

STATE OF CONNECTICUT
SERC PURCHASING AND RELATED MATTERS SUBCOMMITTEE

SEPTEMBER 23, 2020 MEETING
HELD VIA ZOOM
CONVENED AT 2:10 p.m.

Trustees:

Peter Adomeit, Chairman
Sandra Fae Brown-Brewton, Trustee
Carl Chisem, Trustee
Robert Coffey, Trustee

Also Present:

John Herrington, Retirement services Division
Colin Newman, Retirement Services Division
Cindy Cieslak, General Counsel, Rose Kallor

Karen Vibert, LSR #00064

1 (Proceedings commenced at 2:10 p.m.)

2 MR. ADOMEIT: So, I can call the meeting
3 to order. This is a meeting of the Subcommittee on
4 Purchase of Service & Related Matters. Persons in
5 attendance: Cindy Cieslak, attorney, Peter Adomeit,
6 Commission chair, Bob Coffey, commissioner,
7 John Herrington, head of the Division, Carl Chisem,
8 commissioner, Fae Brown-Brewton, commissioner, and
9 Colin Newman. Are you the deputy or --

10 MR. NEWMAN: No. I'm one of the assistant
11 division directors.

12 MR. ADOMEIT: I'm sorry. Assistant
13 division director. Thank you.

14 So, I'll call the meeting to order,
15 and I guess the first item on the agenda is
16 Mr. Bettini.

17 MR. NEWMAN: Yes. So, Mr. Bettini --
18 Armando Bettini is a State trooper. He was hired
19 into State service on January 20, 2006. He made a
20 timely application with respect to his request to
21 purchase his prior military service. Unfortunately
22 for Mr. Bettini, at that time the date -- his dates
23 of service were considered ineligible for dates that
24 were allowed pursuant to the Federal dates of
25 service for like war service.

1 His application wasn't acted upon
2 however for approximately four years, so by the time
3 the Division actually acted upon it, his dates were
4 now -- there was a change in the Federal laws and
5 his dates of service were now eligible for
6 retirement credit in SERS.

7 He was invoiced for his actual
8 service time from February of -- February 7, 2003,
9 to May 22, 2004. He responded back to the invoice
10 and commenced making payroll deductions to pay for
11 that service.

12 We fast forward -- I'm sorry. That
13 was in January of 2010.

14 In 2019, I guess in October 2019,
15 Mr. Bettini started making inquiries of his HR
16 office indicating that he felt an error had been
17 made because of the fact that his active duty for
18 training period, which was from 2000 -- it was for a
19 small period of time. I believe it was from January
20 of 2002 to May of 2002 -- had not been included and
21 he wanted to know why it had not been included. If
22 we -- so, like I said, he went to his HR office and
23 his HR office actually just forwarded a new
24 application requesting that time, which the Division
25 denied it, basically saying it was untimely because

1 of the fact that any purchase for prior military
2 service has to be within the first year of
3 commencement of State service.

4 In his appeal, Mr. Bettini is stating
5 that at some point he had been asked for his DD-214
6 and while with respect to his actual active service
7 time, that he had --

8 At that time, he claimed that he
9 inquired about his active duty for training time and
10 he was -- he basically said he wasn't given like a
11 clear answer and he was just left with the
12 impression that it wasn't -- he would have been
13 ineligible to purchase that time.

14 So, of course, this is all
15 uncorroborated and I'm not sure as to who he asked,
16 whether it was the Division, if he actually asked
17 his HR office. You know, if he asked the Division,
18 again, if it was off, it's possible the fact that he
19 had not requested the time the first time around and
20 the fact that at that time in 2010, when he was
21 inquiring about it, at that point, it was obviously
22 more than a year since he had his initial date of
23 hire, and he may have been told that he was
24 ineligible for it.

25 So, while we have some -- while there

1 have been some individuals that actually applied for
2 time that was ineligible at the time when they first
3 applied for it, and then they came forward once the
4 dates had been changed, for. Those individuals,
5 we've allowed the credit because of the fact that
6 the date changed and we had responded at the time
7 when their -- the initial purchase request, we had
8 denied them because of the dates. In this case, we
9 never denied him the time because he never asked for
10 it at the initial stage. He never asked at the
11 initial stage and it appears that the only time
12 he -- he's indicating that he asked about it was at
13 the time when he was discussing or he was providing
14 his like paperwork, like his DD-214, for his active
15 service purchase.

16 MR. ADOMEIT: Okay. Thank you, Colin. Is
17 there any discussion?

18 MS. BROWN-BREWTON: I have a question.
19 So, as I understand it, at the time he submitted his
20 initial application, those dates were not included
21 because he didn't include them or he was advised --
22 or it was his understanding they wouldn't be
23 allowed?

24 MR. NEWMAN: Right. So, looking at the
25 application, the initial C01088, while those dates

1 were -- what he was asking for falls within the
2 dates that are open. It also has the designation of
3 the -- it's like the Army National Guard because he
4 appears -- because if you look at the first line,
5 it's showing that he I guess continues to be in the
6 Army National Guard, so it's not clear that he's
7 asking for his active duty for training time at this
8 time, plus he didn't provide a DD-214, which he did
9 later on when he asked for it in 2019. At that time
10 the -- well, obviously, in 2006, none of the time
11 was eligible -- was eligible for purchase.

12 MR. HERRINGTON: At that point, the time
13 was not eligible for a purchase, was that based on
14 the dates or based on the nature of the service?

15 MR. NEWMAN: It was based on the dates,
16 because at that time, any war service had a cutoff
17 date of -- I think it was June 30th of 1994.

18 MR. HERRINGTON: When did the --

19 MR. NEWMAN: 2008, 2009, around that time,
20 I think. And we processed his application. We were
21 sitting on the application because we never actually
22 sent him a letter saying his dates were ineligible.
23 By the time we got around to processing it, now his
24 dates were eligible and we were able to process his
25 active duty service.

1 MS. BROWN-BREWTON: So if we had processed
2 this upon receipt in 2006, it would not have been
3 eligible?

4 MR. ADOMEIT: Excuse me?

5 MS. BROWN-BREWTON: If we had processed
6 this upon receipt in 2006, the time would not have
7 been eligible for consideration, correct?

8 MR. NEWMAN: In 2006, right, but, like I
9 said, we processed it in 2010, and then technically,
10 those -- the active duty for training time, which is
11 what he's asking about, would have been eligible in
12 2010.

13 MR. HERRINGTON: On his initial application
14 in 2006, he was applying for credit from February of
15 2001 to present?

16 MR. NEWMAN: To present, right?

17 MR. HERRINGTON: But he only provided a
18 DD-214 from the period of February '03 to May of
19 2004?

20 MR. NEWMAN: Right, which was --

21 MR. HERRINGTON: We had no DD-214
22 representing any of the prior service?

23 MR. NEWMAN: Correct.

24 MR. HERRINGTON: And we also didn't request
25 any further up backup considering that there was a

1 difference between the requested purchase time and
2 the supporting documentation that we had?

3 MR. NEWMAN: Correct. It doesn't appear
4 that we asked for anything in addition because he
5 only provided the -- because he only provided that
6 additional DD-214 for the active-duty training time
7 in 2019 with this application.

8 So, it doesn't appear that we asked
9 for it, and like I said, you know, in his claim he's
10 saying that he was told or he was given the
11 impression that he was going to be ineligible for --
12 he would have been ineligible for it.

13 MS. BROWN-BREWTON: Which would have been
14 accurate at the time.

15 MR. NEWMAN: Right, because of the fact
16 that he never actually applied for it in a timely
17 manner. If he had provided the DD-214 in 2006, it
18 would have been more likely -- it would have been
19 treated the same way as his actual active service
20 time was treated.

21 MR. HERRINGTON: But the way I'm hearing
22 this, Colin, is he applied for the time, he just
23 didn't provide, you know, a fulsome record of
24 supporting documentation, because, I mean, he's
25 ostensibly applying from 2001 to 2006. Between that

1 time and the time that we processed it, we processed
2 it not just on the application, but on the
3 supplemental -- or on the supporting documentation.
4 The question is whether it was dependent upon us at
5 that time, knowing that additional time would be
6 required for us to ask for the DD-214 when we
7 processed this in 2010.

8 The other side of this would be at
9 that time, he, you know, knew what he was
10 purchasing. He didn't raise the question regarding
11 the additional time at that time, you know, so he
12 hadn't voiced the payroll deductions are starting
13 based only on a partial purchase. He doesn't raise
14 this next issue for another nine years.

15 MR. NEWMAN: That's right.

16 MR. HERRINGTON: In The meantime, the
17 change happened in those intervening nine years?

18 MR. NEWMAN: Right, right.

19 MR. ADOMEIT: Bob, do you have any
20 response to this?

21 MR. COFFEY: Yes. My question really is
22 the same as John's. Was it incumbent on us, seeing
23 on the form that he was applying for time from
24 February 2001 to 2006, that we ask him for
25 documentation for that time that he was on

1 active-duty training? Maybe the question is: How
2 would we know that based on his -- based on the form
3 that he submitted? He isn't saying that he was in
4 training, you know, on active-duty training during
5 that time. He's just applying -- it appears that
6 he's applying for all the dates.

7 I don't know whether the division has
8 had similar kinds of situations, but at least
9 there's something here that's showing that he's
10 asking for a whole lot of time, which would include
11 the active-duty time, and it's just not spelled out
12 specifically.

13 I guess I'm asking John or Colin: If
14 we get applications like this usually, and what do
15 we do?

16 MR. NEWMAN: When I asked him for like
17 multiple periods of time, which we have processed --
18 that have been processed where they -- the person
19 has multiple periods of like of active duty, like
20 training, like weekend drills that they perform,
21 while they were also working for the State or if
22 they were prior? Like in this -- they were prior to
23 coming into State employment. And we've -- you
24 know, as long as the person's provided documentation
25 and it's identified that it's for active duty for

1 training or inactive duty for training, we've given
2 them the credit.

3 MR. COFFEY: What kind of documentation
4 would it have been?

5 MR. NEWMAN: There's something called an
6 N -- I think it's called an NGB Form 22. That's
7 for -- that's for like National Guard, people who
8 were with the National Guard.

9 It looks like he got, actually, I
10 mean, what he's asking for, that period of time,
11 that three months, he actually got called in, called
12 up to -- for the basic training, you know, active
13 duty for training because of the fact that he
14 received a DD-214 for that.

15 MR. COFFEY: So should we have asked him
16 for the documentation for this other time in 2001?

17 MR. NEWMAN: Right. At the time when we
18 processed it? Probably. You know, I mean, we
19 probably should have asked him to at least be able
20 to say whether or not that period -- what he's
21 asking for is ineligible.

22 MR. HERRINGTON: Hindsight being 20/20, you
23 know, he applied for a period from February of 2001
24 to January of 2006. We have record of us allowing
25 him to purchase a period of that time. We don't have

1 a response as to why we did not allow him to purchase
2 the other time which fell within the dates at that
3 time.

4 MR. NEWMAN: Right.

5 MR. COFFEY: Can it be considered our
6 mistake, in that we should have asked him for
7 documentation for this time but didn't?

8 MS. BROWN-BREWTON: How would we have
9 known to ask? The documentation he submitted
10 doesn't provide -- how would we have known to ask?
11 Because we have documentation --

12 MR. COFFEY: When there's National Guard
13 service that we have asked for documentation, and
14 the National Guard service that he's talking about
15 runs from February 2001 to 2006.

16 MR. HERRINGTON: So I guess the question
17 is, Colin, if we received this same application from
18 a Tier IV person today and we received one DD-214
19 that covers a period of time but not the entire
20 period of time, what would our response be?

21 MR. NEWMAN: So I think we would give the
22 credit. We just give the credit for the DD-214,
23 because that's when the person was active. We're
24 not going to give credit for someone that's just in
25 the National Guard. I mean, from what he's saying,

1 he was part of the National Guard from 2001 -- it
2 looks like he says to the present. At the time, you
3 know, in 2006, we would give the credit for the
4 periods that have been designated for like active
5 duty for training or inactive duty for training.

6 MR. HERRINGTON: Right, right, but I guess
7 to me, right? I mean, no one's going to be in the
8 National Guard without first being on active duty for
9 training.

10 MR. NEWMAN: Right, but there are times
11 when someone's in the National Guard, and during
12 that time, they get called up periodically for
13 training.

14 MR. HERRINGTON: Yes.

15 MR. NEWMAN: If it's active duty or
16 inactive duty, then we give them credit for those
17 periods of time. Like we're not going to give him
18 from 2001 to 2006. We're not going to give him five
19 years of --

20 MS. BROWN-BREWTON: I know enough about
21 the military to be dangerous. So, conceding that
22 point, it's always been my understanding that basic
23 training is something everybody in the service goes
24 through. I mean, that's part of the package of the
25 military service. You don't get any -- that's the

1 first thing you go through, right? Basic?

2 MR. NEWMAN: Right, right.

3 MR. HERRINGTON: If there was any way
4 around that, I would have --

5 MS. BROWN-BREWTON: So when we ask him for
6 documentation regarding his military service, are we
7 required to say, Oh, and yes, make sure you include
8 basic training? Just saying.

9 MR. NEWMAN: Yeah.

10 MS. BROWN-BREWTON: But that seems to me
11 to be an automatic assumption. That's part of my
12 military when I first got there.

13 MR. NEWMAN: I mean, that's sort of what
14 he's saying in 2019, that --

15 MS. BROWN-BREWTON: Oops, I forgot?

16 MR. NEWMAN: Well, no. He's saying -- I
17 think he's saying it was an error on either our
18 end -- I guess he's saying say it's on our end,
19 because we processed it, and I guess he's saying
20 that when it was initially processed in 2010, he
21 didn't notice then that it wasn't included.

22 MS. BROWN-BREWTON: Well, that doesn't
23 make it our error, does it?

24 MR. NEWMAN: No. Right, right. But he's
25 saying an error was made.

1 MS. BROWN-BREWTON: And he made it.

2 MR. NEWMAN: Correct, by not requesting
3 it.

4 MR. ADOMEIT: I think placing the word
5 "error" on it contains a value judgment and I would
6 rather neutralize it and say, Do we have an
7 obligation to provide help and assistance for
8 someone who admitted it? I think that is a real
9 issue, rather than try to --

10 MS. BROWN-BREWTON: The word "obligation"
11 is pretty charged, Peter.

12 MR. HERRINGTON: I think that the question
13 is this could have been resolved if, when we
14 processed it in 2010, we asked for additional
15 documents. It equally could have been resolved at
16 that time in 2010 when we issued an invoice and
17 charged him for one period of time and he didn't
18 raise the question at that point, you know, What
19 about this other time?

20 MR. NEWMAN: Right.

21 MS. BROWN-BREWTON: The invoice would have
22 had the dates on it?

23 MR. NEWMAN: The invoice would have had
24 the dates on it. In Exhibit B it's pretty clear
25 what we're giving him credit for, or what he was

1 getting credit for. I mean, he could have raised it
2 at that time. What about my basic training time?

3 MS. BROWN-BREWTON: So the next question
4 is: How many other people could be out there that
5 the dates changed and they want to change the dates
6 for making time eligible that was previously
7 ineligible? What is our obligation to those folks?

8 MR. HERRINGTON: Colin, are we a hundred
9 percent certain that the dates changed? Because I
10 noticed my record and I purchased the supplemental
11 time in 2005.

12 MR. NEWMAN: The dates did change, yeah,
13 because it was --

14 MS. BROWN-BREWTON: The dates of service?

15 MR. HERRINGTON: I'm aware. I completely
16 remember the dates changing, but what I'm asking is
17 whether the dates changed prior to 2006. Just
18 judging by my record, I believe that they did because
19 I completed the purchase of all of my military
20 service in 2005.

21 MS. BROWN-BREWTON: Are you sure, John?

22 MR. HERRINGTON: I am sure. I scrutinized
23 mine.

24 MR. NEWMAN: The only thing I could say to
25 that is my understanding was around 2008, 2009, when

1 we --

2 MR. HERRINGTON: Could it be a difference
3 between when the Federal law changed --

4 MR. NEWMAN: -- and when we implemented
5 it.

6 To Fae's question, that would -- I
7 don't know if we have an obligation to everybody
8 that we denied because of the dates, because those
9 would be the individuals that we would -- that, if
10 anything, would they not be the only ones that we
11 would have to reach out to? Or do we go with the
12 assumption that when people were first hired and
13 because they were told the dates were -- maybe by
14 the agency, that the dates were ineligible, they
15 just didn't bother? They just didn't bother
16 applying? You know, do we have an obligation to
17 those individuals, too?

18 MS. BROWN-BREWTON: I don't think we do
19 any more than I think we have an obligation for this
20 individual. And on that basis, I would move to deny
21 the request.

22 MR. ADOMEIT: Okay. Is there any further
23 discussion? Is there a second?

24 MS. BROWN-BREWTON: Don't everybody speak
25 up at once.

1 MR. COFFEY: I'll second it. There's
2 obviously some discomfort here, but I guess looking
3 at the invoice and seeing that it does say fairly
4 clearly that the dates that he's purchasing are from
5 February '03 to May of '04, that if he thought there
6 was a mistake, he could have raised it at that time.

7 MR. ADOMEIT: Okay. It's moved and
8 seconded. Is there any further discussion? Hearing
9 none, all in favor of the motion say aye. Was there
10 a second aye? I can't tell.

11 All in favor of the motion, please
12 raise your hand.

13 Opposed nay?

14 MR. CHISEM: Nay.

15 MR. ADOMEIT: Thank you, Carl. The ayes
16 have it.

17 MS. CIESLAK: Peter, if I may remind
18 everyone when they are speaking to announce
19 themselves for the recording. Ms. Brown-Brewton and
20 Mr. Coffey voted in favor of the motion and
21 Mr. Chisem voted against the motion. I didn't want
22 to interrupt the discussion that was happening, but
23 for the next one, if you can remember to announce
24 yourself.

25 MR. ADOMEIT: Mr. Adomeit has been talking

1 continuously without adding my name.

2 So we can move on.

3 MR. NEWMAN: As well as Mr. Newman was.

4 MR. ADOMEIT: Mr. Buchweitz.

5 MR. NEWMAN: Mr. Edward Buchweitz, a
6 recently hired faculty member at UConn at the
7 Stamford branch. His effective date of retirement
8 is August 23rd of this year.

9 Mr. Buchweitz, however, is a resident
10 of Brazil, and due to the current COVID crisis, he's
11 unable to leave Brazil and come to the US. In the
12 meanwhile, it appears that UConn was still moving
13 forward with the hiring process, but through
14 electronic means. It appears that Mr. Buchweitz has
15 been in contact with the HR office at UConn and it
16 looks like initially he was asking for a personal
17 leave of absence. It looks like for at least a
18 year, which was something that UConn was dealing
19 with.

20 But at the same time, UConn kept
21 reminding him that he -- well, they reminded him
22 initially on August 18th that he needed to complete
23 the retirement -- his election form for his
24 retirement plan.

25 It appears that Mr. Buchweitz did not

1 do that until August 24th, which was a day after his
2 initial date of the hire. As such, based on his
3 collective bargaining unit, Mr. Buchweitz, instead
4 of being able to elect his plan of choice, he was
5 automatically defaulted into the alternate
6 retirement plan.

7 His letter, which is basically dated
8 the same day where he's appealing his membership,
9 and his reasoning is that August 23rd is a Sunday
10 and it's common in Brazil that business is only
11 taken care of during the normal business day, which
12 would have been the next day. He's basically saying
13 he thought the date would have been defaulted to the
14 next day.

15 So, he's requesting -- there was
16 email communications between him and the agency, and
17 ultimately through -- with a staff member of the
18 Division. Ultimately, he's asking for the ability
19 to be placed in Tier IV.

20 MS. BROWN-BREWTON: I rarely do business
21 on a Sunday? Do they normally hire people starting
22 on a Sunday? I mean, hell, no. My side of the
23 house, we can't even start anybody that's not --
24 (Inaudible). They're starting people on a Sunday?
25 That seems quite irregular.

1 MR. NEWMAN: Right.

2 MS. BROWN-BREWTON: Were they holding
3 classes on a Sunday? I think not.

4 This is Fae. I'm sorry. I've been
5 told people can tell it was me even if I was wearing
6 a burqa, so --

7 MR. ADOMEIT: Thank you, Fae.

8 MS. BROWN-BREWTON: I'm going to make a
9 motion to deny the request because, I mean, the
10 reminders were adequate: Highlighted, underscored,
11 italicized, flashing red light that that was the
12 drop-dead date and he, rather than ask, assumed that
13 nobody does business on a Sunday, to his detriment.

14 MR. COFFEY: I'll second it.

15 BY MR. ADOMEIT:

16 Q Is there any further discussion? All in
17 favor say aye or raise your right hand. Carl,
18 you're muted.

19 It's unanimous. The ayes have it.
20 Thank you.

21 All right. We are now down to
22 Williams-Knight. Ms. Williams-Knight.

23 MR. NEWMAN: So, Ms. Williams-Knight was
24 employed with Oak Hill School for the Blind, one of
25 the State-aided institutions, from March of '84

1 through the end of April of 2009. She applied for a
2 non-service-connected disability at the November 20,
3 2009 meeting. The Medical Examining Board denied
4 Ms. Knight's request/application for disability,
5 non-service-connected disability, as they were --
6 the doctors were unconvinced of the disabling
7 treatment -- conditions, whether or not they were
8 treatable, and whether or not -- they just didn't
9 feel that she was permanently disabled from working.

10 That decision was sent to Ms. Knight
11 in 2009, where she was offered the opportunity to
12 request a reconsideration of that MEB decision.
13 There was no response from Ms. Knight. In the
14 interim, the regulations were changed in April of
15 2012 regarding certain time limitations. Disability
16 retirement applications were changed, including the
17 fact that a member that is denied by the Medical
18 Examining Board has up to one year in which to seek
19 reconsideration, basically one calendar year from
20 the date of the decision to request reconsideration.

21 With the change in regulations and in
22 2013 the change in the Division's policies and
23 procedures, Ms. Knight, because of the fact that
24 her -- because the action that had taken place on
25 her application had occurred prior to the changes,

1 she essentially was afforded one more opportunity to
2 request a reconsideration. She was offered that
3 opportunity in 2017. A letter was sent to her
4 basically telling her she had up to one year in
5 which to request reconsideration. That one-year
6 deadline expired and her application was brought
7 before the Commission for closure. And at the
8 July 19, 2018 meeting, the trustees approved the
9 discontinuation of her disability application.

10 Approximately a year later
11 Ms. Knight, by that time, had retained counsel, and
12 the Division received a request from the counsel
13 basically was requesting a reconsideration of the
14 MEB decision. October 2019, the Division advised
15 that she had exhausted her opportunity for the
16 reconsideration and that the fact that it had
17 already gone before the Commission for closure.

18 In June of this year, the counsel now
19 is requesting that the Commission review and
20 reconsider its decision for closure by -- I think he
21 made that request -- yes, by making that request.
22 With the request he's also -- he also had to provide
23 an affidavit basically trying to explain what was
24 going on as to the reason why she was not -- she did
25 not respond to the multiple Division communications.

1 So, it's before the trustees as to
2 whether or not they are looking -- they would be
3 willing to open up this matter again and have the
4 MEB review and reconsider its initial -- its initial
5 decision.

6 In addition to the affidavit, I mean,
7 the counsel put on basically three reasons why
8 they're requesting the review and reconsideration.

9 So that's that.

10 MR. ADOMEIT: Fae, anything?

11 MS. BROWN-BREWTON: The third bullet on
12 Attorney Zimberlin's letter is the basis for my
13 motion for denying the request, particularly the
14 last sentence: "As significant time has passed,
15 Ms. Williams-Knight is now able to prove
16 permanency."

17 That isn't the standard. It's at the
18 time. And at the time, clearly the MEB determined
19 that her maladies, although considerable, did not
20 render her permanently disabled.

21 Give me 10 years. I'm not going to
22 look so great either.

23 So, I'm suggesting that the fact the
24 time has elapsed and her conditions have increased
25 in number and perhaps significance does not mean

1 that she was permanently disabled at the time, so I
2 don't see any reason to send it back to the MEB.

3 MR. ADOMEIT: Is there a motion to --

4 MS. BROWN-BREWTON: That's a motion to
5 deny.

6 MR. ADOMEIT: Is there a second?

7 MR. COFFEY: I'll second it.

8 MR. ADOMEIT: All right. Is there any
9 further discussion? Cindy?

10 MS. CIESLAK: May I also recommend that
11 you make a determination as to the timeliness of her
12 request for reconsideration. In the event that the
13 attorney challenges this further, it is always best
14 to have all bases for denial on the record.

15 MR. ADOMEIT: Cindy, could you repeat that
16 please?

17 MS. CIESLAK: Yes. I was just
18 recommending that the trustees make a determination
19 as to whether the reconsideration was timely and if
20 they want to comment on timeliness of the request
21 for reconsideration.

22 MS. BROWN-BREWTON: Let me amend my
23 motion. And it's not timely.

24 MR. ADOMEIT: All right. Thank you. Is
25 there a second to that motion as amended?

1 MR. COFFEY: As amended, I second.

2 MR. ADOMEIT: Okay. Is there any further
3 discussion? Hearing none, all in favor say aye.
4 Opposed nay. Well, it's unanimous. Who could
5 oppose? Thank you very much.

6 All right. Colin, Lauren Tucker.

7 MR. NEWMAN: Lauren Tucker is an
8 individual that was initially employed by Southern
9 Connecticut State University as a part-time lecturer
10 in August of 2011. It appears that -- and there's
11 no retirement plan, no retirement election form,
12 C-0931, on file for this period of time, but it
13 doesn't appear that Ms. Tucker elected any plan upon
14 her hire date, which at the time, members of --
15 employees that were employed by in higher education
16 were given -- were given the ability to remain
17 undecided for a period of up to 90 days. Once
18 the -- if they still had not -- if they still had
19 not made a decision, then the member was defaulted
20 into the plan associated with their -- associated
21 with the bargaining unit, which for Ms. Tucker, her
22 default was the SERS Tier III plan.

23 As a part-time lecturer, she
24 worked -- she worked between 2011, and it appears up
25 to approximately 2017, and then she was hired into a

1 temporary position where she -- at that point she
2 had maintained her -- no, her Tier III membership.

3 She had reached out, I guess, in
4 September of '17, or somewhere around there, because
5 the Division responded to her requests, because I
6 guess she wanted to know what she had with respect
7 to contributions in the system. And then following
8 that, the Division had reached out to her because of
9 a mandatory contributions amount that was due to
10 that first period of service in which she had -- she
11 had not elected her plan.

12 From what she is saying, she appears
13 to have left State service for a couple years and
14 she was working in a private institution and now
15 she's back with Southern and now she's asking us
16 why -- could she rescind her membership in Tier III
17 and be enrolled in the teacher's retirement system
18 because of the fact that she had -- she had taught
19 previously in the Branford Public School system and
20 it looks like she had almost nine years of service
21 with them.

22 I had added that, you know, Exhibit E
23 from the Teachers' Retirement system, it appeared
24 that in order to be eligible for membership, the
25 third bullet is that you were employed for a minimum

1 average of half time or greater. As a part-time
2 lecturer, she was not employed at a minimum of half
3 time or greater and would have been ineligible for
4 Teachers Retirement, anyway.

5 MR. ADOMEIT: Okay.

6 MR. NEWMAN: Even if she had -- even if,
7 you know, she had asked for it back in 2011.

8 MS. BROWN-BREWTON: Before I make my
9 motion, is there an issue of timeliness with this
10 one?

11 MR. ADOMEIT: You want to add that to your
12 motion?

13 MS. BROWN-BREWTON: Before I make a
14 motion, I just want to that make sure I craft it
15 correctly. Are there any issues about timeliness?

16 MS. CIESLAK: I do note that there is a
17 six-year limitations period to make a claim. She
18 became aware of her membership in Tier III in or
19 about November 2011. So, yes, there is an issue of
20 timeliness.

21 MS. BROWN-BREWTON: So her signing off on
22 the election for Tier III kind of like puts her on
23 notice at the time, in 2011?

24 MS. CIESLAK: I would agree with that
25 statement.

1 MS. BROWN-BREWTON: Okay. So, I would
2 make a motion to deny her request.

3 MR. COFFEY: I'll second it.

4 MR. ADOMEIT: Is there any further
5 discussion? Hearing none, all in favor say aye or
6 raise your hand. Opposed nay. The ayes have it.

7 All right. We have concluded our
8 agenda and since I'm handicapped today, I didn't put
9 any money on any horse.

10 All right. I guess we're through
11 with our agenda.

12 MS. BROWN-BREWTON: I would move to
13 adjourn.

14 MR. COFFEY: I'll second.

15 MR. ADOMEIT: Who do you have for the
16 second? Bob or Carl, Cindy?

17 MS. CIESLAK: I believe Colin is taking
18 minutes, but I also have notes. Colin, if you need
19 any of my notes, I wrote down Bob, but I would be
20 happy to write down whoever you think seconded.

21 MR. ADOMEIT: It has been moved and
22 seconded. No further discussion. All in favor say
23 aye. Opposed may? The ayes have it.

24 Well, excellent meeting. Thank you
25 all very much. Motion to adjourn? Do we have a

1 motion out there to adjourn?

2 MS. CIESLAK: We just did that.

3 MR. ADOMEIT: We just did that. You know
4 what? I haven't had lunch. Thank you very much.

5 (Concluded at 3:01 p.m.)

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1 STATE OF CONNECTICUT:
2 : ss: Bristol
3 COUNTY OF HARTFORD :

4 I, Karen Vibert, LSR No. 00064, a
5 Notary Public for the State of Connecticut, do hereby
6 certify that the preceding pages are an accurate
7 transcription of the Purchase of Service and Other
8 Related Matters Subcommittee of the State Employees
9 Retirement Commission meeting held electronically via
10 Zoom, convening at 2:10 p.m., on September 23, 2020.
11
12
13
14
15
16
17
18

19 Dated at Bristol, Connecticut,
20 this 23rd day of June, 2020.
21

22
23
24 Karen Vibert
25 Karen Vibert, Notary Public
Commission expires: 8/31/2024



A				
<p>ability 20:18 26:16 able 6:24 11:19 20:4 24:15 absence 19:17 accurate 8:14 31:6 acted 3:1,3 action 22:24 active 3:17 4:6,9 5:14 6:7,25 7:10 8:19 10:19,25 11:12 12:23 13:4 13:8,15 active-duty 8:6 10:1,4,11 actual 3:7 4:6 8:19 add 28:11 added 27:22 adding 19:1 addition 8:4 24:6 additional 8:6 9:5 9:11 15:14 adequate 21:10 adjourn 29:13,25 30:1 admitted 15:8 Adomeit 1:10 2:2,5 2:12 5:16 7:4 9:19 15:4 17:22 18:7,15,25,25 19:4 21:7,15 24:10 25:3,6,8,15 25:24 26:2 28:5 28:11 29:4,15,21 30:3 advised 5:21 23:14 affidavit 23:23 24:6 afforded 23:1 agency 17:14 20:16 agenda 2:15 29:8 29:11 agree 28:24 allow 12:1 allowed 2:24 5:5,23 allowing 11:24 alternate 20:5 amend 25:22 amended 25:25 26:1</p>	<p>amount 27:9 announce 18:18,23 answer 4:11 anybody 20:23 anyway 28:4 appeal 4:4 appealing 20:8 appear 8:3,8 26:13 appeared 27:23 appears 5:11 6:4 10:5 19:12,14,25 26:10,24 27:12 application 2:20 3:1,24 5:20,25 6:20,21 7:13 8:7 9:2 12:17 22:25 23:6,9 applications 10:14 22:16 applied 5:1,3 8:16 8:22 11:23 22:1 applying 7:14 8:25 9:23 10:5,6 17:16 approved 23:8 approximately 3:2 23:10 26:25 April 22:1,14 Armando 2:18 Army 6:3,6 asked 4:5,15,16,17 5:9,10,12 6:9 8:4 8:8 10:16 11:15 11:19 12:6,13 15:14 28:7 asking 6:1,7 7:11 10:10,13 11:10,21 16:16 19:16 20:18 27:15 assistance 15:7 assistant 2:10,12 associated 26:20,20 assumed 21:12 assumption 14:11 17:12 attendance 2:5 attorney 2:5 24:12 25:13 August 19:8,22 20:1,9 26:10</p>	<p>automatic 14:11 automatically 20:5 average 28:1 aware 16:15 28:18 aye 18:9,10 21:17 26:3 29:5,23 eyes 18:15 21:19 29:6,23</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B 15:24 back 3:9 25:2 27:15 28:7 backup 7:25 bargaining 20:3 26:21 based 6:13,14,15 9:13 10:2,2 20:2 bases 25:14 basic 11:12 13:22 14:1,8 16:2 basically 3:25 4:10 20:7,12 22:19 23:4,13,23 24:7 basis 17:20 24:12 believe 3:19 16:18 29:17 best 25:13 Bettini 2:16,17,18 2:22 3:15 4:4 Blind 21:24 Board 22:3,18 Bob 2:6 9:19 29:16 29:19 bother 17:15,15 branch 19:7 Branford 27:19 Brazil 19:10,11 20:10 Bristol 31:1,19 brought 23:6 Brown-Brewton 1:11 2:8 5:18 7:1 7:5 8:13 12:8 13:20 14:5,10,15 14:22 15:1,10,21 16:3,14,21 17:18 17:24 18:19 20:20 21:2,8 24:11 25:4</p>	<p>25:22 28:8,13,21 29:1,12 Buchweitz 19:4,5,9 19:14,25 20:3 bullet 24:11 27:25 burqa 21:6 business 20:10,11 20:20 21:13</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C-0931 26:12 C01088 5:25 calendar 22:19 call 2:2,14 called 11:5,6,11,11 13:12 care 20:11 Carl 1:11 2:7 18:15 21:17 29:16 case 5:8 certain 16:9 22:15 certify 31:6 chair 2:6 Chairman 1:10 challenges 25:13 change 3:4 9:17 16:5,12 22:21,22 changed 5:4,6 16:5 16:9,17 17:3 22:14,16 changes 22:25 changing 16:16 charged 15:11,17 Chisem 1:11 2:7 18:14,21 choice 20:4 Cieslak 1:16 2:5 18:17 25:10,17 28:16,24 29:17 30:2 Cindy 1:16 2:5 25:9,15 29:16 claim 8:9 28:17 claimed 4:8 classes 21:3 clear 4:11 6:6 15:24 clearly 18:4 24:18 closure 23:7,17,20 Coffey 1:12 2:6</p>	<p>9:21 11:3,15 12:5 12:12 18:1,20 21:14 25:7 26:1 29:3,14 Colin 1:15 2:9 5:16 8:22 10:13 12:17 16:8 26:6 29:17 29:18 collective 20:3 come 19:11 coming 10:23 commenced 2:1 3:10 commencement 4:3 comment 25:20 Commission 2:6 23:7,17,19 31:9 31:25 commissioner 2:6,8 2:8 common 20:10 communications 20:16 23:25 complete 19:22 completed 16:19 completely 16:15 conceding 13:21 concluded 29:7 30:5 conditions 22:7 24:24 Connecticut 1:1 26:9 31:1,5,19 considerable 24:19 consideration 7:7 considered 2:23 12:5 considering 7:25 contact 19:15 contains 15:5 continues 6:5 continuously 19:1 contributions 27:7 27:9 CONVENED 1:7 convening 31:10 correct 7:7,23 8:3 15:2 correctly 28:15</p>

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