

DRAFT
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on August 19, 2021 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
- Karen Nolen, Trustee
- Michael O’Brien, Trustee
- Claude Poulin, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee
- Timothy Ryor, Trustee

Absent

- Sandra Fae Brown Brewton, Trustee
- Sal Luciano, Trustee
- 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
- Michael Rose, General Counsel to the Commission, Rose Kallor
- Colin Newman, Assistant Director, Retirement Services Division
- Alisha Sullivan, Tax Counsel to the Commission, Robinson & Cole
- Donald Wilkerson, Retirement Services Division
- Jason Ostroski, CLA
- Jeff Ment, Attorney for Mr. Bettini
- Armando Bettini

Call to Order

Chairman Adomeit called the meeting to order at 9:03 a.m.

Attorney Cieslak identified those in attendance.

Chairman’s Report

At 9:05 a.m., the Chairman provided his report. He recognized the Retirement Services Division’s operations throughout the pandemic.

Division Director’s Report

At 9:06 a.m., Mr. Herrington provided the Division Director’s Report.

Division Director Report (8/19/2021)

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 2021 in attempt to reduce the wait period. Currently scheduling into October 2021.

- There are 89 Disability Retirement Applications pending of which:
 - 19 New applications received for July 2021
 - 54 Applications have been scheduled for MEB hearings through September 2021
 - 31 Applications are awaiting additional medical documentation

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	114	107	103	117	125	90	89	85				
2020	291	232	226	197	162	140	117	114	97	86	83	108

B. Twenty-Four Month Reviews:

144 Cases are due for a 24-month review.

- 8 Cases – are receiving SSD benefits (Expedited Approvals Process)
- 136 Cases – Retiree does not appear to be receiving SSD benefits.
 - 24 have retirement dates beyond 24 months old.

C. Disability Files Processed:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	60	85	156	115	101	145	163	184				
2020	19	93	103	48	29	53	43	38	38	44	35	39

D. Disability Backlog:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	1,527	1,453	1,341	1,226	1,140	1,089	960	605				
2020	1,992	1,868	1,777	1,729	1,765	1,739	1,732	1,687	1,687	1,675	1,625	1,596

II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
2021	243	192	124	337	152	244	291	213					1,796
2020	178	166	149	268	149	140	170	226	198	219	101	92	2,056

10-YR Avg	164	142	124	234	119	192	251	166	167	226	107	91	1982
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III. Self-Service Benefit Estimator Roll-Out:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
2021	661	1,233	1,366	790	1,044	1,009	283	800					7,186
2020	n/a	n/a	157	n/a	n/a	n/a	n/a	682	584	821	740	811	3,795
Total Released to Date:													10,181

Estimated = 12,706 Eligible for 2022

At 9:28 a.m., Mr. Poulin moved, seconded by Mr. Bailey, to amend the agenda to add as Item 18: Request Commission acceptance of the Connecticut Municipal Employees Retirement System Schedule of Employer Allocations and Pension Amounts by Employer Year Ended June 30, 2020. 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.

New Matters

1. Request Commission Approval of the July 15, 2021 minutes.
 - i. At 9:29 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the July 15, 2021 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 15, 2021 minutes.

2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
 - i. At 9:29 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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.

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3. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - i. At 9:31 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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 9:31 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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 CMERS rendered for the month of July.
 - i. At 9:32 a.m., Mr. Bailey moved, seconded by Mr. Coffey to accept the invoices from Robinson and Cole for CMERS 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 CMERS rendered for the month of July.

6. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of July.
 - i. At 9:32 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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.

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- 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.

7. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of July.
 - i. At 9:32 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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.

8. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of July 2021.
 - i. At 9:32 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of July 2021.
 - 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 2021.

9. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of July 2021.
 - i. At 9:32 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of July 2021.
 - 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 July 2021.

10. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of July 2021.
 - i. At 9:33 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Connecticut State Employees System Disability Retirements for the Month of July 2021.
 - 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 2021.

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11. Request Commission Approval of the Connecticut State Employees System Pre-Retirement Death Benefit for the Month of July 2021.
 - i. At 9:33 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Connecticut State Employees System Pre-Retirement Death Benefit for the Month of July 2021.
 - 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 Pre-Retirement Death Benefit for the Month of July 2021.

12. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2021.
 - i. At 9:33 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2021.
 - 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 July 2021.

13. Request Commission Approval of the Municipal Retirement System Disability Retirement Approvals.
 - i. At 9:33 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Municipal Retirement System Disability Retirement 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 Retirement Approvals.

14. Request Commission Approval of the Municipal Retirement System Disability Retirement Denials.
 - i. At 9:34 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Municipal Retirement System Disability Retirement Denials.
 - 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 Retirement Denials.

15. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.

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- i. At 9:34 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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 Probate Judges and Employees Retirement System.
16. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period June 4, 2021 through July 15, 2021.
 - i. At 9:34 a.m., Mr. Bailey moved, seconded by Mr. Coffey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period June 4, 2021 through July 15, 2021.
 - 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 4, 2021 through July 15, 2021.
17. Request Received from Armando Bettini that the Commission Review and Reconsider its October 15, 2020 denial of his request to purchase his period of prior military service rendered between January 9, 2002 and May 3, 2002.
 - i. At 9:35 a.m., Mr. Bettini was invited by the Commission to present his claim. The Commission heard from Attorney Ment and Mr. Bettini.
 - ii. At 10:22 a.m., Mr. Coffey moved, seconded by Mr. Carey to approve Mr. Bettini's request and render his military service from January 9, 2002 to May 3, 2002 as eligible for retirement purposes.
 - 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 approve Mr. Bettini's request and render his military service from January 9, 2002 to May 3, 2002 as eligible for retirement purposes.
18. Request Commission acceptance of the Connecticut Municipal Employees Retirement System Schedule of Employer Allocations and Pension Amounts by Employer Year Ended June 30, 2020.
 - i. i. At 10:36 a.m., Mr. Bailey moved, seconded by Mr. Coffey to accept the Connecticut Municipal Employees Retirement System Schedule of Employer Allocations and Pension Amounts by Employer Year Ended June 30, 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to accept the Connecticut Municipal Employees Retirement System Schedule of Employer Allocations and Pension Amounts by Employer Year Ended June 30, 2020.

At 10:36 a.m., Mr. Bailey moved, seconded by Mr. Coffey to enter executive session to discuss Items 1-9. Attorney Barth, 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 Items 1-9.

At 10:40 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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 10:42 a.m., Mr. Bailey moved, seconded by Mr. Coffey to revisit Item 18. Mr. Ostroski was invited to present and discuss Item 18.

Executive Session – Discussion and Possible Action

1. Compilation Status – written legal opinion.
2. Overpayment update – written legal opinion.
3. Ronald Johnson v. SERC – pending claim/pending litigation.
4. Riju Das petition for declaratory ruling – written legal opinion.
5. Barbara Flanagan – review of disability benefit – written legal opinion.
6. FOI appeal by Attorney Russell Zimmerman – pending claim/pending litigation.
7. Ralph Tedesco v. SERC – pending litigation.
8. Catherine Crandle v. SERC – pending litigation.
9. Marianna Grzeszczyk v. SERC – pending litigation.

At 10:59 a.m., Mr. Bailey moved, seconded by Mr. Coffey to suspend the regular meeting and go into executive session for the purposes of discussing Items 1-9. Attorney Barth, 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 Items 1-9. Attorney Barth and Attorney Sullivan attended the portion of the discussion concerning Items 1-3, and exited the meeting at 11:15 a.m.

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At 11:35 a.m., Mr. Bailey moved, seconded by Mr. Coffey 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 11:35 a.m., Mr. Carey moved, seconded by Mr. Coffey to decline to issue a declaratory ruling in the matter of Riju Das; however, based on the fact pattern in this case, grant the remedy Mr. Das is seeking. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to decline to issue a declaratory ruling in the matter of Riju Das; however, based on the fact pattern in this case, grant the remedy Mr. Das is seeking.

At 11:36 a.m., Mr. Carey moved, seconded by Mr. Coffey that with respect to Barbara Flanagan, in light of additional information becoming available regarding her receipt of social security disability benefits, the Commission reverse the MEB's decision and grant continuation of Ms. Flanagan's disability retirement benefits. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor of the motion.

Adjournment

With no further business before the Commission, Mr. Bailey moved, seconded by Mr. Coffey to adjourn at 11:37 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division