

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of June 28, 2018**

MINUTES

On June 28, 2018, Jacqueline Dunn called the Regular Meeting of the Board of Pensions and Retirement to order at 9:34 AM in the Board's Conference Room.

Present: Jacqueline Dunn
 Pedro Rodriguez
 Christopher Rupe
 Carol Stukes-Baylor
 Ronald Stagliano
 Veronica Pankey
 Sharolyn Murphy

Also Attending: Francis Bielli - Board of Pensions
 Shamika Taliaferro – Board of Pensions
 Bill Rubin – Board of Pensions
 Marsha Greene-Jones – Human Resources
 Kellan White – Controller's Office
 Ellen Berkowitz, Adam Coleman – Law Dept.
 Christopher DiFusco, Bernard Buckley – Investment Unit
 Jim Cousounis – Investment Unit
 Dominique Cherry, Eryn-Ashlei Bailey
 Kristyn Bair – Investment Unit
 Francois Dutchie
 Jeffrey Francis - Nationwide
 Bina Kumar, Emanuel Mahand – Nationwide
 Pam McCue – Financial Investment News
 Dave Smith – Marquette

Jacqueline Dunn called the meeting to order and stated that the first order of business was the Consideration of the Minutes of May 24, 2018.

Veronica Pankey made a motion to approve the Minutes of May 24, 2018. Carol Stukes-Baylor seconded the motion.

The motion to approve carried 7-0.

CONSIDERATION OF (134) PENSION APPLICATIONS AND (99) WITHDRAWAL APPLICATIONS

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

The motion to approve carried 7-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Paul Camarote, Application for Service-Connected Disability Benefits – Plan B

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

According to Mr. Camarote, on October 31, 2015 while responding to a radio call of an out of control party, he injured his left arm. Mr. Camarote states that he proceeded his fellow officers down a “beer and liquid soaked” stairway and slipped. In an attempt to catch himself he reached out with his arm but another officer fell with him, landed on his left arm bending it backward.

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

The motion to approve carried unanimously 7-0.

Case of James Duffin, Application for Service-Connected Disability Benefits –Plan B

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

According to Mr. Duffin, on June 16, 2015 while riding in an armored vehicle the door became dislodged and his arm and forearm were injured when the door closed on them.

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

The motion to approve carried unanimously 7-0.

Case of Joseph Ellingsworth, Application for Service-Connected Disability Benefits - Plan B

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

According to Mr. Ellingsworth, on September 18, 2013 while working narcotics on a corner “take-down” shots were fired. Mr. Ellingsworth states that as he was lifting a handcuffed suspect from the ground he injured and felt pain in his lower back.

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

The motion to approve carried 4-3.

Case of Patricia A. Hodge, Application for Service-Connected Disability Benefits -Plan B

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

According to Ms. Hodge she was involved in several motor vehicle accidents over the course of her service as a Police Officer. December 28, 1994, while in pursuit of a suspect, she sustained a back injury and concussion. January 5, 1995, she sustained back, neck and headaches from the car accident. May 9, 2001, accident where she was struck on the passenger side and sustained multiple injuries. July 19, 2013, accident in which she sustained injuries to her back and wrist.

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

The motion to deny carried unanimously 4-0-3.

Case of Robert L. Urwin, Application for Service-Connected Disability Benefits – Plan B

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

According to Mr. Urwin, on June 1, 2014 while transporting a prisoner who was under the influence of a controlled substance the prisoner resisted, twisted, and pulled him causing his injuries. Mr. Urwin states that his neck, left shoulder, left wrist, and two fingers on his left hand were injured during the struggle.

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

The motion to deny carried unanimously 4-0-3.

Case of Cherie Molino-Bryant, Application for Service-Connected Disability Benefits- Plan J

This is an application submitted by Cherie Molino-Bryant, former Local Area Network Administrator with the Health Department for Service-Connected Disability benefits under Pension Plan “J”.

According to Ms. Molino-Bryant, on March 11, 2014 while taking inventory a stack of computer towers fell onto her injuring her back.

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

The motion to deny carried unanimously 4-0-3.

Case of Robert P. Deal, Application for Service-Connected Disability Benefits - Plan Y

This is an application submitted by Robert Deal, former Street Crew Chief II with the Streets Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Deal, he sustained the following injuries: April 26, 2012 shoulder strain while lifting hood of crew cab; April 30, 2015 injured left shoulder when helping with a jackhammer that another worker dropped while in his grasp; July 26, 2016 shoulder reinjured while throwing barricade onto crew cab; August 17, 2016 lower back strain, dizziness, and fall and June 14, 2017 shoulder strain while lifting hood of crew cab.

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

The motion to deny carried unanimously 4-0-3.

Case of Carmen Edwards, Application for Service-Connected Disability Benefits – Plan Y

This is an application submitted by Carmen Edwards, former Correctional Officer with the Department of Corrections for Service-Connected Disability benefits under Pension Plan “Y”.

According the Ms. Edwards she has sustained multiple injuries during the course of her employment with the Department of Corrections: on August 21, 2010 she was jumped by two inmates causing multiple injuries. On October 2, 2014 while serving breakfast she slipped on the stairs and injured her lower back and wrist. On November 26, 2014 she states that she slipped and injured her back. Ms. Edwards further reports that on July 31, 2015 while attempting to lift and untangle an inmate she found hanging in his cell she sustained injuries to her back and knee.

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

The motion to approve carried unanimously 7-0.

Case of Joy Kalaparambath, Application for Service-Connected Disability Benefits–Plan Y

This is an application submitted by Joy Kalaparambath, former Welder with the Department of Public Property for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Kalaparambath on or about November 15, 2015 while loading barricades into a work issued truck, he states that he fell onto his left shoulder ultimately tearing the rotator cuff.

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

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

Case of Darryl Newman Sr., Application for Service-Connected Disability Benefits–Plan Y

This is an application submitted by Darryl Newman, former Heavy Equipment Operator with the Streets Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Newman on or about October 23, 2015 while raking a pile of asphalt he injured his left shoulder and elbow.

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

The motion failed 3-4.

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

The motion to approve carried 4-3.

Case of Tyvia Robinson, Application for Service-Connected Disability Benefits - Plan “Y”

This is an application submitted by Tyvia Robinson, former Correctional Officer with the Department of Corrections for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Robinson on August 10, 2015 while reporting to her post she entered into the “Sallyport” and the door slammed onto her right thumb and tore a tendon.

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

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

Case of Beverly D. Smith, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application submitted by Beverly Smith, former Service Representative with the First Judicial District for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Smith, on August 4, 2016 while riding in an elevator debris from another faulty elevator crashed into it causing her to be shaken up. Ms. Smith states that the traumatic events caused bodily injuries and impacted her psychological stability.

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

The motion to approve carried unanimously 7-0.

Case of Michael Rodgers, Request to Apply for Service-Connected Disability Benefits beyond the One-Year Deadline – Plan Y

This is a request by Michael Rodgers, former Water Operations Repair Helper to make application for Service-Connected Disability benefits beyond the one-year deadline under Pension Plan Y.

Michael Rodgers separated employment effective January 4, 2016.

On May 15, 2018 Mr. Rodgers submitted a letter requesting to make application for a Service-Connected Disability beyond the one-year deadline.

On May 16, 2018 an administrative denial was mailed to Mr. Rodgers.

On May 21, 2018 an appeal to the Board's administrative denial was submitted by Mr. Rodgers.

Ms. Stukes-Baylor stated that this is only giving him the ability to apply for benefits.

Carol Stukes-Baylor made a motion to approve. Ronald Stagliano seconded the motion. The motion failed 3-4.

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

The motion to deny carried 4-3.

Case of Perry S. Faison, Deceased, Application for Survivorship Benefits under Option 4 as a Common Law Spouse/Legal Spouse – Plan D

This is an application for survivorship benefits by Diane Faison as the common law/legal spouse of Perry S. Faison, deceased, under Option 4 in Plan D.

Perry S. Faison, a Police Officer, retired on July 7, 1995. He died on March 14, 2018. At the time of his retirement, Mr. Faison chose survivorship option 4. Perry and Diane Faison were married on December 23, 1993. Mrs. Faison is applying for common law status prior to that date in order to meet the survivorship option 4 two-year marriage requirement.

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

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

Case of Lisa Marshall-Lackey, Application for Service-Connected Disability - Plan A

This case was **deferred to a hearing panel** at the Board meeting held on March 27, 2014. A hearing panel was held on Wednesday, May 30, 2018. This is a **SAMMONS** case.

The hearing panel recommendations are as follows:

Sharolyn Murphy, Esq.:	Approve
Ronald Stagliano:	Approve the application
Veronica M. Pankey:	Approve SCD - presented testimony along with content of depositions demonstrates Ms. Marshall-Lackey's disability is permanent

Case Summary:

This is an application submitted by Lisa Marshall-Lackey, former Fire Service Paramedic for Service-Connected Disability benefits under Pension Plan "A".

According to Ms. Marshall-Lackey on March 21, 2012 while squatting to assist a patient she slipped on a wet spot on the floor. Ms. Marshall-Lackey states that she twisted her right leg and struck the right side of her leg when she fell.

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

The motion to approve carried unanimously 7-0.

Case of David S. Reaves Jr., Application for Service-Connected Disability benefits - Plan A

This case was **denied** at the Board meeting held on August 25, 2016. A **date certain** hearing panel was held on Wednesday, May 30, 2018.

The hearing panel recommendations are as follows:

Sharolyn Murphy, Esq.:	Deny
Ronald Stagliano:	Deny-failure to appear
Veronica M. Pankey:	Deny-not present to give any testimony in claim

Case Summary

This is an application submitted by David S. Reaves Jr., former firefighter for Service-Connected Disability benefits under Pension Plan "A".

According to Mr. Reaves, he developed a condition over the span of his career as a firefighter. Mr. Reaves states that he worked in unventilated fire stations where he constantly breathed in the exhaust fumes of diesel engines. He also cites firefighting activities as a contributing factor. No specific date of injury provided.

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

The motion to deny carried 4-0-3.

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

This case was **denied** at the Board meeting held on January 25, 2018. A hearing panel was held on Wednesday, April 25, 2018.

The hearing panel recommendations are as follows:

Jacqueline Dunn:	Deny
Sharolyn L. Murphy, Esq.:	Deny
Veronica M. Pankey:	Approved for SCD

Case Summary:

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 medical condition in her neck sometime in 2009 and in 2012. Ms. Payne states that she believes standing in all kinds of bad weather and on concrete over a period of twenty-nine (29) years contributed to her conditions.

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

The motion to deny carried 4-0-3.

Case of Timothy Davenport, Application for Service-Connected Disability benefits – Plan Y

This case was **denied** at the Board meeting held on February 22, 2018. A hearing panel was held on Wednesday, April 25, 2018.

The hearing panel recommendations are as follows:

Jacqueline Dunn:	Approve
Sharolyn L. Murphy, Esq.:	Approve
Veronica M. Pankey:	Approved for SCD

Case Summary:

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 motion to approve carried unanimously 7-0.

Case of Wilhelmina Foreman, Application for Service-Connected Disability benefits-Plan Y

This case was **denied** at the Board meeting held on January 25, 2018. A hearing panel was held on Wednesday, April 25, 2018.

The hearing panel recommendations are as follows:

Jacqueline Dunn:	Deny
Sharolyn L. Murphy, Esq.:	Deny
Veronica M. Pankey:	Approved for SCD

Case Summary:

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 she was sitting on a book truck that slipped from beneath her causing her to fall and sustain an injury to her ankle.

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

The motion to deny carried 4-0-3.

Case of Theodora Garrett, Application for Service-Connected Disability benefits – Plan Y

This case was **denied** at the Board meeting held on January 25, 2018. A hearing panel was held on Wednesday, April 25, 2018.

The hearing panel recommendations are as follows:

Jacqueline Dunn:	Deny
Sharolyn L. Murphy, Esq.:	Deny
Veronica M. Pankey:	Approved for SCD

Case Summary:

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 causing an injury.

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

The motion to deny carried 4-0-3.

Case of Renee Hollomon, Application for Service-Connected Disability Benefits - Plan “Y”

This case was **denied** at the Board meeting held on February 22, 2018. A hearing panel was held on Wednesday, May 9, 2018.

The hearing panel recommendations are as follows:

Sharolyn L. Murphy, Esq.:	Deny
Ronald Stagliano:	Approve the application
Brian Coughlin:	Approve

Case Summary:

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

According to Ms. Hollomon, on March 15, 2015 while crossing children at the intersection of 58th and Media Street she slipped on the ice and sustained injuries to her knee and wrist.

Ronald Stagliano made a motion to table for 30 days. Veronica Pankey seconded the motion.

The motion to table for 30 days carried 4-2-1.

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

This case was **denied** at the Board meeting held on January 25, 2018. A hearing panel was held on Wednesday, April 25, 2018.

The hearing panel recommendations are as follows:

Jacqueline Dunn:	Deny
Sharolyn L. Murphy, Esq.:	Deny
Veronica M. Pankey:	Denied for SCD

Case Summary:

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 operating a “company” vehicle.

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

The motion to deny carried 4-0-3.

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

This case was **denied** at the Board meeting held on February 22, 2017. A hearing panel was held on Wednesday, May 9, 2018.

The hearing panel recommendations are as follows:

Sharolyn L. Murphy, Esq.:	Deny
Ronald Stagliano:	Approve the application
Brian Coughlin:	Approve

Case Summary:

This is an application submitted by Kevin Jones, former semi-skilled laborer with the Water Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Jones, on November 5, 2013 while attempting to remove a chain saw from a tree he sustained injuries to his neck, shoulder, and upper back.

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

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

NEW BUSINESS

- **Executive Director’s Report** –Mr. Bielli reminded the Board that the One Philly team will be at August 23, 2018 Board meeting to provide an update on the project. The Service-Connected Disability working group which includes the Controllers’ Office, Risk Management, Law and Mr. Rubin have been working hard and will also provide an update in July. They are also gearing up for the end of the fiscal year and review of actuarial data.

- **Litigation Summary** - Ms. Berkowitz stated there are a lot of cases in common pleas court and they are in a holding pattern for Daley for commonwealth court to issue a decision.

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

The meeting adjourned at 9:45 AM.