NEWTON RETIREMENT BOARD MEETING
Tuesday, September 26, 2023 – 9:00 a.m.
Location: Newton City Hall, Room B15
Agenda

New Agenda Items:

1. Receipt of three single physician medical panel certificates in connection with retired Police Officer Russell Adam.'s application for accidental disability retirement pursuant to M.G.L. Chapter 32, Sections 7 & 94. Retired Police Officer Adam 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 accidental disability retirement application from Firefighter Aaron MacGovern, pursuant to M.G.L. Chapter 32, Section 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. Firefighter MacGovern 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. Receipt of three single physician medical panel certificates in connection with Police Officer Lisa Mikoleit's application for accidental disability retirement pursuant to M.G.L. Chapter 32, Section 7. 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 Sergeant Bradford Leitch, pursuant to M.G.L. Chapter 32, Section 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. Sgt. Leitch is represented by Atty. Morgan Gray. 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 August 22, 2023

6. Board to review executive session minutes of meeting held August 22, 2023

Administrative Agenda Items:

1. Discussion relating to Treasurer Stipend pursuant to M.G.L. c. 20(4)

2. Discussion relating to marital status affidavits

3. 5th member position currently held by Lisa Maloney, Esq., term to expire 1/1/2024

4. Board to approve attendance at fall MACRS conference (October 1-October 4, 2023) in Springfield, MA

5. Update on 2023 Annual Affidavits -3rd notices issued August 29, 2023

6. Monthly financial reporting for month ending July 2023

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

8. New application(s) for superannuation retirement:

Member	Position	Dept.	Date of Retirement
Henry Langevin	Truck Driver	DPW	8/31/2023
Ginko Isobe	ELL Aide	School	6/30/2023
Kevin Cassidy	Custodian	School	9/30/2023

9. Board to approve the following expense warrants:

Warrant # 20-23	09-27-2023	Administrative expense/member account disbursements	$ 155,270.91
Warrant #C7-23	09-27-2023	Federal tax deposit funding re: member account disbursements	$ 9,967.47
Warrant # 21-23	09-27-2023	09/29/2023 Contributory pension payroll	$ 4,025,238.62
Warrant # 22-23	09-27-2023	3rd Quarter 2023 Staff salary expense	$ 69,112.39

Pending Agenda Items:

1. Update on Board Member Election

2. Pre-employment physicals – Update re: 9/19/23 meeting with Human Resources Director Michelle Pizzi O'Brien, Human Resources Deputy Director Francoise Charlot, Chief Financial Officer Maureen LeMieux, and Manager of Financial Planning and Analysis Perry Rosenfield

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

Applicant	Dept.	Current Status
Joshua Richardson	DPW	***Disability Transmittal approved by PERAC on 8/28/23***
Dawn Fleming	Police	Medical Panel Appts scheduled for 9/7/23, 9/25/23 & 9/28/23; 1 of 3 Medical Panel Certs & Narratives recv'd.

4. 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.
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; 6/29/23 Board Counsel filed Memorandum to DALA and motion to add PERAC as an addt'l party;7/18/23 recv'd copy of Atty. Judith Corrigan's filing to DALA of Notice of Appearance for PERAC;8/15/23 PERAC's Memorandum of Law was filed
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
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; 8/1/23 Board Counsel filed Memorandum relative to consolidated appeal
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
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
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, October 24, 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.