

NEWTON RETIREMENT BOARD MEETING
Tuesday, July 23, 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 June 25, 2024

Administrative Agenda Items:

RECEIVED
By City Clerk at 4:59 pm, Jul 18, 2024

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

Member	Position	Dept.	Date of Retirement
Michele Parker	Teacher Aide	School Department	06-30-2024

5. Board to approve the following expense warrants:

Warrant # 16-24	07-24-2024	Administrative expense/member account disbursements	\$ 526,200.31
Warrant # 17-24	07-25-2024	07/31/2024 Contributory pension payroll	\$ 4,266,098.06
Warrant # C6-24	07-24-2024	Federal Tax	\$ 7,188.05

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. Transfer \$11,250,000 to the PRIT Core Fund effective 8/1/24, 9/1/24, 10/1/24 and 11/1/24
4. Retirement Office staff policy and procedures handbook update-Conflict of Interest Policy and Equal Employment Statement
5. Current status of pending disability retirement applications – **informational only:**

Applicant	Dept.	Current Status
Lisa Mikoleit	Police	Disability Transmittal approved by PERAC on 7/10/24

6. Pre-employment physicals update-meeting with Human Resources scheduled for 7/23/24
7. January 1, 2024 Actuarial Valuation Report – pending receipt
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; Member filed response on 12/21/22; Member's counsel requested a hearing on 7/17/24
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; Hearing scheduled for 10/22/24

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; 7/17/24 DALA confirmed that case was closed as of 3/13/23.
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; Hearing scheduled for 10/22/24
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; Hearing scheduled for 10/22/24
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; Hearing scheduled for 10/22/24
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; 7/17/24 DALA confirmed the case is awaiting the scheduling of a hearing date
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; 5/29/24 recv'd DALA Scheduling Order, Petitioner's Pre-Hearing Memorandum due 8/23/24, NRB submission due 10/10/24

Director's Report :

- PERAC Emerging Issues Forum – September 18, 2024
- Update on Employee Self Service, Scanning, Scanning Project & Notice of Deposits
- 2023 Annual Statement of Earned Income – MGL c.32, s. 91A compliance update
- CliftonLarsonAllen – City Audit

Correspondence:

- PERAC Memo #15 2024 91A Prosper Tasks
- PERAC Memo #16 2024 Forfeiture of Retirement Allowance for Dereliction of Duties
- PERAC Memo #17 2024 Mandatory Retirement Board Member Training-3rd Quarter, 2024
- PERAC Memo #18 2024 Audit Process Via PROSPER
- PERAC 2023 Investment Report

Next scheduled retirement board meeting: Tuesday, August 27, 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.