NEWTON RETIREMENT BOARD MEETING
Tuesday, June 27, 2023 – 9:00 a.m.
Location: Newton City Hall, Room #211

Revised Agenda

New Agenda Items:

1. PRIM Portfolio Review by Laura Strickland, PRIM Senior Client Services Officer

2. Hearing –Receipt of an accidental disability retirement application from retired police officer Russell Adam, pursuant to M.G.L. Chapter 32, Sections 7 and 94. Member's Application, Treating Physician Statement and Employer's Statement have all been received. Retired police officer Russell Adam is represented by Atty. Paul Hynes- The Board may enter Executive Session pursuant to Purpose 1 of the Open Meeting Law: To discuss the physical condition of the applicant in a proceeding for disability retirement.

3. Receipt of three single physician medical panel certificates in connection with Firefighter Kevin J. Flynn, Jr.'s application for ordinary disability retirement pursuant to M.G.L. Chapter 32, Section 6. 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).

4. Receipt of an accidental disability retirement application from Police Officer Dawn Fleming, pursuant to M.G.L. Chapter 32, Section 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. 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. Receipt of an accidental disability retirement application from Police Officer Lisa Mikoleit, pursuant to M.G.L. Chapter 32, Section 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. 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).

6. Board to review regular session minutes of meeting held May 23, 2023

7. Board to review executive session minutes of meeting held May 23, 2023

8. Deputy Director and Administrative Assistant pay increases effective July 1, 2023

Administrative Agenda Items:

1. Monthly financial reporting for month ending April 2023

2. Board to review amended FY2024 budget of the Newton Retirement System

3. Board to approve new members as indicated on list provided in Board Member's monthly packet

4. New application(s) for superannuation retirement:

Member	Position	Dept.	Date of Retirement
Mayumi Tamaki	Teacher Aide	School	06/30/2023
Sally Lee	Teacher Aide	School	06/30/2023
Ellen Meyers	Programs & Communications Mgr.	Library	07/24/2023
John Lojek	Commissioner	Inspectional Services	06/30/2023

5. Board to approve the following expense warrants:

Warrant # C5-23	06-28-2023	Federal tax deposit funding re: member account disbursements	$ 16,668.11
Warrant # 13-23	06-28-2023	Administrative expense/member account disbursements	$ 141,089.52
Warrant # 14-23	06-28-2023	06/30/2023 Contributory pension payroll	$ 4,037,985.87
Warrant # 15-23	06-28-2023	2nd Quarter 2023 Staff salary expense	$ 68,065.27

Pending Agenda Items:

1. Pre-employment physicals – Chairman Lopez' update re: March 16, 2023 request for meeting with Mayor Fuller

2. City Council's Committee of the Whole 5/25/23 vote approving the Board's 4/10/23 Request to City Council for approval of incremental increase to COLA Base ($1k per year from FY24-FY26), 6.6% growth rate, fully funded date of FY32

3. FY24 COLA Increase

4. PERAC's 5/25/23 response to NRB's 4/20/23 request for clarification re: "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

5. City of Newton Treasurer Ron Mendes to provide update at July 25, 2023 meeting re: Eastern Bank's VERIBANC rating

6. Retiree Insurance changes/PTG update

7. Superior Officer payments for retroactive contract settlement

8. Current status of pending disability retirement applications – **informational only**:

Applicant	Dept.	Current Status
Lawrence J. Podolske	Fire	Medical Panel Appts scheduled for 5/15/23, 5/20/23 & 6/14/23- ***pending receipt of the Medical Panel Cert. & Narrative for 6/14/23 appt.***
Joshua Richardson	DPW	Board Staff is in process of collecting medical records; 5/24/23 submitted Medical Panel Request;***Medical Panel Appts scheduled for 6/12/23,6/28/23 & 6/29/23***

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.
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;4/19/23 recv'd DALA's Final Decision-Dismissal
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.;3/30/23 recv'd Scheduling Order from DALA;***5/3/23 recv'd copy of Petitioner's Memorandum***
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.;4/05/23 recv'd Scheduling Order from DALA

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
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
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

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