

STATE OF CONNECTICUT  
STATE EMPLOYEES RETIREMENT COMMISSION  
LEGAL & PERSONNEL SUBCOMMITTEE MEETING

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MAY 11, 2022 MEETING  
HELD VIA ZOOM  
CONVENED AT 8:33 a.m.

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Present:

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

TRANSCRIPTIONIST: Karin A. Empson

1 (Proceedings commenced at 8:33 a.m.)

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5 CHAIRMAN ADOMEIT: Let's begin. Okay. This  
6 is - Peter Adomeit here. This is a meeting of the  
7 State Employees Retirement Commission, Legal &  
8 Personnel Subcommittee meeting held by teleconference.  
9 And would you please state the attendance, Cindy?

10 MS. CIESLAK: Sure. This is Cindy Cieslak.  
11 Present this morning we have Chairman Peter Adomeit,  
12 Trustee Michael Carey, Trustee Robert Coffey, Trustee  
13 Michael O'Brien. We have from Robinson & Cole, Tax  
14 Counsel Bruce Barth and Alisha Sullivan. And we have  
15 from Rose Kallor, General Counsel Michael Rose and  
16 Cindy Cieslak.

17 CHAIRMAN ADOMEIT: Okay. We will need a  
18 motion, please, to amend the agenda to add the matter  
19 of Fae Brown-Brewton.

20 MR. O'BRIEN: This is Michael O'Brien. I  
21 make that motion.

22 MR. COFFEY: Bob Coffey, I'll second it.

23 CHAIRMAN ADOMEIT: All in favor, say aye, or  
24 raise your hand.

25 UNIDENTIFIED SPEAKER: Aye.

1           CHAIRMAN ADOMEIT:  Opposed, nay, or raise  
2 your hand.  The ayes have it.

3           All right.  Why don't we do that right now?  
4 Is there any reason not to?  It's going to be in open  
5 session.  And then they can go into executive.  Does  
6 that seem reasonable?  Don't everyone speak at once.

7           MR. CAREY:  Mr. Chairman, this is Mike Carey.  
8 The only question I would have would be whether or not  
9 John Herrington, because he had written up the  
10 information-

11          CHAIRMAN ADOMEIT:  Oh, oh, okay.  Yeah.

12          MR. CAREY:  --on that particular matter, that  
13 it might be who - oh, and speak of Mr. Herrington.

14          MS. CIESLAK:  For the record, John  
15 Herrington, Retirement Services Director, has joined  
16 us.

17          MR. HERRINGTON:  Hello.

18          CHAIRMAN ADOMEIT:  We were discussing whether  
19 to handle the matter of Fae Brown-Brewton now and your  
20 absence was noted, but now your presence is here.  So I  
21 suggested we move into that.  It's going to be in open  
22 session.

23          MR. HERRINGTON:  Okay.

24          CHAIRMAN ADOMEIT:  John, do you want to  
25 present the case, please?

1           MR. HERRINGTON: Right. So I sent along the  
2 packet of information that we have relating to Fae  
3 Brown-Brewton. We're in a position right now where the  
4 only benefit payable is the pre-retirement death  
5 benefit. However there are areas, pieces of evidence,  
6 that indicate that she - her intention was to retire  
7 under the hundred-percent option. I think that that's  
8 the clearest. We have a hundred-percent option form  
9 that she signed on - I believe it's January 4<sup>th</sup>. So  
10 that clearly evidences her desire to retire under the  
11 hundred-percent option.

12           I think part of the problem that we had here  
13 is there's a bit of a communication problem between the  
14 agency, Fae, and her husband, and there were kind of  
15 changes in Fae's condition over time. And so we did  
16 not secure, and we do not have, a power of attorney, so  
17 Fae's husband was unable to sign on Fae's behalf. But  
18 at some point, Fae's condition took a turn for the  
19 worse, and at that time, two representatives from OLR  
20 both had separate discussions with Fae in the hospital  
21 regarding her intentions, and they were in the process  
22 of attempting to work through those paperwork issues so  
23 that Fae could actually apply for the disability  
24 retirement officially.

25           And so right now, we have the incomplete

1 record, but the gaps are being filled in by two  
2 affidavits, one from Teddy Kowalski, one from Dave  
3 Krayeski, both of which had personal conversations with  
4 Fae about her intention to retire under a disability  
5 and to select the hundred-percent option. So on this  
6 record, the Division, right, we've had similar cases  
7 with similar facts.

8 We have not been in a position to process  
9 that paperwork without the blessing of the Retirement  
10 Commission, and so that's why we've brought it forward  
11 to you. From our perspective, I do believe that it's  
12 pretty clear what Fae's intention was. I had a couple  
13 of personal conversations myself with Dave Krayeski in  
14 our attempts to perfect the paperwork, but  
15 unfortunately the realities were such that we were  
16 unable to get that paperwork completed in time.

17 CHAIRMAN ADOMEIT: Okay. John, thank you.  
18 So there is ample precedent for granting the relief; am  
19 I correct? John Herrington?

20 MR. HERRINGTON: Yes, I would say that there  
21 are several cases with similar facts where the  
22 Commission has granted the relief which is being  
23 sought, which is to process Fae's application for  
24 disability retirement posthumously and to honor her  
25 election to select the hundred-percent contingent

1 annuitant option. I would say that we just - in the  
2 past, those decisions have all been made by the  
3 Commission and not by the Division.

4 CHAIRMAN ADOMEIT: Right. So is there any  
5 further discussion, or should we move to a motion?  
6 Hearing no discussion, is there - we're not in  
7 executive session now; we're in open session. So we  
8 could make a motion here (inaudible).

9 MR. O'BRIEN: Michael O'Brien. I move that  
10 the Retirement Commission approve the application for  
11 posthumous disability pension for Fae Brown-Brewton.

12 CHAIRMAN ADOMEIT: Don't we recommend to the  
13 Retirement Commission that; right? Any further  
14 discussion?

15 MR. CAREY: I would second with a friendly  
16 amendment.

17 CHAIRMAN ADOMEIT: I'm sorry.

18 MR. CAREY: And that the retirement  
19 application include the one-hundred-percent contingent  
20 annuitant option.

21 CHAIRMAN ADOMEIT: Is that acceptable, Mr.  
22 O'Brien?

23 MR. O'BRIEN: Yeah, I accept that amendment,  
24 sure.

25 CHAIRMAN ADOMEIT: Okay. Is there any

1 further discussion? Hearing none, all in favor, say  
2 aye, or raise your hand.

3 UNIDENTIFIED SPEAKERS: Aye.

4 CHAIRMAN ADOMEIT: Opposed, nay, or raise  
5 your hand. The ayes have it.

6 Okay, we've moving now down into the  
7 executive session. So we need a motion to go into  
8 executive session.

9 MR. O'BRIEN: Michael O'Brien. I move that  
10 we go into executive session and invite Attorneys  
11 Barth, Sullivan, Rose, Cieslak, and Division Director  
12 Herrington.

13 MR. COFFEY: Bob Coffey, second.

14 CHAIRMAN ADOMEIT: Okay. All in favor, say  
15 aye, or raise your hand.

16 UNIDENTIFIED SPEAKERS: Aye.

17 CHAIRMAN ADOMEIT: Opposed, nay, or raise  
18 your hand. The ayes have it.

19 (The Subcommittee was in executive session  
20 from 8:41 a.m. to 9:06 a.m.)

21 CHAIRMAN ADOMEIT: Peter Adomeit here. We  
22 need a motion, please.

23 MS. CIESLAK: Chairman, may I make one  
24 announcement?

25 CHAIRMAN ADOMEIT: Sure, go ahead.

1 MS. CIESLAK: Just for the record, I'm going  
2 to note that Trustee Sal Luciano joined us while we  
3 were in executive session.

4 CHAIRMAN ADOMEIT: Thank you. All right. We  
5 need a motion on Butler.

6 MR. O'BRIEN: Mr. Chairman, I'm sorry, did  
7 you say on Butler?

8 CHAIRMAN ADOMEIT: Yeah. Do you have another  
9 one?

10 MR. COFFEY: Oh, I had the art plan  
11 amendment. I was going to recommend - I was going to  
12 move that we recommend to the Commission the approval  
13 of the proposed art plan amendment.

14 CHAIRMAN ADOMEIT: Okay. Is there a second?

15 MR. LUCIANO: Second.

16 CHAIRMAN ADOMEIT: Okay. Any further  
17 discussion? Hearing none, all in favor, say aye, or  
18 raise your hand.

19 UNIDENTIFIED SPEAKERS: Aye.

20 CHAIRMAN ADOMEIT: Opposed, nay, or raise  
21 your hand. The ayes have it.

22 MR. COFFEY: Mr. Chairman, I would move that  
23 we recommend to the Commission that it deny the request  
24 from Patrick Butler to reconsider his case.

25 CHAIRMAN ADOMEIT: Okay.



1 MR. O'BRIEN: Second.

2 CHAIRMAN ADOMEIT: Michael O'Brien. Any  
3 further discussion? Hearing none, all in favor, say  
4 aye, or raise your hand.

5 UNIDENTIFIED SPEAKERS: Aye.

6 CHAIRMAN ADOMEIT: Opposed, nay, or raise  
7 your hand. The ayes have it. (Inaudible)

8 Okay. Are there any further motions? All  
9 right. Hearing none, any old business? Okay, hearing  
10 none, I guess we are at the conclusion; am I correct?

11 MR. COFFEY: Mr. Chairman, I'll move that we  
12 adjourn, but I would ask John Herrington to stay on the  
13 line for a minute. I have a couple of questions.

14 CHAIRMAN ADOMEIT: All right. Is there a  
15 second?

16 MR. LUCIANO: Second.

17 CHAIRMAN ADOMEIT: Michael O'Brien. All in  
18 favor, say aye, or raise your hand.

19 UNIDENTIFIED SPEAKERS: Aye.

20 CHAIRMAN ADOMEIT: Opposed, nay, or raise  
21 your hand. The ayes have it. Thank you all very much.

22 MR. CAREY: Everybody. And Alisha and Cindy,  
23 I hope you both had a very lovely Mother's Day this  
24 past Sunday. So a little belated, but good wishes to  
25 the two of you.

1 MS. SULLIVAN: Thank you so much.

2 MS. CIESLAK: Thank you.

3 CHAIRMAN ADOMEIT: Yes. Yeah.

4 (Adjourned at 9:08 a.m.)

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I, Karin A. Empson, do hereby  
certify that the preceding pages are an accurate  
transcription of the Connecticut State Employees  
Retirement Commission, Legal & Personnel Subcommittee  
meeting held electronically via Zoom, conducted at 8:33  
a.m. on May 11, 2022.

Karin A. Empson

Karin A. Empson

06/08/2022

Date