

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of February 27, 2014**

MINUTES

On January 23, 2014, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:08 a.m. in the Board's Conference Room.

Present: Paula Weiss
William Rubin
Brian Albert
Celia O'Leary
Carol Stukes-Baylor
Ronald Stagliano
Andrew Thomas
Veronica Pankey
James Leonard

Also Attending: Francis Bielli - Board of Pensions
Mark Murphy - Board of Pensions
Sumit Handa, Brad Woolworth - Investment Unit
Christopher DiFusco - Investment Unit
Ellen Berkowitz – Law Department
Jo Rosenberger-Altman, Law Department
Patricia Fitzgerald – Office of Human Resources
Mondrell Moore - Earnest Partners
Will Greene – Capital Loop
Pam McCue – Financial Investment News
Ken Kent, Bob Murray, Anu Patel – Cheiron Consulting

Ms. Weiss stated that the first order of business was the consideration of the Minutes of January 23, 2014.

Ronald Stagliano made a motion to approve the Minutes of January 23, 2014. Brian Albert seconded the motion.

The motion to approve the Minutes of January 23, 2014 carried 7-0-1.

CONSIDERATION OF (124) PENSION APPLICATIONS AND (43) WITHDRAWAL APPLICATIONS

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

The motion to approve carried unanimously 8-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS

Case of Ginanno Lanzara, Application for Service-Connected Disability Benefits – Plan “B”

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

According to Mr. Lanzara, he sustained the injury when he responded to a radio call. He states that he was struck by a police car. He further stated that his disability is to his left shoulder, arm, neck and back and the date of his injury is August 2, 2009.

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

The motion to deny carried 4-0-4.

Case of Terrence Lappe, Application for Service-Connected Disability Benefits – Plan “B”

This is an application by Terrence Lappe, former Police Officer, Police Department, for Service-Connected Disability benefits in Plan “B”.

According to Mr. Lappe, he sustained the injury while arresting a suspect. He further stated that his disability is to his right hand and thumb and the date of his injury is December 10, 2009.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Angelita Rivera, Application for Service-Connected Disability Benefits – Plan “B”

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

According to Ms. Rivera, she sustained the injury while working when she was running up a hill. She further stated that her disability is to her knee. The date of her injury is September 24, 2009.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 8-0.

Case of Steven Blocker, Application for Service-Connected Disability Benefits – Plan “D”

This is an application by Steven Blocker, former Police Officer, Police Department, for Service-Connected Disability benefits in Plan “D”.

According to Mr. Blocker, he sustained the injury while working when he was chasing a suspect and fell on snow and ice. He further stated that his disability is to his left ankle and the date of his injury is February 23, 2011.

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

The motion to deny carried 4-0-4.

Case of Martina Gorham, Application for Service-Connected Disability Benefits – Plan Y

This is an application by Martina Gorham, former Social Work Services Manager, Prisons Department, for Service-Connected Disability Benefits in Plan “Y”.

According to Ms. Gorham, she sustained the injury while working when she was attempting to restrain a resident. She further stated that her disability is to her back, legs, fingers and knees and the dates of her injuries are August 2, 2005, April 2, 2006 and July 29, 2006.

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

The motion to deny carried 4-0-4.

Case of Donald Stevenson, Application for Service-Connected Disability Benefits – Plan “Y”

This is an application by Donald Stevenson, former Correctional Officer, Prisons Department, for Service-Connected Disability Benefits in Plan “Y”.

According to Mr. Stevenson, he sustained the injury while working when he tripped over a stack of mattresses. He further stated that his disability is to his left elbow and the date of his injury is November 15, 2011.

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

The motion to approve carried unanimously 8-0.

APPLICATION FOR ORDINARY DISABILITY BENEFITS

Case of Thomas Winkis, Application for Ordinary Disability Benefits – Plan “B”

This is an application by Thomas Winkis, former Police Officer, and Police Department for Ordinary Disability Benefits in Plan “B”.

Mr. Winkis applied for Ordinary Disability benefits on October 30, 2013. The Application was submitted to Dr. Brent Weinerman’s office on November 21, 2013.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

The motion to approve carried unanimously 8-0.

APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS BEYOND THE ONE YEAR DEADLINE

Case of Derrick Riley, Application for Service Connected Disability Benefits Beyond the One Year Deadline – Plan B

This is an application by Derrick Riley, a former police officer, to apply for Service Connected Disability benefits beyond the one year deadline. He is appealing an administrative denial.

Derrick Riley separated from the Police Department effective January 30, 2012. He applied for Service Connected Disability on December 18, 2013. He is not eligible for any other benefit.

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

The motion to approve carried 5-3.

APPLICATION FOR SURVIVORSHIP BENEFITS AS A COMMON LAW SPOUSE

Case of Alfonso R. Green, Application for Survivorship Benefits as a Common-Law Spouse – Plan J

This is an application by Jacqueline Green for survivorship benefits as a common law spouse under option 4 in plan J.

Alfonso R. Green, a former Environmental Health Inspector for the Health Department, retired effective September 15, 1988. He and Jacqueline Cameron were married on December 30, 1989. He died on June 16, 2013. Mrs. Green is applying for a common law survivorship for the

time predating their ceremonial marriage. Mrs. Green telephoned the Pension Board after receiving the common law letter. She did not have everything requested. She was advised to send whatever documentation she had in support of her application.

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

The motion to approve carried unanimously 8-0.

APPLICATION FOR SURVIVORSHIP BENEFITS AS DEPENDENT PARENT

Case of Ramona Turner, Deceased, Application for Survivorship Benefits – Dependent Parent – Plan “J”

This is an application by Elizabeth Turner, as dependent parent of Ramona Turner, for survivorship benefits in Plan “J”.

Ramona Turner, former Health Care Aid for the Department of Human Services, died on September 5, 2009. Submitted is a copy of her death certificate.

Ramona Turner retired effective March 1, 2004. At the time of her retirement, Ms. Turner elected Survivorship Option #4. She named Elizabeth Turner as contingent beneficiary of her life insurance.

In a letter received October 24, 2013 Mrs. Elizabeth Turner states that her daughter Ramona always helped financially. Such things included her gas bill, home taxes and insurance. Ramona would purchase food, have snow removed and help with her medical bills. She stated she could not remember everything her daughter helped her with.

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

The Board discussed whether there was any evidence of Mrs. Turner’s dependence in terms of the IRS Code and concluded she may not be legally able to get the tax returns, so decided to table the case instead and request further documentation.

Ms. Stukes-Baylor withdrew her motion.

Brian Albert made a motion to table for additional information. William Rubin seconded the motion.

The motion to table for additional information carried unanimously 8-0.

APPEAL OF ADMINISTRATIVE DENIAL TO WITHDRAW FROM DROP

Case of Thomas J. Bachmayer, Jr. - Appeal of Administrative Denial to Withdraw from DROP

The Pension Board received Thomas J. Bachmayer Jr.'s application for DROP, along with a notarized copy of his birth certificate on October 17, 2013. Mr. Bachmayer's application was processed and approved November 14, 2013 for his selected start date of January 20, 2014. On November 15, 2013 an acceptance confirmation letter was mailed from Pension Administrator, Shamika Taliaferro.

On December 5, 2013, Mr. Bachmayer requested permission to withdraw from DROP stating his divorce is being delayed and may not be finalized until December, 2014. His request was administratively denied by Pension Administrator Shamika Taliaferro since participation in DROP is irrevocable.

Mr. Bachmayer's appeal to Francis Bielli, Executive Director was received on January 13, 2014.

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

The motion to deny carried 7-1.

APPLICATION TO PURCHASE PENSION CREDIT FOR PRIOR CITY SERVICE AS AN INACTIVE MEMBER

Case of Alice Clary, Application to Purchase Pension Credit for Prior City Service as an Inactive Member

Ms. Clary was originally employed by the City of Philadelphia (COP) from 9/23/74 through 12/5/75 and from 5/17/76 through 10/8/76 when she resigned. She received a refund of her pension contributions following her resignation.

Ms. Clary was rehired effective 9/28/88. We received her application to purchase pension credit for her above period of withdrawn service on 4/27/89. She was billed for said service on 5/8/89; however, we did not receive her response to that bill. Ms. Clary resigned effective 12/1/97. On 12/12/97, she applied for service retirement benefits. In an undated and unsigned letter, she was advised that she was not vested. In a letter dated 10/28/13, Ms. Clary submitted a request for a pension based on her belief that she is entitled. In a letter dated 11/7/13, she was again advised that she was not vested and how she could obtain a refund of her pension contributions from her second period of employment. In a letter dated 11/29/13, Ms. Clary was advised that she was neither vested nor eligible for retirement benefits but that she may be eligible to purchase pension credit for her prior City service. On 12/16/13, we received Ms. Clary's request to

purchase pension credit for her first period of service with the COP. In a letter dated 12/19/13, Ms. Clary's request was administratively denied pursuant to Section 22-803(5)(b) which limits the right to purchase pension credit for prior City service to employees. In a letter dated 1/14/14, Ms. Clary appealed the administrative denial.

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

Mr. Stagliano stated that this is a school crossing guard that had a break in service and ended up being four months short of the full 10 years needed to receive a pension. She received a statement from the Board of Pensions which said she may be eligible for a pension. If she is allowed to purchase the time her pension would be approximately \$300 monthly. Ms. Stukes-Baylor added that the Board used to send out yearly pension estimates and a lot of them were incorrect because they didn't include breaks in service. Based on that, Ms. Clary determined she had the time she needed when she left.

Mr. Albert withdrew his motion.

William Rubin made a motion to send to a hearing panel. Ronald Stagliano seconded the motion.

The motion to send to a hearing panel carried unanimously 8-0.

OLD BUSINESS

Case of George Harris Application for Service-Connected Disability Benefits – Plan "Y"

This case was **denied** at the December 5, 2013 Board Meeting. A Hearing Panel was held on January 15, 2014.

The Hearing Panel votes are as follows:

Mr. Brian Albert:	Recommend denial. Not due solely to work related injury – degenerative joint disease.
Mr. Andrew Thomas:	Recommend denial. Pre-existing condition, doctor's not due solely.
Ms. Paula Weiss:	Recommend denial. Pre-existing degeneration documented by medical records.

The history of the case is as follows:

This is an application by George Harris, former Laborer, Streets Department, for Service-Connected Disability Benefits in Plan "Y".

According to Mr. Harris, he sustained the injury while working when he was picking up trash. He further stated that his disability is to his lower back and the date of his injury is April 7, 2012.

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

The motion to deny carried 7-0-1.

NEW BUSINESS

Executive Director's Report – Mr. Bielli updated the Board on the following subjects.

- The Audit is complete and in the Board's folders for reference.
- The Modernization Project (One Philly Project) – The transition will occur beginning late March or early April. Mr. Murphy will begin working exclusively on that project which will modernize the Pension system. Details concerning costs and timelines will be forthcoming.
- Mr. Bielli received a letter signed by Mayor Nutter and Mr. D'Attilio naming Patricia Fitzgerald as a designee for Albert D'Attilio. Ms. Fitzgerald will be replacing Celia O'Leary as an alternate on the Board for the majority of the meetings. Ms. O'Leary will be the representative of the Office of Human Resources for the One Philly Project.

Ms. Weiss thanked Ms. O'Leary for her service on the Board.

Education and Travel Authorization Request

Ronald Stagliano made a motion to approve anyone that would like to attend the annual NCPERS conference in Chicago, Il from April 26 – May 1, 2014. Andrew Thomas seconded the motion.

The motion to approve the Board members to attend the annual NCPERS Conference in Chicago, IL from April 26-May 1, 2014 was approved unanimously 8-0.

Litigation Summary – Ms. Rosenberger Altman stated there is nothing to report other than the status of cases listed on the Summary.

Brian Albert made a motion to adjourn. Celia O'Leary seconded the motion. The meeting adjourned at 9:23 a.m.