



CONTRIBUTORY RETIREMENT SYSTEM

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

DAVID KORNWITZ, CHAIR
TIMOTHY BARROS, VICE CHAIR
CHARLES CAHILL
MICHAEL LEACH
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LYNN WHYNOT
RETIREMENT ADMINISTRATOR

July 26, 2022, Board Meeting Minutes

A duly called, remote meeting was held at 9:00 a.m. on a conference call line open to the public, in compliance with Section 4 of Chapter 107 of the Acts of 2022 allowing boards to meet remotely until March 31, 2023.

Members participating: Timothy Barros, Charles Cahill, David Kornwitz, Michael Leach and Sheryl Strother

Also participating: Lynn Whynot, Retirement Administrator
Maureen Selvidge, Retirement Assistant

On a motion made by Charles Cahill and seconded by Sheryl Strother, the Board voted to approve the open session minutes for the meeting of June 21, 2022. Vote: David Kornwitz – Aye, Timothy Barros – Aye, Charles Cahill – Aye, Sheryl Strother – Aye, Michael Leach – Aye.

The Board voted the following members in the Wellesley Contributory Retirement System:

Vote (Recent retirees, have signed papers)

Name	Ret. No.	Ret. Date	Dept.	Group
Barbara Dutko	02-1150	07/29/2022	SCH	1

Vote (New members)

Name	Mbr No.	Effective Date	Dept.	Group	Position
Megan Kelly	6651	05/25/2022	School	1	Teaching Assistant
Daniel Winer	6652	06/15/2022	LIB	1	Circulation Assistant
Kevin Barros	6653	06/21/2022	DPW	1	Staff Engineer
Walaci Belucio	6654	06/29/2022	DPW	1	Water & Sewer Syst Oper
Nikenson Victor	6655	06/23/2022	FAC	1	Custodian
Lisa Moore	6656	07/01/2022	NRC	1	Environmental Ed Coord
Janet Mosley	6657	07/01/2022	SEL	1	Sustainable Energy Analyst
Meghan Damiano	6658	07/06/2022	LIB	1	Librarian

Note (Recent deaths)

Name	Ret. No.	Date of Death	Dept.	Group
Eleanore Didriksen	04-758	07/03/2022	LIB	1
Dorothy Phaneuf	Surv.	06/01/2022	BLDG	1
Elizabeth Parks	02-942	06/13/2022	MLP	1
Vincenzina Gigliotti	04-744	06/16/2022	SCH	1
Michael O'Brien	05-682	07/19/2022	DPW	1

The Board discussed and reviewed the warrants. A motion was made by Timothy Barros and seconded by Charles Cahill to approve Payroll warrant 20220630, June bill warrant 202209, and Withdrawal Warrant 202210. Vote: David Kornwitz –Aye, Timothy Barros – Aye, Charles Cahill – Aye, Sheryl Strother – Aye, Michael Leach – Aye.

VOTED: To approve payroll Warrant #20220630

Various Persons:

Annuities	\$223,838.28
Pensions	<u>938,460.34</u>
Total	\$1,162,298.62

Deductions:

Massachusetts DOR – Child Support	\$537.33
Massachusetts GIC	1,878.10
IRS – Federal W/H	103,063.20
Massachusetts DOR – State W/H	20.00
Town of Wellesley- Group Insurance	<u>62,624.48</u>
Total Deductions	\$168,123.11

VOTED: To approve Warrant #202209

Payee	Category	Amount
Michael Sacco	Legal Fees	\$296.00
Town of Wellesley	Postage	761.81
Lynn Whynot	Reimb. Travel Expenses	468.62
Timothy Barros	Reimb. Travel Expenses	647.99
Michael Leach	Reimb. Travel Expenses	179.48
Bristol County Ret System	2021 3(8)(c) reimbursement	45,210.91
Town of Wellesley	Staff Salaries and Benefits	18,277.80
MIAA Property and Casualty	Ins. Premium – Wrkrs' Comp	<u>333.00</u>
Total		\$66,175.61

VOTED: To approve Warrant #202210

Member	Payee	Category	Amount
Isabel Caruso	Vanguard	Rollover	\$1,577.20
Carol Gray	Vanguard	Rollover	14,783.84
Stephanie Hawkinson	Oppenheimer	Rollover	28,807.51
Olivia Hopkins	TD Ameritrade	Rollover	7,686.95
Elizabeth Loewen	Elizabeth Lowen	Refund	8,463.65
	IRS	Federal Tax	2,115.91
Jose Yurnet	Jose Yurnet	Refund	6,072.30
	IRS	Federal Tax	<u>1,518.08</u>
Total			\$71,025.44

The retirement administrator sought an opinion from the board, on whether Day Time Owed compensation shall continue to be considered regular compensation. The typical contracted schedule for police officers is 5 days worked followed by 3 days off. Certain positions such as detectives, court officers, and school resource officers are required to be at work when courts, businesses, and schools are open necessitating a Monday through Friday 5 day work week followed by 2 days off. Officers assigned to a position requiring the 5 and 2 schedule work approximately 33 more days per year than other police officers. The police officers in 5 and 2 schedule positions, receive cash compensation for the extra days referred to as "Day Time Owed". Officers are allowed to take additional time off for the Day Time Owed, effectively reducing their pay.

The Day Time Owed payments have been deemed as regular compensation in the past as per a letter ruling received from PERAC dated July 19, 2006 and also Memo #29/2012. The board discussed whether Day Time Owed should still be considered regular compensation in light of the O'Leary case, and that an employee may reduce their cash compensation by taking additional time off.

The board reviewed PERAC 2018 Memos #26 and #33 covering the O'Leary decision as well as the superior officer contract. The board agreed that the increased schedule was required of certain positions and officers in those positions were appropriately compensated for their required schedule. The board determined Days Time Owed is compensation for a service to the employer, the compensation is pre-determined, applies to all similarly situated employees, and in accordance with terms of collective bargaining agreement. A motion was made by Michael Leach and seconded by Charles Cahill to reaffirm payments for Day Time Owed to be classified as regular compensation. Vote: David Kornwitz –Aye, Timothy Barros – Abstain, Charles Cahill – Aye, Sheryl Strother – Aye, Michael Leach – Aye.

Lynn Whynot brought to the attention of the board a 3(8)(c) bill from Belmont, that included billings that were more than 6 years old. After a discussion that there may be a precedent case regarding not being required to pay the portion of the bill over 6 years old, the board agreed that the money was owed to Belmont, and most of the bill represented the last 5 years, despite it not being billed in a timely manner.

The Board reviewed PERAC 2022 Memos 15-20.

The Board and auditors received a copy of the December 31, 2021 GASB 67 & 68 report.

Lynn informed the board a dependent allowance overpayment of \$120.00 per month for the months of September 2021 through June 2022 had just been identified. A letter was sent to member to recoup overpayment.

The next two regular monthly Board meetings are scheduled on August 30, 2022, and September 27, 2022.

VOTED: To adjourn.
Adjourned at 10:20 a.m.

Respectfully Submitted,
WELLESLEY RETIREMENT BOARD

Approved: August 30, 2022