



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

MINUTES

BOARD MEETING

THURSDAY – JANUARY 25, 2024

Board Meeting Agenda
January 25, 2024, 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 December 15, 2023
 - b) Approval of Transcript - Board Meeting held December 15, 2023
 - c) Approval of Minutes - Executive Sessions during Board Meeting held December 15, 2023
- 4) Approval of Board Orders
 - a) Officer Janice Harris – Duty Disability
- 5) Consideration for Approval of Benefit Applications and Expenses
- 6) Consideration for Approval of Application for Widow’s Compensation Annuity
 - a) Regina Gillerlain – Widow of Detective Todd Gillerlain
- 7) Consideration for Approval of Applications for Disability / Reviews
 - a) Hearing for Officer Marc Iskowitz – Duty Disability
 - b) Hearing for Officer Andrew Kutella – Duty Disability
 - c) Status Review for Officer Kimberlee Powe – Duty Disability
 - d) Update to Hearing for Sergeant Timothy Conlan – Duty Disability
- 8) Legal Review*
 - a) In-process case report
 - b) Other
- 9) Discussion and Possible Action Regarding 2024 Budget*
- 10) 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, Vice President
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
Jerome Marconi*	Attorney
Monica Ortiz	Police Officer, CPD (FOP)
John Catanzara	Retiree, CPD (FOP)
Regina Gillerlain*	Widow, CPD
Matthew Vaci*	Detective, CPD
Marc Iskowitz*	Police Officer, CPD
Kimberlee Powe*	Police Officer, CPD
Tom Lonergan	Annuitant, CPD

*Denotes partial attendance

^ Denotes remote 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 two requests; Monica Ortiz, Fraternal Order of Police Representative 3rd Vice President; and Fund annuitant, John Catanzara, Fraternal Order of Police President.

WHEREUPON, Trustee Lally entered the proceedings.

APPROVAL OF ADMINISTRATIVE ITEMS

The first order of business was review of the minutes and transcript of the Board Meeting held December 15, 2023.

A motion to approve the minutes and transcript from the Board Meeting held December 15, 2023, was made by Trustee Lally, seconded by Trustee Lappe.

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

The next order of business was the review of the minutes of the Executive Sessions held December 15, 2023.

A motion to approve the minutes from the Executive Sessions held December 15, 2023, was made by Trustee Lally, seconded by Trustee Lappe.

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

APPROVAL OF BOARD ORDERS

Officer Janice Harris

Duty Disability Claim

Board Counsel provided a draft order to the Board. Hearing Administrator Reimer informed that Board that the attorney representing Officer Harris has filed a motion to reconsider the Board’s decision.

A motion to enter and continue this motion to a date to be determined was made by Trustee Lally, seconded by Trustee Lappe.

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES

DOCKET: SCHEDULE I-A Incurred Expenses for the Month of January 2024

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

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

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 Lappe.

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

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 Lappe.

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

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 Lappe.

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

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 Lappe.

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

DOCKET: SCHEDULE II-H Refund/Transfer Deductions 5/5-236

A motion to approve the erroneous refund as detailed on Schedule II-H was made by Trustee Lally, seconded by Trustee Lappe.

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

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 Lappe.

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

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 Lappe.

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

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 Lappe.

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

DOCKET: SCHEDULE IV Disability Benefits

Xavier Chism, Claiming Ordinary Disability

A motion to award Xavier Chism, an ordinary benefit without prejudice was made by Trustee Lally, seconded by Trustee Lappe.

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

Martin E. Ridge, Claiming Occupational Disease Disability

A motion to continue Martin Ridge’s ordinary disability benefits, 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: Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin, Guzman.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

DOCKET: SCHEDULE IV Disability Benefits - continued

Stefan Zadura, Claiming Occupational Disease Disability

A motion to continue Stefan Zadura ordinary disability benefit, 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: Jaworski, Lally, Lappe, Levine, Metcalfe, Stiscak.
 Against: 0.
 Absent: Conyears-Ervin, Guzman.

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

DOCKET: SCHEDULE VI Leaves of Absences - Military

Documentation verified. *A motion to acknowledge the military leaves of absences as detailed in Schedule VI was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

DOCKET: SCHEDULE VII-A GUARDIANSHIP APPOINTMENT

Documentation verified. *A motion to acknowledge the guardianship appointment as detailed on Schedule VII-A was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

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

Documentation verified, review and discussion concluded. Statutory time for filing applications were not met. *A motion to DENY the requests to purchase additional pension credit for prior service under 40 ILCS 5/5-214.2 as detailed on Schedule VII-B for members **Daniel O’Connell** and **John Reppas** was made by Trustee Lally, seconded by Trustee Metcalfe.*

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

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES – continued

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

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

General docketed items completed.

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 Levine.

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

HEARINGS

IN ORDER OF APPEARANCE

DOCKET: SCHEDULE VIII-A COMPENSATION WIDOW’S CLAIM

Regina Gillerlain (Todd) – Line of Duty Death Claim

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the compensation widow’s annuity claim Regina Gillerlain, widow of deceased police officer Todd Gillerlain. Mrs. Gillerlain appeared before the Board, with counsel, on her claim for a line of duty death benefit. The records and documents presented were reviewed and testimony was taken from claimant and witness, CPD detective Matthew Vacì.

WHEREUPON, Trustees Conyears-Ervin and Guzman entered the proceedings.

Claimant’s attorney made a closing statement.

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

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 Lappe, seconded by Trustee Jaworski.

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

HEARINGS - continued

DOCKET: SCHEDULE VIII-A COMPENSATION WIDOW'S CLAIM - continued

A motion to award Regina Gillerlain a compensation widow's annuity was made by Trustee Lappe, seconded by Trustee Jaworski.

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

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

Timothy Conlan – COURT REMAND - Duty Disability Claim

This matter is back before the Board on remand from the Circuit Court of Cook County.

Court Order reads in part as follows: "All current Board members who voted on this matter on June 30th, 2022, shall view the video deposition of Dr. Coe. This may be done individually at each Trustee's convenience." Prior to a new vote on this matter, each Trustee shall confirm compliance with this provision on the record."

The second part of the order states: "Board members who were not present at each of the hearing dates, which were conducted on December 20th of 2021 and June 30th of 2022" shall review the entire transcript or the Zoom video of each hearing and, in addition, the video deposition of Dr. Coe at their convenience. Prior to a new vote on this matter, each of these Trustees shall confirm compliance with this provision on the record."

TRUSTEE POLL TO CONFIRM COMPLIANCE with the Circuit Court Order

YES: Conyears-Ervin, Guzman, Lally, Lappe, Metcalfe, Levine, Stiscak.
NO: Jaworski.

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

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 Stiscak, seconded by Trustee Lally.

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

A motion to deny Officer Timothy Conlan duty disability benefits was made by Trustee Stiscak, seconded by Trustee Guzman.

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

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

Timothy Conlan – COURT REMAND - Duty Disability Claim - continued

A motion to continue Officer Timothy Conlan’s ordinary disability benefits was made by Trustee Stiscak, seconded by Trustee Guzman.

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

Marc Iskovitz – Duty Disability Claim

On April 27, 2023, this matter was initially heard and continued. Supplemental addendum was submitted. This hearing was continued and conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Marc S. Iskovitz. Officer Iskovitz appeared before the Board, with counsel, on his claim for a duty disability benefit. The records, transcript and documents previously submitted and the new documents 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 Metcalfe.

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 Lally, seconded by Trustee Conyears-Ervin.

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

A motion to Grant Marc Iskovitz a duty disability benefit was made by Trustee Stiscak seconded by Trustee Metcalfe.

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

MOTION FAILS

A motion to Grant Marc Iskovitz an ordinary disability benefit was made by Trustee Stiscak seconded by Trustee Levine.

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

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

Marc Iskowitz – Duty Disability Claim - continued

WHEREUPON, Trustee Conyears Ervin left the proceedings.

Andrew K. Kutella – COURT REMAND - Duty Disability Claim

This matter is back before the Board on remand from the Circuit Court of Cook County. The attorney representing Officer Kutella appeared before the Board on behalf of his client and provided the Trustees with a summary of this claim. The Board members heard the attorney's summary and reviewed documents.

A motion to go into executive session pursuant to 5 ILCS 120/2(c)(4) and 2 (c) (11) was made by Trustee Levine, seconded by Trustee Metcalfe.

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

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

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

A motion to award Andrew Kutella, 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, effective the date of his surgery April 24, 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.

WHEREUPON, Trustee Jaworski left the proceedings.

Kimberlee Powe – Status Review

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability status review of Officer Kimberlee Powe. Officer Powe appeared before the Board, without counsel, on her disability status review. Officer Powe was not prepared to proceed.

A motion to grant Kimberlee Powe a continuance to the March meeting was made by Trustee Lally seconded by Trustee Lappe.

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

LEGAL REVIEW

A motion to go into executive session pursuant to 2 (c) (11) was made by Trustee Lally, seconded by Trustee Metcalfe.

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

WHEREUPON, Trustee Guzman left the meeting.

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

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

Svec vs. The retirement Board of the Policemen’s Annuity and Benefit Fund Case# 2023 CH 2604.

In accordance with the discussions in executive session the Board directs Attorney Reimer to proceed with the motion to stay enforcement of the appeal pending in the trial court and in the event that motion is denied, to file another motion with appellate court seeking a motion to stay enforcement of that order.

CONSIDERATION AND POSSIBLE ACTION REGARDING 2024 FUND OPERATING BUDGET

A motion to go into executive session per 2 (c) (1) 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 return to open session was made by Trustee Metcalfe, seconded by Trustee Lappe.

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

A motion by Trustee Levine to amend the proposed 2024 Budget to reflect a salary increase for the position of Executive Director, seconded by Trustee Lally.

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

A motion to approve the amended 2024 Fund operating budget 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

None

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

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