

**PLYMOUTH RETIREMENT BOARD**

**Friday, March 27, 2020**

**8:00 a. m.**

**This Meeting Was Held Remotely**

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Plymouth Retirement Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. Despite our best efforts, we were not able to provide for real-time access, and we will post a record of this meeting on the Retirement Board's website as soon as we are able.

Chairman Thomas Kelley called the meeting to order at 8:00 a.m. Other participating Board Members were Lynne Barrett, Gerald Coughlin, Shawn Duhamel and Dale Webber. Executive Director, Wendy Cherry and Assistant Director, Karry Barros also participated remotely. Chairman Kelley noted that this meeting is being held remotely due to the COVID-19 Pandemic.

Roll-call vote at 8:00 a.m. to enter into regular session:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

**Section I: Regular Business:**

**Minutes:**

Minutes of January 31, 2020	Regular Meeting
Minutes of February 28, 2020	Executive Session
Minutes of February 28, 2020	Regular Meeting

Motion to approve Minutes made by Mr. Coughlin; Seconded by Ms. Barrett.

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Roll-call vote:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

**Warrants:**

Warrant # 1 Dated January 31, 2020	\$ 2,779,080.92 Partial
Warrant # 2 Dated February 29, 2020	\$14,955,833.34 Partial
Warrant #3 Dated March 31, 2020	\$ 436,520.55 Partial
Warrant #4 Dated April 30, 2020	\$ 6,180.00 Partial

Trial Balance as of January 31, 2020	\$ 196,770,031.29
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Motion to approve Warrants made by Mr. Webber; Seconded by Mr. Coughlin.

Roll-call vote:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

Chairman Kelley referenced the Trial Balance and noted that today, it is not the same as it was as of January 31, 2020. He told the Board that the Portfolio was the same in 2008, and, the Board made adjustments as necessary. He added that PERAC may push out the Funding Schedule due to current conditions.

**Public Comment:**

None

**New/Old Business:**

None

**PERAC Memos:**

Memo #13/2020: Updated Forms on the PERAC Website  
Memo #14/2020: Required Minimum Distribution: Still Age 70 ½ For This Years  
Notifications  
Memo #15/2020: Coronavirus: Contingency Planning  
Memo #16/2020: Coronavirus Update

**2019 PERAC Annual Statement:**

Chairman Kelley told the Board that Ms. Cherry is going to make some corrections to the Annual Statement. The Board will review corrections and vote next month.

**Financial Statements:**

The Board reviewed a Draft Copy of the Audit of Specific Elements, Accounts, and Items of Financial Statements, year ended December 31, 2018, prepared by Powers & Sullivan.

Ms. Barrett told the Board that she received the transmittal letter yesterday from Powers & Sullivan for the Town and asked Ms. Cherry if this is the statement that the Town and Retirement Board need to sign on the same date. Ms. Cherry answered that both statements need to be signed on the same date. Ms. Barrett asked if this vote could be pushed out to next month. The Board agreed to vote the Financial Statements at the April 2020, meeting.

**Legal:**

Joseph McKenna, retired Plymouth Fire Fighter, has appealed his reduction in service to DALA. Mr. McKenna was a call Fire Fighter for the Town of Bourne (prior to his appointment on the Town of Plymouth Fire Department) and later was appointed as a full-time Fire Fighter with the Town of Bourne. He was laid off after six months of full-time permanent service with the Town of Bourne and returned to call service with the Town of Bourne until his full-time appointment with the Town of Plymouth on January 5, 1993. After Mr. McKenna's retirement we received notification from the Barnstable County Retirement Board that although in their original transfer letter, they listed all Mr. McKenna's call service, they would accept 3(8)(c) Liability for 3 years, 8 months and 16 days creditable service only, since he was not rehired to a full time position with the Town of Bourne Fire Department. A correction of negative 1 year and 6 months was made to Mr. McKenna's creditable service reducing his retirement allowance by \$179.16 per month.

Chairman Kelley told the Board that this issue was discovered in a PERAC Audit. He added that he spoke to the Fire Department Union Representative and explained to him that Mr. McKenna could appeal the matter.

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**Section II: Membership:**

**New Hires:**

**Town:**

- 9% Antonson, Kenneth, Group 1, Fire Apparatus Mechanic  
Perm. Full-time: \$1,048.68 weekly  
Start Date: March 2, 2020
- 9% Gauthier, Alfred, Group 1, Recreation Assistant  
Perm. Full-time: \$809.77 weekly  
Start Date: March 18, 2020
- 9% Milroy, Rachael, Group 1, Public Health Technician  
Perm. Full-time: \$1,048.68 weekly  
Start Date: February 24, 2020

**School:**

- 9% Burton, Robert, Group 1, Custodian  
Perm. Full-time: \$1,623.20 bi-weekly  
Start Date: March 9, 2020
- 9% Condon, Michelle, Group 1, Moderate Special Needs Paraeducator  
Perm. Full-time: \$866.09 bi-weekly  
Start Date: March 2, 2020
- 9% Sawicki, Anna, Group 1, Paraeducator  
Perm. Full-time: \$982.24 bi-weekly  
Start Date: March 9, 2020

Motion to approve Town and School New Hires as listed made by Mr. Webber; Seconded by Mr. Coughlin.

Roll-call vote:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

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**Transfers:**

**Town:**

Bishop, Madison, Group 1, Librarian  
Two Years (2) Six (6) Months Creditable Service (7/17/2017-1/28/2020)  
Total Transfer to Northampton Retirement Board: \$12,292.20

Motion to accept Transfer as listed made by Mr. Coughlin; Seconded by Mr. Webber.

Roll-call vote:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

**Retirements:**

**Town:**

Fitzgibbons, Margaret, Group 1, DPW-Water Administrative Secretary  
Twenty-One (21) Years, Eight (8) Months Creditable Service  
Superannuation Retirement opt: a  
Retirement Date: March 31, 2020

Motion to accept Town Retirement as listed made by Mr. Webber; Seconded by Mr. Coughlin.

Roll-call vote:

Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

Chairman Kelley told the Board that there is no need to hold an Executive Session. He added that Attorney Sacco has informed him that DALA is non-essential and is currently closed. Also, there has been no answer to the question of how long before Medical Panels will be scheduled again.

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Mr. Webber mentioned that he read the PERAC Memo that referenced Accidental Disability Retirement Hearings and that the scheduling of Medical Panels has been temporarily suspended and asked what happens now with those applicants.

Chairman Kelley answered that we are a creature of legislation and PERAC is within their rights to make these decisions. He added that there has been no clear guidance given by PERAC.

Mr. Webber stated that he understands the Board can not change the Statute but was interested in the opinion of Attorney Sacco on the matter.

Mr. Duhamel explained that this situation is completely unprecedented. It is not possible to get a Medical Panel during this time. He added that we are not able to move forward with these applications and we do not know when this will subside. He told the Board that the worst-case scenario could be this will last for several months. There is always the possibility of filing legislation to bridge the gap and provide assistance for people.

Mr. Duhamel informed the Board that if this situation is prolonged, adjustments to the Funding Schedule will need to be made. He added that legislation has been filed to suspend Section 91 limitations for 2020, only. This would release the hours and earnings restrictions for retirees working for a municipality post retirement in 2020.

Ms. Barrett asked if the legislation, if passed, would only lift the hours and earnings restrictions for those retirees working in positions specifically related to aid in the COVID-19 pandemic.

Mr. Duhamel explained that the legislation does not specify the type of job, this is being interpreted with an open and wide view. He added that there is not time to look at specifics, we have retirees that are filling in the gap for employees that are unable to work because they are sick.

Mr. Duhamel asked how many Accidental Disability Applications are pending.

Ms. Barros told the Board there are two right now. The first has an Evidentiary Hearing scheduled for May 29, 2020, and the second was filed on February 18, 2020, and waiting on the medicals to come in. She added that both attorneys have been notified that PERAC has temporarily stopped scheduling Medical Panels.

**Next Meeting:**

Friday, April 24, 2020  
Friday, May 29, 2020

**Adjourn:**

Motion to adjourn meeting made Ms. Barrett at 8:19 a.m.; Seconded by Mr. Webber.  
Roll-call vote:

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Mr. Kelly	yes
Ms. Barrett	yes
Mr. Duhamel	yes
Mr. Coughlin	yes
Mr. Webber	yes

Unanimously Voted.

Respectfully submitted,

Karry A. Barros  
Assistant Director

**Plymouth Retirement Board:**

**Dated:** April 24, 2020

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Mr. Thomas Kelley, Chairman

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Lynne Barrett

\_\_\_\_\_  
Shawn Duhamel

\_\_\_\_\_  
Gerald Coughlin

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Dale Webber