

STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION
SUBCOMMITTEE ON PURCHASE OF SERVICE & RELATED MATTERS MEETING

FEBRUARY 22, 2024 MEETING
HELD VIA ZOOM
CONVENED AT 2:02 p.m.

Present:

Peter Adomeit, Chairman
Michael Carey, Trustee
Carl Chisem, Trustee
John DiSette, Trustee
David Krayeski, Trustee
Robert Helfand, Retirement Services Division
Benjamin Sedrowski, Retirement Services Division
Cindy Cieslak, Rose Kallor, LLP

TRANSCRIPTIONIST: Karin A. Empson

1 (Proceedings commenced at 2:02 p.m.)

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5 CHAIRMAN ADOMEIT: Thank you. This is a
6 meeting of the State Employees Retirement Commission,
7 Purchase of Service and Related Matters Subcommittee.

8 Cindy, do you have the attendance, please?

9 MS. CIESLAK: Yes. Good afternoon. Present
10 today, we have Chairman Peter Adomeit, Trustee Michael
11 Carey, Trustee Carl Chisem, Trustee John DiSette,
12 Trustee David Kraveski; from the Retirement Services
13 Division, we have Robert Helfand and Ben Sedrowski.
14 And I'm Cindy Cieslak, General Counsel to the
15 Retirement Commission.

16 CHAIRMAN ADOMEIT: Okay, thank you, Cindy.

17 We need a motion to approve the agenda.

18 MR. CAREY: Mr. Chairman, this is Mike Carey.
19 I move that we amend the agenda to take up the items of
20 Badillo, Samuels, and Sandrowski.

21 MR. CHISEM: Second.

22 CHAIRMAN ADOMEIT: Okay. That's on the
23 agenda already.

24 MR. CAREY: Oh, then to delete any formerly
25 published items that are not Badillo, Samuels, and

1 Sandrowski.

2 CHAIRMAN ADOMEIT: Okay. Is there a second?

3 MR. CHISEM: I'll second that one.

4 CHAIRMAN ADOMEIT: All in favor, say aye or
5 raise your hand.

6 MR. CHISEM: Aye.

7 CHAIRMAN ADOMEIT: The ayes have it. Thank
8 you.

9 New business, let's go to C already. I think
10 that will be the shortest. Can we do that?

11 Sandrowski.

12 MR. SEDROWSKI: Yes, we can. So I know that
13 the packages, for everyone, does have a good amount of
14 paper in it. Just as a heads-up, a lot of the appeals
15 that came through, the individuals had also included
16 some of the supporting documents that we also wanted to
17 represent as exhibits. Just for clarity and also
18 consistency, I did include their full appeal package as
19 we've received them. So to make it easier to bounce
20 between the exhibits, I have added bookmarks to the
21 PDF, and you can open that up on the right side.

22 So Mr. Sandrowski, he originally intended to
23 retire from CMERS with a date of retirement of August
24 7, 2023. He did submit an intent-to-retire letter to
25 his supervisor, however he did not submit his

1 retirement application paperwork to the Division. He,
2 in his appeal request, didn't specify that there was a
3 reason for why his application was delayed, or his
4 paperwork, however after speaking with Ms. Morton
5 (phonetic), who is the HR representative that handles
6 the retirement paperwork for his agency, she confirmed
7 that the delay was solely due to his delay in coming in
8 and completing the paperwork, and that the paperwork
9 was completed by the town and ready for him on August
10 7th, 2023.

11 CHAIRMAN ADOMEIT: All right.

12 MR. CAREY: This is Mike Carey.

13 CHAIRMAN ADOMEIT: Yeah.

14 MR. CAREY: I don't think this would really
15 impact how I would feel on the matter in general, but
16 I'm curious as to whether or not there is any
17 indication that - whether or not Mr. Sandrowski
18 continued to work up until - you know, past that
19 original stated date and into October.

20 MR. SEDROWSKI: I do not believe so, but I
21 will confirm - just one-

22 MR. CAREY: I mean, I don't think that has
23 any bearing on the threshold issue, but-

24 MR. SEDROWSKI: While I'm bringing that up,
25 if there's any other discussion that would like to take

1 place, please feel free. Just give me one moment to
2 pull up the record (inaudible).

3 CHAIRMAN ADOMEIT: I have a quote from all
4 the paperwork that may help you.

5 MR. SEDROWSKI: Yes, sir.

6 CHAIRMAN ADOMEIT: He did not sign and return
7 the paperwork until October 18th.

8 MR. SEDROWSKI: Mm-hmm.

9 CHAIRMAN ADOMEIT: So he delayed his own
10 retirement application. He held it up for two months.

11 MR. SEDROWSKI: I'm just looking to confirm
12 if there's any indication of employment post that. Ms.
13 Morton didn't specify that he continued employment.
14 And I do not believe any kind of contribution continued
15 either.

16 No, he did not continue past August.

17 MR. CAREY: Okay, thank you. Again, that was
18 kind of curiosity.

19 So, Mr. Chairman, I'd be prepared to make a
20 motion on this matter.

21 CHAIRMAN ADOMEIT: Okay.

22 MR. CAREY: And I would move that the
23 Subcommittee recommend to the Commission that Mr.
24 Sandrowski's request for reconsideration be denied.

25 CHAIRMAN ADOMEIT: Okay. Is there a second?

1 MR. CHISEM: I'll second that.

2 MR. DISETTE: (Inaudible) second.

3 CHAIRMAN ADOMEIT: Which one? We got two.

4 MR. DISETTE: Go ahead, Carl.

5 MR. CHISEM: Not a problem. Carl Chisem.

6 CHAIRMAN ADOMEIT: Okay. All right. Any
7 further discussion? Hearing none, all in favor, say
8 aye or raise your hand.

9 MR. CAREY: Aye.

10 MR. CHISEM: Aye.

11 CHAIRMAN ADOMEIT: It's unanimous. The ayes
12 have it.

13 Okay, moving on to Hiram Badillo.

14 MR. SEDROWSKI: All right. So this is - Mr.
15 Badillo is an individual who originally started working
16 for the State back in 2004. Upon his date of hire, he
17 did submit an application to purchase his prior
18 military service. He is a member of Tier II-A
19 hazardous duty. And afterwards, RSD later sent him an
20 invoice in 2006. We did not receive any response to
21 that invoice. He did not elect to purchase it.

22 Later on, the Division did attempt to send
23 him a last-chance opportunity letter in 2012. There is
24 evidence, and that is one of the reasons he is
25 appealing this currently, that he did not receive that

1 letter, that last-chance letter, however there is
2 nothing that conflicts or argues that in 2006, that he
3 had not received the invoice. So the question would
4 then turn on whether that would be enough in regards to
5 this.

6 For the requirements for his military
7 purchase, as I stated, he submitted it within the one-
8 year deadline for his commencement of State service, so
9 he fulfills that requirement without issue. Regarding
10 his failure to authorize and complete the purchase, I
11 also spoke with Colin in regards to this. I was unable
12 to find anything that specifically stated that there
13 was an election window that needed to be met to elect
14 the purchase to then go into the 24-month or 52-pay-
15 period requirement for the payroll deductions. Excuse
16 me.

17 However, under the Tier II-A provisions, it
18 does specify that 24-month requirement for the payroll
19 deductions. So the Division, as of right now,
20 administratively denied his request to complete his
21 purchase at this time.

22 MR. CAREY: This is Mike. I don't know if
23 you or Bert would know the answer to this question, but
24 when a last-chance notice is sent out and that notice
25 gets returned as undeliverable, is that the end of it,

1 meaning, just by receipt of that returned envelope, the
2 matter is considered closed? Or is there any
3 additional attempt to reach out to the agency to say,
4 hey, you know, Mr. Badillo's - or a member - I'm just
5 saying in general - you know, the employees' last-
6 chance notice gets bounced back to us, could you reach
7 out to the employee to find out what's going on with
8 the mail service or address?

9 MR. SEDROWSKI: I can speak to, as of today,
10 what would happen. I know, as of today, the Division
11 would definitely reach out to the agency to get further
12 information to contact that individual to receive the
13 correct address and/or email address to get in contact
14 with them. Unfortunately, I can't really speak to
15 whether or not that did happen in 2012.

16 The record does show that when the final note
17 was added where - that we had not received response to
18 our last-chance notice, that we were closing out the
19 record for this time. That scan did include the last
20 exhibit, I believe it is, which was that return-to-
21 sender envelope. So I did not find any other evidence
22 that there was further contact after that.

23 MR. KRAYESKI: Ben, this is Dave Kraveski.
24 The 24-month or 52-pay-period time would start when,
25 when he elected - when he actually first started making

1 payments; is that accurate?

2 MR. SEDROWSKI: That is my understanding of
3 it, correct. Effectively, as of when payments
4 commence, you then have to finish those payments within
5 52 pay periods or 52 payments, or 24 months.

6 MR. KRAYESKI: And then, the amount he would
7 have paid in 2006 and the amount he would pay in 2023,
8 is there a difference in that or not?

9 MR. SEDROWSKI: Bert, if you have a follow-up
10 to this? I'm not a hundred percent sure on the
11 interest regarding wartime service, and I can confirm
12 that in the meantime. However, regarding the actual
13 salary that's used to compute the contributions, it is
14 restricted to that first 12-month window when he first
15 commenced State service. So regardless, unless there's
16 an additional interest that can be charged, you know,
17 that's a gap interest—

18 MR. KRAYESKI: Mm-hmm.

19 MR. SEDROWSKI: --and it would not be a
20 different amount.

21 MR. KRAYESKI: Okay. I'm not sure
22 (inaudible) allows to charge interest.

23 MR. SEDROWSKI: Yeah, I don't believe it does
24 for service members. So—

25 MR. KRAYESKI: Yeah, okay. Thank you.

1 MR. CAREY: Ben - again, this is Mike. So I
2 would say if the practice is to allow somebody to
3 receive a last-chance notice and we have evidence that
4 that last-chance notice was not received, and we also
5 don't have evidence that the Division reached out to
6 try to figure out, hey, you know, Mr. Badillo, we
7 didn't - you know, we're not able to reach out to you
8 so that, you know, the record was closed without his
9 actually having received that last-chance notice.

10 And on that basis - you know, I'm interested
11 to hear what the other trustees think, but on that
12 basis, I'd be prepared to consider granting his
13 request.

14 MS. CIESLAK: Carl, you're muted.

15 MR. CHISEM: Oh, thank you. I would agree
16 with what Mike said, Michael said, but did you say,
17 Ben, that on the last-chance agreement, normally, the
18 agency would also reach out to the individual as well?

19 MR. SEDROWSKI: That, I'm not sure about. I
20 would say, as of today, if we were sending out a last-
21 chance notice to someone and we received a return-to-
22 sender envelope, I can say with confidence that the
23 Division and the purchasing unit would then go that
24 extra step and contact the agency to get updated
25 contact information for the individual. But

1 unfortunately, I can't speak to how that would have
2 been performed in 2012.

3 MR. CHISEM: I would be in favor of giving
4 the individual his request.

5 CHAIRMAN ADOMEIT: Okay.

6 MR. CAREY: Well, then, with that—

7 CHAIRMAN ADOMEIT: Any further comments?

8 MR. CAREY: So then, Mr. Chairman, this is
9 Mike Carey. I move that in the Badillo matter that the
10 Subcommittee recommend to the full Commission that the
11 request for reconsideration be granted, and that the
12 Division be instructed to proceed with contacting Mr.
13 Badillo about what the payment schedule would be.

14 MR. CHISEM: And I second that.

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

18 MR. CAREY: Aye.

19 CHAIRMAN ADOMEIT: It's unanimous; the ayes
20 have it.

21 Teresa Samuels.

22 MR. SEDROWSKI: All right. And up last, we
23 have Ms. Samuels. Ms. Samuels is a prior participant
24 that participated in the SAG Award transfer in 2019 and
25 did move into Tier II-A. At that time, she is

1 asserting that she did not understand nor was she
2 notified that she needed to submit a separate
3 application to elect to grandfather her normal
4 retirement age prior to the 2022 changes.

5 However, as you can see through the
6 discussion pieces, over the multiple letters that were
7 sent to her, it was reiterated that there was going to
8 be an additional form that needed to be completed, and
9 that was reiterated both by ourselves as well as the
10 UCONN emails that have been cited within here.

11 Furthermore, after reaching out to UCONN and
12 discussing this with them, they did provide a letter,
13 which you can see at Exhibit G, and-

14 CHAIRMAN ADOMEIT: What number?

15 MR. SEDROWSKI: G, G, as in golf.

16 CHAIRMAN ADOMEIT: Yeah. Okay.

17 MR. SEDROWSKI: So they looked into it on
18 their end to see, because she does make a claim that
19 she reached out to HR, attempted to speak to them, and
20 that they were nonresponsive in this matter, and that
21 was one of her reasons for delaying and just kind of
22 rolling with the punches to assume that her
23 grandfathering had been in place.

24 However, UCONN does contest that and states
25 that, you know, they went through multiple contacts to

1 get a hold of her, however - and she was informed, the
2 same as every other SAG participant was, and that there
3 was no agency error that they found in their research
4 through their records.

5 I would like to note that the Commission did
6 recently approve Jose Serrano to have a retroactive
7 grandfathering election. It's under the condition that
8 he pays the full actuarial cost of that election. I
9 would also state though that this case differs in
10 regards to that one in that Jose Serrano, there was
11 clear agency error, and the question more turned on the
12 fact that he waited the multiple years to then come
13 forward, and then we had that issue regarding the
14 actuarial cost of filling that gap and making the fund
15 whole.

16 So that is a remedy that has been presented
17 recently. However in this case, there's nothing in the
18 record that shows that the agency error took place or
19 was the cause of any of the delay here.

20 MR. KRAYESKI: Mr. Chairman, I would make a
21 motion to deny the request of Ms. Samuels given the
22 fact that we have no evidence that there was an
23 administrative error or that letters were returned or
24 anything that would lend itself to reopening the door
25 for which she had been notified.

1 CHAIRMAN ADOMEIT: That means we recommend to
2 the Commission that we deny it.

3 MR. KRAYESKI: That's correct.

4 CHAIRMAN ADOMEIT: Okay.

5 MR. CAREY: Carey, second.

6 CHAIRMAN ADOMEIT: Any further discussion?
7 Hearing none, all in favor, say aye or raise your hand.
8 Opposed, nay or raise your hand. It's unanimous; the
9 ayes have it.

10 Okay. At this point, I think we're ready to
11 adjourn.

12 MR. CAREY: This is Mike Carey. I move that
13 we adjourn.

14 MR. CHISEM: Second.

15 CHAIRMAN ADOMEIT: Any discussion?

16 MR. CAREY: I just thank everyone for a very
17 efficient meeting.

18 CHAIRMAN ADOMEIT: All in favor, say aye or
19 raise your hand. Opposed, nay or raise your hand.
20 It's unanimous; the ayes have it.

21 Cindy, turn off the recording, please.

22 (Adjourned at 2:18 p.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, Subcommittee of Purchase of
Service & Related Matters meeting held electronically
via Zoom, conducted at 2:02 p.m. on February 22, 2024.

Karin A. Empson

Karin A. Empson

03/08/2024

Date