

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**October 24, 2022**

**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 October 18, 2022 and was published in the Star Ledger and the Times of Trenton on October 20, 2022.

**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.

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(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.

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**OPEN SESSION**

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Called to Order: 10:06 AM

Adjourned: 3:13 PM

Roll Call: Tom Bruno; William O'Brien; Tracy Smith; Benjamin Hurst; Carey Brown (left at 11:00 a.m. and returned at 1:00 p.m.; Danielle Schimmel (all of whom attended telephonically)

Absent: Ronald Winthers

Also Present: Jon Klinkenborg, AT&T Teleconference Operator; DAG Robert Kelly; Jeff Ignatowitz; William Tedder; Saretta Dudley; Sharon Palmer; Christopher Milaszewski; Tyler O'Shea; Darlene Brigante; Jennifer DiDonato; Vanessa Shaw; John D. Feeley, Esq.; Jeffrey Ventura; Paul Williams; Marcia J. Mitolo, Esq.; Madeline Leonard; Ray Stine, Esq.; Wendy Thompson; Clarrisa Rosario- Chilimintris; Victoria Fisher, CWA; Edward Wortman; Sandra Powell; Kimberly Leftwich; Neila Clitus; Sherri Ciarocco; Denise Cole (all of whom attended telephonically)

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**OPEN SESSION**

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**Minutes**

Minutes from the meeting of September 21, 2022  
Approved

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**CLOSED SESSION**

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**Ordinary Disability**

	<b>Member's Name:</b>	<b>Employer:</b>	<b>Effective Date:</b>	<b>Option:</b>	<b>Decision:</b>
D-1	Britton, Colleen	Belleville Twp	11/1/2021	5	Tabled for re-examination in eight months
D-2+	Shaw, Vanessa	Dept. of Community Affairs			Denied request to apply for Ordinary Disability retirement benefits
D-3	Monthly OD Grid				Approved (See list below.); noted that Jeanette Walton, Arturo Estupinan, Jacqueline Hay and Mario Martinez also qualify for Early retirement

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**PERS Ordinary Disability Grid**  
**October 24, 2022**

<b>Member's Name</b>	<b>Effective Date</b>	<b>Opt</b>	<b>Employer</b>
Bethune, Shiamonia	10/22	C	Woodbine Developmental Center
Bull, Frederick	09/22	D	Ann Klein Forensic Center
Cassidy, Sharon I.	04/22	1	Bridgeton BOE
Clarke, Dione S.	05/22	5	Dept. of Children and Families
Claytor, Germaine	06/22	A	Dept. of Children and Families
Costello, Dina	09/22	5	Camden Co. Bd of Chosen Frhldrs
Dilello, Robert D.	09/22	5	Franklin Twp BOE (Somerset Co.)
Edwards, Barnabas	06/22	5	Newark Housing Authority
Estupinan, Arturo F.	11/21	5	Paterson BOE
Famularo, Sebastian J.	06/21	A	Greenbrook Regional Center
Garcia, Eduardo	06/22	A	West New York BOE
Hay, Jacqueline A.	06/22	A	Office of the Public Defender
Heinzer, Patricia	10/22	3	Keansburg BOE
Hodge, Cheryl A.	02/21	A	Hunterdon Developmental Center
Hudson-Hamill, Leisa	09/21	5	Somerset County Finance Office
Martinez, Mario	04/22	A	Perth Amboy BOE
Mathew, Juli James	08/22	A	VA - Paramus
Mays, Elizabeth D.	10/21	C	Cumberland Co. Bd Social Services
Milton, Betty	08/22	5	Pemberton Twp BOE
Morales Jr., Ruben	05/22	5	Hudson County
Nemser, Henry L.	03/22	5	Fair Haven Borough BOE
Parker, Robert	12/21	A	Bridgeton BOE
Phillips, Lorraine	05/22	5	Essex County
Pinnock, Carolyn D.	04/22	1	Jersey City Public Schools
Pitts, Sheila R.	06/22	5	Newark Public Schools
Shane, Gary L.	07/22	5	Hunterdon Central High School
Thompson, Olive	10/22	D	Greystone Park Psych Hospital
Walton, Jeanette	10/21	5	Passaic County
Worthington, David	11/21	B	Atlantic County

Total = 29

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**CLOSED SESSION**

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**Accidental Disability**

Member's Name & No.:	Employer:	Effective Date:	Option:	Accident Date:	Decision:
E-1+ Williams, Paul	Lakewood Twp				Approved request to apply for Accidental Disability retirement benefits
E-2 Duncan, Robert	Hopatcong BOE	4/1/2022	C	6/10/2021	Denied Accidental, Granted Ordinary
E-3 Ventura, Jeffrey	Bergen County	3/1/2022	D	2/18/2021	Approved
E-4 Nye, Ronald	Monroe Twp (Gloucester Co.)	12/1/2021	5	4/17/2020	Tabled Accidental, Granted Interim Ordinary
E-5 Arias, Luis	Hudson County	4/1/2022	A	9/13/2019	Denied Accidental, Offer Early
E-6 Del Valle, Vilma	Union City BOE	7/1/2022	5	2/18/2019	Denied Accidental, Granted Ordinary
E-7 Burgos, Betty	Woodbine Developmental Center	5/1/2022	D	5/15/2017 1/8/2018 3/16/2021	Denied Accidental, Granted Ordinary
E-8 Papelette, Mary	Clifton City BOE	11/1/2021	A	2/4/2021	Denied Accidental, Granted Ordinary
E-9 Razzak, Eva	Paterson BOE	11/1/2020	5	12/6/2016	Tabled for re-examination in six months

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Member's Name & No.:	Employer:	Effective Date:	Option:	Accident Date:	Decision:
E-10 Gilliard, Roslyn	Essex County	9/1/2022	5	2/1/2021	Denied Accidental, Offer Early

E-11+ Miller, Leslie	Hudson County Department of Corrections				Approved request to apply for Accidental Disability retirement benefits
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### OPEN SESSION

#### Retirement Issues

- F-1+ Leonard, Madeline - Midstate Correctional Facility - Request to change retirement option from Option A to Maximum  
Denied
- F-2 Babich, Jay - Wayne BOE - Honorable Service  
Partial Forfeiture of service and salary credit; forfeit all service and salary credit in excess of 10 years; approved Service retirement effective April 1, 2022 under Option 1 (Retirement Bureau, Audit Section)
- F-3+ Krzyzczuk, Gail - Bradley Beach Borough - Reconsideration Appeals the salary used in the calculation of retirement benefit  
Reconsidered and denied appeal; re-affirmed the Division's calculation of retirement benefit; denied OAL hearing; directed the Secretary to draft a Final Administrative Determination
- F-4 Walker, Charlotte - Atlantic City Housing Authority - Honorable Service  
Partial Forfeiture of service and salary credit; forfeit final year of service and salary credit; approved Service retirement effective April 1, 2022 under Option B (Retirement Bureau, Audit Section)
- F-5+ Thompson, Wendy - Atlantic City Housing Authority - Honorable Service  
Tabled
- F-6+ Rosario-Chilimintris, Clarissa - Passaic County Community College - Honorable Service  
Partial Forfeiture of service and salary credit; forfeit final year of service and salary credit; approved Service retirement effective February 1, 2022 under Option 1 (Retirement Bureau, Audit Section)
- F-7+ Wortman, Edward - Motor Vehicle Commission - Honorable Service  
Partial Forfeiture of service and salary credit; forfeit final year of service and salary credit; approved Service retirement effective July 1, 2019 under Option A (Retirement Bureau, Audit Section)

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**OPEN SESSION**

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**Hearing Decision**

- G-1 Kelly, Meredith (deceased) - Bergen Community College - Initial Decision -The ALJ affirmed the Board's denial of the estate's request to change the member's retirement option and beneficiary designation  
Adopted the ALJ's decision
- G-2 Migut, Melissa - Judiciary - Initial Decision -The ALJ dismissed the Petitioner's appeal of the Board's denial of Accidental Disability retirement benefits with prejudice; Exceptions  
ADMINISTRATIVELY REMOVED
- G-3+ Powell, Sandra - Forensic Psychiatric Hospital - Initial Decision -The ALJ affirmed the Board's denial of Accidental Disability retirement benefits; Exceptions  
Adopted the ALJ's decision with modifications to correct the legal standard applied by the ALJ on page 20 of the Initial Decision per the DAG's noted Exceptions
- G-4+ Leftwich, Kimberly - New Lisbon Developmental Center - Initial Decision -The ALJ affirmed the Board's denial of Accidental Disability retirement benefits  
Adopted the ALJ's decision
- G-5 Vargas, Veronica - Jersey City Housing Authority - Appellate Division Decision -The court affirmed the Board's denial of the Appellant's request to change her retirement option due to changed circumstances after the expiration of the time period in which she was eligible to change her retirement option  
Noted
- G-6 Mack, Jeanna - Paterson BOE - Findings of Fact, Conclusions of Law  
Approved
- G-7 Artis, Dorothy - Division of Family Development - Final Administrative Determination  
Approved
- G-8+ Clitus, Neila - VA-Paramus - Final Administrative Determination  
Approved

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**OPEN SESSION**

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**Hearing Request**

- H-1 Winkler, David - Treasury-Division of Property Management and Construction - Appeals the Board's denial of Deferred retirement benefits due to dismissal for cause  
Denied OAL Hearing; directed the Secretary to draft a Final Administrative Determination
- H-2 McNair, Daniel - Atlantic City BOE - Appeals the Board's denial of request to change retirement option from Option A to Maximum  
Denied OAL Hearing; directed the Secretary to draft a Final Administrative Determination

- H-3 Benjamin, Edward - Willingboro Twp - Appeal's the Board's denial of Accidental Disability retirement benefits  
Approved OAL Hearing
- H-4 Love-Tortoreto, Andrea - Regional Operations South - Appeals the Board's denial of Ordinary Disability retirement benefits  
Approved OAL Hearing

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**OPEN SESSION**

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**Informational Issues**

- L-1 Common Pension Fund D as of July 31, 2022  
Noted
- L-2 Common Pension Fund D as of August 31, 2022  
Noted
- L-3 Wire Transfer - Non-Contributory Group Insurance Policy #14800 Benefit Claims for the month of August 2022  
Noted
- L-4 Wire Transfer - PERS Contributory Group Insurance Policy #14800, formerly #13900, for the month of August 2022  
Noted
- L-5 PERS Board Meeting Dates for 2023  
Noted

**"+" Indicates personal appearance**

**The next meeting of the Board will be held on November 16, 2022**