

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of June 2, 2016**

MINUTES

On June 2, 2016, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:07 a.m. in the Board's Conference Room.

Present:

- Paula Weiss
- William Rubin
- Brian Abernathy
- Brian Albert
- Carol Stukes-Baylor
- Ronald Stagliano
- Brian Coughlin
- Veronica Pankey
- David Magaldi

Also Attending:

- Francis Bielli - Board of Pensions
- Ellen Berkowitz – Law Department
- Jo Rosenberger Altman – Law Department
- Brendan O'Rourke – Law Department
- Adam Coleman – Law Department
- Christopher DiFusco – Investment Unit
- Bernard Buckley – Investment Unit
- Tyrone Gordon – Investment Unit
- Kristyn Bair, Aubrey Hassan – Investment Unit
- Mark Johson – Cliffwater
- Hazel Durand – Nationwide
- Kweku Obed – Marquette
- Dave Smith – Marquette
- Will Greene – Loop Capital

Ms. Weiss called the meeting to order and stated that the first order of business was the consideration of the Minutes of April 28, 2016.

Ronald Stagliano made a motion to approve the Minutes of April 28, 2016. Brian Albert seconded the motion.

The motion to approve carried unanimously 8-0.

CONSIDERATION OF 171 PENSION APPLICATIONS AND 67 WITHDRAWAL APPLICATIONS

Ronald Stagliano made a motion to approve. William Rubin seconded the motion.

The motion to approve carried unanimously 8-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Willisa Corbin, Application for Service-Connected Disability Benefits – Plan “B”

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

According to Ms. Corbin, on August 21, 2009 while responding to a radio call a truck struck the patrol car and she experienced pain in her lower back, neck, and shoulder. Ms. Corbin states that she returned to limited duty on September 1, 2009 when she fell from the stool she was sitting on severely aggravating her lower back and left leg; tingling and numbness were the described sensations, the fall required surgery for relief.

Ms. Pankey stated this woman had a problem at an early age for which she was treated and there is nothing to indicate a problem on her application for police officer. She has concerns that the degenerative comment was the only thing that isolated her and is questioning the use of the word “degenerative” that the doctors are using to deny applicants because we are all degenerative at some point. Ms. Corbin clearly had this issue before she was hired and it wasn’t an issue for being accepted into the police academy.

Brian Abernathy made a motion to deny. David Magaldi seconded the motion.

The motion to deny carried 4-1-3.

Case of Luke E. Jurkiewicz, Application for Service-Connected Disability Benefits – Plan “B”

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

According to Mr. Jurkiewicz, on February 4, 2012 while assisting other officers with a hostile and combative prisoner out of the rear of a police wagon, the prisoner escaped and began to run away. Mr. Jurkiewicz states that during the chase and struggle he suffered an injury.

Ronald Stagliano made a motion to approve. Carol Stukes-Baylor seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Antoinette A. Taylor, Application for Service-Connected Disability Benefits Plan “B”

This is an administrative application submitted for and by Antoinette A. Taylor, former police officer, for Service-Connected Disability benefits under Pension Plan “B”.

According to Ms. Taylor, on or about November 9, 2000 the onset of various medical issues began. No descriptive information provided regarding a specific injury or incident.

Brian Abernathy made a motion to deny. David Magaldi seconded the motion.

The motion to deny carried 4-0-4.

Case of Victor G. Cross, Application for Service-Connected Disability Benefits – Plan “D”

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

According to Mr. Cross, on February 13, 2012 while conducting a tracking exercise on a set of stairs with his K9 partner; his K9 partner pulled him causing him to lose his footing on the stairs. Mr. Cross states that during the accident he suffered a knee injury.

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

The motion to approve carried unanimously 8-0.

Case of Stephen F. Gwiazdowski, Application for Service-Connected Disability Benefits – Plan “D”

This is an **administrative** application submitted for Stephen Gwiazdowski, former police sergeant for Service-Connected Disability benefits under Pension Plan “D”.

On June 13, 1994, Mr. Gwiazdowski, was in the Longshore Pub when a fight broke out. During his attempt to break up the fight, Mr. Gwiazdowski was struck in the face with a bottle.

Mr. Gwiazdowski separated on September 20, 1995 and applied for both Ordinary and Service-Connected Disability benefits September 29, 1995. The application for Ordinary Disability benefits was approved citing the June 13, 1994 right eye injury. The determination cites the June 13, 1994 right eye injury as medical disability but did not address if the incurred injury was solely related to performance of applicant’s duties.

A system-wide review of pension benefits uncovered that Mr. Gwiazdowski was concurrently receiving an Ordinary Disability pension and monthly benefits from Workers’ Compensation, resulting in an overpayment. Effective December 9, 2011 his Ordinary Disability pension was **administratively** terminated. Mr. Gwiazdowski’s completed application for Service-Connected Disability benefits remained unprocessed during discussions with his counsel until the Board was recently contacted by counsel for Mr. Gwiazdowski and to process the application.

Brian Abernathy made a motion to deny. David Magaldi seconded the motion.

The motion to deny carried 4-0-4.

Case of Richard L. Persico, Application for Service-Connected Disability Benefits – Plan “J”

This is an application submitted by Richard Persico, former network support specialist with the Police IT Department for Service-Connected Disability benefits under Pension Plan “J”.

According to Mr. Persico, on October 10, 2011 a computer tower fell off a tractor trailer four and a half or five feet from the ground striking his right great toe. Mr. Persico states that the impact crushed his toe in over forty (40) pieces.

Brian Abernathy made a motion to deny. David Magaldi seconded the motion.

The motion to deny carried 5-0-3.

Case of Eddie H. Smith, Application for Service-Connected Disability Benefits – Plan “J”

This is an **administrative** application submitted for Eddie Smith, former industrial electrician with the Water Department for Service-Connected Disability benefits under Pension Plan “J”.

According to Mr. Smith, on February 28, 1998 while lifting an I-beam to support a scaffold he suffered an injury to his back.

Carol Stukes-Baylor made a motion to approve. Brian Coughlin seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Thomas M. Stanton, Application for Service-Connected Disability Benefits – Plan “X”

This is an application submitted by Thomas Stanton, former firefighter for Service-Connected Disability benefits under Pension Plan “X”.

According to Mr. Stanton, on March 17, 2014 while moving equipment on the fire engine he injured his right shoulder. Mr. Stanton states that on April 17, 2014 while doing physical therapy for his right shoulder he injured his left shoulder.

Carol Stukes-Baylor made a motion to approve. Brian Coughlin seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Rosalie M. Rolon-Jones, Application for Service-Connected Disability Benefits Plan “Y”

This is an application submitted by Rosalie M. Rolon-Jones, former fingerprint identification specialist with the Police Department, for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Rolon-Jones, on or about April 2014 through frequent trips to the morgue, viewing bodies in various states of decay and abuse began to affect her blood pressure and contribute to sleep disorders, migraines, depression, anxiety, and other conditions. Ms. Rolon-Jones states that working in small confined spaces with various parolees was also a contributing factor.

Brian Abernathy made a motion to deny. David Magaldi seconded the motion.

The motion to deny carried 4-0-4.

Case of William H. Shulke, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by William Shulke, former electrical trades helper with the Water Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Shulke, on December 10, 2013 while carrying a bag of rock salt on his shoulder he slipped and fell causing injury.

Carol Stukes-Baylor made a motion to approve. Brian Coughlin seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Ronald C. Wooden, Application for Service-Connected Disability Benefits Plan “J”

This is an application submitted by Ronald C. Wooden, former security coordinator with the Philadelphia Parking Authority, for Service-Connected Disability benefits under Pension Plan “J”.

According to Mr. Wooden, on April 12, 2014 while dropping off the auction money at the deposit box he was approached by a masked man with a gun.

Ms. Weiss stated that the Board is looking for evidence for an underlying incidence since an injury report was not received from the Parking Authority. Mr. Wooden will have the opportunity to present that evidence at a hearing panel.

Brian Abernathy made a motion to send to a hearing panel. Carol Stukes-Baylor seconded the motion.

The motion to send to a hearing panel carried unanimously 8-0.

Case of Stacey Hurst, Application for Service-Connected Disability Benefits – Plan “B”

This case was tabled at the Board meeting held April 28, 2016. The Board requested clarification of the applicant’s injury dates and disbursement of Workers’ Compensation.

Ms. Hurst received a monthly Workers’ Compensation benefit for a prior injury sustained December 21, 1994. She **did not** receive Workers’ Compensation benefits for the injury sustained November 15, 2013.

Case History:

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

According to Ms. Hurst, on November 15, 2013 while walking at a quick pace from Traffic Court to her vehicle to retrieve documents she tripped over a cinderblock. Ms. Hurst states that her foot and ankles were affected.

Ms. Weiss stated since there was no injury report the issue of documenting the injury may be done at a hearing panel.

David Magaldi made a motion to send to a hearing panel. Brian Abernathy seconded the motion.

The motion to send to a hearing panel carried unanimously 8-0.

NEW BUSINESS

• **Executive Director’s Report**

Mr. Bielli stated that the Board Election will be in the Fall. True Ballot, who was the only respondent to the RFP is coordinating with staff to get exact dates for Board members who are planning to run again. Information will be provided in the next several weeks regarding the timeline.

The Investment staff is now in place. Mr. Bielli introduced Tyrone Jordan, Senior Investment Officer, Bernard Buckley, Deputy Chief Investment Officer and Michael Donatucci, Chief Investment Officer. Mr. DiFusco is now functioning as Chief Compliance Officer.

- **Business & Education Travel Request**

Ms. Pankey requested to attend the 11th Annual Economic Atlantic Connection conference in Miami, Florida from July 13-15, 2016.

Ronald Stagliano made a motion to approve any trustee who would like to attend. Veronica Pankey seconded the motion.

The motion to approve carried 5-2-1.

FYI

- a. **Litigation Summary** – Ms. Berkowitz stated the motion to dismiss Dailey vs. City of Philadelphia has been filed in federal court and there is now a scheduling order for a statutory appeal. Tepper appealed to Commonwealth Court and the Court upheld the Board's decisions in the Riley and Washington cases.

Ronald Stagliano made a motion to adjourn. Pedro Rodriguez seconded the motion. The meeting adjourned at 9:22 AM.