

STATE EMPLOYEES
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD
for DISABILITY RETIREMENT



STATE OF CONNECTICUT
RETIREMENT SERVICES DIVISION
OFFICE of the STATE COMPTROLLER
55 Elm Street
Hartford, CT 06106
PHONE: (860) 702-3480 | FAX: (860) 702-3489

DRAFT
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on May 21, 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
- Sandra Fae Brown Brewton, Trustee
- Michael Bailey, Trustee
- Karen Buffkin, Trustee
- Michael Carey, Trustee
- Martha Carlson, Deputy Comptroller, Ex Officio Member
- Robert D. Coffey, Trustee
- John Flores, Ex Officio Member
- Paul Fortier, Trustee
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Mark Sciota, Municipal Liaison

The following members of the Commission were absent:

- Janet Andrews, Trustee
- Charles Casella, Trustee
- Carl Chisem, Trustee

Also present were:

- Bruce Barth, Robinson & Cole
- Natalie Braswell, Retirement Services Division
- Cindy Cieslak, General Counsel to the Commission Rose Kallor
- John Herrington, Retirement Services Division
- Colin Newman, Retirement Services Division
- Michael Rose, General Counsel to the Commission Rose Kallor
- Alisha Sullivan, Robinson & Cole
- Dan Mara, Attorney for David Carter & Richard Kay

Call to Order



Chairman Adomeit called the meeting to order at 9:03 a.m. Attorney Cieslak took attendance.

Chairman's Report

At 9:03 a.m., the Chairman provided his report. The Chairman welcomed John Flores to the meeting. The Chairman reminded everyone that we are recording this meeting, and the recording will be transcribed. The Chairman thanked everyone for their participation.

At 9:07 a.m., Mr. Luciano moved, seconded by Mr. Bailey to amend the agenda to include a discussion concerning the Hartford Housing Authority. A written legal memorandum was previously provided to the Commission in connection with this matter. The Commission voted unanimously in favor to amend the agenda.

Division Director's Report

At 9:08 a.m., Ms. Carlson recognized the work being done by all employees within the Office of the Comptroller and provided an update.

At 9:12 a.m., Mr. Herrington provided the Division Director's Report.

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 September 2020.

- There are a total of 162 Pending Disability Retirement Applications of which:
 - 12 New applications received for April 2020
 - 120 Applications have been scheduled for September 2020
 - 77 Applications are awaiting additional medical documentation

Pending Disability Retirement Applications:

9/2019	10/2019	11/2019	12/2019	1/2020	2/2020	3/2020	4/2020	5/2020
369	310	302	272	291	232	226	197	162

Twenty-Four Month Reviews:

- 188 Cases are due for a 24-month review.
 - 34 Cases – Retiree is receiving SSD benefits (Expedited Approval Process)
 - All 34 cases will be scheduled at the next 24-month review meeting tentatively scheduled for May 29, 2020.
 - 154 Cases – Retiree does not appear to be receiving SSD benefits.
 - 67 have retirement dates beyond 24 months old. Of the 67, 17 are ready to be scheduled for the next 24-month review meetings.

Pending 24-Month Reviews:

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9/2019	10/2019	11/2019	12/2019	1/2020	2/2020	3/2020	4/2020	5/2020
257	286	225	252	288	264	155	172	188

Disability Files Processed:

9/19	10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20
52	82	41	57	19	93	103	48	29
					Backlog Reduction Team (65)	Backlog Reduction Team (66)	Backlog Reduction Team (22)	Backlog Reduction Team (11)

Disability Backlog:

9/19	10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20
1953	1941	1923	1927	1922	1868	1777	1729	1765

Normal Retirement Audits:

9/19	10/19	11/19	12/19	1/20	2/20	3/20	4/20	5/20/
175	162	151	100	178	166	149	268	149

At 9:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Division Director’s report. All voted in favor.

There was a brief discussion about Attorney Mara’s request to view the meeting.

New Matters

1. Request Commission Approval of the April 16, 2020 minutes.
 - i. At 9:24 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the April 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 April 16, 2020 minutes.

2. Request Commission Approval of the State Employees Retirement Commission Chairman’s Per Diem Expenses.
 - i. At 9:25 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.

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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 9:25 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 Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of April.
 - i. At 9:25 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 April.
 - 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 April.
5. Request Commission Acceptance of Invoices from Robinson and Cole for CMERS rendered for the month of April.
 - i. At 9:25 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Robinson and Cole for CMERS rendered for the month of April.
 - 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 April.
6. Request Commission Acceptance of Invoices from Rose Kallor rendered for the month of April.
 - i. At 9:25 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Rose Kallor rendered for the month of April.
 - 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 April.
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of April 2020.
 - i. At 9:25 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of April 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 Service Retirements for the Month of April 2020.
8. Request Commission Approval of the Connecticut State Employees Retirement System Voluntary Pending Retirements for the Month of April 2020.
 - i. At 9:25 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Voluntary Pending Retirements for the Month of April 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 April 2020.
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of April 2020.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Disability Retirements for the Month of April 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 April 2020.
10. Request Commission Approval of the Connecticut State Employees System Retroactive Retirements for the Month of April 2020.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Retroactive Retirements for the Month of April 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 Retroactive Retirements for the Month of April 2020.
11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of April 2020.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of April 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 Municipal Retirements for the Month of April 2020.



12. Request Commission Approval of the Municipal Retirement System Disability Retirements Approvals.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey 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.

13. Request Commission Approval of the Municipal Retirement System Disability Retirements Tabled and Denied by the Medical Examining Board.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey 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.

14. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and 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 accept the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.

15. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:26 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.

16. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.
 - i. At 9:27 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 Connecticut Probate Judges and Employees Retirement System.
17. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
- i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners 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 Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
18. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period March 13, 2020 through April 9, 2020.
- i. At 9:27 a.m., Mr. Luciano a moved, seconded by Mr. Bailey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period March 13, 2020 through April 9, 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 March 13, 2020 through April 9, 2020.

Executive Session – Discussion and Possible Action

1. VCP status update – written legal opinion.
2. David Carter/Richard Kay – pending litigation.
3. Ronald Johnson v. SERC- pending litigation.
4. James Rizzio petition for declaratory ruling – pending claim/written legal opinion.
5. Edward Panus disability retirement application – written legal opinion.
6. Virtual MEB meetings – written legal opinion
7. CMERS liability allocation – written legal opinion.
8. Catherine Crandle v. SERC – pending litigation.
9. Brian Comerford v. SERC – pending litigation.
10. Marianna Grzeszczyk v. SERC - pending litigation.
11. Hartford Housing Authority – written legal opinion.

At 9:28 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 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

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discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 1.

At 9:32 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 9:32 a.m., Mr. Luciano moved, seconded by Mr. Bailey 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 9:42 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 9:42 a.m., Mr. Luciano moved, seconded by Mr. Bailey 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 9:44 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 9:44 a.m., Attorney Barth and Attorney Sullivan exited the meeting.

At 9:44 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 4. 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 4.

At 9:47 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 9:47 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 5. 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 5.

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At 9:53 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 9:53 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 6. 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 6.

At 9:54 a.m., Attorney Rose exited the meeting.

At 10:00 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 10:00 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 7. Attorney Braswell, Attorney Cieslak, John Herrington, and Colin Newman 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 10:04 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 10:04 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 8. Attorney Braswell, Attorney Cieslak, John Herrington, and Colin Newman 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.

At 10:05 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. Bailey to go into executive session for purposes of discussing Item 9. Attorney Braswell, Attorney Cieslak, John Herrington, and Colin Newman 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.

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At 10:07 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 10:07 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 10. Attorney Braswell, Attorney Cieslak, John Herrington, and Colin Newman 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 10:08 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 10:08 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 11. Attorney Braswell, Attorney Cieslak, John Herrington, and Colin Newman 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 10:20 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 10:20 a.m., Attorney Mara entered the meeting.

At 10:21 a.m., Mr. Luciano moved, seconded by Mr. Coffey to remand Mr. Rizzio's matter to the Medical Examining Board. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to remand Mr. Rizzio's matter to the Medical Examining Board.

At 10:21 a.m., Mr. Luciano moved, seconded by Mr. Poulin to table the Hartford Housing Authority matter to the next Commission meeting. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to table the Hartford Housing Authority matter to the next Commission meeting.

At 10:22 a.m., Mr. Coffey moved, seconded by Mr. Bailey to accept the recommendation of the Legal & Personnel Subcommittee that for as long as the State is under emergency management orders from the Governor, anyone who appeals an MEB denial on the basis that he or she was unable to appear to make a statement due to the virtual nature of the MEB meetings, will be permitted to have the MEB reconsider their

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application. 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.

At 10:23 a.m., Mr. Coffey moved, seconded by Mr. Bailey accept the recommendation of the Legal & Personnel Subcommittee to rescind correspondence sent to Mr. Panus in 2015 stating that his disability application would be processed, and as a result, the disability application will not be processed. 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. Luciano moved, seconded by Mr. Bailey to adjourn at 10:24 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division