

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of February 26, 2020**

MINUTES

On February 26, 2020, 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
 Ronald Stagliano
 Carol Stukes-Baylor
 Kellan White
 Christopher Rupe
 Marsha Greene-Jones
 Brian Coughlin
 Veronica Pankey
 Sharolyn Murphy

Also Attending: Francis Bielli, Bill Rubin – Board of Pensions
 Ellen Berkowitz, Adam Coleman – Law Department
 Christopher DiFusco, James Cousounis – Investment Unit
 Bernard Buckley, Kristyn Bair, Tyrone Jordan – Investment Unit
 Dominique Cherry, Abdel-Aziz Irbrahim – Investment Unit
 Pam Cox - Financial Investment News
 Jeff Francis, Brad Nyce, Bina Kumar – Nationwide
 Brett Warren, Zachary Allen, Anu Patel, Karen Sangara – Cheiron
 Pam Cox, Financial Investment News
 Will Greene, Loop Capital
 Jack Eltmann, Local 22 Secretary
 Brad Nyce, Bina Kumar – Nationwide
 Keith Graham – Bergamot Asset
 Jesus Jimenez, Greg Leonberger – Marquette
 Nicole Johnson-Barnes – Marquette
 David Robb, Kass Everett – Janney Montgomery Scott

Jacqueline Dunn called the meeting to order and stated that the first order of business was the Consideration of the Minutes of January 23, 2020.

Ronald Stagliano made a motion to approve the Minutes of January 23, 2020. Brian Coughlin seconded the motion.

The motion to approve carried unanimously 8-0.

CONSIDERATION OF 128 PENSION APPLICATIONS AND 85 WITHDRAWAL APPLICATIONS

Ronald Stagliano made a motion to approve. Christopher Rupe seconded the motion.

The motion to approve carried unanimously 8-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Domenic P. Bowes, Application for Service-Connected Disability Benefits – Plan B

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

According to Mr. Bowes, on January 19, 2015 while on bike patrol he fell off the bike causing injuries. Mr. Bowes states that on or about May 5, 2010 he sustained an injury as a result of tripping and falling down the stairs.

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

The motion to approve carried unanimously 7-1.

Case of Steven L. McGill, Application for Service-Connected Disability Benefits – Plan Y

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

According to Mr. McGill, on July 21, 2017 while working on the trash truck he was struck from behind by a car attempting to get around the stopped vehicle. Mr. McGill states that the impact caused him to fall to the ground, resulting in injury.

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

The motion to approve carried unanimously 7-1.

Case of Kevin K. Moragne, Application for Service-Connected Disability Benefits – Plan Y

This is an application submitted by Kevin Moragne, former Laborer with the Streets Department for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. Moragne, on December 16, 2016 while walking behind the trash truck he retrieved a full trash can and proceeded to empty it. Mr. Moragne further states that while rising with the can from a squatted position (per his training) he sustained an injury.

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

The motion to approve carried 7-1.

OLD BUSINESS

Case of Uzoma Kalu, Application for Service-Connected Disability Benefits – Plan Y

This case was **tabled** at the January 23, 2020 Board meeting at the request of Vice-Chair Ronald Stagliano.

The history of the case is as follows:

This is an application submitted by Uzoma Kalu, former Social Worker Supervisor with the Department of Human Services for Service-Connected Disability benefits under Pension Plan “Y”.

According to Ms. Kalu, on December 18, 2017 she slipped and fell at work. Ms. Kalu states that she sustained multiple injuries.

Sharolyn Murphy made a motion to deny. Christopher Rupe seconded the motion.
The motion to deny failed 3.5

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

The motion to approve carried 5-3.

Case of John Mulholland, Application for Service-Connected Disability Benefits – Plan B

This case was **tabled** at the January 23, 2020 Board meeting at the request of Vice-Chair Ronald Stagliano.

This case was **denied** at the September 17, 2015 Board meeting. A hearing panel was held on November 20, 2019.

The hearing panel recommendations are as follows:

Sharolyn Murphy:	Deny
Veronica Pankey	Approve
Kellan White:	Approve

Case Summary:

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 multiple injuries.

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

The motion to approve carried 5-3.

Case of John F. McFarlane, Jr., Appeal of Application for Service-Connected Disability Benefits - Plan Y

This case was **denied** at the Board meeting held on July 30, 2019. A hearing panel was held on Wednesday, January 29, 2020.

The hearing panel recommendations are as follows:

Brian Coughlin:	Approve
Marsha Green-Jones:	Approve
Kellan White:	Approve

Case Summary:

This is an application submitted by John F. McFarlane, Jr., former Construction Compliance Supervisor with the Department of Licenses and Inspections for Service-Connected Disability benefits under Pension Plan “Y”.

According to Mr. McFarlane, he has endured threats, verbal and physical assaults, and acts of violence during his employment between April 1998 and February 2017. He states his condition is a direct result of “whistleblowing” and the retaliatory actions of former co-workers.

Sharolyn Murphy made a motion deny. Ronald Stagliano seconded the motion.

The motion to deny carried 6-0-2.

Ira Bright, Request to Opt out of Plan 10 after the Deadline

This case was denied at the September 26, 2019 Board meeting. A hearing panel was held on Wednesday, December 4, 2019.

The hearing panel recommendations are as follows:

Jacqueline Dunn: Deny
Sharolyn Murphy: Deny
Ronald Stagliano: Deny

Case Summary:

Ira Bright was hired effective March 25, 2015.

A Plan 10 opt out form and documents explaining the plan differences were sent to his home address on May 6, 2015 by certified and first-class mail. Neither letter, which stated that the form required to opt out of Plan 10 was due to this office within thirty (30) days, was returned as undeliverable by the postal service.

On July 8, 2019 we received Ira Bright's request to have his pension membership changed to Plan Y. On July 25, 2019 an administrative denial was sent to his home address by certified and first- class mail.

Sharolyn Murphy made a motion to deny. Marsha Greene-Jones seconded the motion.

The motion to deny carried unanimously 8-0.

Case of Leslie Lagredelle, Request to Opt out of Plan 10 after the Deadline

This case was denied at the September 26, 2019 Board meeting. A hearing panel was held on Wednesday, December 4, 2019.

The hearing panel recommendations are as follows:

Jacqueline Dunn: Deny
Sharolyn Murphy: Deny
Ronald Stagliano: Deny

Case Summary:

Leslie Lagredelle was hired effective December 29, 2014.

A Plan 10 opt out form and documents explaining the plan differences were sent to his home address on January 20, 2015 by certified and first- class mail. Neither letter, which stated that the form required to opt out of Plan 10 was due to this office within thirty (30) days, was returned as undeliverable by the postal service.

On June 11, 2018 we received Leslie Lagredelle's request to have his pension membership changed to Plan Y. On June 13, 2018 an administrative denial was sent to his home address by certified and first- class mail.

Mr. Lagredelle's appeal was received on July 8, 2019.

Sharolyn Murphy made a motion to deny. Marsha Greene-Jones seconded the motion.

The motion to deny carried unanimously 8-0.

Case of Steven J. DiBartolomeo, Request to Apply for Service-Connected Disability Benefits Beyond the One-Year Deadline – Plan J

This case was **denied** at the Board Meeting held on September 26, 2019. A hearing was held December 18, 2019 and the record remained open for 30 days.

The hearing panel recommendations are as follows:

Carol Stukes-Baylor:	Approve
Jacqueline Dunn:	Deny
Kellan White:	Deny

Case History:

This is a request by Steven J. DiBartolomeo, former Parking Enforcement Officer to make application for Service-Connected Disability benefits beyond the one-year deadline under Pension Plan J.

Steven J. DiBartolomeo separated from employment effective May 28, 2003.

On July 10, 2019, a note was submitted by Pension Counselor Shelita Thomas stating Mr. DiBartolomeo wanted to apply for Service-Connected Disability benefits. Mr. DiBartolomeo states that he was not informed he could apply until he was 55 and applied for his service pension.

On August 9, 2019, an administrative denial was mailed to Mr. DiBartolomeo. On August 15, 2019, a note was received from Steven J. DiBartolomeo requesting reconsideration.

Carol Stukes-Baylor made a motion to approve. Veronica Pankey seconded the motion. The motion to approve tied 4-4. The Chair voted to break the tie. The motion fails 4-5.

Sharolyn Murphy made a motion to deny. Christopher Rupe seconded the motion.

The motion tied 4-4. The chair voted to break the tie. **The motion to deny carried 5-4.**

NEW BUSINESS

Executive Director's Report – Mr. Bielli stated that the NCPERS 2020 delegate nomination conference deadline is April 15, 2020. You must attend the conference if you intend to be a delegate. Please notify staff if you plan on being a delegate.

Mr. Bielli thanks Jim Cousounis for his work with the updated comprehensive Pension Plan Booklet. It is now completed and available online. The hard copy has been sent to Central Duplicating and copies will be available soon.

Litigation Summary – Ms. Berkowitz stated the City brief for the Dailey (Disqualification) case is due March 13, 2020.

Ronald Stagliano made a motion to adjourn. Kellan White seconded the motion.

The motion to adjourn carried 8-0. The meeting adjourned at 9:50