
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
HELD
THURSDAY – JUNE 27, 2019

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago (the "Fund") was held 9:00 a.m. June 27, 2019 at the office of the Fund, 221 North 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 Solution LLC Court Reporters and are made a part of the record.

PRESENT: Trustees: Bennet, Beyna, Conyears-Ervin, Hamburger, Wodnicki, Wright 6

ABSENT: Park and Lappe 2

PRESIDING: President Beyna

OTHERS PRESENT:

Mr. Kenneth Kaczmarz, Interim Executive Director, Ms. Caroline Vullmahn, Comptroller, Mr. David Kugler, Board Counsel, Mr. Justin Kugler, Legal Counsel, Dr. Peter Oris, Board Physician and Staff Members Mr. Robert Crawford, Ms. Kay Hylton, Mr. Jackson Lockard, Mr. Peter Kim and Ms. Carol Vega,

PUBLIC IN ATTENDANCE

Mr. Carlos Saladino, FOP Representative, Ms. Rosemarie Giambalvo and Mr. Christopher Lawson, Annuitant members.

President Beyna called the meeting to order and recognized Annuitant member Christopher Lawson who had expressed interest in addressing the Board. Direction was given that the public comment section is for members to express their concerns and views. It is not a question and answer session.

Mr. Lawson began by distributing a copy of a news article and making inaccurate statements concerning the Fund and its counsel. Mr. Lawson then began videotaping the trustees before leaving of his own accord.

The first order of business was the review of the Minutes of the Regular Board meeting held May 31, 2019. *It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Minutes of May 31, 2019, as submitted.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

The next order of business was the review of the Minutes of the Investment Committee meeting of June 24, 2019

MINUTES CONTINUED

June 27, 2019

Page 2.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the Minutes of the Investment Committee meeting held June 24, 2019 and contract negotiations previously discussed.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

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

In the matter of **Clay T. Walker**; The Board finds that Mr. Clay T. Walker's medical condition is not now disabling as disability is defined in the Act. Payment of Mr. Walker's duty disability benefits will therefore cease on June 30, 2019 and Walker is directed to report to the CPD for an assignment.

It is moved by Trustee Hamburger, seconded by Trustee Wright that the Board approved the order regarding Clay T. Walker.

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

Fund President Beyna turned the meeting over to the Recording Secretary Wright for approval of the June 2019 Docket Items.

PAGE NO. REFERENCE

1 - 5 Incurred Expenses for the Month of May 2019.

A motion was made by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the Incurred Expenses as detailed on pages 1 through 5.

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

6 - 9 Refunds of Contributions; Withdrawal of Service and
Widow's Annuity Accumulations

A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the Refunds as detailed on pages 6 through 9.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

MINUTES CONTINUED

June 27, 2019

Page 3.

PAGE NO. REFERENCE

10 - 11 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve payments to heirs of deceased annuitants as detailed on pages 10 and 11.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

12 Refund of Unused Annuity Accumulations

Motion on page 7 of these minutes.

13 – 17 Annuities [Summary pg. 18]

A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the new Annuities as detailed on pages 13 through 17.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

19 – 20 Annuities to Widows [Summary pg. 21]

A motion was made by Trustee Hamburger seconded by Trustee Beyna that the Board approve the Annuities to Widows as detailed on pages 19 and 20.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

22 Ordinary Disability Claim

a) Manker, Swazilla

A motion was made by Trustee Beyna, seconded by Trustee Hamburger, that based on medical reports, the Board would defer to a full evidentiary hearing.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

MINUTES CONTINUED

June 27, 2019

Page 4.

PAGE NO. REFERENCE

23 -25 Payment of Death Benefits

*A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the applications for death benefits as listed on pages 23 through 25 excluding officer **David Downey** and **Crecencio Gonzales** as discussed.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board deny officer Downey the death benefit.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board deny officer Gonzalez the death benefit.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

27 REQUESTS FOR PENSION CREDIT FOR MILITARY SERVICE LEAVE OF
 ABSENCE UNDER USERRA and 5-212.

A motion was made by Trustee Beyna seconded by Trustee Hamburger that the Board approve the Military Leaves as detailed on page 27.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

MINUTES CONTINUED

June 27, 2019

Page 5.

PAGE NO. REFERENCE

REQUESTS FOR PENSION CREDIT FOR LEAVE OF ABSENCE

28 **Galvan, Jr., Charles**

*Documentation verified, a motion was made by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve the request to purchase prior military service under 5/212 for member **Charles Galvan**, for the period Oct 27, 2004 – May 26, 2006 as detailed on page 28.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

29 **O'Neill, Robert T.**

*Documentation verified, a motion was made by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve the request to purchase prior military service under 5/212 for member **Robert T. O'Neill**, for the period Sep. 4, 2012 – June 14, 2019 as detailed on page 29.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

30 GUARDIANSHIP APPOINTMENT

Grenlie, Robert L.

Documentation verified, a motion was made by Trustee Beyna, seconded by Trustee Hamburger that on advice of Counsel, the Board acknowledge the guardianship appointment for Robert L. Grenlie as detailed on page 30.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

31 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR COOK COUNTY
SERVICE UNDER 5-214 (c)

Documentation verified, a motion was made by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve the request to purchase prior Cook County service under 5/214 as detailed on page 31.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.
MINUTES CONTINUED
June 27, 2019
Page 6.

PAGE NO. REFERENCE
32 REQUESTS TO PURCHASE PENSION CREDITS FOR PRIOR LAW
 ENFORCEMENT SERVICE UNDER 40 ILCS 5/5-214.2

*Documentation verified, a motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board **deny** the request to purchase prior Law Enforcement service for member **Gary McGovern** under 5/214.2 as detailed on page 32.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.
Against: None
Absent Lappe, Park 2.

33 REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR
 MILITARY SERVICE UNDER 5-214.3

*Documentation verified, a motion was made by Trustee Hamburger, seconded by Trustee Wodnicki that the Board approve the request to purchase additional pension credit for prior military service member **William Todde** under 5/214.3 as detailed on page 33.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.
Against: None
Absent Lappe, Park 2.

DISABILITY HEARINGS

34 **John W. Harrison**

35 **Daniel Sadowsky Jr.**

Attorney Ralph Licari appeared on behalf of Duty Disability applicants John W. Harrison and Daniel Sadowsky Jr. to request a continuance to obtain additional medical evidence.

After a brief discussion, it was moved by Trustee Wright, seconded by Trustee Hamburger to continue both matters until counsel is prepared,

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.
Against: None
Absent Lappe, Park 2.

Attorney Licari would present a status for each matter at the July meeting.

A motion was made by Trustee Wright, seconded by Trustee Hamburger that the Board enter executive session under 2 (c) (11).

MINUTES CONTINUED

June 27, 2019

Page 7.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

A motion was made by Trustee Hamburger, seconded by Trustee Wright that the Board exit executive session.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

PAGE NO. REFERENCE

12 REFUNDS OF UNUSED ANNUITY ACCUMULATIONS

A motion was made by Trustee Hamburger, seconded by Trustee Wodnicki that the Board approve the Refunds of Unused Annuity Accumulations as detailed on page 12.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

37 DUTY DISABILITY STATUS REVIEWS

Guerrero, Angelica

Officer Angelica Geurrero appeared with counsel, Ralph Licari, before the Board on her disability status review. After hearing testimony from Ms. Gueurero and a review of the relevant medical records, a motion was made by *it was moved by Trustee Hamburger, seconded by Trustee Wright to terminate Disability Benefits effective July 31, 2019 and direct Ms. Guerrero to the Chicago Police Department for reinstatement.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

EXECUTIVE DIRECTORS REPORT

Interim Executive Director Kenneth Kaczmarz provided the following items:

A draft of the Pension Advisor Newsletter has been distributed for trustee comment and indicated that Trustee Beyna has requested that the document be distributed to all active members via the CPD Share Point system which will save printing and postage.

MINUTES CONTINUED

June 27, 2019

Page 8.

Fund staff member, Richard Muhlbacher has provided a printout indicating the level of Computer and data backup that is currently in place as a follow up to questions raised at the May meeting. Further discussions of the Fund's IT systems will be deferred until the recently hired permanent Executive Director is updated on the process.

The Fund has received an approximate 90% return on the signature letters that were mailed to all beneficiaries in early June. The Fund is utilizing a "Bar Coding" program that will assist in processing the Notarized documents and the creation of the second notice letters.

Mr. Kaczmarz indicated that Final copies of the Fund's December 31, 2018 Audited Financial Statements, The Fund's Independent Actuarial Valuation and GASB reports Have been distributed to all Trustees and thanked the Fund's Comptroller and her team for their diligent efforts. The Fund's CAFR and State of Illinois Department of Insurance reports would also be completed by June 30, 2019

LEGAL STATUS REPORT

Fund Counsel, David Kugler provided an update of cases currently pending.

Mr. Kugler reported that Attorney Krislov is requesting fees in the ongoing Underwood case involving hospitalization and continued subsidy of premiums for certain class members. All the Funds believe that the manner of calculation of Mr. Krislov's request would result in a diminishment of benefits.

BOARD REVIEW OF PHYSICIAN RECOMMENDATIONS

A motion was made by Trustee Wright, seconded by Trustee Hamburger that the Board enter executive session under 2 (c) (11).

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

A motion was made by Trustee Wright, seconded by Trustee Hamburger that the Board exit executive session.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

MINUTES CONTINUED

June 27, 2019

Page 9.

PAGE NO. REFERENCE
37 DUTY DISABILITY STATUS REVIEWS
 Prus-Bright, Elizabieta

Officer Elizabieta Prus –Bright appeared before the Board on her disability status review. After hearing testimony from Ms. Prus-Bright and a review of the relevant medical records, the trustees directed that additional Medical testing be obtained and that a hearing be scheduled when the reports are provided.

A motion was made by Trustee Hamburger, seconded by Trustee Wright to approve the necessary medical testing.

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

MISCELLANEOUS

38 REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE
 Craig, Jr., John

Fund Counsel. David Kugler proceeded to conduct a hearing to consider a request from member John R. Craig Jr. for the purchase of credit for prior service under 40 ILCS 5/5-214 for the period of June 16, 1997 through November 24, 2002.

After hearing testimony and reviewing the Documentation submitted, *a motion was made by Trustee Wright seconded by Trustee Hamburger that the Board approve the Officer Craig's request to purchase prior service under 5/214 as detailed on page 38.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

All business having been conducted, *a motion was then made by Trustee Hamburger, seconded by Trustee Wright to adjourn the proceedings.*

ROLL CALL

For: Bennett, Beyna, Conyears- Ervin, Hamburger, Wodnicki, Wright 6.

Against: None

Absent Lappe, Park 2.

Meeting is adjourned.