NEWTON RETIREMENT BOARD MEETING
Tuesday, March 25, 2025 9:00 a.m.
Location: Newton City Hall, Room 211
Agenda

New Agenda Items:

1. Board to conduct public hearing to discuss FY26 retiree cost-of-living increase

2. Michael Abbruzzese's request for one additional month (until April 2025 retiree payroll) to consider repayment agreement

3. Receipt of an accidental disability retirement application from firefighter Mark Dezso, 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).

4. Receipt of an accidental disability retirement application from firefighter Brian McNamara, 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 firefighter Joseph Ciccone, 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. Receipt of an accidental disability retirement application from Joseph Ratta, Working Foreman from the Utilities Department, 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).

7. Board to review regular session minutes of meeting held February 25, 2025

Administrative Agenda Items:

8. Monthly financial reporting for month ending January 2025

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

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

Member	Position	Dept.	Date of Retirement
Michael Sullivan	Custodian	School	05-09-2025

11. Board to approve the following expense warrants:

Warrant # 06-25	03-26-25	Administrative expense/member account disbursements	$ 646,742.55
Warrant # 07-25	03-26-25	03-31-2025 Contributory pension payroll	$ 4,178,288.96
Warrant # 08-25	03-26-25	1st Quarter 2025 Staff salary expense	$ 72,181.68
Warrant # C02-25	03-26-25	Federal Tax	$ 7,371.34

Pending Agenda Items:

1. System Actuary Kathleen Riley of Segal to attend 4/22/25 meeting to discuss preliminary results of the January 1, 2025 actuarial valuation of the Newton Retirement System

2. Scott Perella –5 year repayment plan; oral agreement with member to mail payment on the 25th of each month- repayment to be completed by May 2029.

3. Dori Zaleznik's Needham Bill waiver request and refund of elected official service credit purchase – tabled pending resolution of all litigation

4. Employee Handbook

5. Michael Abbruzzese, James McCarthy, and Thomas McCarthy-repayment agreement regarding 2023 excess earnings

6. Payroll Detail History Report – 2024 Retiree earnings

7. 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; Member filed response on 12/21/22; Member's counsel requested a status update on 7/17/24;7/19/24 CRAB confirmed that a decision is pending
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***;*** Petitioner has been granted an extension to 3/29/24;3/29/24 recv'd Petitioner's Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB's Written Submission; Hearing scheduled for 10/22/24; Day 2 of Hearing scheduled for 11/6/24;Briefs due to DALA on or before 12/20/24;Brief's submitted to DALA on 1/10/25 due to Petitioner's Counsel's request for extension.
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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv'd Petitioner's Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB's Written Submission; Hearing scheduled for 10/22/24- Day 2 of Hearing scheduled for 11/6/24***;*** Briefs due to DALA on or before 12/20/24;Brief's submitted to DALA on 1/10/25 due to Petitioner's Counsel's request for extension.
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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv'd Petitioner's Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB's Written Submission; Hearing scheduled for 10/22/24- Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24;Brief's submitted to DALA on 1/10/25 due to Petitioner's Counsel's request for extension.
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; Petitioner has been granted an extension to 3/29/24; 3/29/24 recv'd Petitioner's Pre-Hearing Submission; 4/5/24 Board Counsel objected to request for a hearing and filed a motion to compel a response to NRB's Written Submission; Hearing scheduled for 10/22/24-Day 2 of Hearing scheduled for 11/6/24; Briefs due to DALA on or before 12/20/24;Brief's submitted to DALA on 1/10/25 due to Petitioner's Counsel's request for extension.
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;7/17/24 DALA confirmed the case is awaiting the scheduling of a hearing date; 9/17/24 Received DALA's Notice of Hearing scheduled for 12/18/24;9/24/24 At Petitioner's request, hearing has been stayed pending CRAB's decision in E. Murphy

Jeremy Wilson	CR-24-0294	5/20/24 recv'd DALA's Notice of Receipt of Appeal-Officer Wilson is appealing the NRB's denial of his accidental disability retirement application; 5/29/24 recv'd DALA Scheduling Order, Petitioner's Pre-Hearing Memorandum due 8/23/24, NRB submission due 10/10/24; 8/20/24 Petitioner submitted his pre-hearing memorandum;10/09/24 Board Counsel filed NRB's pre-hearing memorandum and motion for summary decision;Petitioner has until 11/8/24 to file response to motion;11/07/24 Petitioner filed Motion for Summary Decision Response;2/5/25 DALA determined the appeal will be decided on written submissions. Mr. Wilson filed written response on 2/15/25;Board Counsel filed Memorandum on 2/18/25.***2/25/25 DALA decision recv'd;3/6/25 Board Counsel filed Notice of Objection. Memorandum of Law to CRAB due 4/2/25.***
Dori Zaleznik	CR-24-0602	9/30/24 recv'd DALA's Notice of Receipt of Appeal-Ms. Zaleznik is appealing the termination, and request for repayment, of her retirement benefits; 10/2/24 Recv'd DALA's Order that matter is stayed until NRB rules on Petitioner's motion for reconsideration.;2/3/25 Petitioner filed Joint Motions to Join PERAC and to Lift Stay and Expedite Proceedings;2/4/25 DALA granted Motion to Expedite and Motion to Join PERAC. Petitioner draft of pre-hearing memo due 3/28/25***.***
Timothy Goodale	CR-24-0661	11/15/24 recv'd DALA's Notice of Receipt of Appeal-Mr. Goodale is appealing the Board's denial of request to remove Opt. C beneficiary and change to Opt. A;Petitioner submitted written memorandum to DALA on 1/14/25. ***3/13/25 Board Counsel submitted written submission to DALA***
Michael Abbruzzese	CR-25-0010	1/13/25 recv'd DALA's Notice of Receipt of Appeal;1/21/25 Board Counsel filed Motion for Summary Decision;***Opposition to Motion for Summary Decision extended to 4/1/25.***
James McCarthy	CR-25-0010	1/13/25 recv'd DALA's Notice of Receipt of Appeal;1/21/25 Board Counsel filed Motion for Summary Decision; ***Opposition to Motion for Summary Decision extended to 4/1/25.***
Thomas McCarthy	CR-25-0010	1/13/25 recv'd DALA's Notice of Receipt of Appeal;1/21/25 Board Counsel filed Motion for Summary Decision; ***Opposition to Motion for Summary Decision extended to 4/1/25.***

Director's Report :

- Submission of Pre-Audit Planning responses to PERAC on 3/12/25. Audit period will be 1/1/19-12/31/22.
- Annual MACRS Spring Conference is scheduled for June 1, 2025 – June 4, 2025 at the Emerald Resort, Hyannis, MA
- Retirees' March 2025 Notice of Deposits will include a reminder that there are limitations on the number of hours and earnings a post-retirement employee can earn and perform for a government entity in MA. Reference to the link to access PERAC's Working & Receiving a Public Retirement Benefit Guide will also be provided.

Correspondence:

- PERAC Memo #10, 2025 Tobacco Company List

Next scheduled retirement board meeting: Tuesday, April 22, 2025 @ 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.