

STATE EMPLOYEES  
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD  
for DISABILITY RETIREMENT



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RETIREMENT SERVICES DIVISION  
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## Meeting of the Legal & Personnel Subcommittee of the State Employees Retirement Commission

**DATE:** November 10, 2021

**PRESENT:**

Chairman Peter Adomeit

Trustee Michael Carey

Trustee Robert Coffey

Trustee Sal Luciano

Trustee Michael O'Brien

Commission Counsel Cindy Cieslak (Rose Kallor, LLP)

Commission Tax Counsel Bruce Barth (Robinson & Cole LLP)

John Herrington, Retirement Services Division Director

Robert Helfand, Retirement Services Division

The Chairman called the meeting to order at 8:36 a.m. Those present were identified by Ms. Cieslak.

At 8:37 a.m., Mr. Luciano moved, seconded by Mr. Coffey to amend the agenda to include as Item 8 under executive session: judges pension matters – written legal opinion. All voted in favor.

**Executive Session – discussion and possible recommendation**

1. Ronald Johnson v. SERC – pending claim/pending litigation.
2. Mario Trapanese request for reconsideration – written legal opinion.
3. Paul Cicarella appeal – written legal opinion.
4. Patrick Butler request for review pursuant to Regs., Conn. State Agencies § 5-155a-2(i) – written legal opinion.
5. Marianna Grzeszczyk v. SERC – pending litigation.
6. Catherine Crandle v. SERC – pending litigation.
7. FOI appeal by Attorney Russell Zimmerlin – pending claim/pending litigation.
8. Judges pension matters – written legal opinion.

At 8:38 a.m., Mr. Luciano moved, seconded by Mr. Coffey to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 1.

At 8:39 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 8:40 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 2. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 2.

At 8:45 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 8:45 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 3. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 3.

At 8:59 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 8:59 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 4. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 4.

At 9:02 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 9:03 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 5. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 5.

At 9:03 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 9:03 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 6. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 6.

At 9:04 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 9:04 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 7. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 7.

At 9:05 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

At 9:06 a.m., Mr. Luciano moved, seconded by Mr. Coffey to go into executive session for the purposes of discussing Item 8. Bruce Barth, Cindy Cieslak, Robert Helfand, and John Herrington were invited by the Subcommittee to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously in favor to enter executive session to discuss Item 8.

At 9:25 a.m., Mr. Luciano moved, seconded by Mr. Coffey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Subcommittee voted unanimously to exit executive session.

### **Public Session**

At 9:25 a.m., Mr. Carey expressed, on behalf of the Subcommittee, his sincere appreciation and respect for Mr. Trapanese's service to our country. Mr. Carey moved, seconded by Mr. Luciano to recommend to the Commission that it deny Mr. Trapanese's request because no new or additional information had been presented to warrant reconsideration. All voted in favor.

At 9:26 a.m., Mr. Coffey moved, seconded by Mr. Luciano to recommend to the Commission that it remand Mr. Cicarella's matter to the MEB for further review. All voted in favor.

At 9:26 a.m., Mr. Coffey moved, seconded by Mr. Luciano to recommend to the Commission that it hold a hearing to determine whether tolling of the time limit is appropriate as it relates to Mr. Butler's request. All voted in favor.

At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Carey to recommend to the Commission that an individual who is originally employed by the State and who becomes an employee under the judicial plan should no longer have an option to elect to participate in the judicial plan or SERS, and that if they transfer from a SERS position to a judicial position, their contributions remain in the SERS plan until it is determined whether or not they vest in the judicial plan, in which case the SERS plan contributions are transferred to the judicial plan, and if they don't vest in the judicial plan, the judicial contributions are either refunded or transferred to SERS. All voted in favor, with Mr. Coffey abstaining.

At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Coffey to recommend to the Commission, with respect to Judge Devlin, that because he is receiving a judicial pension, he not be allowed to participate in any other state pension plan during his period of rehire. All voted in favor.

**MEETING ADJOURNED:** With no further business before the Subcommittee, at 9:29 a.m., Mr. Luciano moved, seconded by Mr. Coffey, to adjourn. All voted in favor. Meeting adjourned.

Respectfully submitted,

Robert Coffey