

STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION
LEGAL & PERSONNEL SUBCOMMITTEE

OCTOBER 7, 2020 MEETING
HELD VIA ZOOM
CONVENED AT 8:40 a.m.

Present:

Peter Adomeit, Chairman
Michael Carey Trustee
Robert Coffey, Trustee
Sal Luciano, Trustee
Cindy Cieslak, Commission Counsel, Rose Kallor
Michael Rose, Commission Counsel, Rose Kallor
John Herrington, Retirement Services Division Director
Bruce Barth, Commission Tax Counsel, Robinson & Cole
Alisha Sullivan, Commission Tax Counsel, Robinson &
Cole
John Herrington, Retirement Services Division Director

Karen Vibert, LSR #00064

1 (Proceedings commenced at 2:09 p.m.)

2 MR. ADOMEIT: Let me call the meeting to
3 order. For the record, this is a meeting of the
4 Legal & Personnel Subcommittee of the Connecticut
5 State Employees Retirement Commission.

6 Do you have the people in attendance,
7 Cindy? Do you want me to read them all?

8 MS. CIESLAK: If you would like to read
9 for them, go for it.

10 MR. ADOMEIT: I will go for it.

11 Mr. Robert Coffey, Mr. Bruce Barth,
12 Ms. Alisha Sullivan, Mr. John Herrington,
13 Mr. Michael Carey, and Mr. Michael Rose.

14 MS. CIESLAK: Peter, just for the record,
15 Peter Adomeit and Cindy Cieslak are also here.

16 MR. ADOMEIT: Peter Adomeit and
17 Cindy Cieslak are here. Okay. Thank you.

18 So, we are -- there's no need to
19 amend this agenda today, is there, folks?

20 MR. COFFEY: Not that I'm aware of.

21 MR. ADOMEIT: All right. We normally have
22 a motion to approve the agenda. We should probably
23 go down that road again today. Can I have a motion,
24 please?

25 MR. COFFEY: I'll so move.

1 MR. CAREY: I second.

2 MR. ADOMEIT: All in favor say aye.
3 Opposed nay. The ayes have it.

4 It looks like the agenda is all in
5 executive session, so we'll need a motion to go into
6 executive session, please.

7 MR. COFFEY: I'll move we go into
8 executive session on items 1 through 10 on the
9 agenda, and invite legal counsel and John Herrington
10 to participate in the discussion.

11 MR. CAREY: Second.

12 MR. ADOMEIT: Thank you. All in favor say
13 aye. Opposed nay. The ayes have it.

14 (The Committee was in executive session
15 from 8:41 a.m. until 9:26 a.m.)

16 MR. CAREY: In the matter Francine Dew, I
17 move that the Subcommittee recommend to the full
18 Commission to grant her request for prior service in
19 ARP, that it be added to her SERS Tier II service
20 based on the specific fact pattern in this case.

21 MR. LUCIANO: Second.

22 MR. ADOMEIT: Is there any further
23 discussion?

24 MR. HERRINGTON: Can we clarify that that
25 be under -- the purchase would be under the terms of

1 the SAG (?) or at full actuarial cost? One of those
2 two?

3 MR. COFFEY: And that the purchase would
4 be at the full actuarial value, yes.

5 MR. BARTH: Do we also want a contingent
6 that -- condition that upon the claim being timely,
7 or not?

8 MR. CAREY: If the issue of timeliness
9 needs to be explored, then I think it's not time to
10 make this motion.

11 MR. BARTH: Because we were talking about
12 timeliness during executive session.

13 MR. ADOMEIT: Shall we go back into
14 executive session? We have a written legal opinion
15 on this issue.

16 MR. LUCIANO: Motion to go back into
17 executive session regarding this issue.

18 MR. COFFEY: I'll second.

19 MR. ADOMEIT: All in favor say aye.
20 Opposed nay. The ayes have it.

21 MS. CIESLAK: For the record, Mr. Coffey
22 seconded?

23 MR. COFFEY: Yes.

24 (The Committee was in executive session
25 from 9:28 a.m. until 9:38 a.m.)

1 MR. ADOMEIT: All right.

2 MR. CAREY: The motion has been moved and
3 seconded.

4 MR. ADOMEIT: Do you have the motion,
5 Cindy?

6 MS. CIESLAK: Yes.

7 MR. ADOMEIT: Why don't you read it back
8 to us, please.

9 MS. CIESLAK: At 9:26 Mike Carey moved
10 that the Subcommittee recommend to the full
11 Commission that they grant Ms. Dew's request for
12 prior service in ARP to be added to SERS Tier II
13 based on the specific facts of her case and the
14 purchase price would be the full actuarial value.

15 It was seconded by -- I actually did
16 not write that down. I believe it was Sal, but
17 please let me know.

18 MR. LUCIANO: Yes.

19 MR. ADOMEIT: It was Sal. So that's the
20 motion on the table. Any further discussion?
21 Hearing none, all in favor say aye. There's no
22 opposition. It's unanimous. The ayes have it.

23 MR. CAREY: Okay. Mr. Chairman, in the
24 Shannon matter, I move that the Subcommittee
25 recommend to the full Commission that they grant

1 reconsideration to her request based on new
2 information that has become available.

3 MR. LUCIANO: Second.

4 MR. ADOMEIT: Okay. The discussion would
5 come from me. We don't have to decide this now, but
6 we would probably need to hold a hearing on the
7 reconsideration and perhaps that is something we can
8 discuss later or maybe discuss now? But I think my
9 recommendation would be a hearing before this
10 Committee just because it's easier. Then this
11 Committee can hear the facts and present it to the
12 full Commission. But I'll leave it up to you folks.

13 MR. CAREY: So then if the full Commission
14 agreed to the reconsideration, she would come back
15 before us?

16 MR. ADOMEIT: Yes, but that would be the
17 only hearing she would get. We would not have a
18 full Commission hearing.

19 MR. ROSE: Cindy, is that consistent with
20 what we've been doing on these?

21 MR. LUCIANO: I'm concerned about the
22 Subcommittee making the decision. I think that's
23 wrong. I think we make the recommendation and the
24 full Board has the authority to approve. We would
25 make the recommendation for the Board, so if the

1 Board --

2 MR. ADOMEIT: It would be a
3 recommendation, Sal. It would not be a decision.

4 MR. LUCIANO: Okay. That's fine.

5 MR. ADOMEIT: It's just transferring the
6 hearing from one body to another, but the decision
7 rests with the full Commission, not the
8 Subcommittee.

9 MR. COFFEY: Peter, you think the
10 reconsideration means that this is referred back to
11 Legal & Personnel rather than to the Purchasing
12 Subcommittee?

13 MR. ADOMEIT: That's a good question.

14 MS. CIESLAK: I can offer what's been done
15 in the past, at least since I've been involved in
16 these hearings.

17 For a large period of time, I'll say
18 all but one or two, the hearings have been before
19 the Commission, the full Commission. There was one
20 matter recently that I can recall where it made
21 sense because it was very factually intense, to have
22 the Subcommittee that initially reviewed it review
23 the matter again, and the Commission made the
24 determination to transfer it to the Subcommittee for
25 the hearing.

1 Traditionally, like in the past
2 couple years, the hearing has been before the full
3 Commission, but the Commission certainly has the
4 authority to ask that a Subcommittee hear the
5 matter.

6 MR. ADOMEIT: Yes, I have no opposition to
7 either committee, the full Committee or the
8 Commission holding a hearing. It's up to you folks.

9 MR. CAREY: Well, we can ask -- you know,
10 this is going to be presented before the full
11 Commission, or the recommendation for
12 reconsideration. At that point in time, we can put
13 before the Commission whether or not they want the
14 matter to be remanded to one of the Subcommittees or
15 if it would come back before the full Commission.

16 MR. COFFEY: I think that makes sense,
17 Mike.

18 MR. ADOMEIT: I agree. Okay. Do we have
19 a motion on the table? Cindy, would you read the
20 motion, please?

21 MS. CIESLAK: Of course. At 9:39,
22 Michael Carey moved with respect to the Shannon
23 matter that the Subcommittee recommend that the
24 Commission grant reconsideration of her request
25 based on the new information available.

1 Mr. Luciano seconded the motion and
2 there was discussion regarding which body would have
3 the hearing.

4 MR. ADOMEIT: Okay. That's the motion
5 that was seconded. Hearing no further discussion,
6 all in favor say aye. The ayes have it.

7 MR. CAREY: Mr. Chairman, in the Barton
8 matter, I move that the Subcommittee recommend to
9 the full Commission to deny the request for
10 consideration based on there having been no new
11 information that has been made available in this
12 matter.

13 MR. LUCIANO: Second.

14 MR. ADOMEIT: Is there any further
15 discussion on the motion? Hearing none, all favor
16 say aye.

17 It's unanimous. The ayes have it.

18 MR. ROSE: Is it possible that I drop off
19 at this point and let Cindy go on? I've got a
20 parent/teacher conference at 9:45.

21 MR. ADOMEIT: That should be fine,
22 Michael.

23 MR. ROSE: Thank you. I apologize for
24 leaving early.

25 MR. ADOMEIT: Mike, take care.

1 MR. ROSE: Thank you.

2 MR. ADOMEIT: Do we have anything further?
3 It looks like we're in danger of adjournment.

4 MR. LUCIANO: Motion to adjourn.

5 MR. COFFEY: Second.

6 MR. ADOMEIT: All in favor say aye.

7 Opposed nay. The ayes have it.

8 Thank you all very much, this has
9 been a really, really good meeting.

10 (Concluded at 9:45 a.m.)

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1 STATE OF CONNECTICUT:
: ss: Bristol
2 COUNTY OF HARTFORD :

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4 I, Karen Vibert, LSR No. 00064, a
5 Notary Public for the State of Connecticut, do hereby
6 certify that the preceding pages are an accurate
7 transcription of the Legal & Personnel Subcommittee of
8 the State Employees Retirement Commission meeting held
9 electronically via Zoom, convening at 8:40 a.m., on
10 October 7, 2020.

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19 Dated at Bristol, Connecticut,
20 this 10th day of October, 2020.

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Karen Vibert



25 Karen Vibert, Notary Public
Commission expires: 8/312024

<p style="text-align: center;">A</p> <p>a.m 1:8 3:15,15 4:25,25 10:10 11:9</p> <p>accurate 11:6</p> <p>actuarial 4:1,4 5:14</p> <p>added 3:19 5:12</p> <p>adjourn 10:4</p> <p>adjournment 10:3</p> <p>Adomeit 1:11 2:2 2:10,15,16,16,21 3:2,12,22 4:13,19 5:1,4,7,19 6:4,16 7:2,5,13 8:6,18 9:4,14,21,25 10:2 10:6</p> <p>agenda 2:19,22 3:4 3:9</p> <p>agree 8:18</p> <p>agreed 6:14</p> <p>Alisha 1:15 2:12</p> <p>amend 2:19</p> <p>apologize 9:23</p> <p>approve 2:22 6:24</p> <p>ARP 3:19 5:12</p> <p>attendance 2:6</p> <p>authority 6:24 8:4</p> <p>available 6:2 8:25 9:11</p> <p>aware 2:20</p> <p>aye 3:2,13 4:19 5:21 9:6,16 10:6</p> <p>eyes 3:3,13 4:20 5:22 9:6,17 10:7</p>	<p style="text-align: center;">C</p> <p>call 2:2</p> <p>care 9:25</p> <p>Carey 1:12 2:13 3:1 3:11,16 4:8 5:2,9 5:23 6:13 8:9,22 9:7</p> <p>case 3:20 5:13</p> <p>certainly 8:3</p> <p>certify 11:6</p> <p>Chairman 1:11 5:23 9:7</p> <p>Cieslak 1:13 2:8,14 2:15,17 4:21 5:6,9 7:14 8:21</p> <p>Cindy 1:13 2:7,15 2:17 5:5 6:19 8:19 9:19</p> <p>claim 4:6</p> <p>clarify 3:24</p> <p>Coffey 1:12 2:11,20 2:25 3:7 4:3,18,21 4:23 7:9 8:16 10:5</p> <p>Cole 1:15,16</p> <p>come 6:5,14 8:15</p> <p>commenced 2:1</p> <p>Commission 1:2,13 1:14,15,15 2:5 3:18 5:11,25 6:12 6:13,18 7:7,19,19 7:23 8:3,3,8,11,13 8:15,24 9:9 11:8 11:25</p> <p>committee 3:14 4:24 6:10,11 8:7,7</p> <p>concerned 6:21</p> <p>Concluded 10:10</p> <p>condition 4:6</p> <p>conference 9:20</p> <p>Connecticut 1:1 2:4 11:1,5,19</p> <p>consideration 9:10</p> <p>consistent 6:19</p> <p>contingent 4:5</p> <p>CONVENED 1:8</p> <p>convening 11:9</p> <p>cost 4:1</p> <p>counsel 1:13,14,15</p>	<p>1:15 3:9</p> <p>COUNTY 11:2</p> <p>couple 8:2</p> <p>course 8:21</p> <p style="text-align: center;">D</p> <p>danger 10:3</p> <p>Dated 11:19</p> <p>day 11:20</p> <p>decide 6:5</p> <p>decision 6:22 7:3,6</p> <p>deny 9:9</p> <p>determination 7:24</p> <p>Dew 3:16</p> <p>Dew's 5:11</p> <p>Director 1:14,16</p> <p>discuss 6:8,8</p> <p>discussion 3:10,23 5:20 6:4 9:2,5,15</p> <p>Division 1:14,16</p> <p>doing 6:20</p> <p>drop 9:18</p> <p style="text-align: center;">E</p> <p>early 9:24</p> <p>easier 6:10</p> <p>either 8:7</p> <p>electronically 11:9</p> <p>Employees 1:2 2:5 11:8</p> <p>executive 3:5,6,8 3:14 4:12,14,17 4:24</p> <p>expires 11:25</p> <p>explored 4:9</p> <p style="text-align: center;">F</p> <p>fact 3:20</p> <p>facts 5:13 6:11</p> <p>factually 7:21</p> <p>favor 3:2,12 4:19 5:21 9:6,15 10:6</p> <p>fine 7:4 9:21</p> <p>folks 2:19 6:12 8:8</p> <p>Francine 3:16</p> <p>full 3:17 4:1,4 5:10 5:14,25 6:12,13 6:18,24 7:7,19 8:2 8:7,10,15 9:9</p> <p>further 3:22 5:20</p>	<p>9:5,14 10:2</p> <p style="text-align: center;">G</p> <p>go 2:9,10,23 3:5,7 4:13,16 9:19</p> <p>going 8:10</p> <p>good 7:13 10:9</p> <p>grant 3:18 5:11,25 8:24</p> <p style="text-align: center;">H</p> <p>HARTFORD 11:2</p> <p>hear 6:11 8:4</p> <p>hearing 5:21 6:6,9 6:17,18 7:6,25 8:2 8:8 9:3,5,15</p> <p>hearings 7:16,18</p> <p>held 1:7 11:8</p> <p>Herrington 1:14,16 2:12 3:9,24</p> <p>hold 6:6</p> <p>holding 8:8</p> <p style="text-align: center;">I</p> <p>II 3:19 5:12</p> <p>information 6:2 8:25 9:11</p> <p>initially 7:22</p> <p>intense 7:21</p> <p>invite 3:9</p> <p>involved 7:15</p> <p>issue 4:8,15,17</p> <p>items 3:8</p> <p style="text-align: center;">J</p> <p>John 1:14,16 2:12 3:9</p> <p style="text-align: center;">K</p> <p>Kallor 1:13,14</p> <p>Karen 1:25 11:4,24</p> <p>know 5:17 8:9</p> <p style="text-align: center;">L</p> <p>large 7:17</p> <p>leave 6:12</p> <p>leaving 9:24</p> <p>legal 1:3 2:4 3:9 4:14 7:11 11:7</p> <p>looks 3:4 10:3</p>	<p>LSR 1:25 11:4</p> <p>Luciano 1:13 3:21 4:16 5:18 6:3,21 7:4 9:1,13 10:4</p> <p style="text-align: center;">M</p> <p>making 6:22</p> <p>matter 3:16 5:24 7:20,23 8:5,14,23 9:8,12</p> <p>means 7:10</p> <p>meeting 1:7 2:2,3 10:9 11:8</p> <p>Michael 1:12,14 2:13,13 8:22 9:22</p> <p>Mike 5:9 8:17 9:25</p> <p>motion 2:22,23 3:5 4:10,16 5:2,4,20 8:19,20 9:1,4,15 10:4</p> <p>move 2:25 3:7,17 5:24 9:8</p> <p>moved 5:2,9 8:22</p> <p style="text-align: center;">N</p> <p>nay 3:3,13 4:20 10:7</p> <p>need 2:18 3:5 6:6</p> <p>needs 4:9</p> <p>new 6:1 8:25 9:10</p> <p>normally 2:21</p> <p>Notary 11:5,24</p> <p style="text-align: center;">O</p> <p>October 1:7 11:10 11:20</p> <p>offer 7:14</p> <p>Okay 2:17 5:23 6:4 7:4 8:18 9:4</p> <p>opinion 4:14</p> <p>Opposed 3:3,13 4:20 10:7</p> <p>opposition 5:22 8:6</p> <p>order 2:3</p> <p style="text-align: center;">P</p> <p>p.m 2:1</p> <p>pages 11:6</p> <p>parent/teacher 9:20</p>
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participate 3:10
pattern 3:20
people 2:6
period 7:17
Personnel 1:3 2:4
 7:11 11:7
Peter 1:11 2:14,15
 2:16 7:9
please 2:24 3:6 5:8
 5:17 8:20
point 8:12 9:19
possible 9:18
preceding 11:6
present 1:11 6:11
presented 8:10
price 5:14
prior 3:18 5:12
probably 2:22 6:6
Proceedings 2:1
Public 11:5,24
purchase 3:25 4:3
 5:14
Purchasing 7:11
put 8:12

Q

question 7:13

R

read 2:7,8 5:7 8:19
really 10:9,9
recall 7:20
recommend 3:17
 5:10,25 8:23 9:8
recommendation
 6:9,23,25 7:3 8:11
reconsideration 6:1
 6:7,14 7:10 8:12
 8:24
record 2:3,14 4:21
referred 7:10
regarding 4:17 9:2
remanded 8:14
request 3:18 5:11
 6:1 8:24 9:9
respect 8:22
rests 7:7
Retirement 1:2,14
 1:16 2:5 11:8
review 7:22

reviewed 7:22
right 2:21 5:1
road 2:23
Robert 1:12 2:11
Robinson 1:15,15
Rose 1:13,14,14
 2:13 6:19 9:18,23
 10:1

S

SAG 4:1
Sal 1:13 5:16,19 7:3
second 3:1,11,21
 4:18 6:3 9:13
 10:5
seconded 4:22 5:3
 5:15 9:1,5
sense 7:21 8:16
SERS 3:19 5:12
service 3:18,19
 5:12
Services 1:14,16
session 3:5,6,8,14
 4:12,14,17,24
Shannon 5:24 8:22
specific 3:20 5:13
 ss 11:1
State 1:1,2 2:5 11:1
 11:5,8
Subcommittee 1:3
 2:4 3:17 5:10,24
 6:22 7:8,12,22,24
 8:4,23 9:8 11:7
Subcommittees
 8:14
Sullivan 1:15 2:12

T

table 5:20 8:19
take 9:25
talking 4:11
Tax 1:15,15
terms 3:25
Thank 2:17 3:12
 9:23 10:1,8
think 4:9 6:8,22,23
 7:9 8:16
Tier 3:19 5:12
time 4:9 7:17 8:12
timeliness 4:8,12

timely 4:6
today 2:19,23
Traditionally 8:1
transcription 11:7
transfer 7:24
transferring 7:5
Trustee 1:12,12,13
two 4:2 7:18

U

unanimous 5:22
 9:17

V

value 4:4 5:14
Vibert 1:25 11:4,24

W

want 2:7 4:5 8:13
we'll 3:5
we're 10:3
we've 6:20
write 5:16
written 4:14
wrong 6:23

X

Y

years 8:2

Z

Zoom 1:7 11:9

0

00064 1:25 11:4

1

1 3:8
10 3:8
10th 11:20

2

2:09 2:1
2020 1:7 11:10,20

3

4

5

6

7

7 1:7 11:10

8

8/312024 11:25
8:40 1:8 11:9
8:41 3:15

9

9:26 3:15 5:9
9:28 4:25
9:38 4:25
9:39 8:21
9:45 9:20 10:10