

NEWTON RETIREMENT BOARD MEETING

Tuesday, March 28, 2023 – 9:00 a.m.

Location: Newton City Hall, Room #211

Agenda

New Agenda Items:

1. Board to conduct public hearing to discuss FY24 retiree cost-of-living increase
2. Presentation regarding cost-of-living increase by City of Newton Mayor Ruthanne Fuller and City of Newton's Chief Financial Officer, Maureen Lemieux
3. Discussion and presentation re: Newton Retirement Board's funding schedule by Newton City Council President, Susan Albright, and Newton School Committee Member, Christopher Brezski
4. Receipt of three single physician medical panel certificates in connection with Firefighter Andrew Handler's application for ordinary disability retirement pursuant to M.G.L. Chapter 32, Section 6. Firefighter Handler 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)
5. Board to review regular session minutes of meeting held February 21, 2023
6. Board to review executive session minutes of meeting held February 21, 2023
7. PERAC Annual Statement for December 31, 2022

Administrative Agenda Items:

1. Monthly financial reporting for month ending January 2023
2. Board to approve new members as indicated on list provided in Board Member's monthly packet
3. Board to approve the following expense warrants:

Warrant # C2-23	03/29/2023	Federal tax deposit funding re: member account disbursements	\$ 9,071.09
Warrant # 06-23	03/29/2023	Administrative expense/member account disbursements	\$ 1,134,030.31
Warrant # 07-23	03/29/2023	1st Quarter 2023 Staff salary expense	\$ 68,065.27
Warrant # 08-23	03/28/2023	03/31/2023 Contributory pension payroll	\$ 4,040,166.80

Pending Agenda Items:

1. January 2023 Actuarial Valuation
2. "Once a Member Always a Member" – Supreme Judicial Court's decision in Retirement Board of Stoneham v. Contributory Retirement Appeal Board & another SJC-12098 December 22, 2016 – February 22, 2023 PERAC response to Newton Retirement Board's February 10, 2023 request for opinion/clarification.
3. 5% Local COLA Option-Memo provided to Mayor Fuller on February 22, 2023
4. Pre-employment physicals – Chairman Lopez' update re: March 16, 2023 request for meeting with Mayor Fuller
5. Current status of pending disability retirement applications – **informational only:**

Applicant	Dept.	Current Status
Kevin Flynn	Fire	Board Staff is in process of collecting medical records
Lawrence J. Podolske	Fire	Board Staff is in process of collecting medical records

6. 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 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.
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. 2/28/23 recv'd Scheduling Order from DALA
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.
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, April 25, 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.