

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of January 25, 2018**

MINUTES

On January 25, 2018, Jacqueline Dunn called the Regular Meeting of the Board of Pensions and Retirement to order at 9:35 a.m. in the Board's Conference Room.

Present: Jacqueline Dunn
 Rebecca Rhynhart
 Pedro Rodriguez
 Carol Stukes-Baylor
 Ronald Stagliano
 Brian Coughlin
 Veronica Pankey
 Sharolyn Murphy

Also Attending: Francis Bielli - Board of Pensions
 Shamika Taliaferro – Board of Pensions
 Marsha Greene-Jones – Human Resources
 Rosamond Howard, Kellan White – Controller's Office
 Ellen Berkowitz, Adam Coleman– Law Department
 Christopher DiFusco, Bernard Buckley – Investment Unit
 Tyrone Jordon, Jim Cousounis – Investment Unit
 Eryn-Ashlei Bailey, Kristyn Bair – Investment Unit
 Emanuel Mahand, Bina Kumar – Nationwide
 Kweku Obed – Marquette Associates
 Will Green – Loop Capital Markets
 Pam McCue – Financial Investment News

Jacqueline Dunn called the meeting to order and welcomed Rebecca Rhynhart, City Controller to the Board. Ms. Rhynhart was then sworn in as the newest Board member and welcomed by all.

The first order of business was the Consideration of the Minutes of December 7, 2017.

Ronald Stagliano made a motion to approve the Minutes of December 7, 2017. Pedro Rodriguez seconded the motion.

The motion to approve carried unanimously 7-0.

CONSIDERATION OF (219) PENSION APPLICATIONS AND (214) WITHDRAWAL APPLICATIONS

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

The motion to approve carried unanimously 7-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Arnold Chappelle, Application for Service-Connected Disability Benefits – Plan “B”

This is an application submitted by Arnold Chappelle, former Police Officer for Service-Connected Disability benefits under Pension Plan “B”.

According to Mr. Chappelle, on January 18, 2015 as he was walking across the parking lot of the police district he slipped on the ice injuring his knee.

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

The motion to approve carried unanimously 7-0.

Case of LaTonya J. Graham, Application for Service-Connected Disability Benefits - Plan “B”

This is an application submitted by LaTonya Graham, former Police Officer for Service-Connected Disability benefits under Pension Plan “B”.

According to Ms. Graham, on June 3, 2015 she was involved in a motor vehicle accident that caused her injuries. Ms. Graham states that the impact of the vehicles caused her to strike the top of her head on the roof of the car and then on the driver’s side window. She further states that she was bounced around in the car’s interior injuring her neck, back, and both legs.

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

The motion to approve carried unanimously 7-0.

Case of Stephen Korpalski, Application for Service-Connected Disability Benefits – Plan “B”

This is an application submitted by Stephen Korpalski, former Police Officer for Service-Connected Disability benefits under Pension Plan “B”.

According to Mr. Korpalski, on August 19, 2014 while on patrol he was shot on the left side of his head. He received a grazing wound with no internal damage.

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

The motion to approve carried unanimously 7-0

Case of Margaret Blunt, Application for Service-Connected Disability Benefits - Plan "J"

This is an administrative application submitted for Margaret Blunt, former Parking Enforcement Officer with the Philadelphia Parking Authority for Service-Connected Disability benefits under Pension Plan "J".

According to Ms. Blunt, on July 13, 2010 while patrolling her assigned area she slipped and fell, injuring her right leg.

Sharolyn Murphy made a motion to deny. No one seconded the motion.

Carol Stukes-Baylor made a motion to table for thirty (30) days. Ronald Stagliano seconded the motion.

The motion to table for thirty (30) days carried 6-0-1.

Case of Evelyn Payne, Application for Service-Connected Disability Benefits - Plan "J"

This is an application submitted by Evelyn Payne, former School Crossing Guard with the Police Department for Service-Connected Disability benefits under Pension Plan "J".

According to Ms. Payne, she was diagnosed with a condition in her neck sometime in 2009 and gout sometime in 2012. Ms. Payne states that she believes standing in all kinds of bad weather and on concrete surfaces over a period of twenty-nine (29) years contributed to her condition.

Pedro Rodriguez made a motion to deny. Sharolyn Murphy seconded the motion.

The motion to deny carried 3-0-4.

Case of Mark Philmore, Application for Service-Connected Disability Benefits – Plan "J"

This is an administrative application submitted for Mark Philmore, former Correctional Officer with the Department of Corrections for Service-Connected Disability benefits under Pension Plan "J".

According to Mr. Philmore sometime during 2009 he was training for the Corrections Emergency Response Team (CERT) at Holmesburg Prison when he injured his knee.

Pedro Rodriguez made a motion to deny. Sharolyn Murphy seconded the motion.

The motion to deny carried 4-0-3.

Case of Sean Byrd, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Sean Byrd, former Deputy Sheriff Sergeant for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Byrd, on October 21, 2015 while he was descending the escalator a “large” individual (Mr. Gottlieb) riding in front of him lost his balance and fell backwards causing both to fall onto the escalator stairs. Mr. Byrd states that after rising and while attempting to assist Mr. Gottlieb into an upright position he noticed pain in his shoulder, arm, and wrist.

Carol Stukes-Baylor made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Timothy B. Davenport, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Timothy Davenport, former Police Tow Truck Supervisor for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Davenport, on June 3, 2015 he stepped out of his tow truck and felt a sharp pain in his lower back.

Carol Stukes-Baylor made a motion to approve. Veronica Pankey seconded the motion. The vote was 4-3. The chair voted to deny making the vote 4-4. Motion fails.

Pedro Rodriguez made a motion to table for thirty (30) days. Brian Coughlin seconded the motion.

The motion to table for thirty (30) days carried unanimously 7-0.

Case of Wilhelmina Foreman, Application for Service-Connected Disability Benefits - Plan “Y”

This is an application submitted by Wilhelmina Foreman, former Library Assistant with the Free Library for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Foreman, on August 8, 2001 while working in the book stacks she sustained an injury to her ankle. Ms. Foreman states she was sitting on a book truck that slipped from beneath her causing her to fall, the book truck struck her right leg and caused an injury.

Sharolyn Murphy made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried 3-0-4.

Case of Theodora Garrett, Application for Service-Connected Disability Benefits - Plan “Y”

This is an application submitted by Theodora Garrett, former School Crossing Guard with the Police Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Garrett, on May 12, 2015 while stepping off of the sidewalk near the wheelchair access portion she twisted her ankle and tripped into the street.

Sharolyn Murphy made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried 3-0-4.

Case of Narie L. Grayson, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Narie L. Grayson, former recreation leader with the Department of Recreation for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Grayson, on July 10, 2015 she was returning to her office when she tripped over a young child that had been pushed to the floor. Ms. Grayson states that as she was avoiding injuring the child, she stumbled and fell injuring her wrist.

Carol Stukes-Baylor made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of Melvenia Howie, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Melvenia Howie, former Court Representative II with the First Judicial District of PA for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Howie, on November 10, 2015 she was involved in a head-on collision while exiting the parking garage. Ms. Howie states she was operating a “company” vehicle at the time of the accident.

Pedro Rodriguez made a motion to deny. Sharolyn Murphy seconded the motion.

The motion to deny carried 3-3-1.

Case of Carlita Jones, Application for Service-Connected Disability Benefits - Plan "Y"

This is an application submitted by Carlita Jones, former Grounds Maintenance Worker II with the Parks and Recreation Department for Service-Connected Disability benefits under Pension Plan "Y".

According to Ms. Jones, on various dates during her employment she sustained workplace injuries: September 17, 2003 an injury to her foot when she fell through a broken inlet; reinjured foot when she slipped on the step of a trash truck; (2007) tripped over debris then struck her knee with the chain saw; (2006-present) heavy lifting, shoveling and raking in all types of weather causing back injuries; and (2012) struck over the left eye with an iron guard rail while setting up for the Broad Street Run.

Sharolyn Murphy made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried 3-0-4.

Case of Michael Kiett, Application for Service-Connected Disability Benefits – Plan "Y"

This is an application submitted by Michael Kiett, former Laborer with the Streets Department for Service-Connected Disability benefits under Pension Plan "Y"

According to Mr. Kiett on November 17, 2015 he was lifting a can into the back of the trash truck when he felt a sharp pain that radiated down his back and left leg until it reached his ankle. Mr. Kiett complains of tingling and stiffness in his left leg.

Carol Stukes-Baylor made a motion to approve. Veronica Pankey seconded the motion.

The motion to approve carried unanimously 7-0.

Case of James Petrone, Application for Service-Connected Disability Benefits – Plan "J"

This is an application submitted by James Petrone, former Grounds Maintenance Worker with the Office of Supportive Housing for Service-Connected Disability benefits in Pension Plan "J".

According to Mr. Petrone sometime during 2003 he was involved in a tractor accident and experienced other accidents thereafter. His complaints involve his lower back, neck, shoulder, ankle, hip, and wrist which he describes as total and excruciating pain and burning numbness.

Mr. Bielli stated that additional information was requested from Comp Services for an injury in 2003 that there is an injury report for but no medical documents. He would like to exhaust that request and make sure there aren't any additional records.

Sharolyn Murphy made a motion to table for thirty (30) days. Pedro Rodriguez seconded the motion.

The motion to table for thirty (30) days carried unanimously 7-0.

APPEAL OF ADMINISTRATIVE DENIAL TO APPLY FOR ORDINARY DISABILITY RETIREMENT BEYOND THE ONE-YEAR DEADLINE

Case of Jamillah Shaw, Appeal of Administrative Denial to apply for Ordinary Disability Retirement beyond the One Year Deadline– Plan Y

This is an appeal of an administrative denial to apply for Ordinary Disability Retirement beyond the One Year Deadline by Jamillah Shaw in Plan Y.

Jamillah Shaw, a Social Work Services Manager 2, resigned on August 10, 2012.

On September 20, 2012 the Board of Pensions sent a letter to her address of 1370 Pennington Road Philadelphia, PA 19151. This letter advised that she was vested and included a Statement of Pension Options form. This form states "...disability benefits, such application must be made within one year of your separation from employment..."

On March 18, 2014 Ms. Shaw signed the Statement of Pension Options form stating she did not wish to withdraw her contributions. This form was received by the Board of Pensions on April 1, 2014.

On December 7, 2017 Ms. Shaw wrote a letter to the Board and included medical records stating that she was requesting an Ordinary Disability Retirement. In her letter, Ms. Shaw states that she suffers from a medical condition that forced her to leave her job in 2012 and that she was on FMLA in 2012 for that medical condition. She states that she did not receive the Board's letter of September 20, 2012. She also states that her employer did not advise her that she could have applied for Ordinary Disability.

On December 11, 2017 Pension Program Administrator Stacey White denied Ms. Shaw's request to apply for Ordinary Disability beyond the one year deadline.

On December 27, 2017 Ms. Shaw wrote a letter appealing the administrative denial.

Veronica Pankey made a motion to approve. Sharolyn Murphy seconded the motion. The vote was 2-3-2. Motion fails.

Pedro Rodriguez made a motion to deny. Sharolyn Murphy seconded the motion.

The motion to deny carried 3-2-2.

OLD BUSINESS

Case of Karen Guss, Request to Opt Out of Plan 10 After the Deadline

This case was denied at the Board meeting held on February 22, 2017. A hearing panel was held on Wednesday, October 11, 2017.

The hearing panel recommendations are as follows:

Veronica M. Pankey:	Deny
Carol Stukes-Baylor:	No
Pedro Rodriguez:	Deny – Applicant was not convincing in demonstrating the Pension Board Staff failed to mail the proper documents

Case Summary:

Karen Guss was hired effective August 21, 2001 separated, withdrew her pension contributions and was rehired effective January 19, 2016.

Plan 10 Opt Out forms and documents explaining the plan differences were sent to her home address on March 22, 2016 by certified and first-class mail. The letter was not returned. Since Karen Guss did not return the form opting out of Plan 10 and electing Plan Y, she remained a member of Plan 10.

On January 4, 2017, we received Karen Guss' request to have her pension plan changed to Plan Y. On January 4, 2017 an administrative denial was sent to her home address by certified and first class mail.

Karen Guss' timely appeal was received on January 30, 2017.

Veronica Pankey made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried unanimously 7-0.

Case of Matthew Smith, Deceased, Application for Survivorship Benefits – Plan J

This case was denied at the Board meeting held on February 22, 2017. A hearing panel was held on Wednesday, April 26, 2017. The case remained open for further information which was received from Michael Hollander, Community Legal Services (CLS) on September 1, 2017 and is listed below.

The hearing panel recommendations are as follows:

William Rubin:	Approve
Brian Coughlin:	Deny – insufficient evidence
Pedro Rodriguez:	Deny

Case Summary:

This case was tabled at the Board meeting held on January 19, 2017 at the request of trustee Bill Rubin for further information.

This is an application by Donna Satchell Smith for survivorship benefits in Plan J.

Matthew Smith, an Airport Operations Agent, retired effective January 2, 2008. He received a Service retirement until his death on July 28, 2012.

At the time of his Service retirement, Mr. Smith chose survivorship option 4 and named his daughter Kelly Johnson as his survivor. She was also named as his life insurance beneficiary.

Donna Satchell Smith is applying to have the Board of Pensions recognize her 5-year relationship with Mr. Smith prior to their marriage on October 8, 2008.

Sharolyn Murphy made a motion to deny. Pedro Rodrigues seconded the motion.

The motion to deny carried unanimously 7-0.

Case of Margo A. Weems, Application for Service-Connected Disability Benefits Plan "Y"

This case was denied at the Board meeting held on June 25, 2015. A hearing panel was held on Wednesday, December 13, 2017.

The hearing panel recommendations are as follows:

William Rubin:	Deny
Ronald Stagliano:	Deny the application
Pedro Rodriguez:	Deny

Case Summary:

This is an application submitted by Margo Weems, former Youth Detention Counselor Supervisor with the Department of Human Services, for Service-Connected Disability benefits under Pension Plan "Y".

According to Ms. Weems, on February 14, 2011 she was involved in an altercation with an upset resident and staff. Ms. Weems states, while she was attempting to restrain the resident her left arm and hand was pinned against a wall. During this clash another resident came out of his room, banging her arm and hand into another wall while she restrained him.

Sharolyn Murphy made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried unanimously 7-0.

Case of Steven B. Welch, Application for Service-Connected Disability Benefits – Plan “Y”

This case was denied at the Board meeting held on August 25, 2016. A hearing panel was held on Wednesday, December 13, 2017.

The hearing panel recommendations are as follows:

William Rubin: Denied application
Ronald Stagliano: Deny the application
Pedro Rodriguez: Deny

Case Summary:

This case was tabled at the June 23, 2016 Board meeting for further information. The job descriptions for Accountant and Departmental Accounting Systems Specialist are attached.

This is an application submitted by Steven B. Welch, former accountant with the Streets Department, for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Welch, on February 12, 2014 while entering the snow emergency vehicle he slipped, injuring his right arm. Mr. Welch states that corrective surgery was performed on October 7, 2014.

Ronald Stagliano made a motion to deny. Pedro Rodriguez seconded the motion.

The motion to deny carried unanimously 7-0.

NEW BUSINESS

• **Executive Director’s Report**

NCPERS - Mr. Bielli stated that he received an email with the Certification of Delegates form for NCPERS. We are entitled to send voting delegates to the NCPERS 2018 Annual conference which is May 13-16 in New York. The delegate ballot is due April 16, 2018. Six (6) individuals may act as Board delegates but to be able to vote you must be registered for the conference. All trustees are members of NCPERS. If anyone wishes to attend please contact Teresa Devine.

Ms. Stukes-Baylor stated that she is already an Executive member of the NCPERS Board which does a lot of work for public pensions forums. She is up for election at the annual conference in May so delegates are needed.

Ms. Stukes added that there is 2-day Trustee Section at the beginning of the Conference which is beneficial for new trustees to attend. They go over everything for new trustees such as fiduciary responsibility. There is also a section geared only towards Administrators and Executive Directors.

Mr. Bielli stated that an example of NCPERS work is the Tax Reform Act in which there was a provision that had the possibility of effecting public pensions. Partly through the work of NCPERS and lobbyists the provision was eliminated from the legislation. NCPERS is always proactive on behalf of public pensions.

Mr. Stagliano stated that Carol does a great job as an executive board member there and our pension fund gets a lot of recognition nationally because of Ms. Stukes-Baylor's work at NCPERS. Mr. Stagliano said he will be there to support her.

Veronica Pankey made a motion to approve any trustee that wishes to attend the NCPERS Conference in New York, NY May 12-16, 2018. Sharolyn Murphy seconded the motion.

The motion to approve any trustee wishing to attend the NCPERS Conference in New York, NY May 12-16, 2018 carried unanimously 7-0.

Opt out letters for Plans 10 and 16

Ms. Pankey stated that the letters regarding the opt out for Plan 10 and 16 have been received by members and they posed questions to her that need clarity regarding the payment they owe.

Mr. Bielli stated that what is being proposed is if the amount owed is under \$50 it would be a lump sum payment. If it is over \$50 the employee would be able to pay \$20 a pay until it is paid in full. It can also be paid off in one payment.

DC 33 members of Plan 10 have the one-time, irrevocable option to transfer into Plan 16 as a part of their recent collective bargaining agreement. Approximately 490 letters were sent to Plan 10 members notifying them of the option to transfer and how to initiate the transfer process. Plan 10 members have 30 days to respond to this initial letter of intent, due back February 12, 2018. Once the letter of intent is received, a specific estimate will be done for each person. Shahied Lloyd has done a great job answering employee questions. Members will then have until March 12, 2018 to indicate their final decision to transfer to Plan 16. Then a completed file will be sent to Payroll to begin the deductions. The payroll deductions will be pre-tax similar to how the contributions would have been.

FYI

- **Litigation Summary** - Ms. Berkowitz stated that Dailey (Disqualification) is still on hold pending state court proceedings.

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

The meeting adjourned at 9:55 AM.