

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of October 25, 2012**

MINUTES

On October 25, 2012, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:04 a.m. in the Board's Conference Room.

Present: Paula Weiss
Harvey Rice
Brian Albert
Celia O'Leary
Anne Kelly King
Ronald Stagliano
John Reilly
Veronica Pankey
Hilary Cornell

Also Attending: Francis Bielli – Board of Pensions
Mark Murphy – Board of Pensions
James Leonard – Law Department
Christopher DiFusco - Law Department
Katherine Mastrobuoni – Law Department
Sumit Handa – Investment Unit
Brad Woolworth – Investment Unit
Andrew Thomas – Fire Department

Paula Weiss stated that the first order of business was the consideration of the Minutes of September 25, 2012.

Brian Albert made a motion to approve the Minutes of September 25, 2012. Ronald Stagliano seconded the motion.

The motion to approve the Minutes of September 25, 2012 carried unanimously 7-0.

CONSIDERATION OF (105) PENSION APPLICATIONS AND (68) WITHDRAWAL APPLICATIONS

Ronald Stagliano made a motion to approve. John Reilly seconded the motion.

The motion to approve carried unanimously 7-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Francis McAnulty, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Francis McAnulty, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Mr. McAnulty sustained injuries while on duty and responding to a burglary call. He fell off a ladder through the window of the building. His date of injury is August 9, 2010.

Ronald Stagliano made a motion to approve. John Reilly seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Michael Munroe, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Michael Munroe, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Mr. Munroe sustained injuries to his shoulder and finger while attempting to make an arrest and he was assaulted by the offender. His date of injury is July 9, 2009.

Veronica Pankey made a motion to approve. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Lauren Oswald, Application for Service-Connected Disability Benefits –Plan “B”

This is an application by Lauren Oswald, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Ms. Oswald sustained the injury while driving her patrol car on a snowy road, when another vehicle suddenly approached her on the passenger side and caused her to crash into a wall. She suffered injuries to her back, leg, foot and hand. Her date of injury is February 3, 2009.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Anthony Sautner, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Anthony Sautner, former Police Sergeant, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Mr. Sautner sustained the injury while responding to a burglary call, he was running through an alley when he tripped over a large object and injured his ankle and shoulder. His date of injury is May 16, 2009.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Jacqueline Slaughter, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Jacqueline Slaughter, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Ms. Slaughter sustained injuries to her hands, shoulder, knee, back and legs when she was reporting to roll call and fell into an unsecure manhole while she was delivering paperwork to Civil Affairs Headquarters. Her date of injury is December 8, 2009.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Norma Vazquez, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Norma Vazquez, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

Ms. Vazquez sustained the injury while on duty when she fell as she was descending a flight of stairs. The nature of Ms. Vazquez’ disability is limited mobility due to sprain/strain of the right ankle. Her date of injury is January 2, 2008.

Hilary Cornell made a motion to deny. Celia O’Leary seconded the motion.

The motion to deny carried 4-0-3.

Case of Edward Holz knecht, Application for Service-Connected Disability Benefits – Plan “J”

This is an application by Edward Holz knecht, former Heavy Equipment Operator, Streets Department, for Service-Connected Disability Benefits in Plan “J”.

Mr. Holz knecht sustained the injury while driving from the dump site in his work truck; he ran over a pot hole in the street and hit his head on the roof of the truck. The nature of Mr. Holz knecht’s disability is limited mobility due to sprains and strains of the lumbar region and neck. His date of injury is May 13, 2010.

Ronald Stagliano made a motion to approve. John Reilly seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Rickie Howard, Application for Service-Connected Disability Benefits – Plan “J”

This is an application by Rickie Howard, former Laborer, Streets Department, for Service-Connected Disability Benefits in Plan “J”.

Mr. Howard sustained the injury lifting items over the span of his employment with the Streets Department. The nature of Mr. Howard’s disability is limited mobility due to lower back injury. His date of injury is November 26, 2007.

Brian Albert made a motion to deny. Hilary Cornell seconded the motion.

The motion to deny carried 4-0-3.

Case of Kevin Sawyer, Application for Service-Connected Disability Benefits – Plan “J”

This is an application by Kevin Sawyer, former Laborer, Streets Department, for Service-Connected Disability Benefits in Plan “J”.

Mr. Sawyer sustained the injury picking up some trash while on duty and hurting his back. His date of injury is August 8, 2011.

Veronica Pankey made a motion to deny. Ronald Stagliano seconded the motion.

The motion to deny carried unanimously 7-0.

Case of Anthony Albanese, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application by Anthony Albanese, former Correctional Officer, Prison Department, for Service-Connected Disability Benefits in Plan “Y”.

Mr. Albanese sustained the injury while he was responding to an emergency call in the prison, he twisted his right ankle. His date of injury is June 13, 2011.

Ronald Stagliano made a motion to approve. John Reilly seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Derek Dancy, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application by Derek Dancy, former Brick Mason, Water Department, for Service-Connected Disability Benefits in Plan “Y”.

Mr. Dancy sustained the injury when he was a passenger in his work vehicle and it was hit from behind causing him to be ejected from the vehicle. The nature of Mr. Dancy’s disability is limited mobility due to injuries to his hip, pelvis, shoulders and back. His date of injury is December 2, 2010.

Veronica Pankey made a motion to approve. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Keith Newton, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application by Keith Newton, former Forensic Technician, Health Department, for Service-Connected Disability Benefits in Plan “Y”.

Mr. Newton sustained the injury while removing a deceased body from the Medical Examiner’s van, the stretcher fell into a hole and he strained his shoulders and neck. In another incident where he was lifting a body from the ground, he strained his shoulders, neck, and back. His dates of injury are February 21, 2010 and June 18, 2011.

Veronica Pankey made a motion to approve. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 7-0.

OLD BUSINESS

Case of Phyllis Hines-Jones, Application for Service-Connected Disability Benefits – Plan “Y”

This case was **denied** at the April 26, 2012 Board Meeting. A Hearing Panel was held on September 26, 2012.

The Hearing Panel votes are as follows:

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| Mr. Brian Albert: | Recommend denial.
Employee’s testimony revealed that she is not disabled and would still be working had she not been terminated. Medical issues seem to be related to degenerative changes. |
| Mr. James Leonard: | Recommend denial.
Insufficient medical evidence to support finding of “due solely”. |
| Mr. Ronald Stagliano: | Recommend denial. |

The history of the case is as follows:

This is an application by Phyllis Hines-Jones, former Correction Officer, Prisons Department, for Service-Connected Disability Benefits in Plan “Y”.

Ms. Jones sustained the injury while working when she slipped on a wet floor. The nature of Ms. Jones’ disability is limited mobility due to knee injury. Her date of injury is February 1, 2009.

Brian Albert made a motion to deny. Celia O’Leary seconded the motion.

The motion to deny carried unanimously 7-0.

NEW BUSINESS

Executive Director’s Report – Mr. Bielli stated that the results of the recent Board Trustee Election were as follows: Ronald Stagliano-3,498, Carol Stukes-2,947, Andrew Thomas - 2,567, and Veronica Pankey- 2,364. Mr. Thomas will become a trustee and replace John Reilly next month. Mr. Bielli congratulated each of them and thanked them for their service. They will all be sworn in together at the next Board meeting November 29, 2012.

- a. Business and Education Travel Authorization - Mr. DiFusco submitted an Education and Travel request to attend a seminar in Washington, DC on February 5, 2013.

Veronica Pankey made a motion to approve the travel authorization for Christopher DiFusco. Harvey Rice seconded the motion.

The motion to approve the Education and Travel authorization for Christopher DiFusco to attend the “Evolving Fiduciary Obligations of Pension Plans, 2013” carried unanimously 7-0.

- b. Doctor for Medical Panel (Richard I. Katz, M.D.) -Ms. Reilly stated that the Medical Panel Subcommittee convened and recommended hiring Dr. Richard I. Katz as a specialist in the area of neurology for the Medical Panel. Dr. Cohen was the only other doctor in neurology and the medical panel was looking for additional doctors in case of a conflict of interest. He has already conducted one IME at a reduced fee so he could get a feel for how the Board of Pensions does business. Ms. Riley negotiated the fees with him and they are now competitive with the field fees. The subcommittee believes he will be an asset to the Medical Panel.

Mr. Bielli added that Dr. Katz also does do IME’s time to time for Risk Management and they will be cognizant of that fact.

Harvey Rice made a motion to approve. Brian Albert seconded the motion.

The motion to approve Richard I. Katz, M.D. for the Medical Panel carried unanimously 7-0.

Ms. Pankey stated that in August the Board made an action regarding Dr. McCoy and asked whether they received an update from Shelley Smith from the Law Department.

Mr. Bielli stated that he has not received any information yet and will get an update. He also stated that Dr. Weinerman who had responded to the RFP cleared up his issues with the Department of Revenue and is now in compliance. As of last week, he is now a co-chair on the Medical Panel along with Dr. Knox.

- c. Auditor RFP Selection - Ms. Weiss stated that the subcommittee met to review the three finalists for the auditor. Mr. Oswalt from Accounting, Mr. Stagliano, Mr. Albert, Mr. Beilli and Ms. Weiss were on the subcommittee. They felt all three companies were experienced with solid credentials. Clifton Gunderson has been the auditor for the last four years and has worked well with staff. The subcommittee questioned if there was a point in time that they will need a turnover, even if they’re satisfied, in order to have a fresh set of eyes. After discussing this, Ms. Weiss was assured that four years is not a

length of time that they need to consider changing auditors and the subcommittee recommends that the contract for auditor should be offered to Clifton Larson Allen.

Ms. Pankey asked if there was a policy on how long a company can keep an auditor.

Mr. Bielli said there isn't a policy but he did look at the Board's past history and found there was a 10 year period and an 8 year period for specific auditors. He stated that this auditor has been good in assisting us in creating new checks and balances and they are proactive in that respect. They have done a thorough job, have been helpful and he believed another four years was warranted.

There was some discussion if a four year period was the policy. Ms. Weiss stated that the contract is for one year with three one-year options so the Board can revisit the issue if they find they are going against a policy.

Harvey Rice made a motion to approve. Ronald Stagliano seconded the motion.

The motion to approve carried unanimously 7-0.

Litigation Summary – Mr. DiFusco stated that the only change this month is that the brief in the Hummel case (purchase of service) was filed in Commonwealth Court and they are waiting for oral argument.

Brian Albert made a motion to adjourn. John Reilly seconded the motion.

The motion passed unanimously 7-0 and the meeting adjourned at 9:23 a.m.