

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

**MINUTES OF MEETING
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION**

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on August 18, 2022 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
- Martha Carlson, Deputy Comptroller, Ex Officio Member
- Carl Chisem, Trustee
- Robert D. Coffey, Trustee
- John Disette, Trustee
- John Flores, General Counsel Office of the Treasurer, Ex Officio Member
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison
- Rebecca Simonsen, Trustee

Absent

- Michael O’Brien, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- Tara Downes, Assistant Comptroller
- Elizabeth Doyon, Tax Counsel to the Commission, Robinson & Cole
- John Garrett, Cavanaugh Macdonald
- Robert Helfand, Assistant Director, Retirement Services Division
- John Herrington, Director, Retirement Services Division
- Matthew Hunt, Clifton Larson Allen
- Yamuna Menon, General Counsel/Assistant State Comptroller, Office of the State Comptroller
- Colin Newman, Assistant Director, Retirement Services Division
- Michael Rose, General Counsel to the Commission, Rose Kallor



Call to Order

Chairman Adomeit called the meeting to order at 9:05 a.m.

Ms. Cieslak identified those in attendance.

At 9:07 a.m., Mr. Poulin moved, seconded by Mr. Luciano to amend the agenda to include, as Item 19, Request Commission Acceptance of the independent auditor's report of the CMERS GASB 68 audit for the year ending June 30, 2021. All voted in favor.

At 9:08 a.m., Mr. Luciano moved, seconded by Mr. Bailey to amend the agenda to include, as Item 20, Request from Cathy Wilson to change from disability retirement to a voluntary early retirement. All voted in favor.

Chairman's Report

At 9:10 a.m., the Chairman provided his report. The Chairman commended the work of Ms. Carlson, Mr. Herrington and the Retirement Services Division.

Division Director's Report

At 9:10 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (8/18/2022)

I. Disability Retirements:

A. Pending Disability Applications for the Initial Review by the Medical Examining Board: Currently the Disability Retirement Unit is scheduling into December 2022.

- There are 149 Disability Retirement Applications pending of which:
 - 5 New applications received for August 2022
 - 136 Applications have been scheduled for MEB hearings through December 2022
 - 13 Applications are awaiting review and scheduling by Unit

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2022	76	89	90	111	120	127	146	149				
2021	114	107	103	117	125	90	89	85	77	79	99	71

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B. Twenty-Four Month Reviews:

- 39 Cases are Scheduled
 - September 2022 – 21 Cases
 - 8 Receiving SSD Benefits, 1 Tabled
 - October 2022 – 17 Cases
 - 1 Reconsideration, 1 Tabled
 - November 2022 – Cancelled
 - Changed to an Initial Meeting due to High Volume
 - December 2022 – Cancelled
 - Changed to an Initial Meeting due to High Volume
 - January 2023 – 1 Case
- 1 Case is Overdue (DOR 2010, awaiting further instructions)
- 17 Cases are Tabled
- 1 Case Seeking Reconsideration
- 102 Cases are Awaiting Due Date for 24-Month Review

II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2022	356	268	337	1,137	277	723	1,436	46					4,580
2021	243	192	124	337	152	244	291	213	234	331	159	136	2656
10-Yr. Avg.	179	153	129	255	128	205	262	177	180	248	116	98	2130

Ms. Carlson commented on the Retirement Services Division’s efforts.

Mr. Luciano congratulated the Retirement Services Division’s work.

New Matters

1. Request Commission Approval of the July 21, 2022 minutes.
 - i. At 9:16 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the July 21, 2022 minutes.
 - 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 July 21, 2022 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman’s Per Diem Expenses.
 - i. At 9:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Chairman’s Per Diem Expenses
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to approve the State Employees Retirement Commission Chairman's Per Diem Expenses.
3. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - i. At 9:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - 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.
4. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - i. At 9:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - ii. Mr. Ryor 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. Ryor abstaining, to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
5. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of July 2022.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of July 2022.
 - 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 rendered for the month of July 2022.
6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of July 2022.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Rose Kallor rendered for the month of July 2022.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to accept the invoices from Rose Kallor rendered for the month of July 2022.
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of July 2022.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of July 2022.
 - 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 July 2022.
8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of July 2022.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of July 2022.
 - 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 July 2022.
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of July 2022.
 - i. At 9:18 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Disability Retirements for the Month of July 2022.
 - 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 Disability Retirements for the Month of July 2022.
10. Request Commission Approval of the Connecticut State Employees Retirement System Retroactive Retirements for the Month of July 2022.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey approve Connecticut State Employees Retirement System Retroactive Retirements for the Month of July 2022.
 - 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 Retroactive Retirements for the Month of July 2022.
11. Request Commission Approval of the Connecticut State Employees Retirement System Pre-Retirement Death Benefits for the Month of July 2022.

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- i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Pre-Retirement Death Benefits for the Month of July 2022.
 - 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 Pre-Retirement Death Benefits for the Month of July 2022.
12. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2022.
 - i. At 9:19 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of July 2022.
 - 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 July 2022.
13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the recommendations by the Medical Examining Board for the continued entitlement approvals.
 - 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.
14. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the recommendations by the Medical Examining Board for the continued entitlement tabled and denials.
 - 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.
15. Request Commission Approval of the Connecticut Probate Judges and Employees Retirement System.

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- i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut Probate Judges and Employees Retirement System.
 - 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.
16. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - i. At 9:20 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - 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.
17. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period July 1, 2022 through July 14, 2022.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period July 1, 2022 through July 14, 2022.
 - 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 the Pay Period July 1, 2022 through July 14, 2022.
18. Request Commission Approval of the Recommendations from the Regulations and Overpayment Subcommittee Meeting held on July 22, 2022.
 - i. At 9:21 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Recommendations from the Regulations and Overpayment Subcommittee Meeting held on July 22, 2022.
 - 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 Recommendations from the Regulations and Overpayment Subcommittee Meeting held on July 22, 2022.
19. Request Commission Acceptance of the independent auditor's report of the CMERS GASB 68 audit for the year ending June 30, 2021.
 - i. At 9:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the independent auditor's report of the CMERS GASB 68 audit for the year ending June 30, 2021.

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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 accept the independent auditor's report of the CMERS GASB 68 audit for the year ending June 30, 2021.
20. Request Commission Review of Request from Cathy Wilson to change from disability retirement to a voluntary early retirement.
- i. At 9:22 a.m., Ms. Cieslak provided the case history from the Retirement Services Division.
 - ii. The trustees discussed the matter.
 - iii. At 9:36 a.m., Mr. Luciano moved, seconded by Mr. Coffey to allow the request of Cathy Wilson because the member could demonstrate that she made a request for additional information but had to proceed without an answer from the Retirement Services Division.
 - iv. The trustees further discussed the matter, and Mr. Luciano withdrew his motion.
 - v. At 9:38 a.m., Mr. Carey moved, seconded by Mr. Bailey to table the matter for a legal opinion.
 - vi. The Commission voted unanimously to table the matter for a legal opinion.

Executive Session – discussion and possible action

1. Judges, Family Magistrates and Compensation Commissioners Retirement System contributions – written legal opinion.
2. Judges, Family Magistrate and Compensation Commissioners Retirement System matters related to SERS – written legal opinion.
3. Ronald Johnson v. SERC – pending litigation.
4. Jacqueline Lawrence appeal – written legal opinion.
5. Linda Cicarella petition for declaratory ruling – written legal opinion.
6. FOI appeal by Attorney Russell Zimmerman – pending claim/pending litigation.
7. Robinson & Cole contract extension – personnel matter.
8. Susan Quinion – discussion of private files, financial information provided in confidence, and tax information.

At 9:39 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, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, 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 10:03 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.

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At 10:04 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 2. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, 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 2.

At 10:15 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.

At 10:16 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 3. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, and Colin Newman 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 3.

At 10:17 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.

At 10:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 4. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, and Colin Newman 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 4.

At 10:22 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.

At 10:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 5. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, and Colin Newman 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 5.

At 10:29 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.

At 10:29 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 6. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John

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Herrington, Yamuna Menon, and Colin Newman 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 6.

At 10:30 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.

At 10:30 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 7. Tara Downes, Robert Helfand, John Herrington, Yamuna Menon, and Colin Newman 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 7.

At 10:40 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 10:40 a.m., Mr. Luciano moved, seconded by Mr. Bailey to amend the agenda to include the matter of Susan Quinion as Item 8 in executive session. All voted in favor.

Executive Session

At 10:41 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 8. Bruce Barth, Cindy Cieslak, Tara Downes, Elizabeth Doyon, Robert Helfand, John Herrington, Yamuna Menon, and Colin Newman 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 8.

At 10:53 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

Ms. Cieslak advised the reason for discussing Ms. Quinion in executive session, including that it included a discussion of private files, disclosure of which would constitute an invasion of privacy, financial information provided in confidence, and tax information.

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At 10:54 a.m., Mr. Luciano moved, seconded by Mr. Bailey to deny Ms. Lawrence's appeal and provide her with the reasons therefor. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

At 10:54 a.m., Mr. Luciano moved, seconded by Mr. Bailey to issue a declaratory ruling regarding Ms. Cicarella's request with reasons why her request will be denied. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

At 10:55 a.m., Mr. Luciano moved, seconded by Mr. Bailey to provide Robinson & Cole with a one year contract extension. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

At 10:55 a.m., Mr. Carey moved, seconded by Mr. Bailey to clarify that the Commission's vote to deny Ms. Quinion's waiver request stands, however, the Commission authorizes the Retirement Services Division to exercise discretion in arranging a schedule for repayment of the overpayment. The Chairman asked if there was any discussion. There being no discussion he called for a vote. All voted in favor.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 10:56 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division