

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 March 17, 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
- 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
- Rebecca Simonsen, Trustee
- Timothy Ryor, Trustee

Absent

- Sandra Fae Brown Brewton, Trustee
- Carl Chisem, Trustee
- Angel Quiros, Trustee
- Mark Sciota, Municipal Liaison

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
- Alisha Sullivan, Tax Counsel to the Commission, Robinson & Cole

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Call to Order

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

Ms. Cieslak identified those in attendance.

At 9:05 a.m., Mr. Poulin moved, seconded by Mr. Coffey, to amend the agenda to add as Items 15 and 16, respectively: Request Commission Acceptance of the Revised GASB 67 Report for Connecticut State Employees Retirement System Prepared as of June 30, 2021 and Request Commission Acceptance of the Revised GASB 68 Report for the Connecticut State Employees Retirement System Prepared as of June 30, 2021. All voted in favor.

Chairman's Report

At 9:07 a.m., the Chairman provided his report. He thanked Mr. Herrington and Ms. Carlson for their work within the Office of the State Comptroller, as well as Division staff.

Division Director's Report

At 9:10 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (3/17/2022)

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 June 2022.

- There are 90 Disability Retirement Applications pending of which:
 - 20 New applications received for March 2022
 - 30 Applications have been scheduled for MEB hearings through June 2022
 - 58 Applications are awaiting additional medical documentation

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

B. Twenty-Four Month Reviews:

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

- 9 Cases – are receiving SSD benefits (Expedited Approvals Process)
- 142 Cases – Retiree does not appear to be receiving SSD benefits.
 - 40 have retirement dates beyond 24 months old.
 - 20 have been scheduled for February 2022

C. Disability Files Processed:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2022	11	11	5									
2021	60	85	156	115	101	145	163	184	173	240	163	40

II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2022	356	268	337										961
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

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III. Projected 2022 Retirements:

<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

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<u>Projected Retirements</u> (As of February 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	273	102
4/1/2022	877	6
5/1/2022	100	36
6/1/2022	211	1
7/1/2022	136	None Yet
Totals:	2,225	769

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At 9:13 a.m., Ms. Menon reminded the trustees regarding their obligation to complete a statement of financial interests, which are due May 2, 2022.

At 9:15 a.m., Ms. Carlson remarked regarding the anticipated retirements in 2022.

New Matters

1. Request Commission Approval of the February 17, 2022 minutes.
 - i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the February 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 February 17, 2022 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
 - i. At 9:18 a.m., Mr. Bailey moved, seconded by Mr. Luciano 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. Bailey moved, seconded by Mr. Luciano 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 9:18 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - ii. Mr. Ryor abstained.

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- 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 February 2022.
 - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of February 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 February 2022.
6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of February 2022.
 - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Rose Kallor rendered for the month of February 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 February 2022.
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of February 2022.
 - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees Retirement System Service Retirements for the Month of February 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 February 2022.
8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of February 2022.
 - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of February 2022.
 - 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 approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of February 2022.
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of February 2022.
 - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees System Disability Retirements for the Month of February 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 February 2022.
10. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of February 2022.
 - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of February 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 February 2022.
11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Disability Retirements for the Month of February 2022.
 - i. At 9:21 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve Connecticut State Employees Retirement System Municipal Employees Disability Retirements for the Month of February 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 February 2022.
12. Request Commission Approval of the Connecticut State Employees Retirement System Retroactive Retirement for the month of February 2022.
 - i. At 9:21 a.m., Mr. Bailey moved, seconded by Mr. Luciano approve Connecticut State Employees Retirement System Retroactive Retirement for the month of February 2022.
 - 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 approve the Connecticut State Employees Retirement System Retroactive Retirement for the month of February 2022.
13. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.
 - i. At 9:22 a.m., Mr. Bailey moved, seconded by Mr. Luciano 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.
14. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period January 14, 2022 through February 10, 2022.
 - i. At 9:22 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay January 14, 2022 through February 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 January 14, 2022 through February 10, 2022.
15. Request Commission Acceptance of the Revised GASB 67 Report for the Connecticut State Employees Retirement System prepared as of June 30, 2021.
 - i. At 9:24 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the Revised GASB 67 Report for the Connecticut State Employees Retirement System prepared as of June 30, 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 accept the Revised GASB 67 Report for the Connecticut State Employees Retirement System prepared as of June 30, 2021.
16. Request Commission Acceptance of the Revised GASB 68 Report for the Connecticut State Employees Retirement System prepared as of June 30, 2021.
 - i. At 9:24 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the Revised GASB 68 Report for the Connecticut State Employees Retirement System prepared as of June 30, 2021.
 - 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 Revised GASB 68 Report for the Connecticut State Employees Retirement System prepared as of June 30, 2021.

Executive Session – Discussion and Possible Action

1. Ronald Johnson v. SERC – pending claim/pending litigation.
2. Douglas Latham – Request for Declaratory Ruling – written legal opinion.
3. FOI appeal by Attorney Russell Zimberlin – pending claim/pending litigation.
4. Michael Vogt Appeal to SERC of MEB decision – written legal opinion.

At 9:25 a.m., Mr. Bailey moved, seconded by Mr. Luciano to suspend the regular meeting and go into executive session for the purposes of discussing Items 1-4. 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 1-4.

At 9:36 a.m., Mr. Bailey moved, seconded by Mr. Luciano 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 9:37 a.m., Mr. Carey moved, seconded by Mr. Coffey, to accept Mr. Latham's petition for declaratory ruling and direct Rose Kallor to begin to prepare a draft declaratory ruling. All voted in favor.

At 9:38 a.m., Mr. Coffey moved, seconded by Mr. Luciano, to remand Mr. Vogt's matter to the MEB for further review on reconsideration in order to consider the additional evidence submitted on December 6 and 11, and determine whether in light of all the evidence and full record, a service connected disability is warranted, or if the additional information has already been considered, amend the decision to reflect the information reviewed and provide a rationale explaining why the additional information does not entitle the member to a service-connected disability. Further, the Subcommittee recommends to the Commission that it direct the Division to add an additional sentence to MEB determination letters on reconsideration which explains that although a member's appeal rights have been exhausted with the MEB, the member may have rights to appeal to SERC on procedural matters. All voted in favor.

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Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 9:40 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division