

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of April 30, 2015**

MINUTES

On April 30, 2015, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:08 in the Board's Conference Room.

Present: Paula Weiss
William Rubin
Brian Albert
Carol Stukes-Baylor
Patricia Fitzgerald
Ronald Stagliano
Andrew Thomas
Veronica Pankey
James Leonard

Also Attending: Francis Bielli - Board of Pensions
Shamika Taliaferro, Mark Murphy - Board of Pensions
Jo Rosenberger Altman, Ellen Berkowitz – Law Department
Katherine Janoski, Craig Gottlieb – Law Department
Brad Woolworth, Chris DiFusco, Dan Falkowski - Investment Unit
Dominique Cherry, Kristyn Bair, Aubrey Hassan – Investment Unit
Mark Johnson – Cliffwater
Pam McCue – Financial Investment News
Will Greene – Loop Capital Markets
Bob O'Donnell – Controller's Office

Ms. Weiss stated that the first order of business was the consideration of the Minutes of March 26, 2015.

Brian Albert made a motion to approve the Minutes of March 26, 2015. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 6-0.

CONSIDERATION OF (225) PENSION APPLICATIONS AND (56) WITHDRAWAL APPLICATIONS

Brian Albert made a motion to approve. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 6-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Gino Giliotti, Application for Service-Connected Disability Benefits – Plan “A”

This is an application submitted by Gino Giliotti, former firefighter, for Service-Connected Disability benefits under Pension Plan “A”.

According to Mr. Giliotti on December 14, 2013 while descending the stairs he fell backwards, in an attempt to break his fall he extended his right hand. Mr. Giliotti states that he immediately felt pain in his right wrist.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of Joseph Roberts, Application for Service-Connected Disability Benefits Plan “A”

This is an application submitted by Joseph Roberts, former firefighter, for Service-Connected Disability benefits under Pension Plan “A”.

According to Mr. Roberts, on December 2, 2011 he was performing some cleaning duties at the firehouse when he fell off the chair he was standing on. Mr. Roberts states that he struck his back on the chair causing injury to the lower region of his back.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

The motion to deny carried 3-0-3.

Case of Frank L. Bonilla, Application for Service-Connected Disability Benefits – Plan “B”

This is an application submitted by Frank Bonilla, former police officer for Service-Connected Disability benefits under Pension Plan “B”.

According to Mr. Bonilla on March 9, 2011 while in pursuit of a fleeing defendant, who had assaulted a female officer, he twisted his ankle. He reports that he rolled over both the left and right side of his left ankle.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of Marcos Carrasquillo, Application for Service-Connected Disability Benefits – Plan “B”

This is an application submitted by Marcos Carrasquillo, former police officer for Service-Connected Disability benefits under Pension Plan “B”.

According to Mr. Carrasquillo on August 17, 2010 he was involved in a motor vehicle accident. He states that he sustained several injuries, all of which have healed over time with the exception of the right side of his leg.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

The motion to deny carried 3-0-3.

Case of Matthew Matt, Application for Service-Connected Disability Benefits – Plan “B”

This is an application submitted by Matthew Matt, former police officer, for Service-Connected Disability benefits under Pension Plan “B”.

According to Mr. Matt on June 17, 2011 while involved in an altercation he sustained a broken nose along with injuries to his elbow and index finger.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of Wendell Hilliard, Application for Service-Connected Disability Benefits – Plan “D”

This is an application submitted by Wendell Hilliard, former police officer for Service-Connected Disability benefits under Pension Plan “D”.

According to Mr. Hilliard on June 12, 2012, he was involved in a motor vehicle accident when his patrol car was struck on the right side. Mr. Hilliard’s principal areas of complaint involve injuries to his neck, hip, lower back, shoulders, hand, wrist and elbow.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of William M. Daley, Application for Service-Connected Disability Benefits – Plan “J”

This is an application submitted by William M. Daley, former Public Property plumber for service-connected disability benefits under Pension Plan “J”.

According to Mr. Daley on, May 15, 2013 he was lifting an acetylene tank from its cradle when he felt a “pop” in his right arm and sharp pain in his right elbow.

Veronica Pankey made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of Jesse Jewell, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Jesse Jewell, former senior crew chief with the Mayor’s Office of Community Service for service-connected disability benefits under Pension Plan “Y”.

According to Mr. Jewell on June 30, 2007 he was working in the subway concourse beneath City Hall removing graffiti when he slipped and fell injuring his knee and ankle. Mr. Jewell further states that he was taken to Temple Hospital and admitted; surgery was performed on July 2, 2007.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 6-0.

Case of Nadiyah Vance, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Nadiyah Vance, former correctional officer for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Vance from 2007 through 2013 she was repeatedly harassed by other correctional officers and constantly threatened by inmates. Ms. Vance states that her requests for hardships and transfers were never approved causing stress. On June 24, 2011 and December 7, 2012, Ms. Vance was required to seek medical attention for injuries sustained through altercations with inmates.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

The motion to deny carried 3-0-3.

OLD BUSINESS

Case of Sara Payne, Application for Service-Connected Disability Benefits Plan “J”

This case was **tabled** at the February 26, 2015 Board meeting at the request of Trustee Carol Stukes-Baylor for further clarification of Dr. Guagliardo’s determination. A revised report from Dr. Guagliardo is attached.

This is an application submitted by Sara Payne, former Equipment Operator, Streets Department, for Service-Connected Disability benefits under Pension Plan “J”.

According to Ms. Payne on March 1, 2011 she was getting out of a broken chair and twisted her knee. She reports that she was not able to stand.

Ronald Stagliano made a motion to table for clarification of Dr. Knox’s report. Brian Albert seconded the motion.

The motion to table for clarification of Dr. Knox’s report carried unanimously 6-0.

Case of Michael F. Roeshman, Request to change his DROP entry date– Plan “X”

This case was denied at the board meeting held on August 28, 2014. A hearing panel was held on February 18, 2015.

The hearing panel votes are as follows:

Paula Weiss, Esq.: Recommend denial - Entry into DROP is irrevocable

Veronica M. Pankey: Recommend denial - Changing of DROP date

Brian Albert: Recommend denial - Neither the Mayor nor any other City employee misled Mr. Roeshman. It was clear at the press conference that Mr. Roeshman attended on August 3, 2010 that the Mayor announced he planned to send legislation to City Council to end DROP. The mayor did say “ I believe DROP must be abolished. It was created by legislation and it must be ended by legislation, which I will submit to City Council as soon as possible. It is time to drop DROP.” There is no credible evidence that the Mayor or any other City employee told Mr. Roeshman that August 3, 2010 was the last day to avail himself of DROP.

Case Summary:

This is a request by Michael F. Roeshman, former Deputy Fire Chief, to change his DROP entry date under Pension Plan "X".

According to Mr. Roeshman, on September 6, 2010 he entered DROP prompted by the Mayor wishing to end DROP. Mr. Roeshman states that his decision was made in haste and he **does not** wish to retire in September 2014.

Mr. Roeshman is petitioning the Board to change his DROP retirement date to January 2017. He intends to pay any pension contributions due. Mr. Roeshman has acquired over forty (40) years of credited service and is currently sixty-six (66) years of age. It should be noted that Mr. Roeshman submitted several applications for DROP prior to his September 6, 2010 entry.

The Board reviewed copies of all the supporting documentation Mr. Roeshman provided.

Mr. Rubin stated that Mr. Roeshman said in his testimony that there were other people who were let out of DROP. Because of this accusation, he wants to make sure the record is clear that the Board did not do something different for anyone else.

After some discussion, it was found that there was only one person who was let out of DROP due to a medical condition which impaired the thought process. The Board found the person was not of sound mind.

Ms. Weiss stated that after Mr. Roeshman's hearing panel, the record was left open for him to provide names of anyone who was let out of DROP and he did not do that.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

The motion to deny carried 5-0-1.

Case of Roi C. Greene, Application to Purchase Pension Credit for Prior Employment with Amtrak – Plan Y

This case was **tabled** at the March 26, 2015 Board meeting pending litigation in the Supreme Court that may affect the legal analysis of the case.

The history of the case is as follows:

Mr. Greene's application to purchase pension credit for his prior employment with Amtrak was received on 6/17/14. On 10/8/14, an Amtrak representative identified Amtrak as a private employer.

On 2/3/15, the Law Department confirmed that employment with Amtrak is not eligible for purchase.

Ms. Weiss stated that this case was tabled to determine whether Amtrak is an eligible employer. There is a memo from the Law Department that states that based on a recent court decision Amtrak would be an acceptable governmental entity assuming that Mr. Greene meets all other qualifications.

Mr. Bielli stated that Mr. Greene's application date for the purchase would be honored.

William Rubin made a motion to approve the purchase of pension credit but to pay any penalties there may be. Veronica Pankey seconded the motion.

The motion to approve the purchase of pension credit for prior employment with Amtrak carried unanimously 6-0.

NEW BUSINESS

Executive Director's Report – Mr. Bielli updated the Board on the following subjects.

- The Council Budget hearing for the Board of Pensions is May 12, 2015 at 10:00-11:30 AM.
- The Medical subcommittee met and will be submitting a report for the May Board meeting with their recommendations in response to the RFP for the medical panel. Responses were received from Dr. Knox, Dr. Weinerman, and Managed Medical Review Organization (MMRo).
- The PAF was done and will show up in the April pension checks, except for the QDRO's which require additional work and will be done on a rolling basis. They should be completed in the next few months.

Ms. Stukes-Baylor joined the meeting.

Business and Education Travel Report – Ms. Pankey stated that she was asked to present at the Annual MAPS Conference in Baltimore, Maryland and requested the Board’s approval. She will provide a disclosure to the Board after the conference.

William Rubin made a motion to approve any trustee that would like to attend the MAPS Conference from June 3-June 5, 2015. Ronald Stagliano seconded the motion.

The motion to approve Veronica Pankey and any trustee that would like to attend the MAPS Conference from June 3-5, 2015 in Baltimore, MD carried unanimously 7-0.

FYI

Litigation Summary – Ms. Rosenberger-Altman stated that the Commonwealth Court granted Mr. Wiggins appeal (pension disqualification) and vacated the Common Pleas order. The case was remanded back to the Board of Pensions for further proceedings.

AN EXECUTIVE SESSION WAS HELD