

NEWTON RETIREMENT BOARD MEETING
Tuesday, November 19, 2024 – 9:00 a.m.
Location: Newton City Hall, Room 211
Agenda

RECEIVED

By City Clerk at 2:56 pm, Nov 14, 2024

New Agenda Items:

1. Board to review regular session minutes of meeting held October 29, 2024
2. PRIM Portfolio Review

Administrative Agenda Items:

3. Monthly financial reporting for month ending September 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
Daniel MacEwen	Lieutenant	Fire Dept	11/29/2024
Becky Brooker	School Nurse	School Dept	12/31/2024
Michael Daniele	Yard Foreman	DPW	11/08/2024
Alan Gifford	Senior Building Inspector	Inspectional Services	01/12/2025

6. Board to approve the following expense warrants:

Warrant # 26-24	11-20-2024	Administrative expense/member account disbursements	\$ 280,750.28
Warrant # 27-24	11-25-2024	11/29/2024 Contributory pension payroll	\$ 4,150,803.38

Pending Agenda Items:

1. Scott Perella –5 year repayment plan; oral agreement with member to mail payment on the 25th of each month- repayment to be completed by May 2029.
2. Elected Officials – 9/17/24 letter to PERAC seeking clarification regarding collecting overpayment of benefits and refunding contributions – PERAC response received on 11/7/24
3. Maureen Murphy's Needham Bill Waiver Request-was tabled pending response from 9/17/24 clarification request to PERAC- PERAC response received on 11/7/24
4. Dori Zaleznik's Motion for Reconsideration-pending response from Board Counsel's 9/30/24 request to PERAC for follow-up opinion
5. Dori Zaleznik's Needham Bill Waiver Request-pending response from Board Counsel's 9/30/24 request to PERAC for follow-up opinion and 9/17/24 clarification request to PERAC (9/17/24 response recvd on 11/7/24)
6. Employee Handbook
7. Meeting with Human Resources scheduled for 9/25/24 was postponed by request of Human Resources Director, Michelle Pizzi-O'Brien-next meeting TBD.
8. Request from Attorney Joseph Donnellan, Counsel for Michael Abbruzzese, James McCarthy, and Thomas McCarthy, for postponement of 10/16/24 hearing regarding 2023 excess earnings and refunds due the system – Rescheduled for 12/13/24 9:00 a.m.
9. City to attend the 11/19/24 Board meeting to discuss the development of a process for monitoring post-retirement employment and to advise if any rehired retirees have exceeded or are close to exceeding the 2024 post-retirement hours and earnings limitations.
10. Veterans Buyback Terms and Payment Options-proposed revised terms sent to actuary for opinion on 11/4/24.

11. 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 status update on 7/17/24;7/19/24 CRAB confirmed that a decision is pending
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; Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24.
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- Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24.
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- Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24.
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-Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24.
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; 9/17/24 Received DALA’s Notice of Hearing scheduled for 12/18/24
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; 5/29/24 recv’d DALA Scheduling Order, Petitioner’s Pre-Hearing Memorandum due 8/23/24, NRB submission due 10/10/24; 8/20/24 Petitioner submitted his pre-hearing memorandum;10/09/24 Board Counsel filed NRB’s pre-hearing memorandum and motion for summary decision;Petitioner has until 11/8/24 to file response to motion; 11/07/24 Petitioner filed Motion for Summary Decision Response
Dori Zaleznik	CR-24-0602	9/30/24 recv’d DALA’s Notice of Receipt of Appeal-Ms. Zaleznik is appealing the termination, and request for repayment, of her retirement benefits; 10/2/24 Recv’d DALA’s Order that matter is stayed until NRB rules on Petitioner’s motion for reconsideration.

Director’s Report :

- Update on Employee Self Service, Scanning Project & Notice of Deposits
- Volunteer work in Retirement Office

Correspondence:

- PERAC Memo #28 2024 Violent Assault Disability: Chapter 149 of the Acts of 2024
- 2023 PERAC Annual Report

Next scheduled retirement board meeting: Tuesday, December 17, 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.