

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

A special meeting of the Fire and Police Retirement System Board of Trustees was held on Wednesday, the 13th of December 2023 in Conference Room 306 at City Hall, 145 Taunton Avenue, East Providence, RI 02914 at 9:00 a.m.

Trustees:

- Lt. Adam Christina, Chairman, Fire Representative – present
- Acting Det.Cpl. Patrick Kelley, Vice Chairman, Police Representative - present
- James Bellamy, Retiree Representative - present
- John F. Wallace, Civilian Representative - present
- Frank Fogarty, Councilman, City Council Representative – absent
- Roberto L. DaSilva, Mayor – absent
- Malcolm Moore, Director of Finance, Administrator – present

Other Attendees:

- Michael J. Marcello, City Solicitor
- Robert S. Perry, Director of Human Resources
- Bernadette Frias, HR Benefits and Payroll Administrator
- Kim Brown, Pension Clerk

Open Session Called to Order at 9:04 a.m. by Chairman Lt. Adam Christina

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

Chairman Lt. Adam Christina introduced himself to the Board. He is a lieutenant on the fire department and has been employed for seventeen years on the fire department. He is the president of the beneficial for the past 12 years and has some experience with meetings and boards.

Discussion / Action / Vote setting quarterly meeting dates in 2024

Meeting dates needed to be set for calendar year 2024. Trustee Moore stated that typically meets have been the third Monday of the month. The clerk reminded the Board that Trustee DaSilva preferred Tuesdays, the Chairman agreed as that would avoid Monday holidays. The Solicitor reminded the Board that annual meetings had to be scheduled and posted with the Secretary of State and includes the room. Trustee Bellamy asked if the meetings were going to continue to be at 9:00 am. Chairman Christina confirmed that they would stay at 9:00 am. The Chairman asked if everyone on the Board was okay with moving up the November meeting by a week due to the Thanksgiving holiday. All present agreed that they were fine with that. Schedules were checked and the dates were set as: February 20th, May 21st, August 20th and November 12th to be held in conference room A at 9:00 a.m. unless otherwise noted on the posted docket.

A motion was made to accept the dates, place and time as stated above for the upcoming calendar year meetings by Trustee Bellamy and 2nd by Trustee Wallace

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

Discussion / Action / Vote setting formal procedures for disability requests made to the pension board.

The Chairman stated that he has about six years left at a minimum on the department and this is going to be one of his goals to get done. It seems like the Board is in a position to transition from a less oversight with the approvals to a greater amount of oversight with the information that the Board is using to make decisions. Having a format is important, he is sure all will agree. A standard operating guideline are really important for continuity, it will limit liability and speeds up the Boards decision making process, making it more black and white. He knows a form was created prior to his appointment and there has been a lot of criticism from his membership. The Chairman feels the Board has made some good steps by putting out the RFQ. He would like the Board to concentrate on getting some additional formal procedures that reference state laws and City ordinances, formalizing them so everyone see the same thing. Trustee Moore asked if the Chair was referring to retirees or current employees and the Chair replied both. Trustee Moore stated that he was glad HR was at the meeting so everyone was on the same page. The Chair stated that this is a good time to figure out everyone's roll. Trustee Moore thinks it's important for requests to start in HR especially for current employees. The Solicitor stated that his thought is that the pension clerk only process the paperwork after the decision has been made. HR will be getting the medical records, getting any information that is needed and setting up the doctors appointments. This will streamline the process giving it to only one or two people. The Chair asked if HR would do retirees also and the Solicitor replied he thought they should as they already are. Robert Perry can only speak to one case that he is currently involved with, who happens to be a current employee. The Solicitor stated that there isn't even a form available at this time. Currently a requested needs to be written, it used to be an oral request. Trustee Bellamy asked if it is only the Chief or employee who can request a disability pension. Trustee Moore replied yes. Trustee Bellamy asked if the Mayor's office would be involved and Trustee Moore stated that he didn't think so. It would be HR who is working with the doctor's and making sure maximum medical improvement (MMI) had been reached. Robert Perry stated that HR works closely with RI Trust regarding IOD cases. The Solicitor stated that the state currently uses eighteen months as the guideline to MMI, using strict time lines so not to carry the position too long on IOD. The City does not have language in the contracts or ordinances regarding this and realize it is a City issue. Trustee Bellamy stated that IOD could go on indefinitely. The Solicitor stated that there is a lot of miss information regarding the new statutes put forward by the state for heart and cancer. It's not automatic. If they have a heart condition they don't automatically qualify. It has to be determined by clear and convincing evidence that it was cause by the job. The cancer statue says that the City cannot fight that it's occupational. This is where the fight comes in, does the condition disable you from being a firefighter? Now if they are already retired they are not working. The state union has taken the position that they do have to prove they are disabled from being a firefighter. The Solicitor stated that you as a Board have a fiduciary obligation to the pension system to make sure the decisions are made in the best interest of the system. The Chair would like everyone to dig in and review the three proposals received and be ready to discuss them at the next meeting scheduled for February 20th. He would also like HR to be included in future meetings for items that would pertain to them. Trustee Bellamy stated that we could request HR at the meetings but they probably don't want to sit through the financials. The Chair ask Kim to invite them to every meeting and for HR to review the agenda and if nothing pertains to them or they have no update to send Kim an e-mail. The Chair stressed again for everyone to review the proposals so a decision can be made at the next meeting. Feel free to draft a proposal on your departments needs and bring that to the meeting.

Discussion only, no vote taken.

Vote to go into Executive Session

The Fire and Police Retirement System of the City of East Providence may meet in closed Executive Session pursuant to RI General Laws § 42-46-5 (a)(1) for a discussion related to the physical or mental health of a person or persons related to a request for a disability pension – notice given.

A motion to go into and call Executive Session to order at 9:29 am was made by Trustee Bellamy and 2nd by Trustee Wallace

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

Reconvene in Open Session

Reading of the votes from Executive Session

A motion was made to have Kim Brown read the votes from executive session by Moore and 2nd by Trustee Bellamy

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

The clerk stated that Trustee Moore made a motion that was seconded by Trustee Wallace with a unanimous vote made by all present to grant Det.Cpl. D. Medeiros a disability pension based on the doctors records that he cannot perform his duties as a police officer effective December 21, 2024.

Adjournment

A motion was made to adjourn the meeting at 10.22 a.m. by Trustee Moore and 2nd by Trustee Bellamy

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