

**STATE POLICE RETIREMENT SYSTEM**

**May 22, 2018**

**ORDER OF BUSINESS**

Notice of this meeting has been provided through the annual notice of the schedule of regular meetings of the Board filed with and prominently posted in the offices of the Secretary of State. The 2018 annual meeting schedule was mailed to the Secretary of State, Star Ledger and the Trenton Times on December 20, 2017.

**DISCLOSURE OF THE OPEN PUBLIC MEETINGS ACT**

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

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

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

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

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

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

Retirement List

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**OPEN SESSION**

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Called to Order: 10:13 AM

Adjourned: 11:06 AM

Roll Call: Susanne Culliton (Treasurer's Representative), Wayne Korte, Sherri Schuster

Absent: Jack Sayers

Also Present: DAG Robert Garrison; Mary Ellen Rathbun; Lisa Pointer; Cheryl Chianese; Valerie McManus; Lieutenant Yarson; Marcia Mitolo, Esquire; DAG Danielle Schimmel (via telecom)

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**OPEN SESSION**

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**Minutes**

Minutes from the meeting of March 27, 2018  
Approved

Minutes from the meeting of April 30, 2018  
Approved (Actuary Minutes)

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**OPEN SESSION**

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**Retirement and Death Lists**

- C-1 Active and Retired Death Lists for April 5, 2018  
Approved
- C-2 Active and Retired Death Lists for May 1, 2018  
Approved
- C-3 Retirement List  
Approved

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**CLOSED SESSION**

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**Accidental Disability**

	<b>Member's Name &amp; No.:</b>	<b>Employer:</b>	<b>Effective Date:</b>	<b>Accident Date:</b>	<b>Decision:</b>
E-1	(+) Lalonde, Brian	NJ State Police	5/1/2018	6/24/2016	Approved

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**OPEN SESSION**

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**Hearing Decision**

- G-1+ Link, Sean NJ State Police - Initial Decision The ALJ reversed the Board's decision and granted petitioner's request to file for Accidental Disability retirement benefits. Additionally, the ALJ reversed the Board's determination of total forfeiture and ordered petitioner to forfeit service and salary from April 7, 2008 until the time he ended his employment with the New Jersey State Police; with exceptions; reply to exceptions  
Adopted ALJ's factual findings with modification of technical errors; rejected ALJ's legal conclusions and reinstated the Board's original decision ordering a total forfeiture and that petitioner is ineligible to file for accidental disability retirement benefits; noted exceptions; reply to exceptions were not accepted because they were received out of time; the Board noted presentation by petitioner's counsel; the Board directed the Secretary to draft a Findings of Fact and Conclusions of Law
- G-2 Allen, Charles NJ State Police - Initial Decision The ALJ upheld the Petitioner voluntarily withdrawing his appeal of the denial of Accidental Disability retirement benefits  
Adopted ALJ's decision
- G-3 Appellate Division Decisions Adoption of N.J.A.C 17:1-6.4, 17:1-7.5 and 17:1-7.10 - The Court:  
(1) Upheld that the member must leave work due to a disability and not due to another non-disability based reason.  
(2) Modified N.J.A.C. 17:1-6.4(b)(5) to include a teacher who develops a disability while on a leave due to reduction of force, but then is reinstated to the workforce.  
(3) All costs to member for IME examinations were overruled.  
(4) Six month window in which to submit all medical records was upheld.  
(5) Certification that the member did not have a pre-existing condition was upheld.  
(6) Division may prohibit multiple applications for disability retirement.  
(7) Member can be required to provide notification to the Division of pensions that they are no longer totally and permanently disabled.  
Noted

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**OPEN SESSION**

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**Informational Issues**

- L-1 Trial Balance for January 31, 2018  
Noted
- L-2 Trial Balance for February 28, 2018  
Noted
- L-3 Appellate Division Decisions Patricia Santangelo vs TPAF  
Noted
- L-4 Appellate Division Decisions Wayne Bryant vs PERS  
Noted
- L-5 Appellate Division Decisions James Defeo vs PERS  
Noted

- L-6 Wire Transfers Non-Contributory Group Insurance Policy#14800 Benefit Claims for the month of February, 2018  
Noted
- L-7 William Westphal vs PFRS  
Noted
- L-8 Wire Transfers Non-Contributory Group Insurance Policy #14800 Benefit Claims for the month of March, 2018  
Noted
- L-9 Common Pension Fund D as of March 31, 2018  
Noted
- L-10 Common Pension Fund E as of March 31, 2018  
Noted
- L-11 Common Pension Fund D as of April 30, 2018  
Noted
- L-12 Common Pension Fund E as of April 30, 2018  
Noted

**"+" Indicates personal appearance**

**"=" Indicates items not mailed**

**The next meeting of the Board will be held on July 24, 2018**

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY

DIVISION OF PENSIONS AND BENEFITS  
STATE POLICE RETIREMENT SYSTEM  
May 21, 2018

Member Name	Retirement Date	Yrs/Mos Service	[REDACTED]	Ret Type
GUIDETTI, RAYMOND A.	06/01/2018	25-05	[REDACTED]	SP
LEACH, RONALD G. JR	05/01/2018	25-02	[REDACTED]	SP