

# NEWTON RETIREMENT BOARD MEETING

Tuesday, June 25, 2024 – 9:00 a.m.

Location: Newton City Hall, Room 211

## Agenda



### New Agenda Items:

1. Board to review regular session minutes of meeting held May 28, 2024
2. Board to review executive session minutes of meeting held May 28, 2024

### Administrative Agenda Items:

**RECEIVED**

**By City Clerk at 4:37 pm, Jun 20, 2024**

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

| Member              | Position              | Dept.                   | Date of Retirement |
|---------------------|-----------------------|-------------------------|--------------------|
| Edmund Boles, Jr.   | Custodian             | School Department       | July 31, 2024      |
| Linda Walsh         | Commissioner          | Health & Human Services | June 28, 2024      |
| Louise Marshall     | Sr. Library Assistant | Library                 | June 30, 2024      |
| Kathleen Hennrikus  | Sr. Library Assistant | Library                 | July 15, 2024      |
| Ann Wallace         | Executive Assistant   | School Department       | June 30, 2024      |
| Lawrence Quinn, Jr. | Firefighter           | Fire Department         | June 29, 2024      |

6. Board to approve the following expense warrants:

|                 |            |   |                 |
|-----------------|------------|---|-----------------|
| Warrant # 13-24 | 06/26/2024 | Administrative expense/member account disbursements | \$ 846,578.46   |
| Warrant # 14-24 | 06/26/2024 | 06/28/2024 Contributory pension payroll             | \$ 4,082,699.06 |
| Warrant # C5-24 | 06/26/2024 | Federal Tax   | \$ 1,435.21     |
| Warrant # 15-24 | 06/26/2024 | 2nd Quarter 2024 Staff salary expense               | \$ 75,430.36    |

7. Deputy Director and Administrative Assistant pay increases effective July 1, 2024
8. Purchase of 3 desktop scanners

### Pending Agenda Items:

1. Scott Perella –5 year repayment plan to be completed by April 2029.
2. Elected Officials – purchase of prior non-membership service –on hold pending receipt of PERAC opinion requested on 4/4/24
3. Vote to approve transfer from PRIT to MMDT effective July 1, 2024 to cover monthly expenses
4. Retirement Office staff policy and procedures handbook update-Code of Conduct
5. Current status of pending disability retirement applications – **informational only:**

| Applicant     | Dept.  | Current Status                                      |
|---------------|--------|---|
| Lisa Mikoleit | Police | 6/11/24 Revised Findings of Fact submitted to PERAC |

6. Pre-employment physicals update-meeting with Human Resources held on 5/30/24
7. January 1, 2024 Actuarial Valuation Report – pending
8. 4/2/2024 Letter to Mayor Fuller in response to anonymous letter received on 3/28/2024 re: post-retirement employment – response pending
9. 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.<br>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; <b>Hearing scheduled for 10/22/24</b>  |
| 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; <b>Hearing scheduled for 10/22/24</b> |
| 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; <b>Hearing scheduled for 10/22/24</b> |
| 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; <b>Hearing scheduled for 10/22/24</b> |
| 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; <b>6/10/24 appeal withdrawn, withdrawal confirmed by DALA</b>   |
| 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; <b>5/29/24 recv'd DALA Scheduling Order, Petitioner's Pre-Hearing Memorandum due 8/23/24, NRB submission due 10/10/24</b>   |

## Director's Report

### Correspondence:

- PERAC Memo #14. 2024 Tobacco Company List

**Next scheduled retirement board meeting: Tuesday, July 23, 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](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.*