

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 June 15, 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
- Michael Carey, Trustee
- Carl Chisem, Trustee
- John Disette, Trustee
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Michael O'Brien, Trustee
- Claude Poulin, Trustee
- Timothy Ryor, Trustee
- Sean Scanlon, Comptroller, Ex Officio Member
- Mark Sciota, Municipal Liaison
- Ted Wright, Chief Investment Officer, Office of the Treasurer, Ex Officio Member

Absent

- Karen Buffkin, Trustee
- David Krayeski, Trustee
- Angel Quiros, Trustee
- Rebecca Simonsen, 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
- 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
- Justin Raymond, The Dodd Law Firm (Attorney for Mr. Kilbride)
- Sean Kilbride



Call to Order

Chairman Adomeit called the meeting to order at 9:04 a.m. Ms. Cieslak identified those in attendance.

Comptroller Sean Scanlon discussed the recent legislation and other potential changes for CMERS.

Division Director’s Report

At 9:09 a.m., Mr. Herrington provided the Division Director’s Report.

Division Director Report (06/15/2023)

I. Disability Retirements:

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

- There are 92 Disability Retirement Applications pending of which:
 - 13 New applications received for June 2023
 - 72 Applications have been scheduled for MEB meetings through October 2023
 - 20 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						
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 September 2023.

- 30 Cases are Scheduled
- 3 Tabled Cases Pending Due Date
- 5 Reconsideration Cases Pending Due Date
- 98 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							349
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 May 2023.
 - i. At 9:12 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the SERC minutes w/ Directors Report on May 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 May 2023.

2. Request Commission Approval of the Connecticut SERS Expenses for the Month of May 2023.
 - i. At 9:12 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut SERS Expenses for the Month of May 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 May 2023.

3. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses for May 2023.
 - i. At 9:12 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the State Employees Retirement Commission Chairman's Per Diem Expenses for May 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 May 2023.

4. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement for May 2023.
 - i. At 9:13 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 May 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 May 2023.

5. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses for May 2023.
 - i. At 9:13 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 May 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 to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses for May 2023.
6. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters services rendered for May 2023.
 - i. At 9:14 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Robinson and Cole for Federal Tax Matters services rendered for May 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 May 2023.
7. Request Commission Acceptance of the Invoices from Rose Kallor for May 2023.
 - i. At 9:14 a.m., Mr. Bailey moved, seconded by Mr. Luciano to accept the invoices from Rose Kallor for May 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 May 2023.
8. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of May 2023.
 - i. At 9:14 a.m., Mr. Bailey moved, seconded by Mr. Disette to approve the Connecticut State Employees Retirement System Service Retirements for the Month of May 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 May 2023.
9. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of May 2023.
 - i. At 9:14 a.m., Mr. Bailey moved, seconded by Mr. Disette to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of May 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 May 2023.
10. Request Commission Approval of the Connecticut State Employees Retirement System Disability Benefits for the Month of May 2023.
 - i. At 9:14 a.m., Mr. Bailey moved, seconded by Mr. Disette to approve the Connecticut State Employees Retirement System Disability Benefits for the Month of May 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 May 2023.

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11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of May 2023.
 - i. At 9:15 a.m., Mr. Bailey moved, seconded by Mr. Chisem to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of May 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 May 2023.

12. Request Commission Approval of the Connecticut State Employees System Retroactive Retirements for the Month of May 2023.
 - i. At 9:15 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut State Employees System Retroactive Retirements for the Month of May 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 May 2023.

13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals for the month of May 2023.
 - i. At 9:16 a.m., Mr. Bailey moved, seconded by Mr. Disette to accept the recommendations by the Medical Examining Board for the continued entitlement approvals for the month of May 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 recommendations by the Medical Examining Board for the continued entitlement approvals for the month of May 2023.

14. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials for the month of May 2023.
 - i. At 9:16 a.m., Mr. Bailey moved, seconded by Mr. Disette to accept the recommendations by the Medical Examining Board for the continued entitlement tabled and denials for the month of May 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 recommendations by the Medical Examining Board for the continued entitlement tabled and denials for the month of May 2023.

15. Request Commission Approval of the Municipal Employees Retirement System Disability Retirement Tabled and Denials from the Medical Examining Board for the month of May 2023.
 - i. At 9:16 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 May 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 Municipal Employees Retirement System disability retirement tabled and denials from the Medical Examining Board for the month of May 2023.
16. 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 9:17 a.m., Mr. Bailey moved, seconded by Mr. Chisem 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.
 - 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 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.
17. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for May 2023.
- i. At 9:17 a.m., Mr. Bailey moved, seconded by Mr. Chisem to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for May 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 Probate Judges and Employees Retirement Fund Personnel Expenses for May 2023.
18. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System for May 2023.
- i. At 9:18a.m., Mr. Bailey moved, seconded by Mr. Chisem to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System for May 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 Judges, Family Support Magistrates and Compensation Commissioners Retirement System for May 2023.
19. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System Retirements.
- i. At 9:18 a.m., Mr. Bailey moved, seconded by Mr. Luciano to approve the Connecticut Probate Judges and Employees Retirement System Retirements.
 - 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 Retirements.

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20. 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.
21. Recommendation of the Investment Subcommittee on June 5, 2023.
 - i. At 9:19 a.m., Mr. Bailey moved, seconded by Mr. Chisem to accept the recommendation of the Investment Subcommittee made on June 5, 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 recommendation of the Investment Subcommittee made on June 5, 2023.

Executive Session – discussion and possible action

1. Tyrone Shaver request – written legal opinion.
2. Brison Downing appeal – written legal opinion.
3. Danuta D’Alessandro appeal – written legal opinion.
4. Linda Cicarella v. SERC - pending litigation.
5. SERC v. Town of Ellington - pending litigation.

At 9:20 a.m., Mr. Bailey moved, seconded by Mr. Luciano to suspend the regular meeting and go into executive session for the purposes of discussing Items 1-5. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, 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 1-5.

At 9:33 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.

Public Session

At 9:34 a.m., Mr. Kilbride and his attorney were invited to present Mr. Kilbridge’s claim regarding tolling of the time limit for application for a non-service-connected disability retirement (Item 20).

At 9:43 a.m., Mr. Carey moved, seconded by Mr. Luciano to table Mr. Kilbride’s matter until the next regular Retirement Commission meeting so that additional research can be done regarding workers’ compensation payments, employment records, and any other information needed to decide the matter. All voted in favor.

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Executive Session – discussion and possible action

At 9:44 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 1-5 on the executive session agenda. Bruce Barth, Cindy Cieslak, Robert Helfand, John Herrington, 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 1-5.

At 9:47 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.

Public Session

At 9:48 a.m., Mr. Carey moved, seconded by Mr. Luciano to grant Mr. Shaver's request to submit a posthumous disability retirement application to the Medical Examining Board. All voted in favor.

At 9:48 a.m., Mr. Carey moved, seconded by Mr. Luciano to grant Mr. Downing's appeal for a remand to the Medical Examining Board. All voted in favor.

At 9:49 a.m., Mr. Carey moved, seconded by Mr. Luciano to deny Ms. D'Alessandro's appeal to receive survivor benefits. All voted in favor.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 9:49 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division