

PUBLIC EMPLOYEES' RETIREMENT SYSTEM
February 26, 2019
ORDER OF BUSINESS

Adequate notice of this meeting has been provided through a special notice which was filed and posted with the Secretary of State on February 19, 2019 and was published in the Star Ledger and the Times of Trenton on February 22, 2019.

DISCLOSURE OF THE OPEN PUBLIC MEETINGS ACT

(A) When necessary, the Board shall adopt Resolution A to go into closed session to consider individuals' disability applications, which states:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, be it resolved that the Board of Trustees go into closed session for purposes of discussing matters pertaining to disability retirement which involves material involving personal medical and health records, data, reports and recommendations relating to specific individuals, pursuant to N.J.S.A. 10:4-12(3). Those matters are confidential unless expressly waived by the individual involved.

The actions taken during closed session relating to a disability retirement are anticipated to become available to the public immediately at the conclusion of the meeting and will be posted on the Division of Pensions and Benefits' website within a reasonable time; however, personal information pertaining to an individual shall be redacted from the minutes of such meeting and shall remain confidential until after such time as the Board determines that the need of confidentiality no longer exists under state and federal law, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the matters discussed can be disclosed.

(B) When necessary, the Board shall adopt Resolution B to go into executive session to request/receive attorney-client advice from legal counsel, which states:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, be it resolved that the Board of Trustees go into closed session to discuss matters falling within the attorney client privilege, and/or matters in which litigation is pending or anticipated, pursuant to N.J.S.A. 10:4-12(7).

The minutes of such meeting shall remain confidential until after such time as the Board determines that the need of confidentiality no longer exists and the matters discussed can be disclosed and the Board waives the attorney-client privilege.

OPEN SESSION

Called to Order: 10:17 AM

Adjourned: 1:04 PM

Roll Call: Tom Bruno, William O'Brien, Tracy Smith, Benjamin Hurst, Brian Currie, Susanne Culliton

Absent: Ronald Winthers, Carey Brown

Also Present: Jeff Ignatowitz; DAG Robert Kelly; William Tedder; Angelina Scales; Kendyl Burzachiello; Sharon Barnes; Cheryl Chianese; Wendy Jamison; Michael Weik; Mary Ann Ryan; DAG Robert Garrison; Trooper Kish; Mike Salerno, NJEA; Steven Kossup, Esq.; Seth Korch; Bryon Marshall; Dan Grossman, Esq.; Robert Goodwin, Esq.; Mary D'Arcy Bittner, Esq.; Christopher Fox; Kimberly Leftwich; Courtney Murray; Michael T. Warshaw, Esq.; Sharon Boss; Christopher Boss; Linda Young; Richard Thompson

OPEN SESSION

Minutes

Minutes from the meeting of January 19, 2019
Approved (Trustee Hurst abstained)

Minutes from the meeting of February 20, 2019
Approved

OPEN SESSION

Miscellaneous Issues

- B-1 Discussion of Honorable Service
The Board directed the Secretary to prepare the case for an honorable service review under N.J.S.A. 43:1-3
- B-2 Discussion of pending litigation
Noted
- B-3 Election Results - State Position - Tom Bruno elected without balloting. Term July 1, 2019 - June 30, 2022
Noted

OPEN SESSION

Retirement and Death Lists

- C-1 Return to Employment
Approved

CLOSED SESSION

Ordinary Disability

	Member's Name:	Employer:	Effective Date:	Option:	Decision:
D-1	Smith, Deborah	Monmouth County Hall of Records	7/1/2018	5	Approved (Off payroll over 2 years)
D-2	Ferrara, Wendy	Mount Laurel Twp Municipal Utilities Authority	6/1/2018	5	Denied Ordinary, Offer Deferred
D-3	Ambrose, Margaret	Camden Co. Board of Chosen Freeholders	3/1/2016	5	Reconsidered and Denied Ordinary, Offer Deferred
D-4	Robertson, Janice	Ancora Psychiatric Hospital			Request to apply for Ordinary Disability retirement benefits Denied request, Offer Deferred
D-5	Hanley, Annette	Passaic County	12/1/2018	D	Denied Ordinary, Offer Deferred
D-6	Meighan, John	Camden Co. Board of Chosen Freeholders	10/1/2014	5	Reconsidered and Approved Ordinary, Withdraw from OAL
D-7	Monthly OD Grid				Approved (see attached list)

PERS Ordinary Disability Grid
February 26, 2019

Member's Name	Effective Date	Opt	Employer
Allshouse, Randy L	12/18	5	Teaneck BOE
Alvarado, Anthony L	06/19	B	NJ Turnpike Authority
Bello, Rosa M	01/19	C	West New York BOE
Brenner, Shari S	03/18	5	Bayonne BOE
Carral, Juan Jose	04/19	D	Randolph Twp BOE
Chiriboga, Jorge H	12/18	D	Northern State Prison
Clarelli, Giuseppe	07/18	C	Manchester Twp BOE
Clarke, Michael Sean	11/18	5	Camden Co Bd of Chosen Frhldrs
Claussen, Patricia	01/19	1	Little Egg Harbor Twp BOE
Cronk, Lester C	01/19	B	Cedar Grove Twp BOE
Dunkerley, Robert	11/18	A	Passaic County
Edwards, Karen E	02/19	5	Mercer Co Bd of Social Services
Eisenhauer, Mark J	01/19	A	Manchester Twp BOE
Ferraro, Erminia	12/18	5	Dept of Community Affairs
Fuchs, Mary C	04/18	5	Bergen Co Bd of Special Services
Hamilton, Louise	12/18	5	Ramapo College of New Jersey
Harper, Leighton	01/19	5	Department of Labor
Harris, Rosetta	03/17	5	VA - Paramus
Harrison Sr., Vernon J	01/19	5	Hudson County
<i>*Hayman, Jessica K</i>	12/18	5	Hudson Co Schools of Technology
Jones, Patricia A	11/18	5	Newark Public Schools
Klich, Anthony C	09/18	C	Monmouth County
Lee, Cynthia Denise	01/19	C	Newark Public Schools
Mancle, Kathleen M	09/18	A	DEP - Division of Enforcement
Marte, Mayra D	12/18	D	Rutgers University
Martinez, Richard	08/18	D	North Bergen M.U.A.
Niehaus, Patricia	03/19	B	Burlington Co Bd Spcl Services
Niemczura, Pauline	11/18	C	Camden Co Bd of Social Services
Nieves, Susan C	07/18	5	Perth Amboy BOE
Ogundele, Michael A	01/19	C	Essex County
Okubanjo, Abiodun	01/19	1	Essex County
Petroni, Victoria H	06/18	5	East Amwell Twp BOE
Pope, Veronica B	03/19	5	Dept Children & Families
Quinlan, Fred M Sr	10/18	5	Warren Twp BOE
Rafanelli, Michelle	01/19	5	Rockaway Twp BOE
Ricciardi, Frank	04/19	A	Middlesex Co Vocational School
Rudolph, Sharon D	12/18	5	Dept of Children and Families
<i>*Sacks, Melissa A</i>	10/18	5	Bergen Co Bd of Social Services
Scanlon, Kelly A	08/18	5	South River Borough
Schifter, Joanna	01/19	5	North Brunswick BOE
Sherian, Gabriel J	10/18	5	Linden City Free Public Library
Shivers, Stephen D	07/18	A	New Lisbon Developmental Center
Simmons, Christine	07/18	D	Atlantic County
Szczech, Martin	12/18	B	Somerset County
Toto, Maryanne	03/19	5	Old Bridge BOE
Vilner, Gregory I	06/18	1	Wanaque Borough

**Re-exam in 1 year*

Total = 46

CLOSED SESSION

Accidental Disability

	Member's Name & No.:	Employer:	Effective Date:	Option:	Accident Date:	Decision:
E-1	Coleman, Christine	Passaic County	10/1/2018	5	6/10/2017	Approved
E-2	Lawson, Tracy	Vineland Developmental Center	1/1/2018	5	8/25/2016	Denied Accidental, Offer Deferred
E-3	Patel, Kashmira	Motor Vehicle Commission	8/1/2018	5	2/27/2014	Denied Accidental, Granted Ordinary
E-4	Noriega, Nurya	Bergen County	2/1/2016	5	4/30/2012	Resubmission of an OAL case; Request to add additional incident Denied request
E-5	Murphy, Charles	Somerset County				Request to apply for Accidental Disability retirement benefits Denied request; Offer Early
E-6	Miller, Dennis	Middlesex County	1/1/2018	A	1/1/2016	Denied Accidental, Offer Service
E-7	Korch, Seth	South Brunswick Twp	1/1/2019	5	1/11/2017	Approved
E-8	Thornton, Amy	Montclair State University	1/1/2018	5	5/16/2016	Denied Accidental, Granted Ordinary
E-9	Jay, Lori	Cherry Hill Twp BOE	1/1/2019	5	1/12/2018	Denied Accidental, Offer Service

Member's Name & No.:	Employer:	Effective Date:	Option:	Accident Date:	Decision:
E-10 Jones, Joseph	Camden City	10/1/2018	1	8/25/2012 5/10/2013 5/28/2014	Approved
E-11 Schreiber, Jennifer	Atlantic Co. Special Services	12/1/2017	5	9/24/2014 9/7/2016	Denied Accidental, Offer Deferred
E-12 Dicintil, Javan	New Lisbon Developmental Center	11/1/2018	5	8/10/2016	Denied Accidental, Granted Ordinary
E-13 Aldoy, Virgen	Ancora Psychiatric Hospital	4/1/2018	5	3/7/2017	Denied Accidental, Offer Deferred
E-14 Marter, Ricky	Monmouth County	2/1/2011	C	1/27/2010	Reconsidered and Denied Accidental, Continue in OAL
E-15 Fedeli, Luigi	Margate City	3/1/2018	B	12/21/2016	Denied Accidental, Granted Ordinary
E-16 Gensel, Regina	Atlantic County Welfare Board	10/1/2018	5	8/13/2013	REQUEST TO POSTPONE Approved request
E-17 Adams, Sheril	Trenton Psychiatric Hospital	6/1/2018	A	11/3/2017	Denied Accidental, Offer Deferred

OPEN SESSION

Retirement Issues

F-1 Johnston, Christine Rowan University - a) Appeals the Division's recalculation of retirement allowance; b) Request to cancel outstanding loan obligation
ADMINISTRATIVELY REMOVED

- F-2 Prentice, David Treasury-Division of Taxation - Appeals the Division's calculation of retirement allowance
The Board determined the Division correctly calculated member's pension benefit payable under Veteran retirement based on the member's final 26 pay periods and denied request for recalculation
- F-3 Tamuzza, Joseph Totowa Borough BOE - Request to waive accrued interest on loan
Denied
- F-4 Grant, Kevin Ancora Psychiatric Hospital - Request to waive accrued interest on loan
Denied
- F-5 Manzo, William State Police Civilian Employees - Reconsideration of eligibility for Service retirement benefits
The Board determined member is not eligible for Service retirement and offers Deferred (Retirement Bureau)
- F-6 Delieto, Alan Monroe Twp - Appeals the Division's determination that post-retirement employment violates the provisions of N.J.S.A. 43:15a-44(b)
ADMINISTRATIVELY REMOVED
- F-7 Brozena, Bernardine Treasury- Division of Pensions and Benefits - Honorable Service Partial Forfeiture of service and salary; Forfeit all service and salary from August 1, 2015 through termination of employment; Approve Early retirement effective July 1, 2017 under Maximum option (Retirement Bureau, Audit Section) (Trustee Culliton recused)

OPEN SESSION

Hearing Decision

- G-1 Walton, Donna Dept. of Education - Initial Decision on Request for Emergency Relief - The ALJ denied the petitioner's request for emergent relief
ADMINISTRATIVELY REMOVED
- G-2 Vedder, Thomas Deptford Twp - Initial Decision -The ALJ reversed the Board's decision and granted Accidental Disability retirement benefits
Adopted the ALJ's decision which reversed the Board's original determination and granted Accidental Disability retirement benefits effective September 1, 2013 under the Maximum option (Retirement Bureau, Health Benefits Section)
- G-3 Lukanovic, Matilda Shore Regional High School District - Initial Decision -The ALJ affirmed the Board's decision denying Accidental Disability retirement benefits; Exceptions; Reply to Exceptions
Adopted the ALJ's decision; Noted Exceptions; Noted Reply to Exceptions
- G-4 Giacalone, Arlene Wall Township BOE - Hearing Withdrawals
Noted
- G-5 Henderson, Darlene Camden Co. Board of Chosen Freeholders - Hearing Withdrawals
Noted

- G-6+ Hamilton, William New Brunswick City - Request to reconsider PERS eligibility
The Board reversed its previous decision and determined member is eligible for PERS membership for the period of April 1, 1986 through July 31, 2007 but reaffirmed its decision that member's retirement is non-bona fide (Retirement Bureau, Enrollment Section, Audit Section) (Secretary Ignatowitz recused and turned the matter over to Secretary Scales)
- G-7+ Goodwin, Robert New Brunswick City - Request to reconsider PERS eligibility
The Board reversed its previous decision and determined member is eligible for PERS membership beyond December 31, 2007 (Audit Section) (Secretary Ignatowitz recused and turned the matter over to Secretary Scales)
- G-8 Roman, Michelle Perth Amboy City - Request to reconsider PERS eligibility
The Board reversed its previous decision and determined member is eligible for PERS membership beyond December 31, 2007 (Audit Section) (Secretary Ignatowitz recused and turned the matter over to Secretary Scales)
- G-9 Cohen, Sheldon Fort Lee Borough - Appellate Division Decisions -The Court affirmed the Board's decision that the Appellant was not an employee of Fort Lee in the years 2004 through 2007 but concluded the Appellant was an employee of Fort Lee from 2001 through 2003, thereby reversing the Board's previous determination and remanded the matter to the Board to direct the Division to adjust Appellant's retirement account and pension to include the compensation for 2001 through 2003.
Tabled until the March 20, 2019 meeting due to the Attorney General's Office motion for reconsideration of the Appellate Division decision
- G-10+ Bittner, Mary Final Administrative Determinations
Approved
- G-11 Mulvey, Sally Brookdale Community College - Final Administrative Determinations
Approved
- G-12 Robertson, James Final Administrative Determinations
Approved
- G-13 Tarboro, Oscar Hunterdon Developmental Center - Findings of Fact, Conclusions of Law
Approved (Trustee Bruno recused)

OPEN SESSION

Hearing Request

- H-1 Greene, Doloris NJ Veterans Memorial Home - Vineland - Appeals the Board's denial of Ordinary Disability retirement benefits
Approved OAL Hearing
- H-2+ Leftwich, Kimberly New Lisbon Developmental Center - Appeals the Board's denial of Accidental Disability retirement benefits
Approved OAL Hearing
- H-3 Perez, Freddie Perth Amboy BOE - Appeals the Board's denial of Ordinary Disability retirement benefits
Approved OAL Hearing

- H-4 Borges, Michele Neptune Twp BOE - Appeals the Board's denial of Accidental Disability retirement benefits
Approved OAL Hearing
- H-5+ Boss, Sharon Cumberland County - Appeals the Board's denial of Deferred retirement benefits due to dismissal for cause
Tabled
- H-6+ Young, Linda The College of New Jersey - Appeals the Board's denial of Accidental Disability retirement benefits
Denied reconsideration, Approved OAL Hearing

OPEN SESSION

Active Membership Issues

- J-1 Kelly, Bernadette Request to waive accrued interest on loan
Denied

OPEN SESSION

Informational Issues

- L-1 Appellate Division Decisions Anthony Marques v. PFRS
Noted
- L-2 Appellate Division Decisions Danielle Siana v. PFRS
Noted
- L-3 Appellate Division Decisions Ray Benevento v. PFRS
Noted
- L-4 Appellate Division Decisions Jeanette McGuinness v. TPAF
Noted
- L-5 Common Pension Fund D as of December 31, 2018
Noted
- L-6 Trial Balance For December 31, 2018
Noted
- L-7 Common Pension Fund D As of January 31, 2019
Noted
- L-8 Common Pension Fund E As of January 31, 2019
Noted
- L-9 Wire Transfers PERS contributory group insurance policy #13900
Noted

L-10 Wire Transfers Non-contributory group insurance policy #14800 benefit claims
Noted

"+" Indicates personal appearance

"=" Indicates items not mailed

The next meeting of the Board will be held on March 20, 2019