

**CITY OF PHILADELPHIA
BOARD OF PENSIONS AND RETIREMENT
Meeting of July 30, 2019**

MINUTES

On July 30, 2019, Rob Dubow called the Regular Meeting of the Board of Pensions and Retirement to order at 9:30 AM in the Board's Conference Room.

Present: Rob Dubow
Christopher Rupe
Marsha Greene-Jones
Carol Stukes-Baylor
Ronald Stagliano
Brian Coughlin
Veronica Pankey
Sharolyn Murphy
Kellan White
Michael Zaccagni

Also Attending: Francis Bielli - Board of Pensions
Shamika Taliaferro – Board of Pensions
Bill Rubin – Board of Pensions
Christopher DiFusco, Bernard Buckley – Investment Unit
Jim Cousounis, Tyrone Jordan – Investment Unit
Dominique Cherry, Abdel-Aziz Irbrahim - Investments
Bina Kumar – Managing Director – Nationwide
Dora Ward – Senior Associate, PICA
Louis Couture – Intern, Law Department
Jesus Jimenez, Kweku Obed – Marquette Associates
Matt Coyne – Torrey Cove

Rob Dubow called the meeting to order and stated that the first order of business was the Consideration of the Minutes of June 27, 2019.

Ronald Stagliano made a motion to approve the Minutes of June 27, 2019. Sharolyn Murphy seconded the motion.

The motion to approve carried unanimously 7-0.

CONSIDERATION OF (116) PENSION APPLICATIONS AND (76) WITHDRAWAL APPLICATIONS

Carol Stukes-Baylor 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 Regina Griffin-Jackson, Application for Service-Connected Disability Benefits – Plan Y

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

According to Ms. Griffin-Jackson on May 1, 2017, while exiting her truck she slipped on an oily substance, catching her jacket on the door. She states she was hanging upside down by her jacket, slammed against the truck, and unable to free herself. She sustained multiple injuries.

Sharolyn Murphy made a motion to deny. Christopher Rupe seconded the motion. The motion failed 3-4.

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

The motion to approve carried 4-3.

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

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 multiple threats, verbal and physical assaults, and acts of violence during his employment between April 1998 and February 2017.

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

The motion to deny carried 4-0-3.

Case of Terence R. McNeil, Application for Service-Connected Disability Benefits – Plan B

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

According to Mr. McNeil, on September 25, 2015, while escorting a prisoner who had been assaulted down a flight of stairs, he became combative. Mr. McNeil states that during the altercation he fell down the stairs and sustained a back injury.

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

The motion to approve carried 4-3.

Case of Randall Giancaterino, Request to Purchase Pension Credit for Prior Government Service with The Mayor's Fund for Philadelphia, Inc.

On May 3, 2019 Randall Giancaterino's application for purchase of pension credit for prior government service with The Mayor's Fund for Philadelphia Inc. was received.

Because the The Mayor's Fund for Philadelphia Inc. is an independent 501 (C)(3) non-profit organization, his application was administratively denied on May 28, 2019.

Mr. Giancaterino's timely appeal was received on June 12, 2019. At that time, he also offered to furnish more detailed support information.

On July 10, 2019, a letter from Bonnie Grant, former Deputy City of Philadelphia Representative, was received. The letter states that the City was unable to hire Mr. Giancaterino as a City employee and instead paid him through the Mayor's Fund for Philadelphia Inc.

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

The motion to deny carried unanimously 7-0.

OLD BUSINESS

Case of KeAndra V. Ross, Application for Service-Connected Disability Benefits – Plan Y

This case was deferred to a hearing panel at the June 27, 2019 Board meeting at the request of Vice Chair Ronald Stagliano. The case is now listed for Reconsideration in light of additional information received.

Case Summary:

This is an application submitted by KeAndra Ross, former Crossing Guard with the Police Department for Service-Connected Disability benefits under Pension Plan "Y".

According to Ms. Ross, on January 21, 2014 schools were dismissed early due to inclement weather. As she approached her corner she fell and sustained a broken leg and a back injury.

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

The motion to reconsider the vote on June 27, 2019 carried 5-2.

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

The motion to approve carried 4-3.

PENSION DISQUALIFICATION

Case of Thomas O'Neill – Pension Disqualification, Plan B

Thomas O'Neill, former Philadelphia Police Officer, was first hired on February 24, 1992. He resigned on September 30, 2016. He is a member of Plan B and has been receiving a monthly pension of \$3,260.72, of which \$1,126.89 is payable to his ex-wife through a QDRO. At the time of his separation, he had approximately 24 years and 7 months of credited service. He has exhausted his contributions, which totaled \$63,112.06.

On January 30, 2019, Mr. O'Neill pleaded guilty to Count 1 of an indictment that charged him with deprivation of rights under color of law, 18 U.S.C. § 242, in connection with the sexual assault of J.H. The offense occurred while he was on duty and involved the use of his service revolver and patrol car.

On July 29, 2019, Ellen Berkowitz, Senior Attorney, opined that Mr. O'Neill's crime triggered the disqualification provisions of the Philadelphia Retirement Code and the Public Employees' Pension Forfeiture Act, and that through his criminal conduct he had severed his entitlement to his pension.

Ms. Berkowitz advises the Board must vote on the following:

- Whether Mr. O'Neill should be permanently disqualified from pension eligibility

Attached are the following:

1. Opinion from Ellen Berkowitz, Senior Attorney
2. Certified Record

Carol Stukes-Baylor made a motion to disqualify from pension eligibility. Veronica Pankey seconded the motion.

The motion to approve the pension disqualification carried unanimously 8-0.

NEW BUSINESS

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

- The annual Clifton Larson audit is underway and should run smoothly. There are potential issues concerning contributions as it relates to One Philly payroll, but they were temporary and have been corrected. There was no effect on the retirement system.
- The State audit will begin with a kick off meeting several weeks.

- The Controller's Office suggested the pension board look into doing their own Comprehensive Annual Financial Report (CAFR). Mr. Bielli asked for volunteers for a subcommittee to explore the idea.

Mr. Stagliano, Mr. White and Ms. Dunn will all be on the subcommittee. A notice will be sent to schedule a meeting.

- The Business and Education Travel Report for the 2nd Quarter of 2019 was distributed.
- Business and Education Travel Authorization
 - 1) Markets Group 6th Annual Pennsylvania Institutional Forum, November 6, 2019, Philadelphia, PA
 - 2) NCPERS Public Pension Funding Forum, September 11-13, 2019, New York, NY

The conferences were approved at the Investment Committee meeting unanimously for anyone wishing to attend.

Kellan White joined the meeting at this time.

Mr. Coughlin stated that One Philly is having issues with the payroll side and pension contributions on paychecks have been changing slightly. He asked why this is happening. A discussion ensued and Mr. Dubow instructed him to email him with the questions.

Litigation Summary – Ms. Berkowitz stated that the Dailey brief is due on Monday and in their response, they have agreed to remove individual named board members from their complaint.

Mr. Bielli stated that at the City Continuing Legal Education luncheon last week the Solicitor gave out awards to some of the council and he was asked to present the award to Adam Coleman for the work he does with the pension board. The Board congratulated Mr. Coleman.

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

The meeting adjourned at 9:40 AM.