



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

MINUTES

BOARD MEETING

THURSDAY – October 26, 2023

Board Meeting Agenda
October 26, 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 – Investment Meeting held September 25, 2023
 - b) Approval of Minutes - Executive Session during Investment Meeting held September 25, 2023
 - c) Approval of Transcript - Investment Meeting September 25, 2023
 - d) Approval of Minutes – Board Meeting held September 28, 2023
 - e) Approval of Minutes - Executive Sessions during Board Meeting held September 28, 2023
 - f) Approval of Transcript - Board Meeting held September 28, 2023
- 4) Approval of Board Orders
 - a) Officer Michael Komo – Duty Disability
 - b) Officer Mark Friar – Duty Disability
- 5) Consideration for Approval of Benefit Applications and Expenses
- 6) Consideration for Approval of Application for Widow’s Compensation Annuity
 - a) Elizabeth Huerta – Widow of Officer Jose M. Huerta
- 7) Consideration for Approval of Applications for Disability / Reviews
 - a) Status update for Officer Sarah Hecker – Duty Disability
 - b) Hearing for Officer Barbara Konica – Duty Disability
 - c) Hearing for Officer David Taylor – Duty Disability
 - d) Hearing for Lieutenant Anthony Sabella – Duty Disability
 - e) Hearing for Officer Gregory Doran – Duty Disability
 - f) Status Review for Officer Janice Harris – Duty Disability
 - g) Status Review for Officer Jose Haro – Duty Disability
 - h) Status Review for Officer James Lopez – Duty Disability
- 8) Legal Review*
 - a) In-process case report
 - b) Other
- 9) 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
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

Public in Attendance:

Ralph Licari*	Attorney
Elizabeth Huerta *	Widow of Police Officer, CPD
Sara Hecker *	Police Officer, CPD
Barbara Konica*	Police Officer, CPD
David Taylor *	Police Officer, CPD
Gregory Doran*	Police Officer, CPD
Janice Harris*	Police Officer, CPD
Jose Haro*	Police Officer, CPD
James Lopez	Police Officer, CPD

*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.

APPROVAL OF ADMINISTRATIVE ITEMS

The first order of business was review of the minutes of the Investment Meeting held September 25, 2023. *A motion to approve the minutes from the Board Meeting held September 25, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

The next order of business was the review of the minutes of the Executive Sessions held September 25, 2023. *A motion to approve the minutes from the Executive Sessions held September 25, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

The next order of business was the review of the transcript of the Board Meeting held September 25, 2023. *A motion to approve the transcript of the Board Meeting held September 25, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

The next order of business was review of the minutes of the Board Meeting held September 28, 2023. *A motion to approve the minutes from the Board Meeting held September 28, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

The next order of business was the review of the minutes of the Executive Sessions held September 28, 2023. *A motion to approve the minutes from the Executive Sessions held September 28, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

APPROVAL OF ADMINISTRATIVE ITEMS – continued

The next order of business was the review of the transcript of the Board Meeting held September 28, 2023. *A motion to approve the transcript of the Board Meeting held September 28, 2023, was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

APPROVAL OF BOARD ORDERS

Officer Michael Komo

Duty Disability Claim

Board Counsel provided a draft order to the Board.

A motion to approve the Board Order as submitted for Officer Michael Komo was made by Trustee Lally, seconded by Trustee Metcalfe.

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

Officer Mark Friar

Duty Disability

Board Counsel provided a draft order to the Board.

A motion to approve the Board Order as submitted for Officer Mark Friar was made by Trustee Lally, seconded by Trustee Metcalfe.

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES

DOCKET: SCHEDULE I-A Incurred Expenses for the Month of October 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: Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin, Guzman, Jaworski.

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

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

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

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

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

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, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin, Jaworski.

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 Lally, seconded by Trustee Metcalfe.

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

DOCKET: SCHEDULE IV Disability Benefits

Anthony Graffeo, Claiming Duty Disability

A motion to award Anthony Graffeo, 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: Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin, Guzman, Jaworski.

Martin Ridge, Claiming Occupational Disease Disability

A motion to terminate the ordinary disability benefits Martin Ridge was receiving on his application for a duty disability benefit was made by Trustee Stiscak, seconded by Trustee Metcalfe.

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

On the Occupational Disease Disability Application; a motion to award Martin Ridge, 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 Stiscak, seconded by Trustee Metcalfe.

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

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

DOCKET: SCHEDULE VII-A Guardianship Appointment

Documentation verified. *A motion to acknowledge the guardianship appointment for Doris Ruth Haynes, a fund annuitant was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

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-B was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

General docketed items completed.

HEARINGS

DOCKET: SCHEDULE VIII-A CONSIDERATION FOR APPROVAL OF APPLICATION FOR WIDOW'S COMPENSATION ANNUITY

Elizabeth Huerta (Officer Jose M. Huerta)

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the compensation widow's claim of Elizabeth Huerta. Mrs. Huerta appeared before the Board, without counsel, on her application for a line-of-duty death of her husband Officer Jose Huerta. The records and documents presented were reviewed and testimony was taken from applicant.

A motion to deny the application for line of duty death under 40 ILCS 5/5-144 was made by Trustee Lally, seconded by Trustee Levine.

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

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 Stiscak, seconded by Trustee Lappe.

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

IN ORDER OF APPEARANCE

DOCKET: SCHEDULE VIII-B DISABILITY HEARINGS & SCHEDULE VIII-C STATUS REVIEWS

Sarah Hecker – Status Review

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability status review of Officer Sarah Hecker. Officer Hecker appeared before the Board, with counsel, on her duty disability status review. An objection by Ms. Hecker's attorney was made and over ruled by the Hearing Officer.

A motion to sustain the Hearing Officer's ruling was made by Trustee Stiscak seconded by Trustee Levine.

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

The records and documents presented were reviewed and testimony was taken from Sarah Hecker.

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

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

WHEREUPON, Trustees Conyears-Ervin joined the proceedings.

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

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

A motion to continue Sarah Hecker's disability benefits was made by Trustee Lally, seconded by Trustee Metcalfe.

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

A motion to terminate Sarah Hecker's disability benefits effective November 30, 2023 was made by Trustee Levine, seconded by Trustee Lappe.

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

DOCKET: SCHEDULE VIII-B DISABILITY HEARINGS & SCHEDULE VIII-C STATUS REVIEWS – continued

Barbara Konica – Duty Disability Claim

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Barbara Konica. Officer Konica 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 Metcalfe, seconded by Trustee Lappe.

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

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

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

A motion to deny Officer Barbara Konica duty disability benefits as provided for in the Pension Act was made by Trustee Lally, seconded by Trustee Metcalfe.

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

David Taylor – Duty Disability Claim

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer David Taylor. Officer Taylor 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 award Officer David Taylor duty disability benefits at 75% of salary as provided for in the Pension Act was made by Trustee Lappe, seconded by Trustee Levine.

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

DOCKET: SCHEDULE VIII-B DISABILITY HEARINGS & SCHEDULE VIII-C STATUS REVIEWS – continued

Anthony Sabella – Duty Disability Claim

The continuation of this hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Lieutenant Anthony Sabella. Lt. Sabella 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 Metcalfe, seconded by Trustee Levine.

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

A motion to return to open session was made by Trustee Stiscak, seconded by Trustee Lappe.

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

A motion to deny Lt. Anthony Sabella duty disability benefits as provided for in the Pension Act was made by Trustee Metcalfe, seconded by Trustee Lappe.

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

WHEREUPON Trustee Conyears-Ervin left the proceedings.

James Lopez – Status Review

Officer James Lopez appeared before the Board requested a continuance on his duty disability status hearing to obtain legal counsel.

A motion to grant a continuance for Officer James Lopez to the December 2023 Board meeting was made by Trustee Lappe, seconded by Trustee Metcalfe.

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

Gregory Doran – Duty Disability Claim

Officer Doran failed to appear before the Board. Gregory Doran filed for retirement October 5, 2023. His attorney filed a motion to withdraw as his counsel.

A motion to acknowledge attorney withdrawal was made by Trustee Stiscak, seconded by Trustee Metcalfe.

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

A motion to dismiss Gregory Doran’s application for disability benefits was made by Trustee Levine, seconded by Trustee Lappe.

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

DOCKET: SCHEDULE VIII-B DISABILITY HEARINGS & SCHEDULE VIII-C STATUS REVIEWS – continued

Janice Harris – Status Review

Officer Janice Harris appeared before the Board. She requested a continuance on her duty disability status hearing to obtain legal counsel.

A motion to grant a continuance for Officer Janice Harris to the December 2023 Board meeting was made by Trustee Metcalfe, seconded by Trustee Lappe.

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

Jose Haro – Status Review

Officer Jose Haro failed to appear before the Board. The records of the Chicago Police Department indicate Jose Haro was reinstated to active duty effective September 20, 2023.

A motion to terminate Officer Jose Haro’s duty disability benefits effective September 19, 2023 and seek reimbursement of the 11 days (09/20-30/2023) of disability overpayment was made by Trustee Stiscak, seconded by Trustee Lappe.

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

LEGAL REVIEW - IN-PROCESS CASES STATUS REPORT

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

A motion to go into executive session pursuant to 5 ILCS 120/2(c)(11) was made by Trustee Lally, seconded by Trustee Lappe.

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

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

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

A motion to authorize Board’s counsel to withdraw the appeal in the Timothy Whitmer administrative review was made by Trustee Levine, seconded by Trustee Lally.

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

LEGAL REVIEW - Continued

*A motion to authorize Board’s counsel in the **Rainey** matter to proceed with an appeal on both issues, the issue of the attorneys’ fees and the underlying merits of the case was made by Trustee Levine, seconded by Trustee Lappe.*

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

OTHER BUSINESS

Executive Director Kevin Reichart reminded the Board of the additional Board meeting scheduled for Monday October 30, 2023, at 9:00 a.m.

Mr. Reichart provided an Election update. Voting electronically for the trustee position from the rank of Sergeant and the trustee position from the rank of Lieutenant or Rank Superior to Lieutenant is in process with the voting closing on Monday October 30, 2023.

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

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