

**CITY OF PHILADELPHIA  
BOARD OF PENSIONS AND RETIREMENT  
Meeting of September 17, 2015**

**MINUTES**

On September 17, 2015, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:12 a.m. in the Board's Conference Room.

Present: Paula Weiss  
Brian Albert  
Patricia Fitzgerald  
Ronald Stagliano  
Brian Coughlin  
Veronica Pankey  
James Leonard

Also Attending: Francis Bielli - Board of Pensions  
Mark Murphy – One Philly Project  
Shamika Taliaferro – Board of Pensions  
Jo Rosenberger Altman – Law Department  
Ellen Berkowitz – Law Department  
Brad Woolworth – Investment Unit  
Christopher DiFusco – Investment Unit  
Kristyn Bair, Aubrey Hassan – Investment Unit  
Dan Falkowski - Investment Unit  
Mark Johnson, Steve Nesbitt – Cliffwater  
Will Green – Loop Capital

Ms. Weiss stated that the first order of business was the consideration of the Minutes of August 27, 2015.

Brian Albert made a motion to approve the Minutes of August 27, 2015. Ronald Stagliano seconded the motion.

**The motion to approve carried unanimously 6-0.**

**CONSIDERATION OF (174) PENSION APPLICATIONS AND (145) 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 Johnnie Alexander, Application for Service-Connected Disability Benefits – Plan “A”**

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

According to Mr. Alexander, on April 15, 2012 while fighting a house fire a ceiling beam fell, knocking him backward and striking his right knee.

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

**The motion to approve carried unanimously 6-0.**

**Case of Gregory J. Fair, Application for Service-Connected Disability Benefits – Plan “A”**

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

According to Mr. Fair on or about February 28, 2013, while working in his capacity as EMT, he was assisting a co-worker to lift a heavy patient when he felt pain in his lower back and down his right leg.

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

**The motion to approve carried unanimously 6-0.**

**Case of John T. Mulholland, Application for Service-Connected Disability Benefits – Plan “B”**

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

According to Mr. Mulholland, on May 11, 2010, he was a passenger in a patrol car that was involved in a vehicular accident. Mr. Mulholland states that the direct impact was to the rear of the vehicle causing injury to his knees, chest pain, and spinal injury.

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

**The motion to deny carried 3-1-2.**

**Case of Cheryl A. Newton, Application for Service-Connected Disability Benefits – Plan “B”**

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

According to Ms. Newton, on July 30, 2011 while attempting to place handcuffs on a female suffering mental distress, she was kicked several times in the face, shoulder, and chest. These kicks resulted in a dislocated shoulder and tear.

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

**The motion to approve carried unanimously 6-0.**

**Case of Daniel Shall, Application for Service-Connected Disability Benefits – Plan “B”**

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

According to Mr. Shall, he sustained several injuries throughout his career notably: July 30, 2007-on duty DUI accident; October 21, 2010- arm caught inside vehicle of fleeing suspect, left leg and foot run over slamming Mr. Shall to the street on left side; January 18, 2012-shoulder dislocated while attempting to keep male operator from exiting the vehicle.

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

**The motion to approve carried unanimously 6-0.**

**Case of Anthony W. Gilbert, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application submitted by Anthony Gilbert, former custodial worker with the Department of Commerce, for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Gilbert on July 10, 2012 while covering nine (9) bathrooms he fell on the stairs at Terminal A West.

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

**The motion to deny carried 3-0-3.**

**Case of Deborah Dailey – Pension Disqualification, Plan “J”**

Deborah Dailey was first hired by the First Judicial District (“FJD”) on December 17, 1979. She separated as Deputy Courts Administrator on May 14, 2014, as a result of charges that she had used FJD resources for her own benefit. She is a member of Plan J and applied for Optional Early Retirement, receiving a benefit of \$6500 monthly.

Inspector General Amy Kurland requested that the Board consider disqualifying Ms. Dailey from receiving a pension as a result of her plea in the Court of Common Pleas to theft of movable property. The criminal information reflects that Ms. Dailey purchased approximately \$70,000.00 in gift cards from Staples and Best Buy for her own use, charging their purchase to the FJD.

On September 2, 2014, Ellen Berkowitz, Deputy City Solicitor, opined that Ms. Dailey’s crime trigger the disqualification provision of the Philadelphia Code and that she is disqualified from pension eligibility.

Ms. Berkowitz advises the Board must vote on the following:

- Whether Ms. Dailey should be permanently disqualified and terminated from pension eligibility.

Brian Albert made a motion to suspend current benefits and disqualify from pension eligibility. Ronald Stagliano seconded the motion.

**The motion to suspend current benefits and disqualify Deborah Dailey from pension eligibility carried unanimously 6-0.**

**APPLICATION FOR SERVICE CONNECTED DEATH BENEFITS**

**Case of Walter J. DeWitt III, Application for Service Connected Death Benefits-Plan “D”**

This case was **tabled** for 30 days at the August 27, 2015 Board meeting at the request of Board Vice-Chair Ronald Stagliano. This is an application by Denise DeWitt, widow of Walter J. DeWitt III, deceased, for Service Connected Death benefits in Plan “D”.

The history of the case is as follows:

Walter J. DeWitt III entered the Police Academy effective February 16, 1982. At the time of his death, he had 33 years, 3 months, and 18 days City service.

Officer DeWitt injured his right shoulder in the performance of his duties on October 27, 2014. He had conservative management of medication and physical therapy which did not return him to full functioning. Two days following his surgery on May 25, 2015, Officer DeWitt suffered complications and died of organ failure.

Officer DeWitt is survived by his widow, Denise DeWitt, and his minor son, Walter J. DeWitt, IV.

It is Dr. Howarth's opinion that Officer DeWitt's death was service related. A copy of her report dated July 15, 2015 was attached.

Ronald Stagliano made a motion to table for 30 days. Brian Coughlin seconded the motion.

**The motion to table for 30 days carried unanimously 6-0.**

#### **NEW BUSINESS**

- Executive Director's Report – Mr. Bielli stated that there are notices posted on the Board of Pension's website due to the papal visit: 1) The early payroll date for the mailing and direct deposit of pension checks is September 22, 2015 and 2) The next regular pension check will be October 30, 2015. Notice that the office is closed September 24, 25 and 28 is also on the website and voicemail. Transactions from ICMA will not be available on those dates.
- Mark Murphy will no longer be with the One Philly Project as he is relocating to Missouri for another opportunity. There are two possible replacements who will be working with the One Philly Project and are very familiar with the pension system.

Mr. Murphy thanked the Board for the opportunity to work at the Board of Pensions and with a great group of trustees.

Mr. Albert and the Board thanked Mr. Murphy for all of his assistance and service.

Mr. Bielli stated that Ms. Pankey requested to attend an educational conference in Key West, Florida in January, 2016 and that a motion would be needed.

**Education and Travel Request**

Veronica Pankey made a motion to approve travel for any trustee that wished to attend the KORIED Plan Sponsor Educational Institute conference in Key West, Florida from January 19–22, 2016. Ronald Stagliano seconded the motion.

**The motion for Veronica Pankey and any trustee who wishes to attend the KORIED Plan Sponsor Educational Institute conference in Key West, Florida from January 19-22, 2015 carried unanimously 6-0.**

**FYI**

- a. **Litigation Summary** – Ms. Berkowitz stated there are four cases currently in Common Pleas Court and nothing else to report.

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

**The meeting adjourned at 9:20 AM.**