NEWTON RETIREMENT BOARD MEETING
Tuesday, April 25, 2023 – 9:00 a.m.
Location: Newton City Hall, Room #B15

Agenda

New Agenda Items:

1. Receipt of an Accidental Disability Retirement application from Joshua Richardson, pursuant to M.G.L. Chapter 32, Sections 7. Member's Application, Treating Physician Statement and Employer's Statement have all been received. Mr. Richardson is represented by Atty. Brian Sullivan. 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. Board to review regular session minutes of meeting held March 28, 2023

3. Board to review regular session minutes of Special meeting held April 6, 2023

4. Board to approve attendance at Spring 2023 MACRS conference (June 4, 2023-June 7, 2023 Hyannis, MA)

5. Zoom software

6. MA Public Records law – Exemption O

Administrative Agenda Items:

1. Monthly financial reporting for month ending February 2023

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

3. New application(s) for superannuation retirement:

Member	Position	Dept.	Date of Retirement
Cheri Zunick	Teacher Aide	School	06/30/2023
Joseph Crossen	Director of Facilities	School	06/30/2023
Elaine Gong Lee	Teacher Aide	School	06/30/2023
Elisabeth Hogan	Receptionist	NHA	03/30/2023
Margaret Power	Exec. Admin. Ass't	School	06/30/2023

4. Board to approve the following expense warrants:

Warrant # C3-23	04/26/2023	Federal tax deposit funding re: member account disbursements	$	11,912.82
Warrant # 09-23	04/26/2023	Administrative expense/member account disbursements	$	138,879.09
Warrant # 10-23	04/25/2023	04/28/2023 Contributory pension payroll	$	3,994,960.49

Pending Agenda Items:

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

2. 5% Local COLA Option-Memo provided to Mayor Fuller on February 22, 2023

3. FY24 COLA Increase

4. 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

5. January 2023 Actuarial Valuation

6. 4/20/23 Request to PERAC 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.

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

Applicant	Dept.	Current Status
Kevin Flynn	Fire	***Medical Panel Appts scheduled for 4/8/23, 4/26/23 & 5/3/23***
Lawrence J. Podolske	Fire	***Medical Panel Appts scheduled for 5/15/23, 5/20/23 & 6/14/23***
Andrew Handler	Fire	***Disability Transmittal submitted to PERAC on 4/3/23***

8. Current status of pending appeal cases – The Board may enter Executive Session pursuant to Purpose 3 of the Open Meeting Law – to discuss litigation strategy.

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***
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.
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, May 23, 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.