

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

DRAFT
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on August 20, 2020, in the 3rd Floor Conference Room at 165 Capitol Ave. Hartford, CT; however, the building was closed to the public as a result of the spread of COVID-19 and 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
- Karen Buffkin, Trustee
- Michael Carey, Trustee
- Martha Carlson, Deputy Comptroller, Ex Officio Member
- Carl Chisem, Trustee
- Robert D. Coffey, Trustee
- John Flores, General Counsel Office of the Treasurer, Ex Officio Member
- Paul Fortier, Trustee
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison

The following members of the Commission were absent:

- Janet Andrews, Trustee
- Sandra Fae Brown Brewton, Trustee
- Michael Bailey, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Natalie Braswell, General Counsel Office of the State Comptroller
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- John Herrington, Director, Retirement Services Division
- 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
- Sueanne Curley
- Ellen Lynch, counsel for Ms. Curley

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- Richard Lynch, counsel for Ms. Curley

Call to Order

Chairman Adomeit called the meeting to order at 9:08 a.m. Attorney Cieslak identified those in attendance.

Chairman's Report

At 9:10 a.m., the Chairman provided his report. Chairman Adomeit commended everyone's efforts during this time.

Division Director's Report

At 9:11 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (8/20/2020)

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 2020 in attempt to reduce the wait period. Currently scheduling into December 2020.

- There are a total of 114 Disability Retirement Applications pending of which:
 - 18 New applications received for August 2020
 - 75 Applications have been scheduled for MEB hearings through December 2020
 - 39 Applications are awaiting additional medical documentation

11/2019	12/2019	1/2020	2/2020	3/2020	4/2020	5/2020	6/2020	7/2020	8/20
302	272	291	232	226	197	162	140	117	114

B. Twenty-Four Month Reviews

171 Cases are due for a 24-month review.

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- 0 Cases – Retiree is receiving SSD benefits (Expedited Approval Process)
- 171 Cases – Retiree does not appear to be receiving SSD benefits.
 - 52 have retirement dates beyond 24 months old.
 -

C. Disability Files Processed:

10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20	6/20	7/20	8/20
82	41	57	19	93	103	48	29	53	43	38
				Backlog Reduction Team (65)	Backlog Reduction Team (66)	Backlog Reduction Team (22)	Backlog Reduction Team (11)	Backlog Reduction Team (26)		

D. Disability Backlog:

10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20	6/20	7/20	8/20
1941	1923	1927	1922	1868	1777	1729	1765	1739	1732	1687

II. Normal Retirement Audits:

10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20	6/20	7/20	8/20
162	151	100	178	166	149	268	149	140	170	226

At 9:14 a.m., Mr. Luciano moved, seconded by Mr. Poulin, to amend the agenda to add as Item 17: Request Commission Acceptance of MERS GASB 68 Independent Auditor’s Report for year end June 30, 2019. The Chairman asked if there was any discussion. There being no discussion, he called for a vote. The Commission voted unanimously in favor to amend the agenda to include Item 17: Request Commission Acceptance of MERS GASB 68 Independent Auditor’s Report for year end June 30, 2019.

At 9:15 a.m., Ms. Carlson provided an update from the Comptroller’s office regarding procuring a consulting firm.

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New Matters

1. Request Commission Approval of the July 16, 2020 minutes.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the July 16, 2020 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 July 16, 2020 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 9:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of July.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of July.
 - 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 July.
5. Request Commission Acceptance of Invoices from Rose Kallor rendered for the month of July.

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- i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros to accept the invoices from Rose Kallor rendered for the month of July.
 - 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 July.
6. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of July 2020.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut State Employees Retirement System Service Retirements for the Month of July 2020.
 - 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 July 2020.
7. Request Commission Approval of the Connecticut State Employees Retirement System Voluntary Pending Retirements for the Month of July 2020.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut State Employees Retirement System Voluntary Pending Retirements for the Month of July 2020.
 - 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 Voluntary Pending Retirements for the Month of July 2020.
8. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of July 2020.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut State Employees System Disability Retirements for the Month of July 2020.
 - 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 July 2020.
9. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2020.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2020.

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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 Municipal Retirements for the Month of July 2020.
10. Request Commission Approval of the Municipal Retirement System Disability Retirements Approvals.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Municipal Retirement System Disability Retirements 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 approve the Municipal Retirement System Disability Retirements Approvals.
11. Request Commission Approval of the Municipal Retirement System Disability Retirements Tabled and Denied by the Medical Examining Board.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Municipal Retirement System Disability Retirements Tabled and Denied by the Medical Examining Board.
 - 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 Municipal Retirement System Disability Retirements Tabled and Denied by the Medical Examining Board.
12. Request Commission Approval of the Request made by John Sinclair to Discontinue his Application for Non-Service Connected Disability Notwithstanding the One Year Deadline Associated with the Right to Ask for a Reconsideration of the Medical Examining Board Denial.
 - i. At 9:23 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Request made by John Sinclair to Discontinue his Application for Non-Service Connected Disability Notwithstanding the One Year Deadline Associated with the Right to Ask for a Reconsideration of the Medical Examining Board Denial.
 - ii. Chairman asked if there was any discussion. There was discussion. Mr. Carey asked for further information concerning the request. Mr. Newman provided additional information.
 - iii. Mr. Quiros withdrew his second to Mr. Luciano's motion.
 - iv. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Quiros, to accept Mr. Sinclair's correspondence containing his request to discontinue his Application for Non-Service Connected Disability.

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- v. The Commission voted unanimously in favor to accept Mr. Sinclair's correspondence containing his request to discontinue his Application for Non-Service Connected Disability.
13. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.
 - i. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut Probate Judges and Employees Retirement System.
 - 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 Probate Judges and Employees Retirement System.
 14. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - i. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - ii. Chairman asked if there was any discussion. Mr. Coffey provided a technical correction and stated that Judge DiPentima is retiring as Chief Judge of the Connecticut Appellate Court. At 9:33 a.m., Mr. Coffey moved, seconded by Mr. Luciano to correct the documentation. All voted in favor.
 - iii. At 9:34 a.m., the Commission voted unanimously in favor to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System, as corrected.
 15. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period June 6, 2020 through July 31, 2020.
 - i. At 9:34 a.m., Mr. Luciano moved, seconded by Mr. Quiros to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period June 6, 2020 through July 31, 2020.
 - 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 June 6, 2020 through July 31, 2020.
 16. Request Received from Sueanne Curley that the Commission Review and Reconsider its October 19, 2019 Denial of her Request for a refund of additional interest in connection to the retirement contributions that she had refunded in August 2019 from CMERS.

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- i. At 9:34 a.m., Mr. Luciano invited Mr. Curley and her representatives to make a presentation to the Commission.
 - ii. Ms. Curley and Attorney Richard Lynch spoke in support of Ms. Curley's claim.
 - iii. Mr. Luciano thanked Ms. Curley and her attorney for their statements and stated that the matter would be taken under advisement.
17. Request Commission Acceptance of MERS GASB 68 Independent Auditor's Report for year end June 30, 2019.
- i. At 9:42 a.m., Mr. Luciano moved, seconded by Mr. Quiros to accept MERS GASB 68 Independent Auditor's Report for year end June 30, 2019.
 - ii. Chairman asked if there was any discussion. Mr. Poulin summarized the report.
 - iii. The Commission voted unanimously in favor to accept MERS GASB 68 Independent Auditor's Report for year end June 30, 2019.

Executive Session – Discussion and Possible Action

1. VCP Status Update – written legal opinion.
2. David Carter/Richard Kay v. SERC – pending litigation.
3. Hartford Housing Authority – written legal opinion.
4. Municipalities' Withdrawal From CMERS – written legal opinion.
5. Annual benefit calculation for disability retirees with outside wages – written legal opinion.
6. Ralph Tedesco v. SERC – pending litigation.
7. Ronald Johnson v. SERC – pending litigation.
8. Update re: Virtual MEB meetings – written legal opinion.
9. Marianna Grzeszczyk v. SERC pending claim/pending litigation/written legal opinion.
10. Catherine Crandle v. SERC – pending litigation.
11. Brian Comerford v. SERC – pending litigation.

At 9:44 a.m., Mr. Luciano moved, seconded by Mr. Quiros to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 1.

At 9:48 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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.

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At 9:49 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 2. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 9:50 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 9:50 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 3. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 9:53 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 9:53 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 4. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 9:55 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 9:56 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 3. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 10:02 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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.

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At 10:02 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 6. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 10:04 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 10:05 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 5. Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 5.

At 10:14 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 10:14 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 7 Attorney Barth, Attorney Braswell, Attorney Cieslak, John Herrington, 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 10:15 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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.

Attorney Barth and Attorney Sullivan left the meeting at 10:15 a.m.

At 10:16 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 8. Attorney Braswell, Attorney Cieslak, John Herrington, Colin Newman, and Attorney Rose 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 8.

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At 10:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 10:21 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 9. Attorney Braswell, Attorney Cieslak, John Herrington, Colin Newman, and Attorney Rose 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 9.

At 10:25 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 10:26 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 10. Attorney Braswell, Attorney Cieslak, John Herrington, Colin Newman, and Attorney Rose 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 10.

At 10:27 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 10:27 a.m., Mr. Luciano moved, seconded by Mr. Quiros to go into executive session for purposes of discussing Item 11. Attorney Braswell, Attorney Cieslak, John Herrington, Colin Newman and Attorney Rose 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 11.

At 10:28 a.m., Mr. Luciano moved, seconded by Mr. Quiros 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 10:28 a.m., Mr. Luciano moved, seconded by Mr. Quiros to table Item 16: Request Received from Sueanne Curley that the Commission Review and Reconsider its October 19, 2019 Denial of her Request for a refund of additional interest in connection to the retirement contributions that she had refunded in August 2019 from CMERS. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The

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Commission voted unanimously to table Item 16: Request Received from Sueanne Curley that the Commission Review and Reconsider its October 19, 2019 Denial of her Request for a refund of additional interest in connection to the retirement contributions that she had refunded in August 2019 from CMERS.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Quiros to adjourn at 10:28 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division