



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

MINUTES

BOARD MEETING

THURSDAY – JULY 27, 2023

**Board Meeting Agenda
July 27, 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 June 23, 2023
 - b) Approval of Minutes - Executive Session during Board Meeting held June 23, 2023
 - c) Approval of Transcript - Board Meeting held June 23, 2023
 - d) Periodic Review of Closed Session Minutes
- 4) Consideration for Approval of Benefit Applications and Expenses
- 5) Consideration for Approval of Applications for Disability / Reviews
 - a) Hearing for Officer Amy Carey – Duty Disability
 - b) Hearing for Officer Jeffery Shafer – Duty Disability
 - c) Hearing for Officer Alfred Caruso – Duty Disability
 - d) Status Review for Officer Richard Arroyo – Duty Disability
 - e) Status Review for Officer Carlos Zamora – Duty Disability
- 6) Legal Review*
 - a) In-process case report
 - b) Other
- 7) Other Business

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

Board Members Present:

Melissa Conyears-Ervin*	Trustee
Annette Guzman	Trustee
Jill Jaworski	Trustee
John Lally	Trustee
Mike Lappe	Trustee
Jeffrey Levine	Trustee
Wayne Metcalfe	Trustee
Michael Stiscak	President, Recording Secretary

Staff Present:

Kevin Reichart	Executive Director
Sarah Boeckman	Board Counsel
Kay Hylton	Benefits Manager
Bob Crawford	Disability Manager

Consultants and Advisors Present:

Dr. Susan Buchanan*	Board Physician
Richard Reimer	Board Attorney/Hearing Officer

City of Chicago Office of the Treasurer Staff

City of Chicago Office of the Chief Financial Officer Staff

Public in Attendance:

Ralph Licari*	Attorney
Frank Carey*	Attorney
Amy Carey*	Police Officer, CPD
Alfred Caruso *	Police Officer, CPD
Richard Arroyo *	Police Officer, CPD
Tom Laughran	Retired, CPD

^ 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. There were no requests to address the Board.

APPROVAL OF ADMINISTRATIVE ITEMS

The next order of business was the review of the minutes of the Board Meeting held June 23, 2023, with an omission^o of a death benefit application.

A motion to approve the minutes from the Board Meeting held June 23, 2023, with omission, was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Coneyears-Ervin.

A motion to rescind the motion made on June 23, 2023 to approve the application for a death benefit made by Jacqueline Villasenor^o was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Coneyears-Ervin.

The next order of business was the review of the minutes of the Board Meeting held June 23, 2023.

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Coneyears-Ervin.

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Coneyears-Ervin.

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Coneyears-Ervin.

APPROVAL OF ADMINISTRATIVE ITEMS– continued

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The next order of business was the Periodic Review of Closed Session Minutes for January – June 2023. *A motion to approve the transcript of the Board Meeting held June 23, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

A motion to keep closed the sessions involving possible litigation was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

A motion to destroy the recordings as allowed was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES

DOCKET: SCHEDULE I-A Incurred Expenses for the Month of July 2023

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE II-A Refunds of Contributions

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

DOCKET: SCHEDULE II-C Refunds of Exempt Rank Contributions

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE II-F Refunds of Contributions Received in Error

A motion to approve refunds as detailed on Schedule II-F, was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE II-G Refunds of Automatic Increase reserve less than 20 years of service

A motion to approve refunds as detailed on Schedule II-G, was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

DOCKET: SCHEDULE III-C Annuities to Children

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

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE IV Disability Benefits

Paul McCarthy, Claiming Duty Disability

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

A motion to award Paul McCarthy, 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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe.
 Against: Stiscak.
 Absent: Conyears-Ervin.

David Taylor, Claiming Duty Disability

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

A motion to award David Taylor, 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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

Krystyna Zbela, Claiming Ordinary Disability

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

A motion to award Krystyna Zbela ordinary disability, 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 Lally, seconded by Trustee Metcalfe.

TRUSTEES LALLY AND METCALFE WITHDREW THEIR MOTIONS

A motion to defer Krystyna Zbela all benefit, subject to receipt of additional medical records was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 leave of absence under 40 ILCS 5/5-212 as detailed on Schedule VI was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE VII-A GUARDIANSHIP APPOINTMENTS FOR ANNUITANTS OF THE FUND

Documentation verified, review and discussion concluded. *A motion to acknowledge court appointments as detailed on Schedule VII-A was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE VII-B REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR LAW ENFORCEMENT SERVICE UNDER 40 ILCS 5/5-214.2

Documentation review and discussion concluded. *A motion to approve the prior law enforcement services under 40 ILCS 5/5-214.2 as detailed on Schedule VII-B, with the exception of Officer Byron Jackson and Officer Anthony Morales who did not satisfy the statutory deadline requirement, was made by Trustee Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

DOCKET: SCHEDULE VII-C 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 Lally, seconded by Trustee Metcalfe.*

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

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 Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin.

Whereupon, Trustee Conyers Ervin entered the proceedings.

IN ORDER OF APPEARANCE

DOCKET: SCHEDULE VIII-A DUTY DISABILITY HEARING

Amy Carey

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Amy Carey. Officer Carey 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.

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

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: 0.

A motion to return to open session was made by Trustee Guzman, seconded by Trustee Levine.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: 0.

A motion to deny Officer Amy Carey a duty disability was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: 0.

A motion to terminate Officer Amy Carey's ordinary disability was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: 0.

DOCKET: SCHEDULE VIII-A DUTY DISABILITY HEARING- continued

Jeffery Shafer

Attorney for Officer Jeffery Shafer requested a continuance on the duty disability hearing.

A motion to grant a continuance for Officer Jeffery Shafer was made by Trustee Lappe, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: 0.

Alfred Caruso

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Police Officer Alfred Caruso. Officer Caruso 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.

Whereupon Trustee Levine left the proceedings.

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

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

A motion to return to open session was made by Trustee Guzman, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

A motion to deny Alfred Caruso duty disability benefits was made by Trustee Guzman, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

A motion to terminate Alfred Caruso's ordinary disability benefits upon his first day back on CPD payroll (on or about July 25, 2023) in receipt of salary was made by Trustee Metcalfe, seconded by Trustee Guzman.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

DOCKET: SCHEDULE VIII-B DUTY DISABILITY STATUS REVIEWS

Carlos Zamora

Officer Zamora forwarded a request for a continuance on his status review.

A motion to grant the requested continuance was made by Trustee Metcalfe, seconded by Trustee Lally.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

DOCKET: SCHEDULE VIII-B DUTY DISABILITY STATUS REVIEWS - Continued

Richard Arroyo

Officer Arroyo appeared before the Board and requested for a continuance on his status review to obtain legal representation.

A motion to grant a two-month continuance was made by Trustee Jaworski, seconded by Trustee Lappe.

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.

LEGAL REVIEW - IN-PROCESS CASES STATUS REPORT

Board’s legal counsel Sarah Boeckman provided a report included with meeting materials for review.

OTHER BUSINESS

Trustee Lappe inquired of his fellow Trustees about the Mayor’s committee for pensions. Brief discussion was held, no actions taken.

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

ROLL CALL: For: Conyears-Ervin, Guzman, Jaworski, Lally, Lappe, Metcalfe, Stiscak.
 Against: 0.
 Absent: Levine.