



WAKEFIELD RETIREMENT BOARD

Thursday, October 5, 2017

8:00 A.M.

WILLIAM J. LEE MEMORIAL TOWN HALL

1 Lafayette Street, Wakefield, MA 01880

Second Floor Conference Room

PRESENT: Kevin Gill, Chair
Daniel Calore
Philip Rogers, Sr.
Richard J. DeFelice
Cathy Cheek, Board Administrator
Sherri A. Dalton, Secretary

NOT PRESENT:
Daniel Sherman

----- TOPICS OF DISCUSSION -----

Call to Order Chairman Gill called the meeting to order at 8:00 a.m.

Public Participation No one was present for Public Participation.

Accidental Disability Retirement Chairman Gill stated that Attorney Michael Sacco has supplied the Retirement Board with his opinion in regards to the Michael O'Sullivan disability case. Chairman Gill also stated that Attorney Sacco's opinion is privileged and that we will not discuss it in open session.

Richard J. DeFelice arrived at 8:01 a.m.

Chairman Gill asked Cathy Cheek if the Retirement Board is still waiting for medical records in which Cathy answered yes and that she is still waiting for two more. Chairman Gill asked the Board if they wanted to take action or if they wanted to wait until the Board has all of the medical records. Daniel Calore suggested that since the Board does not have all the information the Board should rescind the original vote in accepting the application. Chairman Gill said the Board did vote to accept the application only. The Board did not vote to approve the application and send it to PERAC. Chairman Gill said the Board can either leave the vote as is or the Board can vote to table the application until all the medical records have been received. Richard J. DeFelice suggested that the Board sends whatever information they have to PERAC. Chairman Gill said that he agrees with Daniel Calore to wait until the Board has all the information. Richard J. DeFelice questioned what information, it's just medical information. Chairman Gill answered no, the Employer's Statement also which is pertinent to the application. Philip Rogers, Sr. asked what the Employer's Statement is. Cathy Cheek answered that the Employer's Statement is the employer's side of the story. Richard J. DeFelice asked if there was anything substantive in the Employer's Statement. Cathy Cheek answered absolutely. Richard J. DeFelice asked then why doesn't the Board have a copy of the Employer's Statement. Cathy Cheek answered you do, it is in Prosper. Richard J. DeFelice asked why the

process is changing. He said that the Board has always taken the information in and sent it to PERAC and wants to know why this is a unique case. Chairman Gill stated that a few meetings ago the Board voted to wait until all information was obtained before voting on disability cases. Richard J. DeFelice would like the procedure in writing so that every case is treated the same. Philip Rogers, Sr. said that he doesn't have a problem with that but with this case he feels the Board should wait until they have all the information before the Board takes any action. Attorney Malloy who represents Mr. O'Sullivan asked what this delay would mean for his clients retirement. Cathy Cheek answered that there is no delay yet because the Board has not received all the medical records. Attorney Malloy asked if he would be able to see the Employer's Statement and Cathy Cheek answered yes she would need a letter from Attorney Malloy requesting a copy of the Employer's Statement. Richard J. DeFelice asked if the Board could recap and wanted to know whether or not Mr. O'Sullivan has an injury, an issue. Mr. DeFelice broke down Mr. O'Sullivan work history and during that time he sustained several injuries and then retired on a Superannuation. The issue here is whether or not during the time that Mr. O'Sullivan worked did he become disabled. Chairman Gill stated that the Board cannot decide that until all of the information is received by the Board. Philip Rogers, Sr. motioned to take no action until the Board has all the information. Richard J. DeFelice seconded. Richard J. DeFelice asked if the Board sent what they have to PERAC without all the rest of the information what would happen. Cathy Cheek answered that she cannot send anything to PERAC without having the medical information. Daniel Calore stated that this is a different procedure than past procedures and the proper way would be to rescind the vote where the Board accepted the application and wait for the completed application then vote. Richard J. DeFelice said the Board cannot be taking votes and rescinding votes. Daniel Calore said the Board can rescind any vote. Chairman Gill agreed with Mr. Calore but stated that the Board accepted the application but the Board has not voted to forward it PERAC for a medical panel. Motion passed 3-1-0 with Philip Rogers, Sr., Chairman Gill and Daniel Calore voting in favor. Richard J. DeFelice voting against the motion.

Cash Books

The Board Members were in receipt of the Cash Reconciliation including bank statements, trial balance, Cash Receipts, Cash Disbursements, Adjusting Journal Entries and Cash Flow Forecast for the month of August 2017. Daniel Calore motioned to accept as presented, the cash books and cash flow forecast for the month of August 2017. Philip Rogers, Sr. seconded. Motion passed 4-0-0.

Membership Census

The Board Members were in receipt of the current membership census dated 01/01/2017 – 09/29/2017.

Approved new member Nicole C. Weiler – School – 09/01/2017

Approved new member Catherine R. Bagni O'Brien – DPW – 9/05/2017

Approved new member Diane T. Brackett – School – 09/11/2017

Approved new member Daniel K. Bryne – School – 09/13/2017

Approved ASF transfer – Michelle I. Adams – School – 09/21/2017

Approved ASF transfer – Mary V. Dechant – Town – 09/21/2017

Approved ASF transfer – Rebekah L. Leonardo – School – 09/21/2017

Approve ASF Withdrawal – Helen F. Malone – School – 09/29/2017

Daniel Calore motioned to approve the Membership Census. Philip Rogers, Sr. seconded. Motion passed 4-0-0.

Monthly Budget

Board Members were in receipt of the September 2017 Monthly Budget.

Appointment of Election Officers

Chairman Gill nominated Cathy Cheek and Sherri Dalton as the Election Officers for the Election of the 2nd Member with the stipulation of a police detail at the voting location. Daniel Calore motioned to nominated Cathy Cheek and Sherri Dalton as the Election Officers for the Election of the 2nd Member with a police detail at the voting location. Richard J. DeFelice asked why the Board wants a police detail. To him it is the most stupid thing he has ever heard. Cathy Cheek responded that at the last election there was an incident. Richard J. DeFelice said that there doesn't need to be a police detail. The election is held at the Town Hall and there is people everywhere. Cathy Cheek reiterated that the Board vote to have the election done by mailing. Richard J. DeFelice said it is ridiculous. Daniel Calore responded that it is not ridiculous and that last time was a demonstration of how something can go wrong. A whack job walked in to the voting location and made trouble, frightened people and there was no accounting to him other than the Board sending him an angry letter. Philip Rogers, Sr. seconded. Motion passed 3-1-0 with Daniel Calore, Chairman Gill and Philip Rogers, Sr. voting in favor of the motion. Richard J. DeFelice voting against the motion.

Philip Rogers, Sr. further said that maybe in the future the voting can be done by mailings. He said that if he thought about the Pertucci incident he would have voted in favor of having the voting done by mailings.

Travel Regulations

Chairman Gill said that looking at the travel regulations he saw one change that should be made and that being taking the words "in advance of travel" out of "travel related expenses are to be approved by the board in advance of travel". Daniel Calore motioned taking the words "in advance of travel" out of the travel regulations. Philip Rogers, Sr. seconded. Cathy Cheek asked if that was the only change they wanted. Cathy Cheek suggested changing the part "no later than 30 days" to "no later than 90 days". Daniel Calore amended the motion to include "no later than 90 days". Cathy Cheek then suggested changing the cost of the meals to \$100.00. Chairman Gill suggested to follow the IRS Mileage Rate. Cathy Cheek stated the IRS Mileage Rate is in the regulations on page 3 and says that it will be adjusted by the IRS every year. Richard J. DeFelice said the Board should adopt the Milo Chart which is a standard the state has where they will tell you how many miles it is to go to locations. You don't have to calculate your own miles. Chairman Gill said we have been using the IRS Mileage Rate and Philip Rogers, Sr. said the IRS Mileage Rate is fine. Daniel Calore amended his prior motions to include all changes as stated. Philip Rogers, Sr. seconded. Motion passed 4-0-0.

DALA – Notice of Appeal

Chairman Gill stated the Robert Lynch has appealed to DALA and asked for a vote to have Attorney Michael Sacco represent the Board. Philip Rogers, Sr. asked if Robert Lynch has an attorney. Cathy Cheek answered that he is looking for an attorney. Chairman Gill said his understanding was that the Board hired Attorney Michael Sacco to handle any cases for the Board. Richard J. DeFelice said that the Board hired Attorney Sacco on a case by case basis. Chairman Gill disagreed with Mr. DeFelice and said the Board did vote unanimously to retain Attorney Sacco. Philip Rogers, Sr. said that he thought it was on a case by case basis. Cathy Cheek answered yes it is and Chairman Gill is asking for a vote to retain

Attorney Sacco for this case. The Board entered into a contract with Attorney Michael Sacco for 5 years on a case by case basis. Daniel Calore motioned to send the Notice of Appeal to Attorney Michael Sacco. Philip Rogers, Sr. seconded. Motion passed 3-1-0 with Daniel Calore, Chairman Gill and Philip Rogers, Sr. voting in favor of the motion. Richard J. DeFelice voting against the motion.

Matters Not Anticipated By The Chairman Within 48 Hours of Meeting

Chairman Gill said now that the Board has changed the Travel Regulations there is a meeting at Holy Cross at the beginning of November if any Board Member needs credits.

Warrant Review and Signing

The Board members reviewed and signed the following Warrants: Warrant 17-9-2 in the amount of \$6,066.86; Warrant 17-9-3 in the amount of \$5,170.12; Warrant 17-9-4 in the amount of \$870,054.26; Warrant 17-9-5 in the amount of \$0.00; Warrant 17-9-6 in the amount of \$(486.39); Warrant 17-9-7 in the amount of \$0.00; Warrant 17-10-1 in the amount of \$17,069.90

Next Board Meeting

The next regular Retirement Board Meeting has been scheduled for Thursday, November 16, 2017 at 8:00 a.m.

Adjournment

Philip Rogers, Sr. motioned to adjourn at 8:56 a.m. Daniel Calore seconded. Motion passed 4-0-0.

Respectfully submitted,



Sherri A. Dalton
Secretary to the Retirement Board