

**BOARD OF TRUSTEES
POLICE AND FIREMEN'S RETIREMENT SYSTEM
MINUTES**

Chairman John Sierchio called the 794th meeting of the Board of Trustees, Police and Firemen's Retirement System, to order at 10:00 a.m. This meeting was held at the Division of Pensions and Benefits, 50 West State Street, Trenton, New Jersey, and was attended by the following members:

Roll Call: Marty Barrett; Laurel Brennan (left 10:10 a.m.; returned 11:52 a.m.; left 4:00 p.m.); Susanne Culliton; Vince Foti; Wayne Hall; Frank Leake; Richard Loccke; Richard Mikutsky; Mike Postorino; John Sierchio

Absent: Sherryl Gordon;

Also Present: DAG Kellie Pushko; Wendy Jamison; Lisa Pointer; Sharon Palmer; Marylou Mayoros; DAG Robert Kelly; John Megariotis; John Feeley, Esq.; Craig Gumpel, Esq.; Eldridge Hawkins, Jr.; Eldridge Hawkins, Sr.; Captain Kevin Sooy; Timothy Smith, Esq.; Jayson Belfort; John Fiore; Earl Armstrong; Michael Volk; Michael Knight; Patrick Murphy; Steven Gaechter, Esq.; Nina Knight; Samuel Halpern, Esq.; Keith Neuschwanter; Edwin Smith; Steven Vanhook; Mrs. Vanhook; Jason Duncan; William Meadows, Esq.; Yessenia Montaivo; Jason Hatez; William Lynch; Christopher Gray, Esq.; Sean Carter

Adequate notice of this meeting was provided through a notice that was filed with the Secretary of State and was mailed to *The Star Ledger* and the *Trenton Times* on November 17, 2010.

OPEN SESSION

RESOLUTION "A" No. 2007-1

**RESOLUTION TO GO INTO CLOSED SESSION
TO CONSIDER INDIVIDUALS' DISABILITY APPLICATIONS**

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 of the Police and Firemen's Retirement System 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 and the matters discussed can be disclosed.

RESOLUTION "B" No. 2007-2

**RESOLUTION TO GO INTO EXECUTIVE SESSION
TO REQUEST/RECEIVE ATTORNEY-CLIENT ADVICE FROM THE DEPUTY ATTORNEY
GENERAL**

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 of the Police and Firemen's Retirement System go into closed session to discuss matters falling within the attorney client privilege, and/or matter 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

Minutes

Minutes from the meeting of August 8, 2011 – Approved (Motion by Trustee Foti seconded by Trustee Mikutsky)

Executive Session Minutes from the meeting of August 8, 2011 – Approved - (Motion by Trustee Foti seconded by Trustee Mikutsky)

OPEN SESSION

PAGES

Retirement and Death Lists

- 775 - 780 Active and Retired Death Lists for August 31, 2011 - Approved
(Motion by Trustee Foti seconded by Trustee Mikutsky)
- 781- 798 Retirement Lists - Approved
(Motion by Trustee Foti seconded by Trustee Mikutsky)
- 799 Chapter 104 PFRS
(Motion by Trustee Foti seconded by Trustee Mikutsky)

(A motion to adopt Resolution A was made by Trustee Mikutsky seconded by Trustee Culliton. A subsequent motion to return to Open Session was made by Trustee Foti seconded by Trustee Hall.)

CLOSED SESSION

Ordinary Disability Approved

Dickerhof, Walter	Linden City	11/1/2010	Reconsidered & Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Baltuskonis, Dara	Southern State Corr. Fac.	5/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Diori, John	Southern State Corr. Fac.	8/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Hancox, Stephen	Middlesex County	1/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Kaspereen, Anthony	Madison Borough	3/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Kernan, Francis	West Orange Twp.	4/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Penn, Keith	Burlington County	7/1/2011	Approved - (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Smith, Wilford Y Jr.	DOC/Vroom-Jones Farm	7/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
Tortorello, Michael	Kearney Town	2/1/2012	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)
White, Steven	Trenton City	7/1/2011	Approved – (Motion by Trustee Culliton seconded by Trustee Mikutsky)

Total = 10

SYSTEM : 365-DBS
PROGRAM NO : PMS400CP2
FREQUENCY : ON REQUEST

STATE OF NEW JERSEY
NEW JERSEY DIVISION OF PENSIONS AND BENEFITS
DEATH INSURANCE
FOR 08/31/2011

C-1
PERS 949-11

RUN DATE : 08/31/2011
RUN TIME : 09:10:01
PAGE : 6

MEMBER ID	NAME	DATE OF DEATH	DATE OF CHECK	NON-CONTR INS	CONTR INS	NONCONTRIB	ASF	BENE %
BRYAN A MASSEY		03/22/2011	08/02/2011	270,875.96	.00	270,875.96	93,946.13	100.00
ROBERT E HALL JR		06/12/2011	08/01/2011	257,842.89	.01	257,842.88	93,120.11	97.68
NELSON PEREZ		03/28/2011	07/28/2011	178,161.37	.00	178,161.37	.00	50.00
BRYAN BEHAN		03/28/2011	07/28/2011	178,161.37	.01	178,161.37	.00	50.00
CHARLES HENRY KUHN		03/26/2011	08/18/2011	144,148.68	.00	144,148.68	.00	50.00
WILLIAM C JOHNSON		05/23/2011	08/25/2011	277,600.72	.00	277,600.72	.00	50.00
JAMES H CARTER		05/27/2011	08/30/2011	304,579.55	.00	304,579.55	.00	50.00
JAMES H CARTER		07/10/2011	08/30/2011	40,006.43	.00	40,006.43	.00	50.00
ASHLEY B KRAUS		07/10/2011	08/30/2011	288,689.42	.00	288,689.42	.00	50.00
ASHLEY B KRAUS		05/29/2011	08/19/2011	109,708.41	.00	109,708.41	.00	50.00
KATRINA OWENS		07/05/2011	08/26/2011	215,970.86	.00	215,970.86	.00	50.00
KATRINA OWENS		07/05/2011	08/26/2011	4,655.21	.00	4,655.21	.00	2.11

III

SYSTEM NO : 365-DBS
PROGRAM NO : PN540CP2
FREQUENCY : ON REQUEST

STATE OF NEW JERSEY
JERSEY DIVISION OF PENSIONS AND BENEFITS
DEATH INSURANCE
FOR 08/31/2011

RUN DATE : 08/31/2011
RUN TIME : 09:10:01
PAGE : 7

----- F U N D T O T A L S -----
TOTAL NUMBER OF BENEFICIARIES FOR FUND: 15
TOTAL CONTRIBUTORY AMOUNT : 2,400,502.98
TOTAL NON-CONTRIBUTORY AMOUNT : 400,412.94
TOTAL ASF AMOUNT

SYSTEM NO : 365-DBS
PROGRAM NO : PMS40CP2
FREQUENCY : ON REQUEST

STATE OF NEW Jersey
NEW JERSEY DIVISION OF PENSIONS AND BENEFITS
DEATH INSURANCE FOR 08/31/2011

RUN DATE : 08/31/2011
PAGE : 09:10:01
33

MEMBER ID	NAME	DATE OF DEATH	DATE OF CHECK	NON-CONTR INS	CONTR INS	CONTR + NONCONTR	ASF	BENE %
GREGORY S BRUNELL		07/13/2011	08/17/2011	372,756.93	.00	372,756.93	133,002.98	100.00
ROBERT G WATSON		06/03/2011	07/22/2011	1,980.00	.00	1,980.00	.00	45.00
HENRY BABULA		05/23/2011	08/01/2011	5,080.00	.00	5,080.00	.00	100.00
TEOFIL J SUSKI		05/19/2011	08/15/2011	5,710.00	.00	5,710.00	.00	100.00
PETER J CAMPBELL		06/19/2011	08/03/2011	6,400.00	.00	6,400.00	.00	100.00
RICHARD K CORCORAN		07/10/2011	08/30/2011	8,369.00	.00	8,369.00	.00	100.00
DONALD P SAMUELLO		05/20/2011	07/22/2011	7,616.50	.00	7,616.50	.00	100.00
ANGEL F BABULSKI		06/03/2011	07/22/2011	9,960.50	.00	9,960.50	.00	100.00
EDWARD F BABULSKI		05/19/2011	08/03/2011	8,626.50	.00	8,626.50	.00	100.00
JOHN A GUARDUCCI		03/07/2011	08/01/2011	7,998.50	.00	7,998.50	.00	100.00
HENRY S HMLEWSKI		04/13/2011	08/15/2011	7,652.00	.00	7,652.00	.00	100.00
CHARLES S LAUDENSLAGER		06/27/2011	08/30/2011	9,957.00	.00	9,957.00	.00	100.00
FRANCIS X LAWLESS		06/17/2011	07/22/2011	9,678.00	.00	9,678.00	.00	100.00
RICHARD J MARRAN		05/30/2011	08/15/2011	9,264.00	.00	9,264.00	.00	100.00
EDWARD J TYLER		07/11/2011	08/02/2011	15,985.50	.00	15,985.50	.00	100.00
THOMAS F BAUER		05/07/2011	08/02/2011	12,670.00	.00	12,670.00	.00	100.00
JOHN D SEIGER		04/21/2011	08/01/2011	13,977.00	.00	13,977.00	.00	100.00
MICHAEL A PATENBERG		07/14/2011	08/18/2011	10,101.50	.00	10,101.50	.00	100.00
ANTHONY FRATTINI		07/21/2011	08/18/2011	13,074.00	.00	13,074.00	.00	100.00
HARRY K OPTAK		01/02/2011	08/12/2011	11,345.00	.00	11,345.00	.00	100.00
ROBERT MATZA		06/15/2011	08/01/2011	14,571.00	.00	14,571.00	.00	100.00
JOSEPH KRUSZAK		07/10/2011	08/18/2011	18,310.00	.00	18,310.00	.00	100.00
DONALD E RUSSELL		06/13/2011	08/01/2011	14,353.00	.00	14,353.00	.00	100.00
JOSEPH A SZALKOWSKI		07/06/2011	08/12/2011	5,034.99	.00	5,034.99	.00	33.33
PAUL B STUDER		05/29/2011	08/12/2011	5,034.99	.00	5,034.99	.00	33.33
ANDREW BACSIK		05/29/2011	08/12/2011	13,856.00	.00	13,856.00	.00	100.00
HERBERT H COLE		05/22/2011	08/01/2011	10,390.75	.00	10,390.75	.00	50.00
ROBERT M COTTON		05/23/2011	07/28/2011	15,847.00	.00	15,847.00	.00	100.00
JOSEPH M LONGO		06/12/2011	08/18/2011	11,528.50	.00	11,528.50	.00	100.00
CARMEN SALVATORE		06/22/2011	08/01/2011	15,842.50	.00	15,842.50	.00	100.00
JOHN J NOVAK		06/04/2011	08/30/2011	16,916.00	.00	16,916.00	.00	100.00
LOUIS G POMONIO		07/20/2011	08/11/2011	19,641.00	.00	19,641.00	.00	100.00
PAUL F URBAN		07/11/2011	08/02/2011	19,539.50	.00	19,539.50	.00	100.00
GEORGE CONLIN		06/27/2011	08/16/2011	20,750.50	.00	20,750.50	.00	100.00
RAYMOND K WASHK		05/29/2011	08/01/2011	6,142.26	.00	6,142.26	.00	33.33
DONALD A JANDUSKI		06/02/2011	08/03/2011	6,142.26	.00	6,142.26	.00	33.33
CHARLES W RITZ		06/02/2011	08/03/2011	6,142.26	.00	6,142.26	.00	33.33

SYSTEM : 365-DBS
PROGRAM NO: PMS40CP2
FREQUENCY : ON REQUEST

STATE OF NEW JERSEY
NEW JERSEY DIVISION
DEATH INSURANCE
FOR 08/31/2011
OF PENSIONS AND BENEFITS
PAYMENTS PROCESSED

RUN DATE : 08/31/2011
RUN TIME : 09:10:01
PAGE : 34

MEMBER ID	NAME	DATE OF DEATH	DATE OF CHECK	NON-CONTR INS	CONTR INS	CONTR + NONCONTRIB	ASF	BENE %
CHARLES W RITZ	ANTHONY J CAPUA JR	06/02/2011	08/03/2011	6,142.26	.00	6,142.26	.00	33.33
JOHN T HALL	JOHN T HALL	07/01/2011	08/15/2011	8,739.00	.00	8,739.00	.00	50.00
CHARLES T LANNER	LOUIS PAUL FRANCIOS	05/05/2011	07/22/2011	18,771.50	.00	18,771.50	.00	100.00
DAVID J CURTIS	JOSEPH L GLOSHINSKI	06/16/2011	08/12/2011	25,503.98	.00	25,503.98	.00	100.00
VICTOR L SMITH	OTIS ALFORD	07/23/2011	08/30/2011	10,341.75	.00	10,341.75	.00	50.00
RICHARD L KELLER	ANGEL H BRATTIS	07/23/2011	08/18/2011	22,723.64	.00	22,723.64	.00	100.00
MORRIS H BRATTIS	JOSEPH T CRELLA	06/18/2011	07/23/2011	22,723.64	.00	22,723.64	.00	100.00
JOSEPH T CRELLA	MELVIN A HOIBERG	06/21/2011	08/03/2011	22,723.64	.00	22,723.64	.00	100.00
CHEVVIS BELTON JR	JOSEPH M CHERIPKO	05/08/2011	08/29/2011	36,756.00	.00	36,756.00	.00	100.00
EDWARD J EPPLE	CHARLOTTE P NAMLICK	06/07/2011	08/01/2011	10,684.93	.00	10,684.93	.00	50.00
PAUL T GIZZO SR	WILLIAM A LANZARO	06/12/2011	08/16/2011	31,339.15	.00	31,339.15	.00	100.00
DONALD L LATTINE	ROBERT J DAVIS	06/27/2011	07/28/2011	33,780.33	.00	33,780.33	.00	100.00
LOUIS RYFFEL JR	CHARLES COLEMAN	06/01/2011	07/22/2011	22,723.64	.00	22,723.64	.00	100.00
PAUL MADALEIGH	ERNEST WILLIAMS	06/30/2011	08/18/2011	22,723.64	.00	22,723.64	.00	100.00
JOHN D KROMPHOLD	JOHN GAR BLACK	06/01/2011	07/22/2011	22,723.64	.00	22,723.64	.00	100.00
SALLY A PEDERICK	BENJAMIN W MESSENGER	07/07/2011	08/16/2011	31,936.45	.00	31,936.45	.00	100.00
ERNEST G ROBERTS	WILLIAM JOHN DIXON	07/05/2011	08/18/2011	31,936.45	.00	31,936.45	.00	100.00
WILLIAM JOHN DIXON	GREG BRIGHMAN	05/13/2011	08/10/2011	27,981.98	.00	27,981.98	.00	100.00
WILLIAM JOHN DIXON	GREG BRIGHMAN	07/21/2011	08/30/2011	10,818.62	.00	10,818.62	.00	25.00
WILLIAM JOHN DIXON	GREG BRIGHMAN	07/21/2011	08/30/2011	10,818.62	.00	10,818.62	.00	25.00
WILLIAM JOHN DIXON	GREG BRIGHMAN	06/09/2011	07/25/2011	49,552.00	.00	49,552.00	.00	100.00

SYSTEM : 365-DBS
PROGRAM NO: PN540CP2
FREQUENCY : ON REQUEST

STATE OF NEW JERSEY
NEW JERSEY DIVISION OF PENSIONS AND BENEFITS
DEATH INSURANCE
FOR 08/31/2011

RUN DATE : 08/31/2011
RUN TIME : 09:10:01
PAGE : 35

MEMBER ID	NAME	DATE OF DEATH	DATE OF CHECK	NON-CONTR INS	CONTR INS	CONTR + NONCONTRIB	ASF	BENE %
JAMES R. LYONS	SHERWOOD ARMSTRONG	05/23/2011	07/28/2011	259,335.72	.00	259,335.72	.00	100.00
MICHAEL V. GAGLIARDI	ARMSTRONG	06/08/2011	07/29/2011	34,942.43	.00	34,942.43	.00	100.00
ROBERT A. THORNTON JR	ARMSTRONG	07/04/2011	07/29/2011	30,105.41	.00	30,105.41	.00	100.00
NEIL I. TUCKER	ARMSTRONG	06/20/2011	08/24/2011	240,958.48	.00	240,958.48	.00	100.00
STEPHEN ROBERT HELLER	ARMSTRONG	06/24/2011	08/25/2011	57,186.32	.00	57,186.32	.00	100.00
ALBERT ELDRACHER	ARMSTRONG	07/22/2011	08/15/2011	53,412.00	.00	53,412.00	.00	100.00
DAVID R. SPRIGGS	ARMSTRONG	06/03/2011	07/22/2011	60,945.96	.00	60,945.96	.00	100.00
CHARLE E. ATWATER	ARMSTRONG	07/08/2011	08/15/2011	36,640.96	.00	36,640.96	.00	100.00
JEROME K. BROWN	ARMSTRONG	06/28/2011	08/09/2011	45,117.96	.00	45,117.96	.00	100.00
RICHARD E. BROWN	ARMSTRONG	05/11/2011	08/09/2011	23,076.00	.00	23,076.00	.00	100.00
RAYMOND DEAN WELSH	ARMSTRONG	04/28/2011	08/15/2011	38,637.15	.00	38,637.15	.00	100.00
GERALD MICHAEL WALKER	ARMSTRONG	06/18/2011	08/15/2011	59,491.96	.00	59,491.96	.00	100.00
DANIEL A. FARRELL	ARMSTRONG	06/15/2011	08/15/2011	46,104.00	.00	46,104.00	.00	100.00
		07/27/2011	08/24/2011		.00		.00	100.00

III

SYSTEM : 365-DBS
PROGRAM NO: PNB40CP2
FREQUENCY : ON REQUEST

S T A T E O F N E W J E R S E Y
NEW JERSEY DIVISION OF PENSIONS AND BENEFITS
DEATH INSURANCE
FOR 08/31/2011

RUN DATE : 08/31/2011
RUN TIME : 09:10:01
PAGE : 36

----- F U N D T O T A L S -----
TOTAL NUMBER OF BENEFICIARIES FOR FUND: 102
TOTAL CONTRIBUTORY AMOUNT : 3,217,236.10
TOTAL NON-CONTRIBUTORY AMOUNT : 133,002.98
TOTAL ASF AMOUNT

MEMORANDUM

C-2
PFRS
9/19/11

TO: Wendy Jamison
Board Secretary
Police & Firemen's Retirement System

FROM: Marylou Mayoros
Assistant Chief Retirement Bureau

DATE: September 19, 2011

SUBJECT: Board List for PFRS September 19, 2011 meeting

Attached is the Board List for the September 19, 2011 meeting of the Police & Firemen's Retirement System.

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS

POLICE & FIREMEN'S RETIREMENT SYSTEM

September 19, 2011 Board Meeting

ADDITIONS

<u>NAME</u>	<u>M/S #</u>	<u>RET DATE</u>	<u>AGE</u>	<u>SERVICE YRS. -MOS.</u>	<u>MONTHLY ALLOW</u>	<u>RET TYPE</u>
Curtis, Andre		1/1/2011	45	25- 2	\$5,478.38	P

**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS**

POLICE & FIREMEN'S RETIREMENT SYSTEM

September 19, 2011 Board Meeting

CANCELLATION LIST

<u>NAME</u>	<u>M/S #</u>	<u>BD</u> <u>APPROVAL</u> <u>DATE</u>	<u>RET</u> <u>TYPE</u>	<u>RET</u> <u>DATE</u>	<u>CANCELED</u>	<u>REASON</u>
Bitsko, Frank		7/11/2011	P	9/1/2011	8/12/2011	Remain active
Castellano, Ralph		10/12/2010	P	7/1/2011	6/27/2011	Remain active
Doyle, David		4/11/2011	P	9/1/2011	8/24/2011	Remain active
Frey, Scott		12/13/2010	P	11/1/2011	8/10/2011	Remain active
Hernandez, Richard		5/2/2011	P	6/1/2011	7/7/2011	Remain active
Stallfort, William		6/13/2011	P	7/1/2011	6/27/2011	Remain active
Vento, Miguel		8/8/2011	S	10/1/2011	8/9/2011	Remain active

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SERVICE

NAME	EFFECTIVE DATE	MVS #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
ALKINS, RAYMOND E, III CAMDEN CO BD OF CHOSEN FRHLDRS	12-01-2011		MAX	41 P	21-06	2,928.44	428
ANDINO, JESUS MONMOUTH COUNTY/HALL OF RECORDS	09-01-2011		MAX	62 P	16-08	2,361.10	
BARBER, NATALIE NORTHERN STATE PRISON	09-01-2011		MAX	53 P	20-07	3,329.62	428
FUSCELLARO, CLEMENT A CAMDEN CO BD OF CHOSEN FRHLDRS	03-01-2012		MAX	45 P	22-07	4,087.50	428
GAETANO, FRANCESCO, JR FRANKLIN TOWNSHIP (GLOUCESTER)	09-01-2011		MAX	41 P	21-00	3,530.22	428
HATTRICH, DAVID G MOUNT OLIVE TOWNSHIP	09-01-2011		MAX	42 P	20-07	4,080.05	428
HILL, ALVIN F RUTGERS UNIVERSITY	06-01-2011		MAX	46 P	22-08	2,144.93	428
HOFFMAN, JOHN J CUMBERLAND COUNTY	10-01-2011		MAX	50 P	21-00	3,007.54	428
HOOVER, BRENDA LEE CUMBERLAND COUNTY	09-01-2011		MAX	55 P	16-11	1,136.34	
KOZIOL, TADEUSZ BERGEN COUNTY	07-01-2010		MAX	42 P	20-05	4,582.00	428
LONGO, THOMAS PASSAIC CITY	09-01-2011		MAX	51 P	20-07	4,260.74	428
MESSENGER, MARK R PASSAIC COUNTY	04-01-2012		MAX	49 P	22-00	3,580.33	428
NUNN, THOMAS HA MORRIS TOWNSHIP	01-01-2012		MAX	62 P	43-01	5,698.78	
ODONNELL, MICHAEL J JERSEY CITY	08-01-2011		MAX	65 P	41-03	9,101.70	
ROZGER, AUDREY ANN DEPT ENVIRONMENTAL PROTECTION	06-01-2011		MAX	55 P	10-01	517.65	

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SERVICE

NAME	EFFECTIVE DATE	M/S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
SCHULTZ, FRANCIS J DEPARTMENT OF CORRECTION	09-01-2011		MAX	57 P	22-00	3,329.62	428
TOZER, ROBERT CORRECT-BAYSIDE STATE PRISON	11-01-2011		MAX	60 P	21-06	3,339.73	428
WALKER, WALTER NORTHERN STATE PRISON	07-01-2011		MAX	60 P	16-07	1,648.04	
ZEUNER, NICOLE ESSEX COUNTY	02-01-2012		MAX	42 P	20-04	3,757.50	428
TOTAL	SERVICE RETIREMENTS						19

	25+ (ERI 1)	55+ 20-24 (ERI 2)	55+ 10-19 (ERI 3)	TOTAL
STATE ERI 4	0	0	0	0
C.127(AUTHORITY)	0	0	0	0
C.128(COUNTY, MUNC.)	0	0	0	0
C.129(BOE)	0	0	0	0
C.130(PFRS)	0	0	0	0

BOARD LIST FOR 09/19/2011

POLICE AND FIREMEN'S RETIREMENT SYSTEM

DEFERRED

NAME	EFFECTIVE DATE	M\S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
CONDON, MICHAEL T WEST ORANGE TOWNSHIP	10-01-2028		MAX	55 P	11-02	1,737.90	428

TOTAL DEFERRED RETIREMENTS 1

	25+ (ERI 1)	55+ 20-24 (ERI 2)	55+ 10-19 (ERI 3)	TOTAL
STATE ERI 4	0	0	0	0
C.127(AUTHORITY)	0	0	0	0
C.128(COUNTY, MUNC.)	0	0	0	0
C.129(BOE)	0	0	0	0
C.130(PFRS)	0	0	0	0

786

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	MVS #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
ABLINE,TIMOTHY P MORRIS COUNTY_PARK COMMISSION	11-01-2011		MAX	46 P	26-06	5,675.11	
ALLEN-FREEMAN,TINA A STATE PAROLE BOARD	10-01-2011		MAX	50 P	25-00	5,370.35	
BAIS,ROBERT STEVEN CLIFTON CITY	12-01-2011		MAX	56 P	28-05	7,181.82	
BALSAMO,JOHN W ESSEX COUNTY	10-01-2011		MAX	48 P	25-00	4,021.11	
BECKMANN,JERRY ALPINE BOROUGH	12-01-2011		MAX	50 P	30-04	9,295.14	
BELOWSKY,RICHARD MONMOUTH COUNTY/HALL OF RECORDS	11-01-2011		MAX	51 P	25-00	6,705.17	
BROWN,ALLAN K,JR WYCKOFF TOWNSHIP	01-01-2012		MAX	49 P	25-00	6,960.41	
CAMPBELL,PHILLIP ALBERT C. WAGNER YOUTH CORR FAC	02-01-2012		MAX	57 P	25-01	4,360.36	
CANAVERA,JOHN A,JR EDISON TOWNSHIP	09-01-2011		MAX	62 P	29-06	7,274.33	
CANNELLA,FRANK LOUIS NORTH BERGEN TOWNSHIP	11-01-2011		MAX	51 P	28-10	7,465.19	
CAUFIELD,MATTHEW E TUCKERTON BOROUGH	09-01-2011		MAX	49 P	26-00	4,047.67	
CHIOLA,DAVID J SR CORRECT-BAYSIDE STATE PRISON	02-01-2012		MAX	64 P	25-02	4,365.94	
CHOLEWCZYNSKI,HENRY E CLIFTON CITY	10-01-2011		MAX	57 F	30-07	8,790.18	
CLARK,DONALD JACKSON TOWNSHIP	10-01-2011		MAX	54 P	27-06	7,268.62	
COLBERG,GARY L POINT PLEASANT BOROUGH	10-01-2011		MAX	52 P	25-08	5,835.51	

BOARD LIST FOR 09/19/2011

POLICE AND FIREMEN'S RETIREMENT SYSTEM

SPECIAL

NAME	EFFECTIVE DATE	MVS #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
COMPETELLO, MARK S HOBOKEN CITY	08-01-2011		MAX	46 P	25-00	7,134.48	
CZULADA, THOMAS J BERGEN COUNTY	10-01-2011		MAX	47 P	25-00	8,461.91	
DAVIS-CRUMBLEY, ANITA L ALBERT C. WAGNER YOUTH CORR FAC	11-01-2011		MAX	45 P	25-00	4,341.65	
DELOTTO, RICHARD J CLIFTON CITY	12-01-2011		MAX	58 F	25-01	5,916.32	
DEMCHAK, PETER J MANVILLE BOROUGH	03-01-2012		MAX	55 P	32-02	7,431.90	
DETTORRE, DINO DIV OF CRIMINAL JUSTICE	10-01-2011		MAX	52 P	28-03	5,733.57	
DI LORENZO, ANTHONY A CAMDEN CO BD OF CHOSEN FRHLDRS	09-01-2011		MAX	46 P	25-00	4,586.17	
DOSTANKO, LAWRENCE, JR PASSAIC CITY	02-01-2012		MAX	48 F	25-01	5,714.96	
EITEL, JOHN A, JR ELMWOOD PARK BOROUGH	01-01-2012		MAX	48 P	26-09	7,466.87	
EROMENOK, GREGORY WILLIA CLIFTON CITY	11-01-2011		MAX	55 P	27-02	7,023.29	
FALLER, KEVIN LAWRENCE OCEAN TOWNSHIP (MONMOUTH)	09-01-2012		MAX	52 P	27-07	6,932.69	
FANNING, MICHAEL J UPPER SADDLE RIVER BORO	08-01-2011		MAX	50 P	25-08	8,842.42	
FATIGANTE, THOMAS V MONMOUTH COUNTY/HALL OF RECORDS	12-01-2011		MAX	54 P	25-01	7,068.18	
FELLE, DONALD C KEARNY TOWN	02-01-2012		MAX	55 P	30-03	7,585.78	
FLESHMAN, ROBERT CARLTON UPPER SADDLE RIVER BORO	08-01-2011		MAX	51 P	28-11	7,255.25	

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M/S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
FLYNN,GARY D TOMS RIVER_TOWNSHIP	02-01-2012	1	MAX	52 P	25-02	6,312.25	
FOGLIO,JOSEPH STEPHEN OCEAN CITY	10-01-2011		MAX	54 F	31-09	7,382.43	
FRANCOIS,CHRISTINE A BERGEN COUNTY	01-01-2012		MAX	50 P	26-11	9,450.63	
FRATO,ANTHONY CLIFFSIDE PARK BOROUGH	01-01-2012		MAX	49 P	26-08	7,475.32	
FRAZZANO,WILLIAM MONTCLAIR TOWNSHIP	11-01-2011		MAX	57 P	30-04	8,460.66	
GAINES,JEFFREY CLARK ESSEX COUNTY	12-01-2011		MAX	50 P	25-00	4,745.86	
GARRERA,FRANK FRANKLIN BOROUGH	12-01-2011		MAX	48 P	25-00	5,240.44	
GILMORE,JOAN M NORTHERN STATE PRISON	02-01-2012		MAX	52 P	25-00	4,354.78	
GONZALEZ,ROBERT J MORRIS COUNTY	12-01-2011		MAX	48 P	25-01	5,724.07	
GROGAN,FRANCIS J PAULSBORO BOROUGH	09-01-2011		MAX	55 P	30-10	6,132.00	
HAGGERTY,MARC JOSEPH GARDEN ST RECP & YOUTH CORR CTR	01-01-2012		MAX	58 P	29-03	4,639.52	
HALL,VERNEDA JEANNE ATLANTIC COUNTY	01-01-2012		MAX	61 P	28-02	4,456.05	
HALUSKA,ANTHONY PASSAIC CITY	01-01-2012		MAX	54 P	33-04	6,231.86	
HAYES,THOMAS OCEAN COUNTY	08-01-2011		MAX	48 P	25-00	7,358.00	
HEATH,WILLIAM M FAIR HAVEN BOROUGH	09-01-2011		MAX	51 P	25-01	6,126.65	

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M/S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
HEGEDUS,KALMAN WILLIAM WOODBIDGE TOWNSHIP	08-01-2011		MAX	56 P	30-10	7,311.49	
HENN,WILLIAM C CLIFTON CITY	12-01-2011		MAX	46 F	25-11	7,454.89	
HENNESSY,ROBERT F RAMSEY BOROUGH	03-01-2012		MAX	44 P	25-00	8,007.77	
HUNTERTON,DAVID HAROLD MOUNTAINVIEW YOUTH CORR. FAC.	02-01-2012		MAX	62 P	28-03	5,283.73	
INGLING,KEITH F MONMOUTH COUNTY/HALL OF RECORDS	10-01-2011		MAX	50 P	25-04	6,387.85	
JACOBS,GERALD PAUL EWING TOWNSHIP	09-01-2011		MAX	61 P	26-00	7,535.34	
JUNE,QUINTON O TRENTON CITY	10-01-2011		MAX	52 P	25-00	5,116.79	
JUNIAK,JOSEPH S TRENTON CITY	09-01-2011		MAX	51 P	28-11	8,861.39	
KIAMOS,CONSTANTINE P,JR SOUTHERN STATE CRRTNL FACILITY	12-01-2011		MAX	59 P	25-00	4,348.21	
KITCHENMAN,GRANT W BRIELLE BOROUGH	01-01-2012		MAX	50 P	25-03	6,783.60	
KNOTT,MICHAEL A BERGEN COUNTY	11-01-2011		MAX	61 P	25-00	6,658.60	
KOWALSKI,ANTHONY R,JR MONMOUTH COUNTY/HALL OF RECORDS	09-01-2011		MAX	50 P	25-01	4,609.85	
KYZER,JAVON L CAMDEN CITY	01-01-2012		MAX	45 P	25-00	5,342.67	
LEGREGIN,LOUIS JERSEY CITY FIRE DEPT.	09-01-2011		MAX	54 F	29-06	7,854.90	
LEMUNYON,GEORGE D DEPARTMENT OF CORRECTION	09-01-2011		MAX	47 P	25-02	4,339.61	

790

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M/S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
LEWIS, GROVER J BELLEVILLE TOWNSHIP	12-01-2011		MAX	65 P	37-10	5,409.83	
LEWIS, JOHN J PASSAIC CITY	08-01-2011		MAX	49 F	25-03	5,949.90	
MACK, ALBERT D PASSAIC CITY	01-01-2012		MAX	44 P	25-00	5,786.72	
MARTIN, JOSEPH M NEWARK CITY	10-01-2011		MAX	45 P	25-00	5,375.49	
MARTOCCI, MICHAEL A, JR PASSAIC CITY	02-01-2012		MAX	49 F	26-11	8,952.58	
MCBREARTY, RICHARD JOSEPH CHERRY HILL TOWNSHIP	12-01-2011		MAX	59 P	29-11	7,791.44	
MCCALLUM, DAVID J TOMS RIVER TOWNSHIP	02-01-2012		MAX	51 P	31-01	7,642.83	
MCCARTHY, ALVIN JOSEPH ALLENDALE BOROUGH	09-01-2011		MAX	62 P	31-05	7,516.20	
MCCAUSLAND, SEAN ATLANTIC CITY	08-01-2012		MAX	52 P	27-00	5,754.94	
MCDERMOTT, KENNETH J, III SOUTHERN STATE CRRTNL FACILITY	11-01-2011		MAX	49 P	27-04	4,497.50	
MCGARRY, BRIAN F KEARNY TOWN	02-01-2012		MAX	52 P	27-01	6,186.85	
MCMAHON, THOMAS M ORADELL BOROUGH	10-01-2011		MAX	50 P	26-09	7,193.97	
MENNUTI, JAMES JAMESBURG BOROUGH	01-01-2012		MAX	43 P	25-00	5,955.51	
MESSINA, ANTHONY F EWING TOWNSHIP	01-01-2012		MAX	45 P	25-07	6,195.75	
MILEWSKI, RAYMOND R, JR JACKSON TOWNSHIP	11-01-2011		MAX	46 P	25-00	7,063.76	

791

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	MVS #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
MILLER, PAUL GARDEN ST RECP & YOUTH CORR CTR	12-01-2011		MAX	51 P	25-00	5,024.53	
MINARDI, RICHARD J CAMDEN CO BD OF CHOSEN FRHLDRS	10-01-2011		MAX	53 P	29-08	7,874.17	
MURPHY, HENRY JARED OCEANPORT BOROUGH	11-01-2011		MAX	51 P	25-10	6,023.88	
MURRAY, DON T PASSAIC CITY	02-01-2012		MAX	46 F	25-05	6,612.37	
NOEL, JEFFREY IRVINGTON TOWNSHIP	02-01-2012		MAX	48 P	25-00	5,237.47	
OLIMPIO, STEVEN PATERSON CITY	09-01-2011		MAX	49 P	27-02	5,740.87	
OLSKI, GEORGE T MANCHESTER TOWNSHIP	02-01-2012		MAX	53 P	25-01	7,991.90	
OWENS, PATRICK J SOUTH BRUNSWICK TOWNSHIP	10-01-2011		MAX	48 P	27-06	8,371.12	
PANCHAK, MICHAEL J, III EATONTOWN BOROUGH	10-01-2011		MAX	50 P	32-03	7,891.73	
PARKS, DAVID W KEAN UNIVERSITY	01-01-2012		MAX	51 P	25-02	5,731.00	
PATON, DANIEL PASSAIC CITY	01-01-2012		MAX	58 P	35-04	9,792.76	
PELAIA, THOMAS BLOOMFIELD TOWNSHIP	11-01-2011		MAX	57 F	31-04	8,500.95	
PENCE, LOREN CRAIG LONG BEACH TOWNSHIP	12-01-2011		MAX	56 P	25-04	7,932.11	
PERILLO, ANTHONY STEVEN NEWARK CITY	09-01-2011		MAX	52 P	30-10	9,143.04	
PERRY, KENNETH L CORRECT-BAYSIDE STATE PRISON	05-01-2012		MAX	56 P	25-00	4,860.88	

792

BOARD LIST FOR 09/19/2011

POLICE AND FIREMEN'S RETIREMENT SYSTEM

SPECIAL

NAME	EFFECTIVE DATE	M/S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
PICURRO, JACK A SECAUCUS TOWN	09-01-2011		MAX	53 P	25-08	7,138.17	
PLANTE, C BERTRAM DEPE, DIV. OF HUMAN RESOURCES	10-01-2011		MAX	57 F	30-07	5,182.05	
POLLARD, STEVE T CAMDEN CO BD OF CHOSEN FRHLDRS	09-01-2011		MAX	47 P	25-00	4,118.40	
POPKIVICH, WILLIAM J SOMERSET COUNTY FINANCE OFFICE	01-01-2012		MAX	63 P	28-00	4,789.92	
PRENTISS, WILLIAM R, SR MORRIS TOWNSHIP	12-01-2011		MAX	54 F	28-11	5,118.66	
RAFFO, BRUCE GORDON NEW MILFORD BOROUGH	01-01-2012		MAX	56 P	30-09	7,462.70	
RAGIN, JON E DEPT. OF COR. VROOM-JONES FARM	09-01-2011		MAX	54 P	25-00	4,328.51	
RETTZO, CARMEN R MERCER COUNTY	09-01-2011		MAX	57 P	25-00	5,022.27	
REYNOLDS, HAROLD W NORTHERN STATE PRISON	02-01-2012		MAX	62 P	25-00	4,354.78	
RICCITIELLO, DAVID HAMILTON TOWNSHIP (MERCER)	10-01-2011		MAX	53 P	25-00	5,754.61	
RIDARICK, ROBERT W GARFIELD CITY	12-01-2011		MAX	53 P	32-10	7,859.75	
RIOS, WILLIAM ESSEX COUNTY	10-01-2011		MAX	51 P	25-00	4,745.86	
ROMERO, FRANKLIN HUDSON COUNTY	09-01-2011		MAX	51 P	27-06	1,893.42	
RUCCI, MARK C NORTH WILDWOOD CITY	01-01-2012		MAX	54 P	25-00	5,501.37	
RUSSELL, JOHN G ALPINE BOROUGH	03-01-2012		MAX	56 P	25-00	7,565.78	

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M\S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
SABAT, THOMAS V ELMWOOD PARK BOROUGH	01-01-2012		MAX	48 P	25-00	8,548.31	
SAMONSKI, PATRICIA ELAIN MERCER COUNTY	01-01-2012		MAX	48 P	25-00	5,718.26	
SARDINEER, EDWARD ALLEN PARAMUS BOROUGH	09-01-2011		MAX	54 P	33-05	9,411.80	
SCALZO, JOSEPH L MONMOUTH COUNTY/HALL OF RECORDS	12-01-2011		MAX	47 P	25-00	6,802.67	
SCHAFER, GEORGE A EDNA MAHAN CORR FAC FOR WOMEN	09-01-2011		MAX	49 P	25-00	5,001.77	
SCHMIDBAUER, BRUCE DEPT OF CORRECTIONS	12-01-2011		MAX	51 P	25-00	4,348.21	
SCOTT, ANDREW S HARRISON TOWN (HUDSON)	11-01-2011		MAX	47 P	25-00	4,956.10	
SENKUS, GEORGE A LINDEN CITY	10-01-2011		MAX	53 P	30-01	8,179.26	
SIEMS, GLENN H CLIFTON CITY	11-01-2011		MAX	56 F	37-01	3,261.06	
SILAGYI, ERNEST G, JR PRINCETON TOWNSHIP	12-01-2011		MAX	55 P	25-00	6,664.46	
SIMON, DONALD L ROCHELLE PARK TOWNSHIP	01-01-2012		MAX	62 P	25-00	8,050.35	
SMILEK, ROBERT F MIDDLESEX COUNTY COLLEGE	08-01-2012		MAX	61 P	39-08	5,007.80	
SMITH, JIMMY ESSEX COUNTY	04-01-2012		MAX	57 P	25-00	4,237.56	
SMITH, KEVIN J PARAMUS BOROUGH	07-01-2011		MAX	54 P	33-08	10,748.67	
SNYDER, RICHARD S LONG BEACH TOWNSHIP	08-01-2012		MAX	46 P	25-00	6,571.06	

794

BOARD LIST FOR 09/19/2011

POLICE AND FIREMEN'S RETIREMENT SYSTEM

SPECIAL

NAME	EFFECTIVE DATE	MVS #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
SOLOWAY,GARY S JERSEY CITY	08-01-2011		MAX	54 P	30-05	6,976.97	
STARK,WILLIAM ROBERT CLIFTON CITY	12-01-2011		MAX	53 P	32-02	7,338.64	
STIO,JOSEPH J BERGEN COUNTY	12-01-2011		MAX	58 P	25-04	6,147.86	
SWALLOW,DAWN MARIE OCEAN COUNTY	06-01-2012		MAX	52 P	29-09	8,000.32	
SWEIGERT,KENT E BELVIDERE TOWN	01-01-2012		MAX	56 P	29-03	4,616.66	
SWETT,JEFFREY ANTHONY EAST HANOVER TOWNSHIP	11-01-2011		MAX	56 P	27-11	7,919.22	
SZABO,GARY P TRENTON CITY	11-01-2011		MAX	54 F	25-00	5,427.49	
THOMAS,ALTHEA MERCER COUNTY	06-01-2011		MAX	44 P	25-00	5,682.95	
THOMPSON,ROBERT E,JR OCEAN COUNTY	09-01-2012		MAX	53 P	30-09	6,589.80	
TROISE,JOSEPH P BELLEVILLE TOWNSHIP	07-01-2011		MAX	56 F	28-07	7,663.95	
TUCKER,RONALD NORTHERN STATE PRISON	09-01-2011		MAX	60 P	25-02	4,339.61	
TURNER,GREGORY PLAINFIELD CITY	09-01-2011		MAX	65 P	37-09	6,655.83	
TYRELL,WILLIAM R ESSEX COUNTY	02-01-2012		MAX	49 P	25-02	4,317.06	
VARGA,JULIUS P SOMERSET COUNTY_FINANCE OFFICE	11-01-2011		MAX	57 P	29-01	5,639.96	
VASSOLER,CHRISTIAN R CLIFTON CITY	12-01-2011		MAX	47 P	26-02	6,982.39	

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M\S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
VITRANO,JEFFREY J LINDEN CITY	08-01-2012		MAX	56 P	34-00	8,284.10	
VOLLERO,LOUIS ELIZABETH CITY	09-01-2011		MAX	54 F	25-01	5,196.19	
WARD,LISAANN MONMOUTH COUNTY/HALL OF RECORDS	10-01-2011		MAX	56 P	25-00	4,604.16	
WATKINS,GREGORY T CAMDEN CO BD OF CHOSEN FRHLDRS	01-01-2012		MAX	48 P	25-00	4,585.96	
WHITE,JAMES K DIV OF CRIMINAL JUSTICE	12-01-2011		MAX	66 P	25-01	6,298.37	
WILKES,TIMOTHY HAMILTON TOWNSHIP (MERCER)	02-01-2012		MAX	54 P	29-06	6,270.05	
WILLIAMS,STEVIE E NORTHERN STATE PRISON	02-01-2012		MAX	52 P	25-00	4,351.50	
WILSON,MARY D CAMDEN CO BD OF CHOSEN FRHLDRS	01-01-2012		MAX	59 P	25-00	3,815.92	
YOUNG,ALPHONSO H,JR CLOSTER BOROUGH	12-01-2011		MAX	55 P	30-04	8,362.42	
ZACKERY,LORENZO KELLY ESSEX COUNTY	08-01-2011		MAX	51 P	25-00	4,306.04	
ZAHNE,GREGORY R CLIFTON CITY	12-01-2011		MAX	48 F	25-01	6,609.85	
TOTAL	SPECIAL RETIREMENTS					146	

796

BOARD LIST FOR 09/19/2011
POLICE AND FIREMEN'S RETIREMENT SYSTEM
SPECIAL

NAME	EFFECTIVE DATE	M\ S #	OPTION/ ERI-CAT	AGE	SERVICE YRS MOS	MONTHLY ALLOWANCE	CHAP
	25+ (ERI 1)	55+ 20-24 (ERI 2)	55+ 10-19 (ERI 3)		TOTAL		
STATE ERI 4	0	0	0		0		
C.127(AUTHORITY)	0	0	0		0		
C.128(COUNTY,MUNC.)	0	0	0		0		
C.129(BOE)	0	0	0		0		
C.130(PFRS)	0	0	0		0		

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS

CONTROL TOTALS PAGE
BOARD LIST FOR 09/19/2011

POLICE AND FIREMEN'S RETIREMENT SYSTEM

MEMBERS	TYPE	TOTAL MONTHLY ALLOWANCE
19	SERVICE	66,421.83
0	EARLY	0.00
0	VETERAN	0.00
1	DEFERRED	1,737.90
146	SPECIAL	925,428.47
0	OPTION CHANGES SERVICE	0.00
0	OPTION CHANGES EARLY	0.00
0	OPTION CHANGES VETERAN	0.00
0	OPTION CHANGES DEFERRED	0.00
0	OPTION CHANGES CHPTR 109	0.00

166		993,588.20

MEMBERS	EFF DATE	TOTAL MONTHLY ALLOWANCE
21	10/2011	132,548.28
17	11/2011	102,959.32
25	12/2011	158,594.56
24	01/2012	151,056.90
18	02/2012	103,652.69
4	03/2012	27,092.95
2	04/2012	7,817.89
1	05/2012	4,860.88
1	06/2012	8,000.32
0	07/2012	0.00
4	08/2012	25,617.90
2	09/2012	13,522.49
47	ALL OTHERS	257,864.02

166		993,588.20

798

PFRS BOARD MEETING
CHAPTER 47/104 CASES
September 19, 2011

C-3
PFRS
9/19/11

The following are cases to be presented to the Board of Trustees for Chapter 104/47:

NAME	M/S#	TYPE	OPTION	DOD	RET DATE
Bruynell, Gregory		Ord Dis	5	07/13/11	08/01/11

CLOSED SESSION

Ordinary Disability Denied

DelGuercio, John	Northern State Prison	12/1/2010	Denied Ordinary, Offered Deferred (Motion by Trustee Culliton seconded by Trustee Mikutsky)
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ORDINARY DISABILITY REINSTATEMENT

Tatarek, Vincent – Albert C. Wagner YCF – The Board considered Vincent Tatarek's request to be reinstated to employment from Ordinary Disability retirement. After careful review of the medical documentation provided in the report of the Independent Medical Examiner (IME), [REDACTED], and the recommendation of the Medical Review Board, the Board has determined that he is not totally and permanently disabled as a Police Officer and therefore, has approved his reinstatement from Ordinary Disability. (Motion by Trustee Culliton seconded by Trustee Mikutsky)

**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Reasonable Person Terrifying Horror-Inducing					
E-1 (+) Hawkins, Eldridge West Orange Township											Tabled to review new information (Motion by Trustee Fotl seconded by Trustee Milkutsky)
E-2 (+) Suanno, John Jackson Twp.											Reconsidered and Approved Accidental Disability Effective 11/1/2008 (Motion by Trustee Culliton seconded by Trustee Fotl) (Vote: 9-1; Trustee Loccke nae)

* These issues are only applicable to cases reviewed under Patterson standard (mental-mental). The Russo Decision requires reasonable person/terrifying horror-inducing to be analyzed as one factor.
 ** Only applicable to cases filed beyond 5 years of the date of the incident

#1) T/P = permanently and totally disabled mentally or physically, from performing the regular assigned work duties and any other available job duties
 #2) The disability is a direct result of a traumatic event that is: a) identifiable as to time and place, b) undesignated and unexpected, and c) caused by a circumstance external to the member (not the result of pre-existing disease that is aggravated or accelerated by the work).

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#3) The event occurred during and as a result of the performance of the member's regular or assigned duties.

#4) The disability was not the result of the member's willful negligence; and

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D/M = Delayed manifestation (due to the delayed manifestation of the disability or circumstances beyond the control of the member) cases must be considered on those applications filed beyond five years of the accident date, if the application was filed within a "reasonable time" following manifestation of the disability, based on the totality of the facts and circumstances of the case

**Accidental Disability Motions PFRS Board Meeting Date of 8/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesignated/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					
E-3 (+) Smith, Edwin City of Camden											Denied Accidental Granted Ordinary Effective 3/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)
E-4 (+) Vanhook, Steven Borough of Haledon											Approved Effective 3/1/2011 (Motion by Trustee Culliton seconded by Trustee Barrett)

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Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Reasonable Person Testifying Horror-Inducing					
E-5 Conover, Robbin Albert C. Wagner Youth Correction Facility											Denied Accidental Granted Ordinary Effective 3/1/2011 (Motion by Trustee Milkutsky seconded by Trustee Barrett) (Vote: 7-1; Trustee Hall nae) (Trustees Culliton, Brennan not present for vote)
E-6 Kowalczyk, Gregory Union County											Denied Accidental, Offer Deferred (Motion by Trustee Culliton seconded by Trustee Milkutsky)

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**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					
E-7 Ricks, Robert City of Asbury Park											Denied Accidental, Offer Service (Motion by Trustee Culliton seconded by Trustee Milkusky)
E-8 Leon, Vanise Dept of Corrections											Denied Accidental, Granted Ordinary Effective 1/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkusky)

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CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
E-9 Seviss, John Long Branch City											Approved Effective 7/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkusky)
E-10 (+) Duncan, Jason Essex County											Denied Accidental Granted Ordinary Effective 6/1/2011 (Motion by Trustee Culliton seconded by Trustee Foti) (Vote: 8-1; Trustee Milkusky nae; Trustee Locke recused)

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CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:					#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Reasonable Person	Terminating Horror-Inducing					
E-11 (+) Kraft, Robert [REDACTED] Gloucester City												Approved Effective 5/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)
E-12 Santos, James [REDACTED] Monmouth County/Hall of Records												Reconsidered and found the member is no longer disabled. Approved reinstatement from disability. Case remains in the OAL on the contested issues. (Motion by Trustee Culliton seconded by Trustee Foti)

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Accidental Disability Motions PFRRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/F of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically incapacitated from usual or other duty	** D/M	Decision
E-13 Barber, Frank Perth Amboy			a) Identifiable Place/Time	b) Unexpected/Undesigned/	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					Reconsidered and Approved Accidental Disability effective 8/1/2010. Withdrawal the matter from the OAL. Effective 8/1/2010 (Motion by Trustee Culliton seconded by Trustee Milkutsky)
E-14 Henderson, Richard Township of Egg Harbor											Reconsidered and Denied Accidental Disability. Member will continue collecting Ordinary Disability. (Motion by Trustee Culliton seconded by Trustee Foti)

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**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:					#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision	
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Reasonable Person Inducing Terrifying Horror-							
E-15 (+) Neuschwanter, Keith Weehawken Township												Approved Effective 2/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky) (Trustee Locke recused)	
E-16 Fisher, Donald JUV Justice Comm												Denied Accidental Granted Ordinary Effective 9/1/2011 (Motion by Trustee Culliton seconded by Trustee Foit)	

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**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesignated/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					
E-17 (+) Halez, Jason North Brunswick Township											Approved Effective 11/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)
E-18 (+) Lynch, William North Brunswick Township											Approved Effective 10/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)

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**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Undesigned/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					
E-19 Lyons, Michael Hamilton Township											Approved Effective 9/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkusky) (Trustee Locke recused)
E-20 Sheppard, Ricky Corrections											Approved Effective 11/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkusky)

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**Accidental Disability Motions PFRS Board Meeting Date of 9/18/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically incapacitated from usual or other duty	** D/M	Decision
E-21 Martin, Michael Hudson County			a) Identifiable Place/Time	b) Undesigned/Unexpected	c Direct Cause: External Not Pre-Existing	d) Reasonable Person-Terifying Horror-Inducing					Denied Accidental Granted Ordinary Effective 4/1/2011 (Motion by Trustee Mikutsky seconded by Trustee Foti) (Vote: 9-1; Trustee Culliton nae)
E-22 Keitchum-Nardona, Kara Belmar Borough											Reconsidered and Denied Accidental Disability, continue collecting Ordinary Disability. Case remains in OAL. Refer salary issue to the Retirement Bureau for review. (Motion by Trustee Culliton seconded by Trustee Foti) (Trustee Loccke recused)

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**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
E-23 (+) Belfort, Jayson Camden City			a) Identifiable Place/Time	b) Undesignated/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					Approved Effective 3/1/2010 (Motion by Trustee Culliton seconded by Trustee Barrett) (Vote: 9-1; Trustee Loccke nae)
E-24 McClelland, David Newark City											Reconsidered and Approved Accidental Disability. Withdrawal the case from the OAL. Effective 4/1/2010 (Motion by Trustee Culliton seconded by Trustee Postorino) (Vote: 8-4; Trustees Mikutsky, Leake, Barrett, Loccke nae)

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**Accidental Disability Motions PFRS Board Meeting Date of 8/18/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
E-25 (s) Ingram, Robert South Woods Prison			a) Identifiable Place/Time	b) Undesignated/Unexpected	c) Direct Cause: External Not Pre-Existing	d) Terrifying Horror-Inducing Reasonable Person					Reconsidered and Denied Accidental Disability. Continue collecting Ordinary Disability. (Motion by Trustee Loccke seconded by Trustee Milkusky) (DAG Pushko recused)
E-26 (s) Anuario, James Jackson Twp.											Reconsidered and Approved Accidental Disability. Effective 9/1/2008 (Motion by Trustee Foil seconded by Trustee Hall) (Vote: 8-1; Trustee Loccke nae)

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#4) The disability was not the result of the member's willful negligence; and

#5) The member is mentally or physically incapacitated from performing the usual or any other duty.

D/M = Delayed manifestation (due to the delayed manifestation of the disability or circumstances beyond the control of the member) cases must be considered on those applications filed beyond five years of the accident date, if the application was filed within a "reasonable time" following manifestation of the disability, based on the totality of the facts and circumstances of the case

Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
E-27 Walder, Loma DEP			a) Identifiable Place/Time	b) Unexpected/Undesigned/	c) Direct Cause: External Not Pre-Existing	d) Reasonable Person Including Terrifying Horror-					Reconsidered and Denied Accidental Disability. Continue collecting Ordinary Disability. (Motion by Trustee Culliton seconded by Trustee Foil) (Trustees Locke, Milkutsky recused)
E-28 (+) Montalvo, Yessenia Newark City											Denied Accidental Granted Ordinary Effective 6/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)

418

* These issues are only applicable to cases reviewed under Patterson standard (mental-mental). The Russo Decision requires reasonable person/terrifying horror-inducing to be analyzed as one factor.
** Only applicable to cases filed beyond 5 years of the date of the incident

#1) T/P = permanently and totally disabled mentally or physically, from performing the regular assigned work duties and any other available job duties
#2) The disability is a direct result of a traumatic event that is: a) identifiable as to time and place, b) undesigned and unexpected, and c) caused by a circumstance external to the member (not the result of pre-existing disease that is aggravated or accelerated by the work).

If the event was non-physical, the member must also establish d) that the event that forms the basis for an accidental disability was objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury, based on a finding that the disability resulted from "direct personal experience of a terrifying or horror-inducing event that involves actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person."

#3) The event occurred during and as a result of the performance of the member's regular or assigned duties.

#4) The disability was not the result of the member's willful negligence, and

#5) The member is mentally or physically incapacitated from performing the usual or any other duty.

D/M = Delayed manifestation (due to the delayed manifestation of the disability or circumstances beyond the control of the member) cases must be considered on those applications filed beyond five years of the accident date, if the application was filed within a "reasonable time" following manifestation of the disability, based on the totality of the facts and circumstances of the case

**Accidental Disability Motions PFRS Board Meeting Date of 9/19/2011
CLOSED SESSION - CONFIDENTIAL - REDACT BEFORE RELEASING**

Item Number, Member's Name & No., Retirement No. & Employer	Accident Date	#1) T/P	#2) Disability D/R of a T/E that is:				#3) Result of Duty	#4) Not Negligent	#5) Mentally or Physically Incapacitated from usual or other duty	** D/M	Decision
			a) Identifiable Place/Time	b) Unexpected/Undesigned/	c Direct Cause: External Not Pre-Existing	d) Reasonable Person Inducing Terrifying Horror-					
E-29 Willson, Joseph City of Orange											Denied Accidental Granted Ordinary Effective 8/1/2011 (Motion by Trustee Culliton seconded by Trustee Milkutsky)
E-30 Whitmore, Sharon Dover Town											Tabled for incident reports from Dover Town, final cert from employer, copies of complaint and any pending charges. (Motion by Trustee Culliton seconded by Trustee Foti) (Trustee Milkutsky recused)

* These issues are only applicable to cases reviewed under Patterson standard (mental-mental). The Russo Decision requires reasonable person/terrifying horror-inducing to be analyzed as one factor.
** Only applicable to cases filed beyond 5 years of the date of the incident

#1) T/P = permanently and totally disabled mentally or physically, from performing the regular assigned work duties and any other available job duties

#2) The disability is a direct result of a traumatic event that is: a) identifiable as to time and place, b) undesigned and unexpected, and c) caused by a circumstance external to the member (not the result of pre-existing disease that is aggravated or accelerated by the work).

If the event was non-physical, the member must also establish d) that the event that forms the basis for an accidental disability was objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury, based on a finding that the disability resulted from "direct personal experience of a terrifying or horror-inducing event that involves actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person."

#3) The event occurred during and as a result of the performance of the member's regular or assigned duties.

#4) The disability was not the result of the member's willful negligence; and

#5) The member is mentally or physically incapacitated from performing the usual or any other duty.

D/M = Delayed manifestation (due to the delayed manifestation of the disability or circumstances beyond the control of the member) cases must be considered on those applications filed beyond five years of the accident date, if the application was filed within a "reasonable time" following manifestation of the disability, based on the totality of the facts and circumstances of the case

CLOSED SESSION

ACCIDENTAL DISABILITY TABLED

Hawkins, Eldridge – West Orange Township – The Board was scheduled to consider Eldridge Hawkins' application for Accidental Disability retirement benefits. The Board also reviewed his letter of September 15, 2011. Following its review of the documentation, the Board voted to postpone action on this matter in order to review the new information submitted by the Township of West Orange and the documentation submitted by Mr. Hawkins on the day of the Board meeting. Specifically, the Board will review the Final Notice of Disciplinary Action submitted by the Township of West Orange terminating him from his position as police officer effective July 1, 2008. The Board will also review all new documentation submitted by Eldridge Hawkins, Sr., on Eldridge Hawkins' behalf, and how this new information may impact his application for Accidental Disability retirement benefits. Consequently, the Board voted to again postpone action on this case and it will be presented to the PFRS Board at its meeting on November 14, 2011. (Motion by Trustee Foti seconded by Trustee Mikutsky)

Whitmore, Sharon – Dover Town – The Board considered Sharon Whitmore's application for Accidental Disability retirement benefits. Following its review of the documentation, the Board voted to postpone action on this matter in order to obtain additional information from her employer, Dover Town. Specifically, the Board requests that Dover Town provide (1) a completed and signed Certification of Service and Final Salary (regardless of whether or not they are not in support of her disability application), (2) any disciplinary action regarding the incident of September 5, 2003, (3) copies of any reports regarding administrative charges for the date of September 5, 2003, (4) records and reports regarding the accident of December 30, 2003, of particular concern to the Board is the fact that for the accident of December 30, 2003, the record only includes investigation reports from the NJ Transit and the Prosecutor's Office (none of which note Ms. Whitmore's involvement in the incident) and there were no accident reports from Dover Town. Consequently, the Board seeks responses to the request for all the documents listed above. Further, Ms. Whitmore indicated in her disability application that administrative charges were levied against her for both the death of Art Ohlsen on December 20, 2003, and an incident that took place on September 5, 2003. The Board requests documentation regarding both of these charges. Additionally, she filed a civil tort claim against the town and eventually she filed a Complaint against the town of Dover, Dover Police Department. The Board requests a copy of the Complaint that she filed with the Morris County Superior Court. Upon receipt of the requested information, a determination will be made if Ms. Whitmore's case must be referred to the Independent Medical Examiner (IME), for additional consideration. (Motion by Trustee Culliton seconded by Trustee Foti; Trustee Mikutsky recused)

ACCIDENTAL DISABILITY RECONSIDERED UNDER RUSSO/APPROVED

Suanno, John – Jackson Township – The Board reconsidered John Suanno's application for Accidental Disability based upon the Supreme Court's recent decision in Russo v. Police and Firemen's Board Of Trustees, 206 N.J. 14 (2011). The Appellate Division remanded the matter to the PFRS Board for consideration under Russo. Following its review of the documentation on the incident of September 10, 2007, the Board reversed its previous decision and has now determined based on the specific facts in this case as delineated in Judge Viscomi's Initial Decision dated December 28, 2010, including the unusual circumstances, the intimate contact with the victims, the close involvement in extricating the victims from the car, and Mr. Suanno's involvement in the transport of one of the victims to the hospital that he meets the standard under Russo. The Board did stipulate that a police officer or firefighter arriving to the scene of a fatal accident in not normally undesigned and unexpected. However, in this case, Mr. Suanno's training, experience and responsibilities, coupled with the magnitude of the event and the unique circumstances of the 2007 accident causes the Board

CLOSED SESSION

ACCIDENTAL DISABILITY RECONSIDERED UNDER RUSSO/APPROVED – (continued)

Suanno, John – (continued)

to reverse its previous decision. Consequently, the Board approved Accidental Disability retirement benefits to Mr. Suanno as he is totally and permanently disabled from the performance of his regular and assigned duties as a direct result of the traumatic event that occurred on September 10, 2007 as detailed by N.J.S.A 43:16A-7 and relevant new case law under Russo, Richardson and Patterson. Mr. Suanno's application for Accidental Disability is approved retroactive to his retirement effective date of November 1, 2008. (Motion by Trustee Culliton seconded by Trustee Foti; Vote: 9-1; Trustee Loccke nae)

Anuario, James – Jackson Township – The Board reconsidered James Anuario's application for Accidental Disability based upon the Supreme Court decision in Russo v. Police and Firemen's Board Of Trustees, 206 N.J. 14 (2011). The Appellate Division remanded the matter to the PFRS Board for consideration under Russo. Following its review of the documentation on the incident of September 10, 2007, the Board reversed its previous decision and has now determined based on the specific facts in this case as delineated in Judge Blake's Initial Decision dated August 13, 2010, including the unusual circumstances, the intimate contact with the victims, and the close involvement in extricating the victims from the car, that he meets the standard under Russo. The Board did stipulate that a police officer or firefighter arriving to the scene of a fatal accident is not normally undesigned and unexpected. However, in this case, Mr. Anuario's training, experience and responsibilities, coupled with the magnitude of the event and the unique circumstances of the 2007 accident causes the Board to reverse its previous decision. Consequently, the Board approved Accidental Disability retirement benefits to Mr. Anuario as he is totally and permanently disabled from the performance of his regular and assigned duties as a direct result of the traumatic event that occurred on September 10, 2007 as detailed by N.J.S.A 43:16A-7 and relevant new case law under Russo, Richardson and Patterson. Mr. Anuario's application for Accidental Disability is approved retroactive to his retirement effective date of September 1, 2008. (Motion by Trustee Foti seconded by Trustee Hall; vote: 9-1; Trustee Loccke nae)

ACCIDENTAL DISABILITY RECONSIDERED UNDER RUSSO/DENIED

Ketcham-Nardone, Kara – Belmar Borough – The Board reconsidered Kara Ketcham-Nardone's application for Accidental Disability based upon the Supreme Court decision in Russo v. Police and Firemen's Board Of Trustees, 206 N.J. 14 (2011). The matter is currently pending in the Office of Administrative Law (OAL). Following its review of the documentation, the Board reaffirmed its previous determination that Ms. Ketcham-Nardone is totally and permanently disabled from the performance of her regular and assigned duties as detailed by the applicable statute N.J.S.A 43:16A-7 and relevant case law. The Board reviewed the incidents described as occurring over the period of December 27, 2000 through September 3, 2003 and determined that the incidents are considered undesigned and unexpected, not the result of the member's willful negligence and did occur during and as a result of her regular and assigned duties. However, the basis for the Board's denial is that the incidents that occurred between the dates of December 27, 2000 through September 3, 2003, are a series of events and are not identifiable as to place and time. Further, since this is a series of events that occurred over a three year period, the Board determined that Ms. Ketcham-Nardone's disability is not the direct result of one incident occurring on December 27, 2000 or September 3, 2003. Instead, her disability is the direct result of all the incidents that occurred between the period of December 27, 2000 through September 3, 2003. In addition, the Board could find no evidence that the events occurring between December 27, 2000 and September 3, 2003, are objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury; as Ms. Ketcham-Nardone's disability did not result from "direct personal experience of a terrifying or horror-inducing event that involved actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person." The Board also found that the application for Accidental Disability retirement must be filed within five years of the original traumatic event. The Board of Trustees may

CLOSED SESSION

ACCIDENTAL DISABILITY RECONSIDERED UNDER RUSSO/DENIED – (continued)

Ketcham-Nardone, Kara – (continued)

consider an application filed after the five year period if it can be factually demonstrated to the satisfaction of the Board that the disability is due to the accident and the filing is not accomplished within the five year period due to a delayed manifestation of the disability or to circumstances beyond the control of the member. The Board could find no evidence to support delayed manifestation. The Board determined that she will continue to collect benefits under Ordinary Disability retirement. Since this matter is not resolved, the case will remain in the OAL as a contested case based on the amended findings by the PFRS Board. (Motion by Trustee Culliton seconded by Trustee Foti; Trustee Loccke recused)

Ingram, Robert – South Woods Prison – The Board reconsidered Robert Ingram's application for Accidental Disability based upon the Supreme Court decision in Russo v. Police and Firemen's Board Of Trustees, 206 N.J. 14 (2011). The Appellate Division remanded the matter to the PFRS Board for consideration under Russo. Following its review of the relevant documents, the PFRS Board reaffirmed its previous determination that Mr. Ingram is totally and permanently disabled from the performance of his regular and assigned duties as detailed by the applicable statute N.J.S.A. 43:16A-7 and relevant case law. In addition, the Board determined that the incident of August 25, 2003, is identifiable as to time and place and occurred during and as a result of the performance of the member's regular and assigned job duties. Also, the disability is caused by a circumstance external to the member and not a result of pre-existing disease that is aggravated or accelerated by the work. However, the basis for the Board's denial is that the incident is not undesigned and unexpected. A correction officer is trained to stop prisoners from escaping. Mr. Ingram's job included walking and riding around the perimeter of the prison grounds to ensure that the conditions were secure. Mr. Ingram was also a firearms instructor for two and a half years and was well versed in how to use a weapon. Mr. Ingram was given a weapon to adequately complete his work assignments and ensure that the perimeter of the prison was secure. Therefore, the Board determined that it was well within his experience and expectation to use his weapon to stop an inmate from escaping from prison. Consequently, Mr. Ingram has not satisfied the prong for undesigned and unexpected. In addition, although the member is totally and permanently disabled from the performance of his regular and assigned duties, the disability did not result from direct personal experience of a terrifying or horror-inducing event that involved actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person. The Board found that the event that forms the basis for an accidental disability pension is found to be inconsequential and is not objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury. Mr. Ingram's job included securing the perimeter of the prison. He was given a weapon to complete his job duties in the event a prisoner tried to escape. Therefore, the Board could find no evidence that Mr. Ingram satisfied the reasonable person standard especially since although he fired his weapon at the prisoner, Mr. Ingram never actually struck him. Therefore, the Board reaffirmed the denial of Robert Ingram's application for Accidental Disability. The Board determined that he will continue to collect benefits under Ordinary Disability retirement. (Motion by Trustee Loccke seconded by Trustee Mikutsky)

Walder, Lorna – DEP – The Board reconsidered Lorna Walder's application for Accidental Disability based upon the Supreme Court decision in Russo v. Police and Firemen's Board Of Trustees, 206 N.J. 14 (2011). The matter is currently pending in the Office of Administrative Law (OAL). Following its review of the documentation, the Board reaffirmed its previous determination that Ms. Walder is totally and permanently disabled from the performance of her regular and assigned duties as detailed by the applicable statute N.J.S.A. 43:16A-7 and relevant case law. The Board determined that her disability is

CLOSED SESSION

ACCIDENTAL DISABILITY RECONSIDERED UNDER RUSSO/DENIED – (continued)

Walder, Lorna – (continued)

not the result of the member's willful negligence and that the incident occurred in the performance of her duty. However, the basis for the Board's denial is that the incident is not identifiable as to place and time since Ms. Walder's disability is a result of the culmination of all the incidents that occurred over a period of weeks and months after the incident. Ms. Walder came upon the scene of the accident involving Chad Walder and her friend, Sergeant Kelly Gottheiner on April 1, 2006, after the shooting. Ms. Kelly Gottheiner was assaulted at the scene of the accident and Mr. Walder shot and killed the victim. Both Ms. Gottheiner and Mr. Walder were directly involved in the incident of April 1, 2006, and there were documented reasons in each of the Board's prior determinations as to why both of these individuals were approved for Accidental Disability retirement. However, on the contrary, Ms. Walder did not arrive at the scene of the accident until after the shooting. She was advised of the situation through a dispatch and responded to the disturbance at the park accordingly. Additionally, Mr. Walder was involved in a criminal trial that involved months of public scrutiny. Ms. Walder was present during the trial; however, as this occurred over a period of months, the Board finds that the incident is not identifiable as to place and time and is not considered undesigned and unexpected. Further, the basis for the Board's denial of Accidental Disability is that Ms. Walder's disability did not result from direct personal experience of a terrifying or horror-inducing event that involved actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person on any of the incidents. The Board determined that the event that forms the basis for an accidental disability pension cannot be "inconsequential" and must be "objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury." Ms. Walder came upon the scene of the shooting after it occurred; she was not directly involved with the shooting. She had sufficient training and experience as a police officer to know how to render aid, call for back-up and secure the crime scene. Ms. Walder alleges that blood from the victim was transferred to her wrist and face while checking the victim's wounds. The Board rejected the allegation that a blood-borne pathogen exposure could result in Ms. Walder satisfying the reasonable person prong of Patterson. Ms. Walder and other officers were later sent back to the park to retrieve vehicles from the accident scene. She alleges that she and other officers felt in danger of an ambush when they went back for their cars. She reported that the officers were blamed for the incident and she endured months of public scrutiny when Chad Walder was put on trial and eventually acquitted of manslaughter. Nonetheless, the series of events delineated in Ms. Walder's case do not rise to the level necessary to satisfy the reasonable person standard. Therefore, the Board denied Ms. Walder's application for Accidental Disability. The Board determined that she will continue to collect benefits under Ordinary Disability retirement. Since this matter is not resolved, the case will remain in the OAL as a contested case based on the amended findings by the PFRS Board. (Motion by Trustee Culliton seconded by Trustee Foti; Trustees Mikutsky and Loccke recused)

OPEN SESSION

DEFERRED RETIREMENT

(A motion to adopt Resolution B was made by Trustee Culliton seconded by Trustee Mikutsky. A subsequent motion to return to Open session was made by Trustee Mikutsky seconded by Trustee Foti.)

Armstrong, Earl – JJC Central Office – The Board considered Earl Armstrong's application for Deferred retirement in accordance with N.J.S.A. 43:16A-11.2. The Final Administrative Action of the Merit System Board dated October 10, 2000, indicates that he was removed from employment on October 22, 1999. However, he appeared before the Board at its meeting and indicated that he attempted to resign from employment prior to his termination from employment. Therefore, the Board voted to postpone action on this case in order for his former employer, Juvenile Justice Commission (JJC), to review their personnel records to determine whether or not he submitted a resignation letter prior to October 22, 1999. (Motion by Trustee Culliton seconded by Trustee Foti)

OPEN SESSION

Volk, Michael – State Parole Board – The Board considered Michael Volk's application for Deferred retirement in accordance with N.J.S.A. 43:16A-11.2. The Board also reviewed his letter dated August 12, 2011. The Final Administrative Action of the Merit System Board dated August 20, 2001, indicates that he was removed from employment on March 12, 1999. Accordingly, he was terminated from his public position as an assistant district parole supervisor with the Department of Corrections. He filed his application for Deferred retirement with the Division of Pensions and Benefits on August 11, 2010. The Board denied his application for Deferred retirement benefits based on documentation that indicates that he was terminated from his position with the Department of Corrections on March 12, 1999. Since he was removed for cause on charges of misconduct or delinquency; consequently, he is prohibited under N.J.S.A. 43:16A-11.2 to receive Deferred retirement benefits. The Board found that the charges touched upon and were related to his employment with the Department of Corrections. (Motion by Trustee Mikutsky seconded by Trustee Foti)

HONORABLE SERVICE/COLLECTING BENEFITS

Fiore, John – East Windsor Township – The Board considered Robin Kay Lord's letter of July 19, 2011, regarding John Fiore's appeal of the Judgment of Conviction dated October 21, 2009. The matter was before the Board to consider whether to suspend Mr. Fiore's retirement benefits in accordance with N.J.A.C. 17:1-1.13. The Board also reviewed her letters of September 12, 2011 and September 14, 2011. Consequently, based on Ms. Lord's request, the Board voted to postpone action on this case and it will be presented to the PFRS Board at its meeting on November 14, 2011. (Motion by Trustee Mikutsky seconded by Trustee Foti)

HONORABLE SERVICE/SERVICE

Knight, Michael – Newark City – The Board considered Michael Knight's application for Service Retirement including the criminal and administrative charges filed against him in accordance with N.J.S.A. 43:1-3. N.J.S.A. 43:1-3 establishes 11 factors for which the Board is to consider and balance in view of the goals of the pension statutes when determining whether forfeiture or partial forfeiture is appropriate, taking account of the goals to be achieved under the pension laws. These factors are:

1. The member's length of service;	24 years and 6 months
2. The basis of retirement;	Service
3. The extent to which the member's pension has vested;	Yes, the member's pension is vested (more than 10 years of service).
4. The duties of the particular member;	Police Officer with the City of Newark.
5. The member's public employment history and record covered under the retirement system;	24 years and 6 months
6. Any other public employment;	None noted.

OPEN SESSION

HONORABLE SERVICE/SERVICE – (continued)

Knight, Michael – (continued)

7. The nature of the misconduct or crime, including the gravity or substantiality of the offense, whether it was a single or multiple offense and whether it was continuing or isolated;	Administrative Charges: Violation of Police Department Rules and Regulations. Conduct Unbecoming an Employee Criminal Charges: Mr. Knight was charged with 3rd degree Terroristic Threats and 4th degree Domestic Violence Contempt. On May 7, 2010 Mr. Knight did purposely or knowingly disobey a Temporary Restraining Order. Mr. Knight did threaten to commit a crime of violence against victim with the purpose to terrorize her.
8. The relationship between the misconduct and the member's public duties;	Direct relationship between the misconduct that the member's public duties.
9. The quality of moral turpitude or the degree of guilt or culpability, including the member's motives and reasons, personal gain and similar considerations;	High degree of moral turpitude. Motives were for personal reasons.
10. The availability and adequacy of other penal sanctions; and	Administrative Charges: Mr. Knight was removed from employment effective October 26, 2010. Criminal Charges: Mr. Knight pled guilty to 1 count 3rd degree terroristic threats and 1 count 4th degree contempt of a domestic violence restraining order. He was placed on probation for 3 years. He must complete anger management and alcohol counseling. Mr. Knight was ordered to forfeit his job as a Newark Police Officer and is forever barred from obtaining public employment. In addition he must pay various fees and fines.
11. Other personal circumstances relating to the member which bear upon the justness of forfeiture.	Mr. Knight indicated that he was unfit for duty due to alcohol problems and that is the reason he filed for retirement. He also indicated that he entered alcohol rehabilitation for three months and is still undergoing anger management classes. He is currently on probation with no parole violations.

OPEN SESSION

HONORABLE SERVICE/SERVICE – (continued)

Knight, Michael – (continued)

A review of the facts in this case indicates that on May 7, 2010, Mr. Knight violated a Temporary Restraining Order signed by the Honorable Kelly Waters, L.S. C. issued on May 6, 2010 between Melissa Knight and Michael Knight. He unlawfully entered the premises of Melissa Knight with the intent to threaten to commit a crime of violence to Melissa Knight. He was arrested by the Union Police Department for acts of Domestic Violence; Terroristic Threats, Possession of a Weapon for Unlawful Purpose; Criminal Restraint, Resisting Arrest; and Violation of a Temporary Restraining Order committed against Melissa Knight. His criminal misconduct impugned the reputation of the City of Newark Police Department and shamed the integrity of his office. Officers of the Newark Police Department are required not to violate any criminal laws of the State of New Jersey. As a law enforcement officer, he violated the public trust by his actions. As a result, he was removed from employment on October 26, 2010. Consequently, the Board voted to forfeit part of his service and salary from the calculation of any retirement benefit. Specifically, the final year of service and salary will be forfeited from his monthly allowance. The period of November 1, 2009 through the termination date of October 26, 2010 will be removed from the retirement calculation. (Motion by Trustee Culliton seconded by Trustee Foti; Trustee Slerchio recused) The Board also noted that Mr. Knight's employer remitted contributions after the termination date on October 26, 2010; however, the contributions paid on Mr. Knight's behalf through December 31, 2010, were submitted in error. Therefore, the accumulated pension contributions deducted and remitted to the Division of Pensions and Benefits during the forfeited period will be refunded directly to him. (Motion by Trustee Foti seconded by Trustee Hall) In a separate action, the Board approved his application for Service retirement effective December 1, 2010. (Motion by Trustee Culliton seconded by Trustee Hall)

INITIAL DECISIONS

Murphy, Patrick – Albert C. Wagner YCF – Initial Decision – The Board considered the following in Patrick Murphy's appeal: all exhibits, the Administrative Law Judge's Initial Decision dated July 22, 2011; exceptions filed by DAG Natalia Chan dated August 1, 2011; and reply to exceptions filed by Steven Gaechter dated August 11, 2011. The Board noted the exceptions filed by DAG Chan and the reply to exceptions filed by Steven Gaechter's office. The Board voted to adopt the ALJ's recommendation granting Mr. Murphy Accidental Disability retirement benefits effective November 1, 2008. (Motion by Trustee Culliton seconded by Trustee Foti)

Meunier, David – Hamilton Township (Atlantic) – Initial Decision – The Board considered the following in David Meunier's appeal: all exhibits, the Administrative Law Judge's Initial Decision dated July 28, 2011; and exceptions filed by DAG Kimberly Sked dated August 29, 2011. After a careful review of the aforementioned exhibits and documents, the Board voted to modify the ALJ's Initial Decision reinstating PFRS salary credit to Mr. Meunier that was previously forfeited due to dishonorable service. The ALJ's Initial Decision erroneously concludes that a disciplinary infraction should not result in forfeiture and that the absence of a criminal conviction makes forfeiture inappropriate. However, the applicable statute clearly references "misconduct or crime." N.J.S.A. 43:1-3. Also,

[w]hensoever any State or local public employer takes formal disciplinary action against an officer or employee who is a member of any State or locally-administered pension fund or retirement system by removing that officer or employee from office or employment, it shall inform the board of trustees of the fund or system of its action in writing so that the board may consider the member's conduct pursuant to the provisions of section 1 of this act[, N.J.S.A. 43:1-3].

OPEN SESSION

INITIAL DECISIONS – (continued)

Meunier, David – (continued)

Moreover, the fact that Mr. Meunier's conduct on September 13, 2008, resulted in his removal from office provides a sufficient connection between that incident and Mr. Meunier's public employment, even if his conduct occurred while he was not on-duty. Therefore, the Board modifies the decision to reflect that removal from public employment is enough to warrant a review of whether a member's service and/or salary credit was dishonorable under N.J.S.A. 43:1-3. Further, the Board modifies the ALJ's legal conclusion that termination of public employment, in the absence of a corresponding criminal conviction, would not be misconduct in public employment and that it would not result in a pension forfeiture under N.J.S.A. 43:1-3(c). Additionally, the ALJ's Initial Decision holds that the Mr. Meunier was no longer fit for duty due to his disease. The Board modifies the Initial Decision to reject this determination and reflect that the issue of whether Mr. Meunier was fit for duty was not an issue referred to the OAL, and therefore, any such findings were outside the scope of the ALJ's jurisdiction. Rather, the sole issue was whether and to what extent Mr. Meunier's salary credit should be forfeited based on the event that began on September 13, 2008. Similarly, the Board modifies the findings concerning alcoholism recovery and Mr. Meunier's conduct while in treatment as this issue was not before the court and the findings are not supported by the record. There was no testimony from either lay or expert witnesses, nor were any documents admitted into evidence to establish the facts noted in the Initial Decision. Moreover, cases were presented to demonstrate that substance abuse does not preclude a forfeiture. See e.g., LaPointe v. Public Employees' Ret. Sys., OAL Docket No. TYP 3116-97 (February 11, 1998) (2-year forfeiture where member attributed misconduct to impaired judgment resulting from divorce, alcoholism, and stress created by overwork at his job) and Owen v. Board of Trs., Police and Firemen's Ret. Sys., OAL Docket No. TYP 01863-09N (June 2, 2010) (total forfeiture even though within days of confessing to crime, Petitioner consulted with an expert on drug and alcohol abuse and entered treatment). Finally, the Board modifies the Initial Decision as it does not set forth the point at which Mr. Meunier's service should be deemed to have ended so that his term of service can be established. Therefore, based on the documents in the record, the Board modifies the decision to reflect that Mr. Meunier's creditable service ended on November 30, 2008, when no further pension contributions were made by him or on his behalf. Mr. Meunier was terminated from employment on May 7, 2009; however, he did not have any pension service or salary credit from December 1, 2008 through May 7, 2009. The salary credit from March 1, 2003 to November 30, 2008, will be reinstated in accordance with the ALJ's ultimate conclusion of law. (Motion by Trustee Mikutsky seconded by Trustee Foti)

APPELLATE DIVISION DECISIONS

Saccone, Thomas – City of Newark – Appellate Division Decision – The Board considered the Supreme Court's remand in the matter of Thomas Saccone v. Board of Trustees of the PFRS. The Supreme Court remanded the case to the Board to decide the case on the merits. Consequently, the Board voted to postpone action on this case in order for the Division of Pensions and Benefits to review certain information with the Division of Social Services before rendering a decision. Therefore, this matter will be presented to the PFRS Board at its meeting on November 14, 2011. (Motion by Trustee Foti seconded by Trustee Mikutsky)

OPEN SESSION

FINAL ADMINISTRATIVE DETERMINATIONS

Kennedy, Stewart – Passaic City – The PFRS Board considered and denied your request on behalf of Stewart Kennedy, to delay payments of the outstanding pension loan. The PFRS Board initially reviewed Santo Bonanno's request at its June 13, 2011, meeting and denied his request. Findings of Fact and Conclusions of Law, as outlined below were presented and approved by the PFRS Board at its September 19, 2011, meeting. The PFRS Board has reviewed his written submissions and the documentation accompanying his appeal and finds that the statutes and regulations governing the PFRS do not permit the PFRS Board to grant Mr. Bonanno's request for Mr. Kennedy to delay the repayment of his outstanding PFRS pension loan.

FINDINGS OF FACT

A review of the relevant facts in this case reveals that Mr. Kennedy received a permanent appointment as a police officer with the City of Passaic on October 30, 1984, and he was subsequently enrolled in the PFRS on November 1, 1984. As of June 30, 2011, Mr. Kennedy's outstanding lump-sum loan balance with the PFRS was \$41,080.85, or as of August 1, 2011, 51 installment payments of \$879.29 each. On May 25, 2000, Mr. Kennedy's attorney, John Scura filed notice with the Division of Pensions and Benefits (the Division) that Mr. Kennedy had filed for bankruptcy on May 16, 2000. Mr. Scura requested that Mr. Kennedy's loan payments be stopped. By memorandum dated May 24, 2000, Peter Gorman, of the Division, advised Lois Mount of the Division's Loan Section (and copied Mr. Scura and Mr. Kennedy) to contact Mr. Kennedy to determine if he wished to continue his repayment of the loan. Mr. Gorman also advised that the outstanding loan balance is not discharged by the bankruptcy order but will remain on the books as an outstanding loan balance. There is no indication in Mr. Kennedy's pension file that he ever requested to continue loan payments during the period of bankruptcy; consequently, his loan deductions were temporarily suspended. On March 3, 2011, Carmela Joseph, of the Division, wrote to Mr. Kennedy about his outstanding loan balance and indicated that based on IRS regulation, he was now required to repay the loan balance. Ms. Joseph indicated that Mr. Kennedy could either pay the balance in a lump-sum or have payments deducted from his pay check. On April 13, 2011, Mr. Bonanno wrote to the PFRS Board stating that Mr. Kennedy's loan payments could not be repaid at this time as it would cause a financial hardship and he requested the Board grant him relief. At its meeting of June 13, 2011, the PFRS Board reviewed Mr. Bonanno's correspondence and upon consideration determined that Mr. Kennedy was not eligible to postpone his loan payments. Mr. Bonanno was advised of the process to appeal the PFRS Board's decision. By letter to the PFRS Board dated July 8, 2011, he appealed the Board's June 13, 2011, denial and requested an administrative hearing. This Final Administrative Determination serves as formal notice that the Board has denied his request for an administrative hearing. In addition, on June 22, 2011, Mr. Kennedy filed an Accidental Disability retirement application with the Division listing November 1, 2011, as his effective date of retirement. The Division provided Mr. Kennedy with three Estimates of Retirement Benefits dated July 20, 2011, one for Ordinary Disability, one for Accidental Disability and another for Special retirement. The Division's estimate letters indicated that Mr. Kennedy has an outstanding loan balance at the time of retirement and that he has the option of paying the balance in a lump-sum before retirement or having the monthly loan payment deducted from his retirement check until the balance plus interest is paid. Mr. Kennedy's application for Accidental Disability remains pending with the Division of Pensions and Benefits.

OPEN SESSION

FINAL ADMINISTRATIVE DETERMINATIONS – (continued)

Kennedy, Stewart – (continued)

CONCLUSIONS OF LAW

The PFRS loan program is governed by N.J.S.A. 43:16A-16.1 and 16.2, which states:

(N.J.S.A. 43:16A-16.1) Any member who has at least 3 years of service to his credit for which he has contributed as a member may borrow from the retirement system, an amount equal to not more than 50% of the amount of his aggregate contributions, but not less than \$50.00; provided that the amount so borrowed, together with interest thereon, can be repaid by additional deductions from salary, not in excess of 25% of the member's salary, made at the time the salary is paid to the member. The amount so borrowed, together with interest on any unpaid balance thereof, shall be repaid to the retirement system in equal installments by deductions from the salary of the member at the time the salary is paid or in such lump sum amount to repay the balance of the loan but such installments shall be at least equal to the member's rate of contribution to the retirement system and at least sufficient to repay the amount borrowed with interest thereon. Not more than two loans may be granted to any member in any calendar year. Notwithstanding any other law affecting the salary or compensation of any person or persons to whom this act applies or shall apply, the additional deductions required to repay the loan shall be made.

The rate of interest for a loan requested by a member prior to the effective date of P.L.2007, c.92 (C.43:15C-1 et al.) shall be 4% per annum on any unpaid balance thereof. For a loan requested after the effective date of that act, the rate of interest per annum shall be a commercially reasonable rate as required by the Internal Revenue Code to be determined by the State Treasurer on that effective date, and on January 1 of each calendar year thereafter. An administrative fee in an amount set by the State Treasurer for each calendar year may be charged for any loan requested after the effective date of P.L.2007, c.92 (C.43:15C-1 et al.).

Loans shall be made to a member from his aggregate contributions. The interest earned on such loans shall be treated in the same manner as interest earned from investments of the retirement system.

(N.J.S.A. 43:16A-16.2) In the case of any member who retires without repaying the full amount so borrowed, the Division of Pensions and Benefits shall deduct from the retirement benefit payments the same monthly amount which was deducted from the compensation of the member immediately preceding retirement until the balance of the amount borrowed together with the interest is repaid. In the case of a pensioner who dies before the outstanding balance of the loan and interest thereon has been recovered, the remaining balance shall be repaid from the proceeds of any other benefits payable on the account of the pensioner either in the form of monthly payments due to his beneficiaries or in the form of lump sum payments payable for pension or group life insurance.

OPEN SESSION

FINAL ADMINISTRATIVE DETERMINATIONS – (continued)

Kennedy, Stewart – (continued)

In addition, the Division was advised that the Internal Revenue Service (IRS) regulations require that loans must be repaid within a period not to exceed five years. The IRS further requires that members who have multiple outstanding loans must repay the balance of all loans taken within a period not to exceed five years from the issuance of the first loan taken after January 1, 2004. Further, a member or retired member's outstanding loan balance is not discharged by bankruptcy in accordance with N.J.A.C. 17:1-1.9. Consequently, in accordance with IRS regulation and N.J.S.A. 43:16A-16.1 and 16.2, the Board denied your request to delay payments as it is preempted by the IRS Code. Since Mr. Kennedy currently has the minimum loan repayment schedule in place, the Board determined that he is not entitled to further delay or reduce his outstanding monthly pension loan repayment. As noted above, the PFRS Board has reviewed Mr. Bonanno's written submissions in accordance with the provisions of N.J.A.C. 17:1-1.5. Because this matter does not entail any disputed questions of fact, the PFRS Board was able to reach its findings of fact and conclusions of law in this matter on the basis of the retirement system's enabling statutes and without the need for an administrative hearing. (Motion by Trustee Mikutsky seconded by Trustee Foti)

Torres, Angel – Somerset County - The PFRS Board considered and denied Angel Torres' request to delay payments of the outstanding pension loan. The PFRS Board initially reviewed Angel Torres' request at its June 13, 2011, meeting and denied his request. Findings of Fact and Conclusions of Law, as outlined below were presented and approved by the PFRS Board at its September 19, 2011, meeting. The PFRS Board has reviewed his written submissions and the documentation accompanying his appeal and finds that the statutes and regulations governing the PFRS do not permit the PFRS Board to grant his request to delay the repayment or reduce his outstanding PFRS pension loan.

FINDINGS OF FACT

A review of the relevant facts in this case reveals that he first transferred from the Public Employees' Retirement System (PERS) to the PFRS on or about June 30, 1995, when he became a Correction Officer with Somerset County. As of June 30, 2011, his outstanding lump-sum loan balance with the PFRS is \$5,177.21 or as of August 1, 2011, 8 installment payments of \$659.23 each. On September 5, 2000, he filed notice with the Division of Pensions and Benefits (the Division) that he filed for bankruptcy on July 25, 2000. He requested that any deductions for loan payments be stopped. By letter dated September 6, 2000, Peter Gorman, of the Division, advised Mr. Torres that the pension loan deductions would be stopped until the bankruptcy proceedings were complete. Mr. Gorman also advised him that the outstanding loan balance is not discharged by his bankruptcy and is due and payable. On March 3, 2011, Carmela Joseph, of the Division, wrote to him about the outstanding loan balance and indicated that based on IRS regulation, he was now required to repay the loan balance. Ms. Joseph indicated that he could either pay the balance in a lump-sum or have payments deducted from his pay check. On April 3, 2011, he wrote to the PFRS Board requesting that his loan payments be postponed until he returned to full duty. He also stated that based on a motor vehicle accident, he is the sole provider for his wife and four children and he is unable to pay off the loan at this time. Mr. Torres provided documentation to substantiate the accident and treating reports. He indicated that he was on disability and not collecting full salary; however, a review of the PFRS pensions records indicates that his employer is continuing to remit pension contributions on his behalf based on his full salary. At its meeting of June 13, 2011, the PFRS Board reviewed his correspondence and upon consideration determined that he was not eligible to postpone or reduce his loan payments.

OPEN SESSION

FINAL ADMINISTRATIVE DETERMINATIONS – (continued)

Torres, Angel – (continued)

Mr. Torres was advised of the process to appeal the PFRS Board's decision. By letter to the PFRS Board dated July 20, 2011, he appealed the Board's June 13, 2011, denial and requested an administrative hearing. This Final Administrative Determination serves as formal notice that the Board has denied his request for an administrative hearing.

CONCLUSIONS OF LAW

The PFRS loan program is governed by N.J.S.A. 43:16A-16.1 and 16.2, which states:

(N.J.S.A. 43:16A-16.1) Any member who has at least 3 years of service to his credit for which he has contributed as a member may borrow from the retirement system, an amount equal to not more than 50% of the amount of his aggregate contributions, but not less than \$50.00; provided that the amount so borrowed, together with interest thereon, can be repaid by additional deductions from salary, not in excess of 25% of the member's salary, made at the time the salary is paid to the member. The amount so borrowed, together with interest on any unpaid balance thereof, shall be repaid to the retirement system in equal installments by deductions from the salary of the member at the time the salary is paid or in such lump sum amount to repay the balance of the loan but such installments shall be at least equal to the member's rate of contribution to the retirement system and at least sufficient to repay the amount borrowed with interest thereon. Not more than two loans may be granted to any member in any calendar year. Notwithstanding any other law affecting the salary or compensation of any person or persons to whom this act applies or shall apply, the additional deductions required to repay the loan shall be made.

The rate of interest for a loan requested by a member prior to the effective date of P.L.2007, c.92 (C.43:15C-1 et al.) shall be 4% per annum on any unpaid balance thereof. For a loan requested after the effective date of that act, the rate of interest per annum shall be a commercially reasonable rate as required by the Internal Revenue Code to be determined by the State Treasurer on that effective date, and on January 1 of each calendar year thereafter. An administrative fee in an amount set by the State Treasurer for each calendar year may be charged for any loan requested after the effective date of P.L.2007, c.92 (C.43:15C-1 et al.).

Loans shall be made to a member from his aggregate contributions. The interest earned on such loans shall be treated in the same manner as interest earned from investments of the retirement system.

(N.J.S.A. 43:16A-16.2) In the case of any member who retires without repaying the full amount so borrowed, the Division of Pensions and Benefits shall deduct from the retirement benefit payments the same monthly amount which was deducted from the compensation of the member immediately preceding retirement until the balance of the amount borrowed together with the interest is repaid. In the case of a pensioner who dies before the outstanding balance of the loan and interest thereon has been recovered, the remaining balance shall be repaid from the proceeds of any other benefits payable on the account of

OPEN SESSION

FINAL ADMINISTRATIVE DETERMINATIONS – (continued)

Torres, Angel – (continued)

the pensioner either in the form of monthly payments due to his beneficiaries or in the form of lump sum payments payable for pension or group life insurance.

In addition, the Division was advised that the Internal Revenue Service (IRS) regulations require that loans must be repaid within a period not to exceed five years. The IRS further requires that members who have multiple outstanding loans must repay the balance of all loans taken within a period not to exceed five years from the issuance of the first loan taken after January 1, 2004. Further, a member or retired member's outstanding loan balance is not discharged by bankruptcy in accordance with N.J.A.C. 17:1-1.9. Consequently, in accordance with IRS regulation and N.J.S.A. 43:16A-16.1 and 16.2, the Board denied Mr. Torres' request to delay payments as it is preempted by the IRS Code. Since he currently has the minimum loan repayment schedule in place, the Board determined that he is not entitled to further delay or reduce his outstanding, monthly pension loan repayment. As noted above, the PFRS Board has reviewed his written submissions in accordance with the provisions of N.J.A.C. 17:1-1.5. Because this matter does not entail any disputed questions of fact, the PFRS Board was able to reach its findings of fact and conclusions of law in this matter on the basis of the retirement system's enabling statutes and without the need for an administrative hearing. (Motion by Trustee Mikutsky seconded by Trustee Foti)

HEARING REQUEST/RECONSIDERATION/TABLED

Cameron, Cox – Rutgers University – Appeals denial of Accidental Disability retirement benefits – The Board reconsidered, Cameron Cox's request for a hearing to appeal the Board's determination of November 8, 2009 which denied his application for Accidental Disability retirement benefits. Ms. Kennedy provided extensive medical documentation with her letter that was not considered by the independent medical examiner. Therefore, the PFRS Board voted to postpone action on this matter in order for the Independent Medical Examiner (IME), Dr. Pollock to review the new medical documentation. Specifically, the Board requests Dr. Pollock opine on whether the new medical information impacts his determination regarding the issue of total and permanent disability and whether there is a direct cause based on the incident that occurred on March 10, 2009.

(Motion by Trustee Mikutsky seconded by Trustee Foti)

HEARING REQUESTS/APPROVED

Wall, Thomas – Edison Township – Appeals denial of Ordinary Disability retirement benefits – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Foti)

McMahon, Joseph – South Woods Prison/DOC – Appeals denial of Accidental Disability retirement benefits – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Hall)

Kozioł, Tadeusz – JJC/Medium Security Facility – Appeals denial of Accidental Disability retirement benefits – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Postorino; Trustee Loccke recused)

Hyman, Garrett – JJC – Appeals denial of Accidental Disability retirement benefits – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Leake)

Knight, Nina – Orange City – Appeals denial of Accidental Disability retirement benefits – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Barrett)

OPEN SESSION

HEARING WITHDRAWAL

Carter, Sean – City of Newark – Appeals forfeiture of Service and Salary – Approved OAL Hearing (Motion by Trustee Mikutsky seconded by Trustee Foti)
Reconsidered and Withdrawal per the member's letter dated September 19, 2011 - (Motion by Trustee Foti seconded by Trustee Mikutsky)

HEARING REQUESTS/DENIED

Kimble, Michael – Parsippany Troy Hills Township – Appeals reinstatement of loan while in bankruptcy – The Board reviewed Marc Feldman's letter dated, July 27, 2011, on behalf of Michael Kimble, and denied his request for an administrative hearing, since there are no questions of fact in dispute merely questions of law. Therefore, the Board has directed the Secretary, in conjunction with the Attorney General's Office, to draft a detailed Finding of Facts and Conclusions of Law that will formally outline the Board's decision and become the Board's final administrative determination. (Motion by Trustee Mikutsky seconded by Trustee Culliton)

DEATH CLAIM/WAIVE PENSION LOAN BALANCE

Crumrine, Gregory (Deceased) – Long Branch City – Request by spouse to waive loan balance – The Board considered Diane Crumrine's letter of August 1, 2011, requesting to waive Gregory Crumrine's former accrued pension loan balance. The Board voted to postpone action on this case for 30 days in order to obtain copies of her last five years of Federal Tax returns and accompanying tax schedules. (Motion by Trustee Foti seconded by Trustee Barrett; Vote 7-2; Trustees Loccke, Culliton nae)

INFORMATIONAL ISSUES

(The Board noted the following information items unless otherwise stated)

- Common Pension Fund A as of June 30, 2011 – Noted
- Common Pension Fund B as of June 30, 2011 – Noted
- Common Pension Fund d as of June 30, 2011 – Noted
- Appellate Division Decision Phillip Ciallella vs. PERS – Noted
- Appellate Division Decision John Catalano vs. PERS – Noted
- Appellate Division Decision Lori Lowenstein-Mase vs. TPAF – Noted
- Appellate Division Decision Joseph Janetta vs. TPAF – Noted
- Appellate Division Decision Marc Chiappini vs. PERS – Noted
- Appellate Division Decision East Windsor Regional School District, Active Members and East Windsor Education Association vs. TPAF - Noted
- Wire Transfers Non-Contributory Group Insurance Policy #14800 Benefit Claims for the month of July 2011 – Noted
- PFRS Mortgage Statements/Memos for July 2011 – Noted
- Appellate Division Decision Suzanne Hess v. PERS – Noted
- Common Pension Fund A as of July 31, 2011 – Noted
- Florence Sheppard's letters regarding recent PFRS creditable compensation board Actions – Noted
- Article in Asbury Park Press on Police Disability Pensions from September 18, 2011 – Noted

OPEN SESSION

NEW BUSINESS

- A motion was passed for the Division to provide a certifying officer memo to employers regarding the upcoming pension rate change as a result of the passage of Chapter 78, P.L. 2011. Specifically, the Board would like the employers to be informed that any retroactive salary adjustments that occur after October 1, 2011, and applicable to the periods prior to October 1, will be calculated based on the rate in effect at the time prior to Chapter 78. (Motion made by Trustee Loccke seconded by Trustee Mikutsky. Trustee Culliton abstained)

The Board reported that some union members called the Division and received erroneous information that any retroactive salary adjustment after October 1, 2011 would be calculated on the higher rate (10%) as stipulated in Chapter 78.

- John Megariotis reported that the special meeting with the Actuary will be finalized in the next few weeks. The PFRS experience study will be presented later in the Fall. Mr. Megariotis explained the meaning of level dollars and that the Actuary recommended using the method to payoff liability sooner.

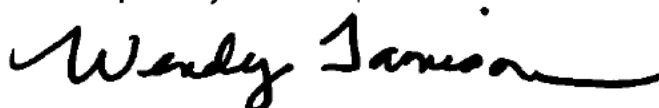
He also responded to Trustee Barrett's previous question that approximated 120 million paid each month in retirement checks, 19.3 million paid in COLA for just under 140 million paid out on a monthly basis.

- COLA is paid up until July 1, 2011. No new or additional COLA paid out after July 1, 2011. Retirees currently collecting COLA will continue with the same monthly payment (no new change).
- Trustee Foti requested Mr. Megariotis explain the deficit on the Common Pension Fund D item G/L on Forward Currency Contracts for the month of May 2011 (\$59,045,325.45) year to date = (\$92,066,415.01). A copy of the report will be provided to Mr. Megariotis to review and respond.

The next regular meeting of the Board will be held on October 3, 2011.

There being no further business the Board adjourned the meeting at 4:05 p.m.
(Motion by Trustee Foti seconded by Trustee Postorino)

Respectfully submitted,



Wendy Jamison, Secretary
Board of Trustees
Police and Firemen's Retirement System