

**CITY OF EAST PROVIDENCE  
POLICE AND FIRE RETIREMENT SYSTEM  
JOURNAL**

A regular quarterly meeting of the Fire and Police Retirement System Board of Trustees was held on Monday, the 20<sup>th</sup> of November 2023 in Conference Room A at City Hall, 145 Taunton Avenue, East Providence, RI 02914 at 9:00 a.m.

**Trustees:**

Capt. James Nelson, Chairman, Police Representative – present  
 Lt. Adam Christina, Vice Chairman, Fire Representative - absent  
 James Bellamy, Retiree Representative - present  
 John F. Wallace, Civilian Representative - present  
 Frank Fogarty, Councilman, City Council Representative – absent  
 Roberto L. DaSilva, Mayor – arrived at 9:10 am  
 Malcolm Moore, Director of Finance, Administrator – present

**Other Attendees:**

Jen Turk, nyhart, part of FuturePlan by Ascensus  
 Michael Dwyer, Wainwright Investment Counsel, LLC  
 Jeff Fabrizio, Wainwright Investment Counsel, LLC  
 Michael J. Marcello, City Solicitor  
 Kim Brown, Pension Clerk

**Open Session Called to Order at 9:05 a.m. by Chairman Nelson**

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

**Presentation by nyhart, part of FuturePlan by Ascensus – pension actuary**

Jen Turk was here from nyhart to go over the FY22 actuarial report, recommend and explain three assumption updates nyhart would like to propose, (adjust the salary scale, lower the payroll growth assumption and adjust the mortality improvement scale) and review cost projections from the latest funding improvement plan (FIP). Chairman Nelson would like to confirm that the mortality tables nyhart used reflect the true pool of employees – police and fire only. Jen confirmed that service employee data was used. Trustee DaSilva wants suggestions on how to lower the City’s (taxpayer) burden. He would like to know how changing the maximum age to work until, say from 62 to 65, would affect the contributions. He would like nyhart to explore if there are any benefits that could be cut or phased in? Jen would like Kim to send the new contracts for Police and Fire to her after the meeting so she can review them and make suggestions. Several things were already done for new employees starting in 2014 but she will take a look. More money is always a good investment. Currently the fund is in critical status. The funded percentage at 10/31/22 was 54.5%. Fire and Police are recorded individually, Fire 33.1% and Police 78.2%. Trustee DaSilva has a council meeting tomorrow where the council wants to change the speed cameras and if that passes there will be less revenue to the City. He would like to communicate to them the gravity of the suggestions and how they affect the budget. These are built in expenses that cannot change, the biggest expenses to the City are its employees. The only way to cut back is by eliminating people and he doesn’t want to do that. Trustee DaSilva wants to maintain the level of service we have. He would like the Solicitor to immediately look into talking to the unions and drafting an ordinance to change the age to 65

and nyhart will look into how much that would change projections. Trustee DaSilva is looking for guidance from nyhart how to rein in these expenses.

A motion was made to accept the handout into record by Trustee Bellamy and 2<sup>nd</sup> by Trustee Wallace

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√		√	√
Nay							
Abstain							
Absent		√			√		

A motion was made to table any recommendation by Trustee DaSilva and 2<sup>nd</sup> by Trustee Moore

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√		√	√
Nay							
Abstain							
Absent		√			√		

Trustee DaSilva had to leave for another meeting.

### **Review of September 2023 Performance Report and Recommendation by Wainwright Investment Counsel, LLC**

Michael Dwyer stated that September was a low point in the markets. There was a bounce back in November. It will be interesting to see what 4<sup>th</sup> quarter brings and how the Feds react with interest rates based on the economy. The fund total is \$146,624,050; year to date the portfolio is up 2.95%. Real Estate is starting to get very soft due to the interest rates but we’ve made a lot in real estate. We are in a queue to liquidate Principal and Lion and have to wait until they sell property to pay out the request. Page ten (10) of the report is new, it’s a summary of real estate commitments and drawdowns. It’s a better to show the portfolio and will be included going forward. It’s been a tough market, every time something good happens the next day there is something bad happening. There is no need for any investment or liquidity items this quarter.

Wainwright Investment Counsel, LLD redistributed the memo they sent in August for the Boards consideration of recommendations regarding custodial capital and distributions best practices. The Board is currently doing these recommendations. Michael Dwyer wondered if any Board member had any questions. The vote today would be for a formal acceptance and written policy. Trustee Moore stated that most of these steps are currently being followed and this could be given to all copies if they had any questions.

A motion was made to accept the performance report handout into record by Trustee Bellamy and 2<sup>nd</sup> by Trustee Moore

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

A motion was made to adapt the best practices recommended by Wainwright by Trustee Wallace and 2<sup>nd</sup> by Trustee Bellamy

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

**To Approve the Consent Calendar**

*All items under “Consent Calendar” are considered to be of a routine and noncontroversial nature by the Board and will be enacted by one motion. There will be no separate discussion on these items unless a Board member so requests, in which event, the item will be removed from the “Consent Calendar” and will be considered in its normal sequence on the docket.*

1. Pension meeting journal for August 15<sup>th</sup> 2023
2. COLA listing for September, October and November 2023
3. Barings Invoices 2<sup>nd</sup> and 3<sup>rd</sup> Qtr.
4. IME invoice disability pension request
5. City of East Providence invoice – clerk stipend for FY23
6. IR+M Invoices 2<sup>nd</sup> and 3<sup>rd</sup> Qtr.
7. Principal Custody Solutions Fee Advise 3<sup>rd</sup> Qtr.
8. RhumbLine Invoice 2<sup>nd</sup> Qtr.
9. Wainwright Investment Counsel, LLC 3<sup>rd</sup> Qtr.
10. Principal U.S. Property Account 3<sup>rd</sup> Quarter Highlights
11. Principal Custody Solutions letter to members re.enhanced access to accounts on-line
12. Disbursement – Capital Call, Dover Street X L.P.
13. Disbursement – Capital Call, Lexington Capital Partners IX LP
14. Redemption – Principal U.S. Property Account
15. Nyhart Actuarial Valuation Report as of 10/31/22
16. Nyhart Cost Projections Report as of 10/31/22
17. Siguler Guff Schedule K-1 2022
18. APRA request from With Intelligence – Kim replied
19. APRA request from Fin News – Kim replied
20. APRA request from M. Nasso – Kim replied

A motion was made to accept all items on the consent calendar by Trustee Bellamy and 2<sup>nd</sup> by Trustee Wallace

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

**Request to return contributions to the pension fund from a former employee who has returned to employment with the City.**

Warren Caldwell III resigned in Sept of 2022 and took a lump sum payment of his pension contributions in April of 2023. Per Section 11-242 of the Pension Ordinances he is able to return the refund plus accrued

interest and will be entitled to regain his previously forfeited service credits following at least three years of service after his latest reentry. In a notice to the Pension Board dated 9/26/23 Warren Caldwell III is requesting to pay the amount in full. Kim stated that he received 50+K out and with interest he would return \$52,809.64. Chairman Nelson asked if this was an accurate number. Then said we have done enough of them recently that we should have this down. The Solicitor stated there is an ordinance that allows them to do this but the Board has to approve it. He also wants the letter to reflect that because he returned within a year of leaving that he will fall under the 20 year service retirement provision in the contract.

A motion was made to have Kim send notice to Warren Caldwell III allowing him to return his prior contributions plus interest and include the 20 year statement by Trustee Bellamy and 2<sup>nd</sup> by Trustee Wallace

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

**A Discussion to set a date for a special meeting in December to review disability pension requests**

Chairman Nelson asked how many there were and Kim stated there were three previous and one new. Chairman Nelson asked if the third IME report had been received and the Solicitor stated that the exam was done we were just waiting for the report and should have it in early December. Kim stated that the Vice Chairman was available Dec 13<sup>th</sup> or 14<sup>th</sup>. Chairman Nelson reminded the Board that he was stepping away and it didn't matter what day was better for him. All Board members checked their calendars and it was decided that the 13<sup>th</sup> at 9:00 am was the best date. The Solicitor asked Kim to contact all four people who requested disability pensions by mail of the date and time asking them if they wanted to be heard in open or closed session.

A motion was made to have the meeting on Dec 13<sup>th</sup> at 9:00 am and for Kim to contact the requestors by Trustee Bellamy and 2<sup>nd</sup> by Trustee Wallace

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

**Discussion / Recommendations / Action / Review / Vote regarding the three bids received from the reposted RFQ for legal counsel to assist the Board with updating the ordinances, creating forms and setting policies that was issued.**

Kim handed out the new bids received to the Board members that did not pick them up prior to the meeting. The two companies that had submitted proposals prior sent new proposals updated with to the new specs and a third was received from IceMiller. Chairman Nelson asked the Solicitor if he had dealt with any of these companies and the Solicitor said he had not. He also asked if the Solicitor had review the proposals and the Solicitor said he had not. Chairman Nelson stated that he had changed the specs of the RFQ because he was not comfortable with the bargaining aspects that were in the first RFQ posted. He also stated that he thought any costs associated with hiring expert assistance from this RFQ should be shared equally with the City 50/50.

A motion was made to table awarding the RFQ and to revisit at an upcoming meeting by: Trustee Moore and 2<sup>nd</sup> by Trustee Bellamy

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	

The Chairman stated that he would be retiring on the 26<sup>th</sup> and would like to submit a letter stating that Acting Det. Cpl. Kelley had been voted in by his peers to the position of Vice Chairman on the pension board. This will be put on the regular meeting docket.

### Adjournment

A motion was made to adjourn the meeting at 11:00 am by: Trustee Bellamy and 2<sup>nd</sup> by Trustee Wallace

VOTE	JAMES NELSON	ADAM CHRISTINA	JAMES BELLAMY	JOHN WALLACE	COUNCILMAN FOGARTY	MAYOR DaSILVA	MALCOLM MOORE
Aye	√		√	√			√
Nay							
Abstain							
Absent		√			√	√	