



## **Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago**

### **MINUTES**

#### **BOARD MEETING**

THURSDAY – MARCH 23, 2023

**Board Meeting Agenda**  
**March 23, 2023, 9:00 A.M.**

- 1) Roll Call
- 2) Requests from Members of the Public to Address the Board
- 3) Approval of Administrative Items
  - a) Approval of Minutes – Board Meeting held February 23, 2023
  - b) Approval of Minutes - Executive Sessions during Board Meeting held February 23, 2023
  - c) Approval of Transcript - Board Meeting held February 23, 2023
- 4) Consideration for Approval of Board Orders
  - a) Officer Andrew Kutella – Duty Disability Claim
- 5) Consideration for Approval of Benefit Applications and Expenses
- 6) Consideration for Approval of Widow’s Request for Compensation Annuity – Elizabeth Huerta
- 7) Consideration for Approval of Applications for Disability / Reviews
  - a) Hearing for Officer Heriberto Trevino, Jr. – Duty Disability
  - b) Hearing for Detective Brian J. Leahy – Duty Disability
  - c) Hearing for Officer LaShonda A. Nash – Duty Disability
  - d) Status Review for Officer Sarah N. Hecker – Duty Disability
- 8) Consideration and Possible Action Regarding Physician's Recommendations
- 9) Consideration and Possible Action Regarding Actuarial Impact Study
- 10) Consideration and Possible Action Regarding Salary Analysis\*
- 11) Legal Review\*
  - a) In-process case report
  - b) Other
- 12) Other Business

\*Topics may be discussed in closed session in accordance with the applicable Open Meetings Act provisions.

Board Members Present:

Jennie Huang Bennett*	Trustee
Melissa Conyears-Ervin*	Trustee
John Lally	Trustee
Wayne Metcalfe	Trustee
Susie Park	Trustee
Stephen Skardon	Vice President
Michael Stiscak	President, Recording Secretary

Staff Present:

Kevin Reichart	Executive Director
Sarah Boeckman	Board Counsel
Kay Hylton	Benefits Manager
Bob Crawford	Disability Manager
Jason Wasiukiewicz^	Staff Assistant

Consultants and Advisors Present:

Dr. Susan Buchanan	Board Physician
Richard Reimer	Board Attorney/Hearing Officer
Deanna Jones^	NEPC

Public in Attendance:

Craig Slack	City of Chicago Office of the Treasurer
Brian Leahy*	Police Officer/Detective, CPD
Ralph Licari*	Attorney
Heriberto Trevino, Jr.*	Police Officer, CPD
Lashonda Nash*	Police Officer, CPD
Sara Hecker*	Disability Recipient, CPD
Rosemarie Giambalvo	Retired, CPD

Other unidentified persons were in attendance.

^ Denote attendance virtually

\*Denotes partial attendance

### **ROLL CALL**

Trustee Stiscak called the meeting to order and determined a quorum was present.

### **REQUESTS FROM MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD**

Trustee Stiscak asked if there were any requests from the public to address the Board.

Retired member Rosemarie Giambalvo addressed the Board.

### **APPROVAL OF ADMINISTRATIVE ITEMS**

The first order of business was the review of the minutes of the Board Meeting held February 23, 2023.

*A motion to approve the minutes from the Board Meeting held February 23, 2023, was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                   For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Bennett, Conyears-Ervin, Lappe.

The next order of business was the review of the minutes of the Executive Sessions held February 23, 2023. *A motion to approve the minutes from the Executive Sessions held February 23, 2023, was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                   For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Bennett, Conyears-Ervin, Lappe.

The next order of business was the review of the transcript of the Board Meeting held February 23, 2023. *A motion to approve the transcript of the Board Meeting held February 23, 2023, was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                   For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Bennett, Conyears-Ervin, Lappe.

### **APPROVAL OF BOARD ORDERS**

#### **Officer Andrew Kutella**

Duty Disability Claim

Board Counsel provided a draft order to the Board.

*A motion to approve the Board Order as submitted for Andrew Kutella was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                   For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Bennett, Conyears-Ervin, Lappe.

## CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES

### **DOCKET: SCHEDULE I-A Incurred Expenses for the Month of March 2023**

*A motion to approve the Incurred Expenses as detailed on Schedule I-A was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

### **DOCKET: SCHEDULE II-A Refunds and REVISED Refunds of Contributions**

*A motion to approve the Refunds as detailed on Schedule II-A was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

### **DOCKET: SCHEDULE II-B Refunds of Surviving Spouse's Contributions**

*A motion to approve the Refunds as detailed on Schedule II-B was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

### **DOCKET: SCHEDULE II-B Refunds of Surviving Spouse's Contributions - REVISED**

*A motion to approve the Refunds as detailed on Schedule II-B-Revised was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

### **DOCKET: SCHEDULE II-C Refunds of Exempt Rank Contributions**

*A motion to approve the revised Refunds as detailed on Schedule II-C was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

### **DOCKET: SCHEDULE II-D Partial Payment to Heirs of Deceased Annuitants**

*A motion to approve Payments to Heirs of Deceased Annuitants as detailed on Schedule II-D was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE II-E Refund of Unused Contributions**

*A motion to approve the Refund of Unused Contributions as detailed on Schedule II-E was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE III-A Annuities with a Summary page**

*A motion to approve the Annuities as detailed on Schedule III-A was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE III-A Annuities - REVISED**

*A motion to approve the Annuities-Revised as detailed on Schedule III-A was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE III-B Annuities to Widows with a Summary page**

*A motion to approve the Annuities to Widows as detailed on Schedule III-B was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE III-C Annuities to Children**

*A motion to approve the Annuities to Children as detailed on Schedule III-C was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE IV Disability Benefits**

Raid A. Ghanimah, Claiming Duty Disability

The Board Physician provided a review of the applicant's medical reports.

*A motion to award Raid Ghanimah, subject to a full evidentiary hearing, an ordinary 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 was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                    For:            Lally, Metcalfe, Park, Skardon, Stiscak.  
    Against:    0.  
    Absent:     Bennett, Conyears-Ervin, Lappe.

Robin A. Gonzales, Claiming Duty Disability

The Board Physician provided a review of the applicant's medical reports.

*A motion to award Robin Gonzales, subject to a full evidentiary hearing, an ordinary 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 was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:                    For:            Lally, Metcalfe, Park, Skardon, Stiscak.  
    Against:    0.  
    Absent:     Bennett, Conyears-Ervin, Lappe.

Charles J. Rollins, Claiming Duty Disability

The Board Physician provided a review of the applicant's medical reports.

*A motion to award Charles Rollins, subject to a full evidentiary hearing, an ordinary 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 was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                    For:            Lally, Metcalfe, Park, Skardon, Stiscak.  
    Against:    0.  
    Absent:     Bennett, Conyears-Ervin, Lappe.

Noel Torres, Claiming Duty Disability

The Board Physician provided a review of the applicant's medical reports.

*A motion to award Noel Torres, subject to a full evidentiary hearing, an ordinary 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 was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:                    For:            Lally, Metcalfe, Park, Skardon, Stiscak.  
    Against:    0.  
    Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE V Payment of Death Benefits with a Summary**

*A motion to approve payment of the Death Benefits as indicated on Schedule V was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE VI PENSION CREDIT FOR LEAVES OF ABSENCE UNDER 40 ILCS 5/5-212)**

Documentation review and discussion concluded. *A motion to approve the additional pension credit for other service under 40 ILCS 5/5-212 as detailed on Schedule VI was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE VII-A REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR SERVICE UNDER 40 ILCS 5/5-154**

Documentation review and discussion concluded. *A motion to approve the request for child benefits to a disability recipient under 40 ILCS 5/5-154 as detailed on Schedule VII-A was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

**DOCKET: SCHEDULE VII-B REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR MILITARY SERVICE UNDER 40 ILCS 5/5-214.3**

Documentation verified, review and discussion concluded. *A motion to approve the request to purchase additional pension credit for prior military service under 40 ILCS 5/5-214.3 as detailed on Schedule VII-C was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.

General docketed items completed.

**HEARINGS**

*A motion to appoint Richard Reimer as the Hearing Officer for all disability cases scheduled to be heard at this meeting was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Bennett, Conyears-Ervin, Lappe.



**DOCKET: SCHEDULE VIII-A: COMPENSATION WIDOW'S ANNUITY CLAIM**

Elizabeth Huerta

Ms. Sarah Boeckman advised the Board that Mrs., Huerta would like additional time to obtain medical documentation to support her application.

This matter is postponed.

**DOCKET: SCHEDULE VIII-B DUTY DISABILITY HEARING**

Officer Heriberto Trevino, Jr.

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Heriberto Trevino, Jr. Officer Trevino appeared before the Board, with counsel, on his claim for a duty disability benefit. The records and documents presented were reviewed and testimony was taken from claimant.

*A motion to go into executive session pursuant to 5 ILCS 120/2(c)(4) was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:                For:            Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Bennett, Conyears-Ervin, Lappe.

Trustee Bennett entered the proceedings.

*A motion to return to open session was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:                For:            Bennett, Lally, Metcalfe, Park, Skardon, Stiscak.  
                                  Against:    0.  
                                  Absent:     Conyears-Ervin, Lappe.

*A motion to award Officer Heriberto Trevino duty disability benefits for the period September 28, 2020 through March 1, 2022, was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL:                For:            Lally, Metcalfe, Stiscak.  
                                  Against:    Bennett, Park, Skardon.  
                                  Absent:     Conyears-Ervin, Lappe.

3:3 VOTE

*UNDER THE OPEN MEETINGS ACT, AND CASE LAW, THAT IS A PUSH, STATUS QUO, WHICH MEANS THE ORDINARY DISABILITY BENEFIT WILL CONTINUE.*

Trustee Conyears-Ervin entered the proceedings.

Detective Brian Leahy

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Brian Leahy. Officer Leahy appeared before the Board, with counsel, on his claim for a duty disability benefit. The records and documents presented were reviewed and testimony was taken from claimant and the Board's physician.

*A motion to award Detective Brian Leahy duty disability benefits at 75% of salary was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
Against: 0.  
Absent: Lappe.

#### Officer Lashonda Nash

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Lashonda Nash. Officer Nash appeared before the Board, with counsel, on her claim for a duty disability benefit. The records and documents presented were reviewed and testimony was taken from claimant and the Board's physician.

*A motion to award Officer Lashonda Nash duty disability benefits at 75% of salary was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
Against: 0.  
Absent: Lappe.

#### **DOCKET: SCHEDULE VIII-C DUTY DISABILITY STATUS HEARING**

##### Sara Hecker - Hearing

Officer Hecker appeared before the Board, without counsel, on her disability status review and requested a continuance in order to obtain legal counsel.

*A motion to grant Officer Hecker a continuance to the May 25, 2023 Board meeting was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL: For: Lally, Metcalfe, Park, Skardon, Stiscak.  
Against: 0.  
Absent: Bennett, Conyears-Ervin, Lappe.

#### **CONSIDERATION AND POSSIBLE ACTION REGARDING PHYSICIAN'S RECOMMENDATIONS**

*A motion to approve the physician's recommendations was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
Against: 0.  
Absent: Lappe.

#### **CONSIDERATION AND POSSIBLE ACTION REGARDING ACTUARIAL IMPACT STUDY**

There is current legislation - Senate Bill 1631 - regarding the COLA, a cost-of-living raise, for the members that were born after 1966. Due to recent legislative action, both sides, including the legislative committee, are looking for information from PABF regarding what the impact would be regarding how many members would be affected and what the financial impact would be to this Fund.

*A motion to approve retaining GRS to do an actuarial analysis for SB 1631 with a fee up to \$5,000 was made by Trustee Skardon, seconded by Trustee Bennett.*

ROLL CALL: For: Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
Against: 0.  
Absent: Lappe.

**CONSIDERATION AND POSSIBLE ACTION REGARDING SALARY ANALYSIS**

*A motion to go into executive session pursuant to 5 ILCS 120/2(c)(1) was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL:           For:           Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Lappe.

*A motion to return to open session was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL:           For:           Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Lappe.

**LEGAL REVIEW - IN-PROCESS CASES STATUS REPORT**

Board’s legal counsel Sarah Boeckman provided a report, which was included in the materials provided previously to the Board for review. No action or discussion was required.

**OTHER BUSINESS**

President Stiscak, informed the Board that beginning in April, members who currently receive a monthly benefit from the Fund will have the opportunity, if they choose, to enroll in the benefit payment web passport portal through the Fund's custodian, Northern Trust. After completing a secure enrollment process which involves providing key data elements to create a unique user ID and passport, enrollees will have secure access to their payment history and can obtain copies of their 1099Rs, change their tax withholdings or direct deposit information, as well as update their address and contact information all online.

All business concluded *a motion to adjourn was made by Trustee Lally, seconded by Trustee Skardon.*

ROLL CALL:           For:           Bennett, Conyears-Ervin, Lally, Metcalfe, Park, Skardon, Stiscak.  
                          Against:    0.  
                          Absent:     Lappe.