

NEWTON RETIREMENT BOARD MEETING
Tuesday, April 23, 2024 – 9:00 a.m.
Location: Newton City Hall, Room 211
Agenda

New Agenda Items:

1. Board's Actuary, Kathleen Riley of Segal, to review preliminary 1/1/24 actuarial valuation results
2. Receipt of an accidental disability retirement application from police officer Jeremy Wilson, pursuant to M.G.L. Chapter 32, Section 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. 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).
3. Board to review regular session minutes of meeting held March 26, 2024
4. Board to review regular session minutes of special meeting held on April 17, 2024

Administrative Agenda Items:

5. Monthly financial reporting for month ending February 2024
6. Board to approve new members as indicated on list provided in Board Member's monthly packet
7. New application(s) for superannuation & termination retirement:

Member	Position	Dept.	Date of Retirement
Francis Nichols	Director of Engineering	Dept. of Public Works	04-30-2024
Brian Wallace	Police Officer	Police Dept.	05-05-2024
Andrew Gluck	Teacher Aide	School Department	06-30-2024
Mark Hernandez	Captain	Fire Department	05-31-2024
Christina Griffin	Behavior Therapist	School Department	04-30-2024

8. Board to approve the following expense warrants:

Warrant # 09-24	04/24/2024	Administrative expense/member account disbursements	\$ 228,896.54
Warrant # 10-24	04/25/2024	04-30-2024 Contributory pension payroll	\$ 4,086,578.03
Warrant #C3-24	04/24/2024	Federal Tax	\$ 290.94

Pending Agenda Items:

1. Scott Perella – Workers Compensation offset – 5 year repayment agreement mailed 4/5/24-1st monthly payment due 5/1/24.
2. Christopher Jenkins - 91A Overearnings – NRS received payment in full on 4/2/24
3. Elected Officials – purchase of prior non-membership service –on hold pending receipt of PERAC opinion requested on 4/4/24
4. Discussion relating to Pension Technology Group (PTG)- purchase of Employee Self Service and Document Imaging modules, scanning project, contract/multi-year agreement – 4/17/24 PTG response re: contract language; PTG response regarding scanning project estimates remain pending
5. Discussion relating to updating the Newton Retirement Board's Investment Policy-on hold pending receipt of a draft by Board members Logalbo and Curley
6. Retirement Office staff policy and procedures handbook update – review of draft discrimination policy
7. Update re: pre-employment physicals/monthly meeting with Human Resources Department
8. Discussion relating to cash reserves - scheduled for 5/28/24 Ret. Bd. Mtg.
9. Current status of pending disability retirement applications – **informational only:**

Applicant	Dept.	Current Status
Lisa Mikoleit	Police	Hearing scheduled for 4/17/24 was postponed to 5/28/24

10. 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-Dismissal;3/23/22 recvd CRAB’s Receipt of Notice of Richard Metro’s Objection to DALA dismissal.
Kimberley Vanaman	CR-22-0180	5/16/22 recvd DALA’s Notice of Receipt of Appeal-Ms. Vanaman is appealing the calculation of her creditable service.2/28/23 recvd Scheduling Order from DALA;8/1/23 Board Counsel filed Memorandum relative to consolidated appeal; Petitioner has been granted an extension to 3/29/24; 3/29/24 Petitioner filed a request for a hearing & a pre-hearing memorandum;4/5/24 Board Counsel filed an opposition to Petitioner’s request for a hearing & motion to compel Petitioner’s written submission of the case
Susan Cellucci	CR-22-0199	5/25/22 recvd DALA’s Notice of Receipt of Appeal-Ms. Cellucci is appealing the calculation of her creditable service; 11/28/22 recvd 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 recvd DALA’s Notice of Receipt of Appeal-Ms. Fallon is appealing the calculation of her creditable service.;4/05/23 recvd Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal; Petitioner has been granted an extension to 3/29/24; 3/29/24 Petitioner filed a request for a hearing & a pre-hearing memorandum;4/5/24 Board Counsel filed an opposition to Petitioner’s request for a hearing & a motion to compel Petitioner’s written submission of the case
Elizabeth Whittum	CR-22-0211	6/7/22 recvd DALA’s Notice of Receipt of Appeal-Ms. Whittum is appealing the calculation of her creditable service; 4/10/23 recvd Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal; Petitioner has been granted an extension to 3/29/24; 3/29/24 Petitioner filed a request for a hearing & a pre-hearing memorandum;4/5/24 Board Counsel filed an opposition to Petitioner’s request for a hearing & a motion to compel Petitioner’s written submission of the case
Edith Goethals	CR-22-0248	7/1/22 recvd DALA’s Notice of Receipt of Appeal-Ms. Goethals is appealing the calculation of her creditable service;4/28/23 recvd Scheduling Order from DALA; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal; Petitioner has been granted an extension to 3/29/24; 3/29/24 Petitioner filed a request for a hearing & a pre-hearing memorandum;4/5/24 Board Counsel filed an opposition to Petitioner’s request for a hearing & a motion to compel Petitioner’s written submission of the case.
Lee Gilliam	CR-23-0039	1/25/23 recvd 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 recvd First Pre-Hearing Order; 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
Danielle Lualdi	CR-24-0088	3/1/24 recvd DALA’s Notice of Receipt of Appeal-Ms. Lualdi is appealing the NRB’s decision to deny her service purchase request.

Director’s Report

Correspondence:

- PERAC Memo #11 2024 Mandatory Retirement Board Member Training-2nd Quarter 2024
- 4/2/2024 Letter to Mayor Fuller in response to anonymous letter received on 3/28/2024 re: post-retirement employment
- 4/5/2024 PERAC’s Fraud Alert email including PERAC Memo #27 2018

Next scheduled retirement board meeting: Tuesday, May 28, 2024 @ 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 or 617-796-1253. The city’s TTY/TDD direct line: 617-796-1089. For the Telecommunications Relay Service (TRS), dial 711.