

**NEWTON RETIREMENT BOARD MEETING**  
**Tuesday, November 28, 2023 – 9:00 a.m.**  
**Location: Newton City Hall, Room B15**  
**Agenda**

**New Agenda Items:**

1. Board to interview two applicants for the 5<sup>th</sup> member position on the Board
2. PRIM Portfolio Review by Laura Strickland, PRIM Senior Client Services Officer
3. Receipt of PERAC's remand letter in connection with retired Police Officer Russell Adam.'s application for accidental disability retirement pursuant to M.G.L. Chapter 32, Sections 7 & 94. Retired Police Officer Adam is represented by Atty. Paul Hynes. The Board may enter Executive Session pursuant to Purpose 7 of the Open Meeting Law: "To comply with, or act under the authority of, any general...law", that law being Exemption (c) of the Public Records Law - G.L., c. 4, s. 7(26) (c).
4. Receipt of PERAC's remand letter in connection with Police Officer Lisa Mikoleit's application for accidental disability retirement pursuant to M.G.L. Chapter 32, Section 7. The Board may enter Executive Session pursuant to Purpose 7 of the Open Meeting Law: "To comply with, or act under the authority of, any general...law", that law being Exemption (c) of the Public Records Law - G.L., c. 4, s. 7(26) (c).
5. Receipt of letter from Carolyn Ogonowski regarding deceased member, Norman Fryar's beneficiary designation.
6. Receipt of proposed lump sum settlement agreement as submitted by Attorney Brian Sullivan, Keches Law Group, representing retiree Joshua Richardson
7. Board to review regular session minutes of meeting held October 24, 2023

**Administrative Agenda Items:**

8. Monthly financial reporting for month ending September 2023
9. Board to approve new members as indicated on list provided in Board Member's monthly packet
10. New application(s) for superannuation & termination retirement:

Member	Position	Dept.	Date of Retirement
Michael Gleba	Senior Planner	Planning	10/31/23

11. Board to approve the following expense warrants:

Warrant # 25-23	11-29-2023	Administrative expense/member account disbursements	\$ 630,770.26
Warrant #C9-23	11-29-2023	Federal tax deposit funding re: member account disbursements	\$ 6,927.41
Warrant # 26-23	11-28-2023	11-30-2023 Contributory pension payroll	\$ 4,044,581.80

**Pending Agenda Items:**

1. Retirement Office staff policy and procedures handbook
2. Review draft Newton Retirement Board Travel Regulations- Allowable Rate of Reimbursement for use of a Personal Vehicle
3. First monthly meeting with Human Resources scheduled for November 29, 2023 at 10:00 a.m.
4. Current status of pending disability retirement applications – **informational only:**

Applicant	Dept.	Current Status
Aaron MacGovern	Fire	2 of 3 Medical Panel reports recv'd; 3 <sup>rd</sup> appt. scheduled for 11/29/23
Bradford Leitch	Police	Medical Panel appts scheduled for 12/4/23, 12/14/23 & 12/28/23
Dawn Fleming	Police	Disability Transmittal approved by PERAC on 11/20/23

5. Current status of pending appeal cases – The Board may enter Executive Session for reason 3 under G.L. c.30A s.21 (“To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares”)

Petitioner	Docket#	Most Recent Status
Edward Murphy	CR-17-724	DALA hearing held 9/12/21;5/17/22 recvd DALA decision -NRB’s decision which was based on PERAC’s directive/ approach re Shift Substitution was reversed.5/31/22 PERAC appealed DALA’s decision;9/13/22 CRAB granted a 90 day extension with a filing date on or before 12/21/22 to the member’s counsel,Atty Hynes.
Richard Metro	CR-20-0237	5/19/20 Mr. Metro appealed denial of \$300/yr. veteran’s benefit. 2/1/22 Order to Show Cause issued to Mr. Metro by DALA. Metro filed reply w/ DALA on 2/7/22;3/18/22 recvd DALA’s final decision-Dismisal;3/23/22 recvd CRAB’s Receipt of Notice of Richard Metro’s Objection to DALA dismissal.
Scott Perella	CR-22-0103	3/18/22 recv’d DALA’s Notice of Receipt of Appeal-Mr. Perella is appealing the effective date of his ADR.;3/30/23 recv’d Scheduling Order from DALA;5/3/23 recv’d copy of Petitioner’s Memorandum; 6/29/23 Board Counsel filed Memorandum to DALA and motion to add PERAC as an addt’l party;7/18/23 recv’d copy of Atty. Judith Corrigan’s filing to DALA of Notice of Appearance for PERAC;8/15/23 PERAC’s Memorandum of Law was filed
Kimberley Vanaman	CR-22-0180	5/16/22 recv’d DALA’s Notice of Receipt of Appeal-Ms. Vanaman is appealing the calculation of her creditable service.2/28/23 recv’d Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal
Susan Cellucci	CR-22-0199	5/25/22 recv’d DALA’s Notice of Receipt of Appeal-Ms. Cellucci is appealing the calculation of her creditable service; 11/28/22 recv’d First Pre-Hearing Order-Joint Pre-hearing Memorandum due by 3/17/23;3/9/23 Board Counsel filed Motion for Summary Decision;3/13/23 Counsel for Ms. Cellucci filed Motion to Withdraw Without Prejudice
Paula Fallon	CR-22-0200	5/25/22 recv’d DALA’s Notice of Receipt of Appeal-Ms. Fallon is appealing the calculation of her creditable service.;4/05/23 recv’d Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal
Elizabeth Whittum	CR-22-0211	6/7/22 recv’d DALA’s Notice of Receipt of Appeal-Ms. Whittum is appealing the calculation of her creditable service; 4/10/23 recv’d Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal
Edith Goethals	CR-22-0248	7/1/22 recv’d DALA’s Notice of Receipt of Appeal-Ms. Goethals is appealing the calculation of her creditable service;4/28/23 recv’d Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal
Lee Gilliam	CR-23-0039	1/25/23 recv’d DALA’s Notice of Receipt of Appeal-Mr. Gilliam is appealing the NRB’s decision in connection with his Ordinary Disability Retirement;5/8/23 recv’d First Pre-Hearing Order; <b>10/25/23 Opposing Counsel filed parties’ joint pre-hearing memo;10/27/23 DALA granted parties’ joint motion to join PERAC as additional party</b>

**Next scheduled retirement board meeting: Tuesday, December 19, 2023 @ 9:00 a.m.**

*NOTE: The Board reserves the right to consider items on the agenda out of order. The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting at least forty-eight (48) hours prior to the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Items identified for discussion in Executive Session may be conducted in open session, in addition to or in lieu of discussion in Executive Session. A motion to convene an Executive Session may be entertained during the meeting. Meetings are open to the public and will be held in the designated meeting room in Newton City Hall. The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton’s ADA/Sec. 504 Coordinator, Jini Fairley, at least 2 business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or 617-796-1253. The city’s TTY/TDD direct line: 617-796-1089. For the Telecommunications Relay Service (TRS), dial 711.*