

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 September 15, 2022 in the 3<sup>rd</sup> 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
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee

Absent

- Sal Luciano, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- Tara Downes, Assistant Comptroller
- Elizabeth Doyon, Tax Counsel to the Commission, Robinson & Cole
- Robert Helfand, Assistant Director, Retirement Services Division
- 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

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## **Call to Order**

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

Ms. Cieslak identified those in attendance.

## **Chairman's Report**

At 9:06 a.m., the Chairman provided his report. The Chairman commended the work of Ms. Carlson, Mr. Herrington and the Retirement Services Division.

## **Division Director's Report**

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

### **Division Director Report (9/15/2022)**

#### **I. Disability Retirements:**

**A. Pending Disability Applications for the Initial Review by the Medical Examining Board:** Currently the Disability Retirement Unit is scheduling into January 2023.

- There are 149 Disability Retirement Applications pending of which:
  - 8 New applications received for September 2022
    - 131 Applications have been scheduled for MEB hearings through January 2023
    - 18 Applications are awaiting review and scheduling by Unit

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2022	76	89	90	111	120	127	146	149	149			
2021	114	107	103	117	125	90	89	85	77	79	99	71

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## B. Twenty-Four Month Reviews:

- 52 Cases are Scheduled
    - September 2022 – 21 Cases
      - 8 Receiving SSD Benefits
    - October 2022 – 21 Cases
      - 1 Reconsideration, 1 Tabled
    - November 2022 – Cancelled
      - Changed to an Initial Meeting due to High Volume
    - December 2022 – Cancelled
      - Changed to an Initial Meeting due to High Volume
    - January 2023 – 10 Cases
      - 9 Tabled
  - 1 Case is Overdue (DOR 2010, in progress)
  - 18 Cases are Tabled
    - 10 Scheduled, 8 Awaiting Due Date
  - 2 Case Seeking Reconsideration
    - Pending Due Date for Scheduling
- 116 Cases are Awaiting Due Date for 24-Month Review

## II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2022	356	268	337	1,137	277	723	1,436	46	<b>52</b>				4,632
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

At 9:12 a.m., Ms. Carlson commented on the Retirement Services Division's efforts.

At 9:14 a.m., Mr. Poulin moved, seconded by Mr. Carey to amend the agenda to include, as Item 5 under Executive Session, discussion of the written legal opinion regarding Groton Housing Authority's CMERS participation. All voted in favor.

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## New Matters

1. Request Commission Approval of the August 18, 2022 minutes.
  - i. At 9:15 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the August 18, 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 August 18, 2022 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
  - i. At 9:16 a.m., Mr. Bailey moved, seconded by Mr. Carey 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 9:16 a.m., Mr. Bailey moved, seconded by Mr. Carey 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 9:16 a.m., Mr. Bailey moved, seconded by Mr. Carey 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.

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5. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of August 2022.
  - i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Carey to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of August 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 August 2022.
  
6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of August 2022.
  - i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Carey to accept the invoices from Rose Kallor rendered for the month of August 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 August 2022.
  
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of August 2022.
  - i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of August 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 August 2022.
  
8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of August 2022.
  - i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of August 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 Voluntary Pending Retirements for the Month of August 2022.
  
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of August 2022.
  - i. At 9:18 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Connecticut State Employees System Disability Retirements for the Month of August 2022.

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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 System Disability Retirements for the Month of August 2022.
10. Request Commission Approval of the Connecticut State Employees Retirement System Retroactive Retirements for the month of August 2022.
  - i. At 9:18 a.m., Mr. Bailey moved, seconded by Mr. Carey approve Connecticut State Employees Retirement System Retroactive Retirements for the month of August 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 Retroactive Retirements for the month of August 2022.
11. Request Commission Approval of the Connecticut State Employees Retirement System Pre-Retirement Death Benefits for the Month of August 2022.
  - i. At 9:18 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Connecticut State Employees Retirement System Pre-Retirement Death Benefits for the Month of August 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 Pre-Retirement Death Benefits for the Month of August 2022.
12. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of August 2022.
  - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of August 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 August 2022.
13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
  - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Carey to accept the recommendations by the Medical Examining Board for the continued entitlement approvals.

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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 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 9:19 a.m., Mr. Bailey moved, seconded by Mr. Carey 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 Approval of the Connecticut Probate Judges and Employees Retirement System.
  - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Carey 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.
16. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
  - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Carey 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.
17. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period July 15, 2022 through August 11, 2022.
  - i. At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Carey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period July 15, 2022 through August 11, 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 Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period July 15, 2022 through August 11, 2022.

### **Executive Session – discussion and possible action**

1. Ronald Johnson v. SERC – pending litigation.
2. Cathy Wilson request for voluntary early retirement – written legal opinion.
3. Cynthia Dabbs- Lindenberger petition for declaratory ruling – written legal opinion.
4. FOI appeal by Attorney Russell Zimmerlin – pending claim/pending litigation.
5. Groton Housing Authority – CMERS participation – written legal opinion.

At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Carey to suspend the regular meeting and go into executive session for the purposes of discussing Items 1-5. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, Colin Newman, and Michael 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 Items 1-5.

At 10:56 a.m., Mr. Bailey moved, seconded by Mr. Carey 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 10:56 a.m., Mr. Coffey moved, seconded by Mr. Bailey to approve the request of Cathy Wilson, retroactive to December 1, 2018, based upon the fact that the matter contains extraordinary circumstances where information was requested and not addressed properly, which is unique to Ms. Wilson, and further, this decision shall not serve as precedent, and any other similar requests should be looked at on their individual facts, because it is not the Commission's ordinary practice to permit individuals to change their type of retirement. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

At 10:57 a.m., Mr. Coffey moved, seconded by Mr. Carey to direct counsel to prepare a declaratory ruling in the Dabbs-Lindenberger matter. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

### **Adjournment**

With no further business before the Commission, Mr. Bailey moved, seconded by Mr. Carey to adjourn at 10:58 a.m. The Commission voted unanimously to adjourn.



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Respectfully Submitted by:

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Peter Adomeit, Chairman

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Prepared by John Herrington  
Director Retirement Services Division