

DRAFT
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on November 18, 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 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
- Angel Quiros, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee
- Timothy Ryor, Trustee

Absent

- Michael Bailey, Trustee
- Sandra Fae Brown Brewton, Trustee
- Karen Buffkin, 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

Call to Order

Chairman Adomeit called the meeting to order at 9:04 a.m.

Attorney Cieslak identified those in attendance.

Chairman’s Report

At 9:05 a.m., the Chairman provided his report. He indicated there would be a virtual holiday party next month. He commended the Retirement Services Division for all of its efforts the past year.

Division Director’s Report

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

Division Director Report (11/18/2021)

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 February 2022.

- There are 99 Disability Retirement Applications pending of which:
 - 18 New applications received for October 2021
 - 60 Applications have been scheduled for MEB hearings through January 2022
 - 39 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 | 77 | 99 | 79 | |
| 2020 | 291 | 232 | 226 | 197 | 162 | 140 | 117 | 114 | 97 | 86 | 83 | 108 |

B. Twenty-Four Month Reviews:

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

- 3 Cases – are receiving SSD benefits (Expedited Approvals Process)
- 130 Cases – Retiree does not appear to be receiving SSD benefits.
 - 23 have retirement dates beyond 24 months old.
 - 15 have been scheduled for November 2021

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 | 173 | 240 | 163 | |
| 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 | 426 | 206 | 27 | |
| 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 | 234 | 331 | 159 | | 2,520 |
| 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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| | 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 | 130 | 246 | 674 | | 8,225 |
| 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: | | | | | | | | | | | | | 12,020 |

III. Self-Service Benefit Estimator Roll-Out:

Estimated = 12,500 Eligible for 2022

At 9:11 a.m., Ms. Carlson remarked regarding the anticipated retirements in 2022.

At 9:19 a.m., Mr. Luciano thanked the Comptroller for its implementation of a program related to funds for state workers related to COVID-19.

New Matters

1. Request Commission Approval of the October 21, 2021 minutes.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the October 21, 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 October 21, 2021 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. Chisem 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 9:20 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - ii. Mr. Poulin 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. 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 9:21 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 October.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Chisem to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of October.
 - 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 October.
6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of October.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Chisem to accept the invoices from Rose Kallor rendered for the month of October.
 - 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 October.
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of October 2021.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the Connecticut State Employees Retirement System Service Retirements for the Month of October 2021.

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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 October 2021.
8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of October 2021.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of October 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 October 2021.
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of October 2021.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the Connecticut State Employees System Disability Retirements for the Month of October 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 October 2021.
10. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of October 2021.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of October 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 October 2021.
11. Request Commission Approval of the Municipal Retirement System Disability Retirement Approvals.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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.

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- iii. The Commission voted unanimously in favor to approve the Municipal Retirement System Disability Retirement Approvals.
12. Request Commission Approval of the Municipal Retirement System Disability Retirement Denials.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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.
13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:23 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 Acceptance of the recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.
 - i. At 9:23 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 Approval of the Retirement Services Division Request to Discontinue the Disability Applications Due to 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. Chisem approve the Retirement Services Division Request to Discontinue the Disability Applications Due to 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 being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to approve the Retirement Services Division Request to Discontinue the Disability Applications Due to the One Year Deadline Associated with the Right to Ask for a Reconsideration of the Medical Examining Board Denial.
16. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.
- i. At 9:23 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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.
17. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
- i. At 9:23 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 September 10, 2021 through October 7, 2021.
- i. At 9:24 a.m., Mr. Luciano moved, seconded by Mr. Chisem to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period September 10, 2021 through October 7, 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 September 10, 2021 through October 7, 2021.

Executive Session – Discussion and Possible Action

1. Judges pension matters – written legal opinion.
2. Ronald Johnson v. SERC – pending claim/pending litigation.

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3. Mario Trapanese request for reconsideration – written legal opinion.
4. Paul Cicarella appeal – written legal opinion.
5. Patrick Butler request for review pursuant to Regs., Conn. State Agencies § 5-155a-2(i) – written legal opinion.
6. Marianna Grzeszczyk v. SERC – pending litigation.
7. Catherine Crandle v. SERC – pending litigation.
8. FOI appeal by Attorney Russell Zimmerlin – pending claim/pending litigation.

At 9:24 a.m., Mr. Luciano moved, seconded by Mr. Chisem to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 1.

At 9:40 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 9:40 a.m., Mr. Luciano moved, seconded by Mr. Chisem to go into executive session for purposes of discussing Item 2. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 2.

At 9:42 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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. Chisem to go into executive session for purposes of discussing Item 3. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 3.

At 9:46 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 9:46 a.m., Mr. Luciano moved, seconded by Mr. Chisem to go into executive session for purposes of discussing Item 4. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 9:53 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 9:54 a.m., Mr. Luciano moved, seconded by Mr. Chisem to go into executive session for purposes of discussing Item 5. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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.

At 9:57 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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. Chisem to go into executive session for purposes of discussing Item 6. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 9:58 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 9:58 a.m., Mr. Luciano moved, seconded by Mr. Chisem to go into executive session for purposes of discussing Item 7. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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 7.

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At 9:58 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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. Chisem to go into executive session for purposes of discussing Item 8. Attorney Barth, Attorney Cieslak, John Herrington, Attorney Menon, 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.

At 10:00 a.m., Mr. Luciano moved, seconded by Mr. Chisem 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 10:00 a.m., Mr. Coffey moved, seconded by Mr. Luciano to express sincere appreciation and respect for Mr. Trapanese's service to our country, but deny his request for reconsideration because there is no new or additional information that warrants reconsideration. The Commission voted unanimously in favor to deny Mr. Trapanese's request for reconsideration.

At 10:01 a.m., Mr. Coffey moved, seconded by Mr. Luciano to remand Mr. Cicarella's matter to the MEB for further review. The Commission voted unanimously in favor to remand Mr. Cicarella's matter to the MEB for further review.

At 10:02 a.m., Mr. Coffey moved, seconded by Mr. Luciano to schedule a hearing to determine whether tolling of the time limit for Mr. Butler is appropriate. The Commission voted unanimously in favor to schedule a hearing to determine whether tolling of the time limit for Mr. Butler is appropriate.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Chisem to adjourn at 10:02 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

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Prepared by John Herrington
Director Retirement Services Division