

DC DP

Winthrop Contributory Retirement System Board Meeting
1 Metcalf Square, Winthrop, Massachusetts, Harvey Hearing Room and by Zoom
Minutes from the Meeting Held on February 27, 2024, 4:00 PM
Present Were: Karin Chavis Terence Delehanty Dylan Cook Dennis Boudrow
Also Present: Attorney Michael Sacco and Andrea Feeley

Chairwoman Chavis called the meeting to order at 4:00 PM in the Harvey Hearing Room.

The Retirement Coordinator called the roll call:

Karin Chavis – Present

Dylan Cook – Present

Dennis Boudrow – Present

Terence Delehanty - Present

Voted on a motion by Terence Delehanty, seconded by Dylan Cook to approve the Retirement Board minutes for the meeting held on January 30, 2024. The motion passed 4-0.

Chairwoman Chavis stated the next vote was to approve James Feeley's Application for Voluntary Superannuation retirement. At this time, she introduced Attorney Michael Sacco. Board member Terence Delehanty asked to be on the record for clarification purposes for Attorney Sacco to review for legal purposes before the vote. Attorney Sacco stated that there are 3 fundamental questions for those seeking superannuation retirement.

1. Does the individual qualify based on age and service?
2. Potential impediments: was the person terminated and/or convicted in violation of law of a crime applicable to their position?

Attorney Sacco stated based on information provided, Mr. Feeley was not terminated, he was an active employee and submitted resignation papers along with retirement papers. The facts as we know them, Mr. Feeley was not terminated and therefore the moral turpitude clause does not come into play. Finally, with the criminal charges pending, with underlying facts of a case until someone is convicted and sentenced, the conviction is not final. Once a conviction is final, that can trigger a review by the Board. If convicted of a criminal offence, the Board can review the underlying facts and determine if there is any factual link to his position. Attorney Sacco stated at this point he does not see any impediments with the Board granting the application and encourages the Board to approve the application.

Dylan Cook asked if he is convicted if the Board can then look at possible pension forfeiture? Attorney Sacco stated the Board has discretion to look at any conviction as a potential pension forfeiture. Terence Delehanty asked if retrospect review of this the Board would still need to find a clear connection to job performance and the responsibilities to his office and if this is part of the retrospect? Attorney Sacco stated whenever you look at a pension forfeiture issues, whether there is a legal link or factual link. Attorney Sacco stated that the SJC has cited that police officers are not held to a higher standard than any other public employee. Unless a conviction relates specifically to his position, absence of a factual link, then his conviction would not have any impact on his right to receive a retirement allowance.

Chairwoman Chavis stated the motion is on the table to approve James Feeley's Application for Voluntary Superannuation Option C retirement, beneficiary Andrea Feeley, effective January 2, 2024. James was a police officer and had 17.0833 years of creditable service. The motion was made by Terence Delehanty, seconded by Dennis Boudrow. After roll call vote the motion passed 3-0 with Dylan Cook abstaining.

At this time Andrea Feeley left the meeting.

Chairwoman Chavis requested to take the agenda out of order and have Attorney Sacco update the Board on Military Service Purchases. The statute was amended in 2002 and the understanding was to eliminate the 10-year vesting provision in the statute. The understanding was once someone became a member, they could apply for and purchase the service immediately. About a year ago, a statement came out from DALA stating that was not how the amendment read, but a member had to be vested with 10 years of service before applying and purchasing. Attorney Sacco stated that PERAC is not in agreement with the DALA decision. It has now been appealed to CRAB, however CRAB is behind 5-7 years. Questions have been raised as to whether service purchased will be honored or not. Attorney Sacco has suggested waiting until a new member is vested before allowing purchase of the service since it may be denied. The concern is that a retirement could become undone for a member with 6 years of creditable service and 4 years of military service.

The Retirement Coordinator stated there was one member who is in the process of purchasing military service now as a new member. At this time, Attorney Sacco stated the member should be notified that the member must know their retirement may be undone and he may have to pay the Board back. The Board agreed to notify the member and to add it on the agenda for April meeting. Attorney Sacco left the meeting at this time.

Voted on motion by Dennis Boudrow, seconded by Dylan Cook, to approve the Eastern Bank Statement and Reconciliation for January 2024 in the amount of \$2,397,174.81. The motion passed 4-0.

Voted on a motion by Dennis Boudrow, seconded by Dylan Cook, to approve the Retirement System Warrant (Payroll, Accounts Payable, Investment transfers) for February 29, 2024, in the amount of \$545,048.40. The motion passed 4-0.

Voted on a motion by Dylan Cook, seconded by Dennis Boudrow, to approve the following acceptances at 9% + 2%:

Name	Title/Group	Start Date	Salary
Christopher Castro-Garcia	Police Officer/4	2/12/2024	\$55,964.79/full time
Joseph Granara	Police Officer/4	2/12/2024	\$55,964.79/full time
Gerald Collaku	Police Officer/4	2/12/2024	\$55,964.79/full time

The motion passed unanimously.

Voted on a motion by Dylan Cook, seconded by Terence Delehanty, to approve the acceptance of Alyssa Mortimer effective February 14, 2024, \$11,488.27, at 9%, pro-rated, full time. Alyssa is an ESP for the School Department. The motion passed unanimously.

Voted on a motion by Dennis Boudrow, seconded by Terence Delehanty, to approve the acceptance of Gavin Broderick effective February 20, 2024, at 9% + 2%, \$43,620.10, full time. Gavin is a laborer/driver for the DPW. The motion passed 4-0.

Voted on a motion by Terence Delehanty, seconded by Dylan Cook, to approve the refund of Donna Clifford's total accumulated deductions effective February 29, 2024. Donna was employed by the School Department. Dates of service 09/05/2018-06/30/2020. The motion passed 4-0.

Voted on a motion by Dennis Boudrow, seconded by Dylan Cook, to approve Paul Montgomery's request to buyback two years of military time. The motion passed 4-0.

Old Business

The Retirement Coordinator updated the Board to the status of Section 91A excess earnings collection issue. She stated that a check was received from Jerome Cooper, John Hayes was now paid in full, and Ralph Cali will have the remaining balance paid with his March payment.

New Business

Administrators Announcements:

Accidental Disability Option A retiree, John Michael Murphy passed away on February 16, 2024.

The next meeting is scheduled for March 26, 2024, at 4:00 PM.

Voted on a motion by Terence Delehanty, seconded by Dylan Cook to adjourn at 4:35PM. The motion passed unanimously.


Dylan Cook


Karin Chavis


Dennis Boudrow


Terence Delehanty