

STATE EMPLOYEES
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD
for DISABILITY RETIREMENT



STATE OF CONNECTICUT
RETIREMENT SERVICES DIVISION
OFFICE *of the* STATE COMPTROLLER
165 Capitol Ave.
Hartford, CT 06106

PHONE: (860) 702-3480 | EMAIL: OSC.RSD@CT.GOV

**MINUTES OF MEETING
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION**

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on April 21, 2022 in the 3rd Floor Conference Room at 165 Capitol Ave. Hartford, CT; however, due to COVID-19, the meeting was held electronically via Zoom. The meeting convened at 9:00 a.m. and the following members of the Commission were present:

- Peter Adomeit, Chairman
- Michael Bailey, Trustee
- Karen Buffkin, Trustee
- Michael Carey, Trustee
- Martha Carlson, Deputy Comptroller, Ex Officio Member
- Carl Chisem, Trustee
- Robert D. Coffey, Trustee
- John Disette, Trustee
- John Flores, General Counsel Office of the Treasurer, Ex Officio Member
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Michael O’Brien, Trustee
- Claude Poulin, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee
- Timothy Ryor, Trustee

Absent

- Angel Quiros, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- John Herrington, Director, Retirement Services Division
- Yamuna Menon, General Counsel/Assistant State Comptroller, Office of the State Comptroller
- Colin Newman, Assistant Director, Retirement Services Division
- Michael Rose, General Counsel to the Commission, Rose Kallor
- Alisha Sullivan, Tax Counsel to the Commission, Robinson & Cole
- Russell Zimmerlin, counsel for Patrick Butler, and Mr. Butler

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Call to Order

Chairman Adomeit called the meeting to order at 9:05 a.m.

Ms. Cieslak identified those in attendance.

Chairman's Report

At 9:07 a.m., the Chairman provided his report. The Chairman read a statement concerning the passing of Trustee Sandra Fae Brown Brewton.

Division Director's Report

At 9:08 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (4/21/2022)

I. Disability Retirements:

A. Pending Disability Applications for the Initial Review by the Medical Examining Board: The Division is in the process of adding additional meetings for 2022 in attempt to reduce the wait period. Currently scheduling into August 2022.

- There are 11 Disability Retirement Applications pending of which:
 - 24 New applications received for April 2022
 - 45 Applications have been scheduled for MEB hearings through June 2022
 - 66 Applications are awaiting additional medical documentation

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2022	76	89	90	111								
2021	114	107	103	117	125	90	89	85	77	79	99	71

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B. Twenty-Four Month Reviews:

138 Cases are due for a 24-month review (i.e. approved within the past 24 months)

- 6 Cases – are receiving SSD benefits (Expedited Approvals Process)
- 132 Cases – Retiree does not appear to be receiving SSD benefits.
 - 36 have retirement dates beyond 24 months old.
 - 15 have been scheduled for February 2022

II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2022	356	268	337	1,137									2098
2021	243	192	124	337	152	244	291	213	234	331	159	136	2656
10-Yr. Avg.	179	153	129	255	128	205	262	177	180	248	116	98	2130

III. Projected 2022 Retirements:

<u>Projected Retirements</u> (As of April 21, 2022)		
D.O.R.	Number of Intents to Retire Received	Number of Retirement Applications Received
1/1/2022	365	356
2/1/2022	263	268
3/1/2022	320	337
4/1/2022	1,169	1,137
5/1/2022	223	113
6/1/2022	679	71
7/1/2022	747	18
Totals:	3,750	2,300

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<u>Projected Retirements</u> (As of March 17, 2022)		
D.O.R.	Number of Intents to Retire Received	Number of Retirement Applications Received
1/1/2022	365	356
2/1/2022	263	268
3/1/2022	320	337
4/1/2022	1,148	339
5/1/2022	202	36
6/1/2022	539	1
7/1/2022	404	None Yet
Totals:	3,241	1,337

At 9:13 a.m., Ms. Carlson commented on the passing of Ms. Brown Brewton. Ms. Carlson also commended the Retirement Division's efforts.

At 9:15 a.m., Ms. Menon reminded the trustees regarding their obligation to complete a statement of financial interests, which are due May 2, 2022.

At 9:17 a.m., Mr. Luciano requested a personal point of privilege to comment on the passing of Ms. Brown Brewton.

New Matters

1. Request Commission Approval of the March 17, 2022 minutes.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the March 17, 2022 minutes.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the March 17, 2022 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.

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- i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Chairman's Per Diem Expenses
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the State Employees Retirement Commission Chairman's Per Diem Expenses.
3. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - ii. Mr. Poulin abstained.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor, with Mr. Poulin abstaining, to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
4. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - ii. Mr. Ryor abstained.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor, with Mr. Ryor abstaining, to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
5. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of March 2022.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of March 2022.

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6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of March 2022.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Rose Kallor rendered for the month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the invoices from Rose Kallor rendered for the month of March 2022.

7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of March 2022.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Service Retirements for the Month of March 2022.

8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of March 2022.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of March 2022.

9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of March 2022.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Disability Retirements for the Month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees System Disability Retirements for the Month of March 2022.

10. Request Commission Approval of the Connecticut State Employees Retirement System Retroactive Retirement for the month of March 2022.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey approve Connecticut State Employees Retirement System Retroactive Retirement for the month of March 2022.

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- ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Retroactive Retirement for the month of March 2022.
11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of March 2022.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of March 2022.
12. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Disability Retirements for the Month of March 2022.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve Connecticut State Employees Retirement System Municipal Employees Disability Retirements for the Month of March 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Municipal Employees Disability Retirements for the Month of March 2022.
13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the recommendations by the Medical Examining Board for the continued entitlement approvals.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the recommendations by the Medical Examining Board for the continued entitlement approvals.
14. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut Probate Judges and Employees Retirement System.

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- ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Probate Judges and Employees Retirement System.
15. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period February 25, 2022 through March 10, 2022.
- i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period February 25, 2022 through March 10, 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period February 25, 2022 through March 10, 2022.
16. Request Received from Patrick Butler that the Commission consider whether the tolling of time limit is appropriate as it relates to his application for a non-service connected disability retirement.
- i. At 9:23 a.m. Mr. Butler and his attorney were invited to present the matter, and the trustees were able to ask questions.
 - ii. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to take the matter under advisement.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor to take the matter under advisement.

Executive Session – Discussion and Possible Action

1. Status of virtual/remote meetings – written legal opinion.
2. Douglas Latham – Request for Declaratory Ruling – written legal opinion.
3. Town of Ellington (CMERS) – written legal opinion.
4. Linda Cicarella appeal – written legal opinion.
5. CBA Disability Law Section request – written legal opinion.
6. Ronald Johnson v. SERC – pending claim/pending litigation.
7. FOI appeal by Attorney Russell Zimmerman – pending claim/pending litigation.

At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for

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executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 1.

At 9:36 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:36 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 2. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 2.

At 9:41 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:41 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 3. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 3.

At 9:44 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:45 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 4. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 4.

At 9:48 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:49 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 5. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if

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there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 5.

At 9:57 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:57 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 6. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 6.

At 9:59 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 9:59 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 7. Attorney Cieslak, John Herrington, Attorney Menon, Colin Newman, Attorney Rose and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 7.

At 10:02 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

Public Session

At 10:02 a.m., Mr. Luciano moved, seconded by Mr. Bailey, to deny Ms. Cicarella's appeal. . The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 10:05 a.m. The Commission voted unanimously to adjourn.

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Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division