

**CITY OF PHILADELPHIA  
BOARD OF PENSIONS AND RETIREMENT  
Meeting of September 30, 2014**

**MINUTES**

On September 30, 2014, 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  
William Rubin  
Brian Albert  
Patricia Fitzgerald  
Carol Stukes-Baylor  
Ronald Stagliano  
Andrew Thomas  
Veronica Pankey  
James Leonard

Also Attending: Francis Bielli - Board of Pensions  
Shamika Taliaferro – Board of Pensions  
Mark Murphy - Board of Pensions  
Sumit Handa, Christopher DiFusco, Brad Woolworth - Investment Unit  
Jo Rosenberger Altman, Ellen Berkowitz, Katherine Janoski – Law Dept.  
Mark Johnson – Cliffwater  
Pam McCue – Financial Investment News  
Charles Jones – Sinking Fund  
Will Greene – Loop Capital Markets

Ms. Weiss stated that the first order of business was the consideration of the Minutes of August 28, 2014

Ronald Stagliano made a motion to approve the Minutes of August 28, 2014. James Leonard seconded the motion.

**The motion to approve carried unanimously 7-0.**

**CONSIDERATION OF (128) PENSION APPLICATIONS AND (60) WITHDRAWAL APPLICATIONS**

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

**The motion to approve carried unanimously 7-0.**

## **APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS**

### **Case of Maria E. Vazquez, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application submitted by Maria Vazquez, former Clerk Typist, for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Vazquez she was assigned mailroom tasks beyond her normal typing assignments which irritated her condition. This incident and ensuing injury occurred January 11, 2011.

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

**The motion to deny carried 6-0-1.**

### **Case of Valerie Godwin, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application submitted by Valerie Godwin, former Correctional Officer for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Godwin she sustained injuries to the right side of her face, namely her eye, on December 13, 2012 while working as a Correctional Officer. Ms. Godwin states that as she was coming onto the unit an inmate punched her in the face (right eye) with a closed fist.

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

**The motion to approve carried unanimously 7-0.**

### **Case of Daniel J. Walker, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application submitted by Daniel Walker, former distribution repairman for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Walker he sustained injuries to his foot, back, and knees on November 19, 2011 while working as a Water Distribution Repairman. Mr. Walker states that a truck struck and upended a 36” manhole cover weighing about 700lbs., causing it to land on his right foot.

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

**The motion to approve carried unanimously 7-0.**

## **APPLICATION FOR SURVIVORSHIP BENEFITS AS COMMON LAW SPOUSE**

### **Case of Lewis Carter, Deceased, Application for Survivorship Benefits – Common Law – Plan “J”**

This is an application by Wilnette Carter, as common-law spouse of Lewis Carter, for survivorship benefits in Plan “J”.

Lewis Carter, former Water Distribution Repairman for the Water Department, died on February 20, 2014. Submitted is a copy of his death certificate.

Lewis Carter retired effective June 22, 1988. At the time of his retirement, Mr. Carter elected Survivorship Option #4. He named Wilnette Carter as beneficiary of his life insurance.

In a letter received April 28, 2014, attorney Theodor Kaplun requests that the Board reverse the denial of survivor benefits to Mrs. Carter, stating they were short a mere 54 days of the 2 years requirement. In an affidavit, Mrs. Carter states Mr. Carter and she began living together in 1982.

Mrs. Carter submitted various documents for the Board’s review.

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

**The motion to deny carried 4-1-2.**

Ms. Pankey joined the meeting at this time.

## **REQUEST TO WAIVE ACCRUED INTEREST ON PURCHASE OF PENSION CREDIT FOR PRIOR MILITARY SERVICE**

### **Case of Kenneth Bradley, Request to Waive the Accrued Interest Due on his Purchase of Pension Credit for his Prior Military Service**

Kenneth Bradley was hired effective 4/9/01. His hire letter was forwarded to him on 5/11/01. We received his application to purchase pension credit for his prior military service on 4/24/14. A bill was forwarded to him on 6/5/14. On 8/4/14, we received Mr. Bradley’s appeal of the accrued interest to date in the amount of \$20,623.10, which was administratively denied on that same date. On 9/2/14, we received his timely appeal.

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

**The motion to deny carried 7-0-1.**

## **NEW BUSINESS**

### **Executive Director's Report**

- One Philly Project - Mr. Bielli stated that the One Philly Project is progressing. People Soft is the package that is being considered for the Pensions project. The Board of Pensions will be briefed internally within the next 30-60 days.
- New Contribution Rate - There is draft legislation regarding contribution rates for the new Exempt, DC 33 employees and elected officials. Once City Council passes the legislation, it will become part of the Pension Code and be implemented.
- Pension Adjustment Fund – Ken Kent will take a look at the PAF but it won't become a formality until the actuarial report comes out in March 2015.

### **Update on former Fairmount Park Trust Employees**

Ms. Berkowitz stated that the agreement to allow the former Fairmount Park Trust employees to buy their Park time has been signed by District Council 33. They are waiting for District Council 47 to sign and will then reach out to the Exempts.

Ms. Stukes-Baylor had concerns regarding the health and welfare benefits which require that an employee work 10 continuous years in order to receive benefits. She stated many of the Park Rangers already have 10 years but something needs to be negotiated so they do not lose that coming over. She would like the issue addressed now so it does not fall back on the Board later as there are Park Rangers who are eligible to retire now. She stated she did not receive the City Solicitor's opinion on this and was unaware that the effective date was being made July 2013. She also asked how the three highest years would be calculated for pension.

Mr. Leonard stated that the agreement to purchase service credit is being worked on with the labor attorneys for the City and DC 47. He said it is not resolved yet but, assuming the agreement is signed, when the Park Plan is terminated and the IRS signs off, people will be given a year from the date of termination, to either roll their money over into the City's 457 B Plan of the pension fund and buy service credit or receive a distribution and make a rollover into another qualified Plan, such as a Roth. They would begin to accrue credited service with the City from July 1, 2013 and whatever additional service they purchase would be added onto that.

He stated that the Code doesn't currently have anything to address the facts of this situation so they are creating a mechanism in the memorandum of agreement put forth for this class of employees so they can be made whole. Ultimately, the tax lawyers are going to have it memorialized in the Code for federal tax practices. With respect to the health benefits issue, he said it was being handled by Human Resources and Labor because it was outside of the Pension Code and that it was a complicated set of facts to unravel.

The Law Department will get back to the Board with a copy of the agreement and the answers regarding the pension calculations for the Park Rangers who are eligible to retire now.

**FYI**

**Litigation Summary** – Ms. Rosenberger Altman stated that the only substantive issue is that there is oral argument scheduled for the Wiggins case (pension disqualification) on October 8, 2014.

William Rubin made a motion to adjourn. Brian Albert seconded the motion.

The meeting adjourned at 9:40 a.m.