



**Joint Pension Board**  
**Wednesday, September 27, 2023**  
**12:00 p.m.**  
**269 Melrose Street, Providence**  
**Transportation Board Room**

**Members Present:** Normand Benoit; Christopher Durand; Walter Melillo; Kathy Nadeau; and Steven Sousa.

**Absent Members:** Lisa Hanson.

**Also Present:** Scott Avedisian, CEO; Maureen Ruzzano, Human Resource Chief Compliance Officer; Jamie Pereira, Chief of Security; Joelle Kanter, Planner; and Edward Pare, III, Esq., Board Counsel.

**Call to order:** Mr. Sousa called the meeting to order at 12:00 p.m., indicating that a quorum was present.

**Agenda Item 1:**        **Approval of July 19, 2023, Meeting Minutes**

Mr. Avedisian notes that two spelling errors have already been fixed.

Mr. Benoit makes a motion to approve the revised minutes of the July 19, 2023 meeting. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Durand; Mr. Melillo; and Mr. Sousa.

**Agenda Item 2:**        **Public Comment**

No public comments were made.

**Agenda Item 3:**        **Convene as Pension Benefit Sub-Committee**

- Ms. Ruzzano presents the pension application for Scott Fusco, former Bus Operator. Mr. Fusco requested his Regular Pension become effective on August 1, 2023, in the amount of \$3,026.57 per month.

Mr. Benoit makes a motion to approve the pension benefits request. Mr. Melillo seconds, and the motion passes with favorable votes by Mr. Durand; Ms. Nadeau; and Mr. Sousa.

- Ms. Ruzzano presents the spousal late pension application for Luis DeSousa, deceased Mechanic. Mr. DeSousa's wife, Rosa DeSousa, is entitled to 50% of her late husband's pension and requested such benefits to become effective on August 1, 2023, in the amount of \$1,702.21 per month.

Ms. Nadeau makes a motion to approve the spousal late pension benefits request. Mr. Benoit seconds, and the motion passes with favorable votes by Mr. Durand; Mr. Melillo; and Mr. Sousa.

- Ms. Ruzzano presents the late pension application for Susan Godfrey, Bus Operator. Ms. Godfrey requested her Pension Benefits become effective on October 1, 2023, in the amount of \$1,086.06 per month.

Mr. Melillo makes a motion to approve the late pension benefits request. Mr. Durand seconds, and the motion passes with favorable votes by Mr. Benoit; Ms. Nadeau; and Mr. Sousa.

- Ms. Ruzzano presents the late pension application for Richard Marsland, Bus Operator. Mr. Marsland requested his Pension Benefits become effective on October 1, 2023, in the amount of \$2,051.59 per month.

Mr. Melillo makes a motion to approve the late pension benefits request. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Benoit; Mr. Durand; and Mr. Sousa.

- Ms. Ruzzano presents the late pension application for Arnold Thompson, Mechanical Foreman. Mr. Thompson requested his Pension Benefits become effective on October 1, 2023, in the amount of \$1,945.10 per month.

Mr. Melillo makes a motion to approve the late pension benefits request. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Benoit; Mr. Durand; and Mr. Sousa.

- Ms. Ruzzano presents the late pension benefits application by Tina Thompson, former spouse of Arnold Thompson, pursuant to a Qualified Domestic Relations Order. Ms. Thompson requested that her Pension Benefits become effective on October 1, 2023, in the amount of \$1,143.83 per month.

Mr. Durand makes a motion to approve the late pension benefits request. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Benoit; Mr. Melillo; and Mr. Sousa.

- Ms. Ruzzano presents the late pension benefits application by Keith Howie, Bus Operator. Mr. Howie requested that his Pension Benefits become effective on October 1, 2023, in the amount of \$1,555.57 per month.

Ms. Nadeau makes a motion to approve the late pension benefits request. Mr. Melillo seconds, and the motion passes with favorable votes by Mr. Benoit; Mr. Durand; and Mr. Sousa.

- Ms. Ruzzano presents the late pension benefits application by Donald Spellman, Bus Operator. Mr. Spellman requested that his Pension Benefits become effective on October 1, 2023, in the amount of \$1,335.45 per month.

Mr. Melillo makes a motion to approve the late pension benefits request. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Benoit; Mr. Durand; and Mr. Sousa.

- Ms. Ruzzano presents the regular pension benefits application by Timothy McCormick, former Planning Manager. Mr. McCormick requested that his Pension Benefits become effective on November 1, 2023, in the amount of \$1,353.53 per month.

Mr. Durand makes a motion to approve the regular benefits request. Mr. Melillo seconds, and the motion passes with favorable votes by Mr. Benoit; Ms. Nadeau; and Mr. Sousa.

- Ms. Ruzzano presents the pension application by Mickedda Barnes, former Bus Operator. Ms. Barnes requested a Disability Pension and/or Early Pension Benefit, effective immediately. Under the terms of the current pension plan document, Ms. Ruzzano states that Ms. Barnes does not qualify for a Disability Pension based on her years of service at RIPTA, and the earliest she can collect her Pension Benefit is February 1, 2030. Based upon her years of service and her age, Ms. Barnes is not eligible to collect any Pension Benefits at this time.

Prior to the vote, Mr. Sousa offers Ms. Barnes the opportunity to speak on her own behalf about her request for pension benefits. Ms. Barnes responds that she believes her request for eligibility falls under the 2016 pension plan, when she was last employed by RIPTA. She also states that she was terminated when she was on workers' compensation, after she had resigned her position in October 2015. Ms. Barnes adds that in February 2016, a doctor authorized her return to work, but instead, she was terminated without arbitration. Ms. Barnes says she contributed towards her pension from 2002 until her termination in 2016.

Mr. Sousa reminds Ms. Barnes that she qualifies for a pension at the appropriate time in the future based on the terms of the plan and confirms that all employees qualify under a defined benefit plan. Mr. Sousa reaches out to Ms. Ruzzano for confirmation of the RIPTA Pension Plan being a defined benefit plan. Ms. Ruzzano confirms the type of plan.

Mr. Benoit mentions a Supreme Court case, dated December 10, 2020, Mickedda

Barnes v. RI Public Transit Authority, which references several facts raised at this meeting. According to court records, Mr. Benoit states that Ms. Barnes had signed a settlement agreement with RIPTA in 2018, releasing all claims including wrongful termination. Ms. Barnes responds that the settlement was signed without arbitration.

Mr. Benoit makes a motion, based on Ms. Ruzzano's presentation, in consideration of the eligibility requirements set forth by RIPTA employees' pension plan documents, to deny Ms. Barnes' Pension Benefits request at this time and until she meets all the eligibility conditions required by the plan to collect her pension. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Durand; Mr. Melillo; and Mr. Sousa.

**Adjournment – 12:29 p.m.**

Mr. Benoit makes a motion to adjourn. Ms. Nadeau seconds, and the motion passes with favorable votes by Mr. Durand; Mr. Melillo; and Mr. Sousa.

Respectfully submitted,

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Kathy Nadeau, Recording Secretary