

**NEWTON RETIREMENT BOARD MEETING**  
**Wednesday, October 23, 2019 – 3:00 p.m.**  
**Room 211 – Newton City Hall**

**Agenda Items:**

1. Board to review minutes of meeting held on September 25, 2019.
2. Receipt of three medical panel certificates in connection with the Involuntary Accidental Disability Retirement application, pursuant to G.L. c. 32, §§ 7 & 16, filed by (former) Fire Chief Bruce Proia on behalf of Firefighter Annie French.

**Administrative Items:**

1. Fall/2019 MACRS conference update.
2. Discussion on outside legal counsel contract.
3. New application(s) for superannuation retirement:

Member	Position	Dept.	DOR
James Sbordone	Lieutenant	Fire	10/13/2019
Linda Stanton	Teacher Aide	School	11/30/2019

4. Board to approve the following expense warrants:

Warrant# 20-19	10/24/2019	Administrative Expense/Member Account Disb.	\$ 92,773.86
Warrant# 21-19	10/30/2019	10/31/19 Contributory Pension Payroll	\$ 3,531,057.62

5. Director update.

**Pending Agenda Items:**

1. CRAB decision *PERAC v. CRAB, Swampscott Retirement Board & Vernava*, 478 Mass. 832 (2018). Held pending outcome of lawsuit filed against PERAC.
2. Non-compliant 2018 annual earnings statement filing with PERAC: Loretta King - pension suspended eff. 8/31/19.
3. Non-compliant 2019 retiree affidavit filing. Pension benefits held as of 9/30/19 for: Susan Basham, Lori Roman and Annette Rowe. Pension benefit held as of 10/31/19 for Armando Pini.
4. Retired Police Chief Cummings pension recalculation. Held pending resolution of back pay issued by City of Newton.
5. Current status of pending disability/accidental death retirement application(s):

Applicant	Dept.	Current Status
James Thorne	Fire (retired)	Staff are collecting medical records.

6. Current status of pending appeal cases - **informational only:**

Petitioner	Docket#	Current Status
Steven Caissie	CR-16-579	Board voted 1/25/2017 to withdraw appeal and join Atty. Poser's appeal as a participating party. Atty. Poser filed Joint Pre-Hearing Memorandum with DALA on 9/13/2018. Hearing held 8/1/19.
Mark Colantonio	CR-16-274	Pending DALA decision - hearing was held on 11/20/2017. DALA decision rec'd 9/23/19 affirming board's decision to deny ADR. <b>Remove from pending – DALA decision final?</b>
Jeanne Layton	CR-12-527 CR-17-205	DALA approved Board's appeal 7/21/2017. State Retirement Board appealed to CRAB 7/25/2017. Board counsel filed motion to dismiss on State Ret. Bd. issue only 9/29/2018). State Retirement Board filed special legislation H33 on 1/23/2017 to direct group classification of prior service by retirement board member is retiring from. Newton filed "Board's Status Report" with DALA on 5/22/2018. CRAB decision dated 5/20/19 issued. State Ret. Bd. filed "Motion for Reconsideration" on 6/20/19.
Edward Murphy	CR-17-724	Board filed motion to add PERAC as necessary party on 1/10/2018. Motion approved 1/12/2018. DALA issued "First Pre-Hearing Order" on 6/25/19.
Julie Kelly	CR-18-0581	DALA issued "First Pre-Hearing Order" notice 8/12/19.

**Next scheduled retirement board meeting: November 20, 2019 @ 3:00 p.m. in Room 211 (PRIT review)**

*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: [ifairley@newtonma.gov](mailto:ifairley@newtonma.gov) or 617-796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the*