



Meeting of the Legal & Personnel Subcommittee of the State Employees Retirement Commission

DATE: September 13, 2023

PRESENT:

Chairman Peter Adomeit
Trustee Michael Carey
Trustee Brian Hill
Trustee Michael O'Brien
Commission Counsel Michael Rose (Rose Kallor, LLP)
Commission Counsel Cindy Cieslak (Rose Kallor, LLP)
Commission Tax Counsel Bruce Barth (Robinson & Cole LLP)
Commission Tax Counsel Virginia McGarrity (Robinson & Cole LLP)
John Herrington, Retirement Services Division Director
Robert Helfand, Retirement Services Division Assistant Director
Yamuna Menon, General Counsel and Assistant Comptroller

The Chairman called the meeting to order at 8:36 a.m. Those present were identified by Ms. Cieslak.

At 8:37 a.m., Mr. Hill moved, seconded by Mr. O'Brien to approve the agenda. All voted in favor.

Executive Session – discussion and possible recommendation

1. Linda Savitsky appeal – written legal opinion.
2. Patrick Butler petition for declaratory ruling – written legal opinion.
3. Ricardo Harris appeal – written legal opinion.
4. SERC v. Town of Ellington – pending litigation.
5. Linda Cicarella v. SERC – pending litigation.

At 8:37 a.m., Mr. Hill moved, seconded by Mr. O'Brien to suspend the regular meeting and go into executive session for the purposes of discussing Items 1-5. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, Virginia McGarrity, Yamuna Menon, and Michael Rose were invited by the Subcommittee to enter executive session for Items 1-5. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Items 1-5.

At 9:06 a.m., Mr. Hill moved, seconded by Mr. O'Brien to exit executive session. All voted in favor.

Public Session

At 9:06 a.m., Mr. Hill moved, seconded by Mr. O'Brien that the Subcommittee recommend to the Commission that Ms. Savitsky's benefit be recalculated in a manner so that the benefit is not lower than the benefit she received prior to reemployment. The motion carried 2-1, with Mr. Hill and Mr. O'Brien voting in favor of the motion, and Mr. Carey voting against the motion.

At 9:07 a.m., Mr. O'Brien moved, seconded by Mr. Hill that the Subcommittee recommend to the Commission that it issue a declaratory ruling regarding Mr. Butler's petition for declaratory ruling. All voted in favor.

At 9:09 a.m., Mr. O'Brien moved, seconded by Mr. Hill that the Subcommittee recommend to the Commission that it remand Mr. Harris's disability retirement application to the MEB for further review by the MEB. All voted in favor.

MEETING ADJOURNED: With no further business before the Subcommittee, at 9:09 a.m., Mr. O'Brien moved, seconded by Mr. Hill to adjourn. All voted in favor. Meeting adjourned.

Respectfully submitted,

Michael Carey