

STATE EMPLOYEES
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD
for DISABILITY RETIREMENT



STATE OF CONNECTICUT
RETIREMENT SERVICES DIVISION
OFFICE of the STATE COMPTROLLER
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Meeting of the Legal & Personnel Subcommittee of the State Employees Retirement Commission

DATE: June 10, 2020

PRESENT:

Chairman Peter Adomeit
Trustee Michael Carey
Trustee Robert Coffey
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 Alisha Sullivan (Robinson & Cole LLP)
John Herrington, Retirement Services Division Director
John Garrett, Cavanaugh Macdonald Consulting, LLC

The Chairman called the meeting to order at 8:34 a.m.

At 8:35 a.m., Robert Coffey moved, seconded by Michael Carey to approve the agenda as posted with an amendment to remove Item 4 from Executive Session. All voted in favor.

At 8:35 a.m., Chairman Adomeit called for new business.

At 8:35 a.m., Robert Coffey moved, seconded by Michael Carey, to enter executive session for the purpose of discussing the remaining items (Items 1-3 and Items 5-12) on the agenda for executive session. All voted in favor. Michael Rose, Cindy Cieslak, and John Herrington were invited into executive session for the purposes of discussing all items. Bruce Barth and Alisha Sullivan were invited into executive session for purposes of discussing Items 1-3 and 5-6. John Garrett was invited into executive session for purposes of discussing Items 1-2. John Garrett exited the meeting at 9:15 a.m. Bruce Barth and Alisha Sullivan exited the meeting at 9:34 a.m.

Executive Session – discussion and possible recommendation

1. Hartford Housing Authority – written legal opinion.
2. CMERS liability allocation – written legal opinion.
3. VCP correction status update – written legal opinion.
4. ~~Equity refunds exclusion ratio – written legal opinion.~~
5. David Carter/Richard Kay – pending litigation.
6. Ronald Johnson v. SERC- pending litigation.
7. Dawn Lapan request for reconsideration – written legal opinion.
8. Linda Cicarella petition for declaratory ruling – written legal opinion.

9. Jacqueline Lawrence appeal – written legal opinion.
10. Marianna Grzeszczyk v. SERC – written legal opinion/pending claim/pending litigation.
11. Catherine Crandle v. SERC – pending litigation.
12. Brian Comerford v. SERC – pending litigation.

A break was taken from 10:05 a.m. until 10:12 a.m.

At 10:28 a.m., Robert Coffey moved, seconded by Michael Carey to exit executive session. All voted in favor.

At 10:29 a.m., Robert Coffey moved, seconded by Michael Carey that regarding Dawn Lapan, the Subcommittee recommend to the Retirement Commission that it reconsider the matter, and that the matter be referred to the Purchasing Subcommittee. All voted in favor.

At 10:29 a.m., Robert Coffey moved, seconded by Michael Carey that regarding Dawn Cicarella, the Subcommittee recommend to the Retirement Commission that it remand the matter to the Medical Examining Board with specific direction that that although the MEB remains independent from the workers' compensation commission and its standard, the CMERS disability statute requires it to consider municipal service connected disability applications pursuant to a standard defined by the Workers' Compensation Act. Therefore, the MEB should consider if she meets this standard and expressly address this analysis in the MEB's decision. All voted in favor.

At 10:30 a.m., Robert Coffey moved, seconded by Michael Carey that regarding Jacqueline Lawrence, the Subcommittee recommend to the Retirement Commission that it remand the matter to the Medical Examining Board. All voted in favor.

At 10:31 a.m., Robert Coffey moved, seconded by Michael Carey that the Subcommittee recommend to the Retirement Commission that it authorize Commission Counsel to draft a declaratory ruling in response to Marianna Grzeszczyk's petition for declaratory ruling. All voted in favor.

MEETING ADJOURNED: With no further business before the Subcommittee, at 10:32 a.m., Robert Coffey moved, seconded by Michael Carey, to adjourn. All voted in favor. Meeting adjourned.

Respectfully submitted,
Robert Coffey

