
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY & BENEFIT FUND OF CHICAGO
HELD
THURSDAY – SEPTEMBER 27, 2018

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund Chicago (the Fund) was held 9:30 a.m. on September 27, 2018 at the office of the Fund, 221 N. LaSalle Street, Suite 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Deposition Solutions LLC Court Reporters and are made a part of the record.

PRESENT: Trustees Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

ABSENT: Brown, Caldero, Summers 3.

PRESIDING: President Hauser

President Hauser called the meeting to order.

The first order of business was review and approval of the Minutes for the Investment Committee meeting held September 24, 2018.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Minutes of September 24, 2018, as submitted.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

The next order of business was review and approval of the Minutes for the Regular Board meeting held August 30, 2018.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the Minutes of August 30, 2018, as submitted.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

The next order of business was review and adoption of the orders by the Board as submitted by the Board's counsel.

In the matter of **Kimberly Nelson**, the Board finds Nelson's medical condition is disabling which entitles her to an ordinary disability benefit. The Board further finds that Nelson has not met her burden of proving her disability is the result of an identifiable act of duty incident. Nelson's application for a duty disability benefit is therefore denied, and Nelson is granted an ordinary disability benefit as more fully defined in the Pension Act.

It was moved by Trustee Beyna, seconded by Trustee Wright that the Board approve the order regarding Kimberly Nelson.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

Two candidates for the upcoming Trustee election were present and indicated a desire to address the Retirement Board concerning an issue that occurred with petition drop off.

MINUTES CONTINUED

September 27, 2018

Page 2

Executive Director Tuczak summarized for the Board the events of September 26, 2018, the first day allowed for the filing of petitions for this year's Trustee Elections.

At 9:00 a.m., the posted time on the Fund's website, the Fund's staff began to accept petitions. The rules indicate that the candidates' order on the ballot is determined by the order in which the petitions are filed. There were candidates in the hallway prior to the opening of the office. The Fund had intended to go with the order by which the candidates were in the hallway. The Fund had one candidate who expressed concern that the order of accepting petitions, which coincided with the order on the ballot, did not appear to be in accordance with his view of the rules. The candidate believed that at 9:00 a.m. when the petitions drop-off began, anybody present should be put into a lottery for the order on the ballot. When the candidate voiced this issue on September 26, the other two candidates that were ahead of him in the hallway prior to petition submission were no longer present. To address this matter in a fair manner, all affected candidates of this group were invited to be present at this September 2018 Board meeting to resolve this matter.

Candidate Saladino addressed the Retirement Board.

Candidate Kelly addressed the Retirement Board.

Upon agreement with the candidates present, the Retirement Board indicated that the positioning on the ballot for the 2018 election for annuitant representative will be 1) Lappe, 2) Kelly, 3) Saladino, and following in order whoever else submits petitions.

After hearing from the candidates, other matters concerning the election were deferred to the Sufficiency meeting scheduled for 1:00 p.m. on October 5, 2018, which is the appropriate time to address any further election issues.

The President turned the meeting over to the Recording Secretary. Review of the agenda was as follows:

PAGE NO. REFERENCE

1 – 4 Incurred Expenses for the Month of September 2018.

It was moved by Trustee Beyna, seconded by Trustee Hauser that the Board approve the obligations as detailed on pages 1 through 4.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

5 – 8 Refunds of Contributions; Withdrawal of Service, Widow's Annuity
Accumulations, Widow's Annuity Accumulations – *Revised*, and Exempt Rank

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the Refunds as detailed on pages 5 through 8.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 3

PAGE NO. REFERENCE

9 - 11 Payments to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve payments to heirs of deceased annuitants as detailed on pages 9 through 11.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

12 Refund of Unused Annuity Accumulations

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the refund of unused annuity accumulations as detailed on page 12.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

13 Refund of Annual Increase Contributions (*less than 20 years*)

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the refund of annual increase contributions as detailed on page 13.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

14 - 16 Annuities [Summary on page 17]

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the Annuities as detailed on pages 14 through 16.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

18 Annuities - Revised

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the Revised Annuities as detailed on page 18.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

19 - 20 Annuities to Widows [Summary on page 21]

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the Annuities to Widows as detailed on pages 19 and 20.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 4

PAGE NO. REFERENCE

22 Annuities to Children

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Annuities to Children as detailed on page 22.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

FROM THE FLOOR Duty Disability Claim

a) **Thompson, Theresa M.**

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Beyna that the Board grant the officer subject to a full evidentiary hearing an ordinary disability benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if it is deemed warranted.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

23 - 26 Payments of Death Benefits [Summary on page 27]

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve payments of the death benefits as listed on pages 23 through 26.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

LEAVES

28 REQUESTS FOR PENSION CREDIT FOR LEAVE OF ABSENCE MILITARY SERVICE
USERRA AND 40 ILCS 5/5-212

Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the requests to purchase leave of absence military service as detailed on page 28.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

MISCELLANEOUS

29 GUARDIANSHIP APPOINTMENT

Chiappetta, Ralph E.

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the guardianship appointment as detailed on page 29.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 5

PAGE NO. REFERENCE
30 REQUESTS FOR PENSION CREDIT FOR PRIOR MILITARY
 SERVICE UNDER 40 ILCS 5/5-214.3

Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Hauser that the Board approve the requests to purchase prior military service as detailed on page 30.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board enter into executive session per 2 (c) (11).

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board exit the executive session.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

HEARINGS

31 REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE
Ciaravino, Anthony G.

Officer Anthony Ciaravino appeared before the Board, without counsel, on his request to purchase pension credit for prior service. Board counsel reviewed with Officer Ciaravino the procedures of an administrative hearing, along with his right to have an attorney represent him. Anthony Ciaravino agreed to proceed without legal representation. After hearing testimony from Officer Ciaravino and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board deny Officer Ciaravino's petition to receive pension credit for prior service in accordance with the Pension Compiled Statutes.*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

32 REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE
Norberg, Thomas J.

Officer Thomas Norberg appeared before the Board, without counsel, on his request to purchase pension credit for prior service. Board counsel reviewed with Officer Norberg the procedures of an administrative hearing, along with his right to have an attorney represent him. Thomas Norberg agreed to proceed without legal representation. After hearing testimony from Officer Norberg and reviewing documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board deny Officer Norberg's petition to receive pension credit for his prior service in accordance with the Pension Compiled Statutes.*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

PAGE NO. REFERENCE

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEW

33

Engelhardt, Daniel P.

Attorney for Officer Daniel Engelhardt appeared before the Board on the status review of his disability and requested a continuance.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board grant Officer Engelhardt a continuance to the October 2018 Board meeting, and if the matter is continued again, his disability benefit shall be suspended immediately.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

34

Howard, Andre L.

Officer Andre Howard appeared before the Board, without counsel, on his duty disability status review and requested a continuance for 60 days.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board grant Officer Howard a 60-day continuance to the November 2018 Board meeting, with the suspension of his November 2018 disability benefits if he fails to appear on that date.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

35

Jasinski, Robert P.

Officer Robert Jasinski appeared before the Board, without counsel, on his duty disability status review. Board counsel reviewed with Officer Jasinski the procedures of an administrative hearing, along with his right to have an attorney represent him. Robert Jasinski agreed to proceed without legal representation. After hearing testimony from Officer Jasinski, Sergeant Thomas Risley of the Medical Section, Chicago Police Department, Peter Orris, M.D., the Board's consulting physician, and reviewing the medical reports and documents submitted, *it was moved by Trustee Beyna, seconded by Trustee Wright that the Board terminate Officer Jasinski's duty disability benefit effective October 31, 2018.*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

36

Warner, Brian C.

Officer Brian Warner appeared before the Board, with counsel, on his duty disability status review. After hearing testimony from Officer Warner, his attending physician Stevan Hobfoll, PhD, the Board's consulting physician Nancy Landre, PhD and reviewing the medical reports and documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board enter into executive session per 2 (c) (11).*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 7

PAGE NO. REFERENCE

36 **Warner, Brian C.**, Continued

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board continue this matter to the November 2018 Board meeting for the submission of further medical records.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

The Executive Director reviewed with the Board the following matters.

Officer **Keisha Y. Howard** is currently in receipt of duty disability benefits. Executive Director Tuczak received an evaluation from the Board's consulting physician on her current medical condition, in which Dr. Orris recommends a Functional Capacity Evaluation.

It was moved by Trustee Wright, seconded by Trustee Wodnicki that the Board approve a Functional Capacity Evaluation (FCE) on Keisha Howard per the recommendation of the Board's consulting physician.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

Officer **Dennis L. O'Connell** is currently in receipt of duty disability benefits. Executive Director Tuczak received an evaluation from the Board's consulting physician on his current medical condition, in which Dr. Orris recommends an Independent Medical Evaluation (IME).

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve an IME on Dennis O'Connell per the recommendation of the Board's consulting physician.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

Sergeant **Michael V. Saladino** is currently in receipt of duty disability benefits. Executive Director Tuczak received communication from the Board's consulting physician concerning his current medical condition, in which Dr. Orris believes a Functional Capacity Evaluation (FCE) is necessary to complete an evaluation. Various attempts to have Sergeant Saladino complete a FCE have been unsuccessful. Michael Saladino's attending physician has released him to complete a FCE, which is scheduled for this date September 27, 2018, which he failed to attend.

It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board suspend Michael Saladino's disability benefit effective October 1, 2018.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 8

The next issue Executive Director Tuczak reviewed was the rescheduling of the Election Petition Sufficiency meeting of Friday, October 5, 2018 to 1:00 pm. The time change was to accommodate attendance of a quorum.

Ms. Tuczak next discussed a disability status matter regarding Officer **Margaret M. Graszer**. Based on the Board's consulting physician report on her current medical condition, she has been scheduled for a status review. This status review was originally scheduled for June of 2018. However, Officer Graszer provided communication to the Board requesting a continuance to September 2018, due to her husband's medical condition. Such continuance provided a timeframe longer than the typical practice of the Board. The Board granted her a continuance to September 2018. Prior to sending out the September 2018 Notices of Hearing, the Fund's staff received a request from her for an additional continuance, to April 2019, again due to the medical condition of her husband. She was then not scheduled for a September 2018 hearing. Trustee Beyna indicated that he had spoken with Officer Graszer and she assured him that she would attend a hearing in November if a continuance to such date was granted.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board continue Margaret Graszer's status review to the November 2018 Board meeting, with suspension of her November disability benefits if she fails to appear at the hearing.

ROLL CALL

For: Beyna, Hauser, Wodnicki, Wright 4.
Absent: Brown, Caldero, Summers 3.
Against: Hamburger 1.

Ms. Tuczak next discussed renewal of the Fund's staff health insurance, which has a renewal date of December 1, 2018. The Executive Director provided a cost analysis of two different alternatives. The Fund has 21 employees and approximately 10 retirees on the health insurance plan. The Fund retirees were not employed with the City, therefore are not eligible for any City plans. Option A covers all active and retired members with all cost increases associated with retiree coverage assumed by the retiree; any subsidy by the Fund would remain constant. Option B eliminates the retirees from the plan with no further subsidy.

After discussion, it was moved by Trustee Wright, seconded by Trustee Beyna that the Board approve Option A for the renewal of the Fund employee and retiree health insurance.

ROLL CALL

For: Beyna, Hauser, Wodnicki, Wright 4.
Absent: Brown, Caldero, Summers 3.
Against: Hamburger 1.

Executive Director turned the floor over to Attorney Justin Kugler.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board enter into executive session per 2 (c)(11).

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Caldero, Summers 3.
Against: 0.

MINUTES CONTINUED

September 27, 2018

Page 9

The next item was from the Fund's Chief Investment Officer, Aoifinn Devitt.

Ms. Devitt requested approval for upcoming travel in the remaining months of 2018. Two trips were requested for October 2018: one is a client forum and the other is the PIMCO Client Institute. Two trips were requested for November 2018; the Women's Alternative Asset Summit and the P&I forum.

After discussion, it was moved by Trustee Beyna, seconded by Trustee Wright that the Board approve the travel requests of the Fund's CIO, as summarized.

ROLL CALL

For: Beyna, Hamburger, Hauser, Wright 4.

Absent: Brown, Caldero, Summers 3.

Against: Wodnicki 1.

The next item was from Board counsel, Justin Kugler, regarding some proposed Open Meetings Act rules, which were previously distributed to all Trustees. It was agreed to review the rules and vote on the matter at the next Board meeting in October.

All business concluded for this date, September 27, 2018, *it was moved by Trustee Wright, seconded by Trustee Beyna that this meeting be adjourned.*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.