

NEWTON RETIREMENT BOARD MEETING

Tuesday, May 28, 2024 – 9:00 a.m.

Location: Newton City Hall, Room 205

Agenda

New Agenda Items:

1. Lisa Mikoleit – Accidental Disability Retirement application – Evidentiary Hearing
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).
2. Pension Reserves Investment Management Board (PRIM) Portfolio Review by Laura Strickland, Senior Client Services Officer
3. Board to conduct public hearing to discuss FY25 retiree cost-of-living increase
4. Board to review regular session minutes of meeting held April 23, 2024
5. Board to review executive session minutes of meeting held April 23, 2024
6. Board to discuss PERAC Memo #13/2024 - Revised PERAC regulation 840 CMR 15.01 regarding retiree affidavit compliance.

Administrative Agenda Items:

7. Monthly financial reporting for month ending March 2024
8. Board to approve new members as indicated on list provided in Board Member’s monthly packet
9. Receipt of request for member survivor allowance pursuant to M.G.L. Chapter 32, s.12(2)(d), from Kelly Johansen, widow of Daniel Johansen, Department of Public Works, who died on March 10, 2024.
10. Board to acknowledge the following request to rescind application for superannuation retirement:

| | | | |
|----------------|---------|-----------------|----------|
| Mark Hernandez | Captain | Fire Department | 05-31-24 |
|----------------|---------|-----------------|----------|

11. New application(s) for superannuation & termination retirement:

| Member | Position | Dept. | Date of Retirement |
|-----------------|--------------------------|-------------------|--------------------|
| Mark Hernandez | Captain | Fire Department | 06/03/24 |
| Deborah Megrian | Executive Assistant | School Department | 06/30/24 |
| Lily Lee | Payroll Specialist | School Department | 07/31/24 |
| Julie Ross | Assistant City Solicitor | Law Department | 05/31/24 |

12. Board to approve the following expense warrants:

| | | | |
|-----------------|------------|---|-----------------|
| Warrant # 11-24 | 05/29/2024 | Administrative expense/member account disbursements | \$ 410,699.98 |
| Warrant # 12-24 | 05/28/2024 | 05-31-2024 Contributory pension payroll | \$ 4,114,093.62 |
| Warrant #C4-24 | 05/29/2024 | Federal Tax | \$ 15,974.67 |

Pending Agenda Items:

1. Scott Perella – Workers Compensation offset – received executed 5 year repayment agreement and 1st monthly payment
2. Elected Officials – purchase of prior non-membership service –on hold pending receipt of PERAC opinion requested on 4/4/24
3. Discussion relating to Pension Technology Group (PTG) modules (Employee Self Service and Document Imaging) and scanning project
4. Discussion relating to updating the Newton Retirement Board’s Investment Policy/Cash reserves

5. Vote to approve transfer from PRIT to MMDT effective June 1, 2024 to cover monthly expenses
6. Retirement Office staff policy and procedures handbook update-Discrimination Prevention Policy tabled from April 23, 2024 meeting
7. Pre-employment physicals – update
8. January 1, 2024 Actuarial Valuation Report – pending
9. 4/2/2024 Letter to Mayor Fuller in response to anonymous letter received on 3/28/2024 re: post-retirement employment – response pending
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 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; Petitioner has been granted an extension to 3/29/24;3/29/24 recv’d Petitioner’s Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB’s Written Submission |
| 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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv’d Petitioner’s Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB’s Written Submission |
| 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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv’d Petitioner’s Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB’s Written Submission |
| 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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv’d Petitioner’s Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB’s Written Submission |
| 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; 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 recv’d DALA’s Notice of Receipt of Appeal-Ms. Lualdi is appealing the NRB’s decision to deny her service purchase request; 3/15/24 recv’d DALA’s First Pre-Hearing Order;Petitioner has been granted an extension to serve a draft pre-hearing memorandum until 5/31/24 |
| Jeremy Wilson | CR-24-0294 | 5/20/24 recv’d DALA’s Notice of Receipt of Appeal-Officer Wilson is appealing the NRB’s denial of his accidental disability retirement application |

Director's Report

Correspondence:

- PERAC Memo #12 2024 PERAC Regulations 840 CMR 4.00 and 25.00
- PERAC Memo #13 2024 PERAC Regulations 840 CMR 2.00,8.00,11.00,12.00, &15.00
- PERAC Pension News #65-April 2024

Next scheduled retirement board meeting: Tuesday, June 25, 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.