NEWTON RETIREMENT BOARD MEETING
Tuesday, January 23, 2024 – 9:00 a.m.
Location: Newton City Hall, Room 211
Agenda

New Agenda Items:

1. System Actuary Kathleen Riley of Segal to attend meeting to discuss January 1, 2024 actuarial valuation of the Newton Retirement System

2. Actuarial services contract extension

3. Pension Technology Group (PTG) contract renewal options

4. Receipt of 3 medical panel physician clarification reports 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).

5. Receipt of three single physician medical panel certificates in connection with Police Sergeant Bradford Leitch's application for accidental disability retirement pursuant to M.G.L. Chapter 32, Section 7. Sergeant 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).

6. Board to review regular session minutes of meeting held December 19, 2023

Administrative Agenda Items:

7. Monthly financial reporting for month ending November 2023

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

9. Receipt of request for member survivor allowance pursuant to M.G.L. Chapter 32, s.12(2)(d), from Donna Fryar, widow of Norman Fryar, Department of Public Works laborer, who died on September 5, 2023.

10. New application(s) for superannuation & termination retirement:

Member	Position	Dept.	Date of Retirement
Alan Mandl	Assistant City Solicitor	Law	12-31-2023
Paul Levy	School Committee member	School	12-31-2023
Anthony Pugliese	Groundskeeper/Custodian	Newton Housing Authority	01-06-2024
John Kennedy III	Firefighter	Fire Department	03-08-2024
Laura McGerigle	Sr. Emergency Telecommunication Supervisor	Police Department	02-05-2024
Jose Ramirez	Senior Building Custodian	Public Buildings	01-22-2024

11. Board to approve the following expense warrants:

Warrant # 01-24	01-24-2024	Administrative expense/member account disbursements	$ 114,283.67
Warrant # 02-24	01-26-2024	01-31-2024 Contributory pension payroll	$ 4,081,697.22

Pending Agenda Items:

1. Discussion relating to hiring an investment consultant, future transfer of funds to the Pension Reserves Investment Management fund (PRIM), cash reserve policy, PRIM maintenance balance, correspondence with PERAC's Director of Audits, Caryn Shea regarding cash balances.

2. Retirement Office staff policy and procedures handbook

3. Proposed Newton Retirement Board Travel Regulations sent to PERAC for review/approval on November 30, 2023.

4. Notification to Group 4 members regarding pre-employment physicals being mandatory to retire under the heart, lung and cancer presumption; monthly meeting with Human Resources

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

Applicant	Dept.	Current Status
Lisa Mikoleit	Police	Tabled by NRB on 11/28/23 for review by counsel for Ms. Mikoleit
Aaron MacGovern	Fire	Disability Transmittal submitted to PERAC on 12/26/23

6. 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; 10/25/23 Opposing Counsel filed parties' joint pre-hearing memo;10/27/23 DALA granted parties' joint motion to join PERAC as additional party

Director's Report

- Caira-CR11-157 Martin v. Concord Ret. System and PERAC; MGL c. 32 s.20(5)(c)(2)

Correspondence:

- PERAC Memo #01 2024 840 CMR 10:10(3) & 10:15(1)(c) Annual Review of Medical Testing Fee
- PERAC Memo #02 2024 2024 Interest Rate set at 0.1%
- PERAC Memo #03 2024 Required Minimum Distribution:Now Age 73 for This Year's Notifications
- PERAC Memo #04 2024 Limits under Chapter 46 of the Acts of 2002
- PERAC Memo #05 2024 Limits under Chapter 23 of Chapter 131 of the Acts of 2010
- PERAC Memo #06 2024 COLA Notice

Next scheduled retirement board meeting: Tuesday, February 27, 2024 @ 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.