

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

**STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION**

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on July 20, 2023 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 Bailey, Trustee
- Karen Buffkin, Trustee
- Michael Carey, Trustee
- Carl Chisem, Trustee
- John Disette, Trustee
- Tara Downes, Deputy Comptroller, Ex Officio Member
- David Krayeski, Trustee
- Sal Luciano, Trustee
- Michael O’Brien, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee
- Ted Wright, Chief Investment Officer, Office of the Treasurer, Ex Officio Member

Absent

- Karen Nolen, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- Robert Helfand, Assistant Director, Retirement Services Division
- John Herrington, Director, Retirement Services Division
- Virginia McGarrity, Tax Counsel to the Commission, Robinson & Cole
- Yamuna Menon, General Counsel & Assistant Comptroller
- Charlotte Moller, Retirement Services Division
- Colin Newman, Retirement Services Division
- Michael Rose, General Counsel to the Commission, Rose Kallor



Call to Order

Chairman Adomeit called the meeting to order at 9:02 a.m. Ms. Cieslak identified those in attendance.

Division Director’s Report

At 9:04 a.m., Mr. Herrington provided the Division Director’s Report.

Division Director Report (07/20/2023)

I. Disability Retirements:

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

- There are 93 Disability Retirement Applications pending of which:
 - 19 New applications received for June 2023
 - 89 Applications have been scheduled for MEB meetings through November 2023
 - 4 Applications are awaiting review and scheduling by Unit

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2023	78	75	75	86	88	92	93					
2022	76	89	90	111	120	127	146	149	149	129	122	96

B. Twenty-Four Month Reviews: Currently the Disability Retirement Unit is scheduling into November 2023.

- 36 Cases are Scheduled
- 0 Tabled Cases Pending Due Date
- 6 Reconsideration Cases Pending Due Date
- 110 Cases are Awaiting Due Date for 24-Month Review

C. Investigations: The Disability Retirement Unit scheduled 7 investigation cases for August 2023.

II. Normal Retirements:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2023	81	60	48	47	50	63	100						449
2022	356	268	337	1,137	277	723	1,436	46	52	101	50	30	4,813
Historical Average	179	153	129	255	128	205	262	177	180	248	116	98	2,130

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New Matters

1. Request Commission Approval of SERC minutes w/ Directors Report on June 2023.
 - i. At 9:07 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the SERC minutes w/ Directors Report on June 2023.
 - 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 SERC minutes w/ Directors Report on June 2023.
2. Request Commission Approval of the Connecticut SERS Expenses for the Month of June 2023.
 - i. At 9:07 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut SERS Expenses for the Month of June 2023.
 - 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 SERS Expenses for the Month of June 2023.
3. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses for June 2023.
 - i. At 9:07 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the State Employees Retirement Commission Chairman's Per Diem Expenses for June 2023.
 - 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 for June 2023.
4. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement for June 2023.
 - i. At 9:08 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement for June 2023.
 - 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 for June 2023.
5. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses for June 2023.
 - i. At 9:08 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses for June 2023.
 - ii. Mr. Ryor abstained.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- 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 for June 2023.
6. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters services rendered for June 2023.
 - i. At 9:08 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Robinson and Cole for Federal Tax Matters services rendered for June 2023.
 - 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 services rendered for June 2023.
7. Request Commission Acceptance of the Invoices from Rose Kallor for June 2023.
 - i. At 9:08 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Rose Kallor for June 2023.
 - 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 for June 2023.
8. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of June 2023.
 - i. At 9:09 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees Retirement System Service Retirements for the Month of June 2023.
 - 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 June 2023.
9. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of June 2023.
 - i. At 9:09 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of June 2023.
 - 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 June 2023.
10. Request Commission Approval of the Connecticut State Employees Retirement System Disability Benefits for the Month of June 2023.
 - i. At 9:09 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees Retirement System Disability Benefits for the Month of June 2023.
 - 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 Disability Benefits for the Month of June 2023.

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11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of June 2023.
 - i. At 9:09 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of June 2023.
 - 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 June 2023.

12. Request Commission Approval of the Connecticut State Employees System Retroactive Retirements for the Month of June 2023.
 - i. At 9:10 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees System Retroactive Retirements for the Month of June 2023.
 - 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 June 2023.

13. Request Commission Approval of the Municipal Employees Retirement System Disability Retirement Approvals, Approved from the Medical Examining Board for June 2023.
 - i. At 9:10 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Municipal Employees Retirement System disability retirement approvals from the Medical Examining Board for June 2023.
 - 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 Employees Retirement System disability retirement approvals from the Medical Examining Board for June 2023.

14. Request Commission Approval of the Municipal Employees Retirement System Disability Retirement Tabled and Denials from the Medical Examining Board for June 2023.
 - i. At 9:10 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Municipal Employees Retirement System disability retirement tabled and denials from the Medical Examining Board for the month of June 2023.
 - 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 Employees Retirement System disability retirement tabled and denials from the Medical Examining Board for the month of June 2023.

15. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for June 2023.
 - i. At 9:10 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for June 2023.

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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 Probate Judges and Employees Retirement Fund Personnel Expenses for June 2023.
16. Request Commission Approval for request received from Sean Kilbride that the Commission consider whether tolling of time limit is appropriate as it relates to him making application for a non-service-connected disability retirement. Tabled from June 15, 2023.
- i. At 9:11 a.m., Mr. Bailey moved, seconded by Mr. Luciano to put the matter back on the table for discussion.
 - 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 put the matter back on the table for discussion.
 - iv. There was discussion.
 - v. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to table the matter to obtain a legal opinion.
 - vi. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - vii. The Commission voted unanimously in favor to table the matter to obtain a legal opinion.

Executive Session – discussion and possible action

1. Richard Colangelo appeal – written legal opinion.
2. Lisa Loeser appeal – written legal opinion.
3. Michael Mudry appeal – written legal opinion.
4. Hope Searles appeal – written legal opinion.
5. Helen Wilson appeal – written legal opinion.
6. Linda Cicarella v. SERC - pending litigation.
7. SERC v. Town of Ellington - pending litigation.

At 9:22 a.m., Mr. Bailey moved, seconded by Mr. Luciano to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, Virginia McGarrity, Yamuna Menon, Charlotte Moller, 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 Item 1.

At 9:30 a.m., Mr. Bailey moved, seconded by Mr. Luciano 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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Public Session

At 9:30 a.m., the Commission invited Attorney Robert Krzys to provide a statement regarding Attorney Colangelo's appeal.

Executive Session

At 9:36 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. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, Virginia McGarrity, Yamuna Menon, Charlotte Moller, 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 Item 1.

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.

Public Session

At 10:04 a.m., Mr. Carey moved, seconded by Ms. Buffkin to deny Attorney Colangelo's appeal consistent with the recommendation of the Legal & Personnel Subcommittee. A roll call vote was taken. Those voting in favor: Ms. Buffkin, Mr. Carey, Mr. Kraveski, Mr. Ryor. Those voting against: Mr. Bailey, Mr. Chisem, Mr. Disette, Mr. Quiros. Those abstaining: Mr. Luciano, Mr. O'Brien, Mr. Poulin. Chairman Adomeit voted against the motion. The motion did not carry.

Executive Session

At 10:07 a.m., Mr. Luciano moved, seconded by Mr. Bailey to suspend the regular meeting and go into executive session for the purposes of discussing Items 2-7. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, Virginia McGarrity, Yamuna Menon, Charlotte Moller, 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 2-7.

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At 10:09 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 10:10 a.m., Mr. Bailey moved, seconded by Mr. Chisem to accept the appeal of Attorney Colangelo and approved the age for reduction at age 60 limited to the facts of his case. A role call vote was taken. Those voting in favor: Mr. Bailey, Mr. Chisem, Mr. Disette, Mr. Quiros. Those voting against: Ms. Buffkin, Mr. Carey, Mr. Krayeski, Mr. Ryor. Those abstaining: Mr. Luciano, Mr. O'Brien, Mr. Poulin. Chairman Adomeit voted in favor of the motion. The motion carried 5-4.

Executive Session – discussion and possible action

At 10:14 a.m., Mr. Luciano moved, seconded by Mr. Bailey to suspend the regular meeting and go into executive session for the purposes of discussing Items 2-7. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, Virginia McGarrity, Yamuna Menon, Charlotte Moller, 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 2-7.

At 10:33 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 10:33 a.m., Mr. Luciano moved, seconded by Mr. Bailey to allow Ms. Loeser's matter to go to the Medical Examining Board for consideration of disability retirement. All voted in favor.

At 10:34 a.m., Mr. Luciano moved, seconded by Mr. Bailey to deny Mr. Mudry's request have his application for disability retirement go before the Medical Examining Board. All voted in favor.

At 10:34 a.m., Mr. Luciano moved, seconded by Mr. Bailey to grant Ms. Searles' appeal for a remand to the Medical Examining Board so that the MEB can consider the new information and/or clarify its decision regarding what it found to be "comparable." All voted in favor.

At 10:35 a.m., Mr. Luciano moved, seconded by Mr. Bailey to grant Ms. Wilson's appeal for a remand to the Medical Examining Board so that the MEB can clarify whether it considered the information provided and the reasons for its decision. All voted in favor.

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Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 10:36 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division