motion made by Amy Sarro and seconded by John Behen to approve the following refund:

- Irma Chez, Former SHA Executive Director, Refund, 3 yrs. 5 mos.

### **Buyback/Makeup Requests**

The Board voted unanimously on a motion made by Kevin Breen and seconded by John Behen to approve the following buyback:

- Cynthia Scott, SPS Special Ed Tutor, Buyback, 2 yrs. 2 mos.

### **New Business:**

Election of Elected Member: The Board noted that the Elected Board Member position currently held by John Behen expires on December 10, 2023. Nomination papers for the position are currently available (as of September 13, 2023) and are due October 26, 2023.

Fall 2023 Newsletter: The Board had no edits or updates to include in the Fall 2023 newsletter which will be available and distributed in October.



## **Old Business:**

Blue Ribbon Committee/Public Presentation Update: The Board discussed holding three meetings over consecutive weeks (potentially 1/22/24, 1/29/24, and 2/5/24) to educate the public, residents, town employees, retirees, and town officials on the Swampscott Contributory Retirement System. The Board recommended that these be held at SHS in a town hall-like format. Each of the three meetings would cover different topics and would include guest speakers representing Actuary, Investment Advisor, PERAC, and Legal Counsel. The Board would invite members from various groups to attend including Police, Fire, DPW, Town Meeting, Finance Committee, Unions, etc. in addition to the public. The Board recommended streaming and recording the meetings in addition to contacting local news outlets.

COLA: John Behen suggested writing a letter to the Select Board and Finance Committee to update them on the state-wide results of the one-time 2% COLA. He stated that of the 102 Retirement Boards in Massachusetts, 82 passed the 2% COLA, 10 increased the COLA base, and 10 saw no action. Swampscott is one of the 10 Boards that saw no action. The Board agreed that a letter should be drafted in advance of the Board beginning discussions on what it wants to propose about future COLA base increases. Kevin Breen suggested getting the letter to the Finance Committee in advance of any specific funding request regarding COLA. Mary Ellen Fletcher suggested sending the letter to the Town Administrator first.

Audit Update: The Administrator presented two cases in which the PERAC audit discovered incorrectly calculated retirements. In the first case, a retiree, Sheila Scranton, had an erroneous length of service transferred from another Board. In addition, retirement was deducted from sick buyback, which is not retirement eligible. This inflated her three highest years of salary. The Board informed the retiree of the Neeham Bill and of her right to counsel and appeal regarding any decision. The Board voted unanimously on a motion made by John Behen and seconded by Amy Sarro to table this discussion until the next Board Meeting, prior to which the Administrator will recalculate the retirement to include the higher length of service from the prior Board, but a repayment of the effected buyback amounts, and a proposal for repayment will be proposed to Ms. Scranton. In the second case, a retiree, Kevin Thompson had retirement deducted from vacation/sick buybacks, which are not retirement eligible. In addition to the amount owed back, the retiree's monthly benefit will be decreased as part of the recalculation. The Board voted unanimously on a motion made by Amy Sarro and seconded by Tom Driscoll to waive interest on the amount owed but to have Mr. Thompson pay back the amount of \$4,529.61. The Administrator will speak to Mr. Thompson about a repayment schedule.

PEC Letter/Retiree Health Insurance/Retiree Rep: The Board noted that a letter was written and delivered to the Town Administrator's office discussing the Boards concern over negotiation of the current PEC Agreement, which expired on June 30, 2021. Since no new successor agreement had been reached prior to the expiration date, the PEC agreement

remains in effect for the following three fiscal years with no negotiated changes. Mary Ellen Fletcher informed the Board that the Select Board members did not receive the letter. The Board decided will send the letter electronically to the Select Board and Town Administrator. Mary Ellen Fletcher, as Select Board liaison to the Retirement Board, asked to be notified ahead of communication to the Select Board.

Ch. 32 Sec. 20/Board Compensation: John Behen suggested an article for Town Meeting regarding Board Members Compensation. Of the 102 Retirement Boards in Massachusetts, over 80 have compensated members.

### **Administrative Updates**

RFP Update: The Administrator has posted RFPs for Investment Consultant (due October 4) and Custodial Bank (due November 3). The Administrator will provide the Board with a questionnaire to assist with the review of the returned RFPs.

The Administrator also noted that the GASB Report and the Actuary Report were both released after posting the agenda. They will be on the October agenda for formal approval by the Board.

The Board voted unanimously on a motion made by Amy Sarro and seconded by John Behen to adjourn the meeting at 10:42 am.

Respectfully submitted,

Tracy Spear  
Retirement Administrative Assistant

 Chair, Appointed  
Thomas H. Driscoll, Jr., Esq.

 Vice-Chair, Elected Member  
John F. Behen, Jr.

 Elected Member  
Kevin F. Breen

 Appointed Member  
Robert J. Powell, III

 Ex-Officio  
Amy L. Sarro

