

NEWTON RETIREMENT BOARD MEETING
Tuesday, February 21, 2023 – 9:00 a.m.
Location: Newton City Hall, Room #B15

Agenda

New Agenda Items:

1. Receipt of an ordinary disability retirement application from Firefighter Kevin Flynn, pursuant to M.G.L. Chapter 32, Section 6. Member’s Application, Treating Physician Statement and Employer’s Statement have all been received. Firefighter Flynn is represented by Atty. Paul Hynes- 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. Receipt of an ordinary/accidental disability retirement application from Fire Captain Lawrence Podolske, pursuant to M.G.L. Chapter 32, Sections 6 and 7. Member’s Application, Treating Physician Statement and Employer’s Statement have all been received. Fire Captain Podolske is represented by Atty. Paul Hynes- 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)).
3. Board to review regular session minutes of meeting held January 24, 2023
4. PERAC Memo #29/2022 – 5% Local COLA Option

Administrative Agenda Items:

1. Monthly financial reporting for month ending December 2022
2. Board to review projected 2023 administrative expense report prepared by Director O’Brien
3. Board to review FY2024 budget of the Newton Retirement System as prepared by Director O’Brien
4. Board to approve new members as indicated on list provided in Board Member’s monthly packet
5. New application(s) for superannuation retirement:

Member	Position	Dept.	Date of Retirement
David Languaine	Firefighter	Fire	02/27/2023
Gail Paglia	Payroll Specialist	School	02/28/2023
Ruth Talvacchia	Theatre Production Instructor	School	02/21/2023
William Rios	Firefighter	City	03/31/2023

6. Board to approve the following expense warrants:

Warrant # C1-23	02/22/2023	Federal tax deposit funding re: member account disbursements	\$ 8,533.60
Warrant # 03-23	02/22/2023	Administrative expense/member account disbursements	\$ 289,343.89
Warrant # 04-23	02/01/2023	02/01/2023 Contributory pension payroll (Death Adj from 1/31/2023 Cont. pension payroll)	\$ 877.17
Warrant # 05-23	02/24/2023	02/28/2023 Contributory pension payroll	\$ 3,960,167.49

Pending Agenda Items:

1. January 2023 Actuarial Valuation
2. Pre-employment physicals – Chairman Lopez’ update re request for meeting with Mayor Fuller
3. Current status of pending disability retirement applications – **informational only:**

Applicant	Dept.	Current Status
Andrew Handler	Fire	Medical Panel Appt’s scheduled for 1/31/23, 2/8/23 & 2/17/23; 2 of 3 Med. Panel Cert/Narratives received

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

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 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.
Cheri Zunick	CR-21-0096	3/17/21 Ms. Zunick (teacher aide) appealed calculation of her creditable service. 2/7/22 Ms. Zunick filed withdrawal of appeal via email to DALA; pending DALA confirmation;10/18/22 DALA advised Board Counsel -No record of receiving withdrawal;10/19/22 recv'd copy of Order To Show Cause from DALA
Scott Perella	CR-22-0103	3/18/22 recv'd DALA's Notice of Receipt of Appeal-Mr. Perella is appealing the effective date of his ADR.
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.
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.
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.
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.
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.
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

Next scheduled retirement board meeting: Tuesday, March 28, 2023 @ 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.