

RETIREMENT PLAN
FOR
CHICAGO TRANSIT AUTHORITY EMPLOYEES

The 299th Meeting of the Retirement Allowance Committee was held on March 18, 1974, in the Secretary's Office, Room 746, Merchandise Mart, and the following were in attendance:

Mr. W. A. Ashley	Mr. A. Kemp
Mr. D. M. Flynn	Mr. F. McCrea
Mr. G. S. Graybiel	Mr. D. McFadden
Mr. J. E. Hastings	Mr. P. J. Meinardi
	Mr. J. Tiffy

Neither Mr. L. Beatty, nor his alternate was present. Also present was J. D. King, retired Committee Member.

The Chairman called the meeting to order at 10:35 A.M.

On a motion by Mr. McFadden, seconded by Mr. Kemp, the minutes of the 298th Meeting held on February 19, 1974, were unanimously approved.

The announcements of deaths since the last meeting were made by the Secretary as per the attached list.

The Secretary advised that two (2) Survivorship Options were submitted for approval at this meeting. On a motion by Mr. Flynn, seconded by Mr. McCrea, the Committee unanimously approved the two (2) Survivorship Options submitted by the Secretary.

The Secretary advised that thirty (30) applications for retirement were submitted to this office for presentation at this meeting. On a motion by Mr. McCrea, seconded by Mr. Tiffy, the Committee approved the thirty (30) applications submitted by the Committee.

The Secretary reported that during the month seven (7) employees on Total and Permanent Disability were examined by the Medical Department or their records reviewed.

On a motion by Mr. McFadden, seconded by Mr. McCrea, the refunds numbering thirty-two (32) and totaling \$89,611.58 to be paid March 31, 1974 as per the attached statement were unanimously approved.

The Secretary read a report of the deposits, disbursements, and investments during the month of February as per the attached statement.

The Secretary presented the Chicago Transit Authority bills totaling \$8,570.01 and miscellaneous bills totaling \$60,504.22 for approval. On a motion by Mr. McFadden, seconded by Mr. Kemp, the Committee unanimously approved payment of these bills.

The Secretary reported that for the payment of March 31, 1974 Death Benefits numbering thirty-one (31) and amounting to \$40,500.00 were submitted for approval. On a motion by Mr. Tiffy, seconded by Mr. Kemp, the Committee unanimously approved payment of the Death Benefits as per the attached list.

The Chairman presented, on behalf of the Committee, a money clip to Mr. J. D. King as a token of appreciation for his service with the Retirement Committee.

Mr. Hastings discussed the Penn Central Litigation against the Continental Bank. Mr. Hastings said he was in the possession of a letter dated February 22, 1974 which indicated

that there would be no ruling in the Pension Fund cases for at least thirty (30) days or longer because Judge Richard W. McLaren, who had been preparing to rule on the Bank's motions to dismiss our various complaints, had recused himself. The case has been transferred to Judge G. McGarr. Mr. Hastings said that the correctness of our legal position had recently been buttressed by a major decision of the Seventh Circuit Court of Appeals in the case of Eason versus General Motors Acceptance Corporation which vastly broadened the reach of the anti-fraud provisions of the federal securities laws in private damage actions and clarified the right of trust beneficiaries to sue their trustees for fraud in the purchase and sale of securities on behalf of the trust.

The Secretary submitted a report from the Continental Bank regarding their Real Estate Fund. The Continental Bank explained in the report that the primary purpose of the Fund is to make equity investments secured by Real Estate which has significant growth potential. After general discussion, the Committee agreed to hold any decision in abeyance until the next meeting.

Mr. Ashley brought up the case of Samuel Glover, Retirement No. 13536. He reviewed the file briefly with the Committee stating that when Mr. Glover was initially employed on June 20, 1945 as a Truckman Helper, he listed his date of birth as September 23, 1910. Subsequently, he submitted an authorized statement of a relative listing his year of birth as September 23, 1909. This was not adequate documentary proof.

On May 30, 1973, Mr. Glover submitted a request to his Department Head for an extension of employment beyond his normal retirement date of October 30, 1973 which was not granted. In September of 1973, Mr. Glover filed his application for retirement verifying that all information including his date and year of birth and date of normal retirement was correct. Mr. Glover has requested that the Committee review any additional proof to indicate that he is not 65 years of age. He was told that if he could come up with original documents prior to 1916, which shows evidence of his proof of birth, the document would be brought before the Retirement Committee for reconsideration. On March 11, 1974, a Delayed Birth Certificate filed on March 4, 1974 and a Census Report of 1950 were submitted for additional proof. The Committee rejected the Delayed Birth Certificate because the documents used to substantiate it had previously been rejected. The 1950 Census Report again was not old enough to be given any further consideration.

Mr. Ashley reviewed the case of Pearl L. Waite, D-891, who retired on August 1, 1959 on Total and Permanent Disability. It seems that she had gone to Florida, signed sick, and was declared incompetent and went on Total and Permanent Disability. At that time her son, Robert Bingham, was named as Conservator. Sometime in 1962, Mr. Bingham moved from Florida to Toledo, Ohio. However, he did not change the Guardianship from the State of Florida to the State of Ohio. On October 8, 1973, the Secretary's Office forwarded a letter to Mr. Bingham as a matter of routine to update the files of all retired employees


who because of various reasons had a Guardian or Conservator appointed to their Estate. On February 8, 1974, a letter was received from Mr. Bingham indicating that his mother, Pearl L. Waite, had been living with his daughter in Toledo, Ohio for the last seven (7) years and was in very good health. A statement from Doctors G. B. Blossom and K. W. Baden indicated that Mrs. Waite was in full possession of her faculties and capable of managing her affairs. On February 11, 1974, Mr. Ashley wrote to Mr. Bingham acknowledging his letter and stating that in view of the fact that his mother had lived in Toledo, Ohio for the past seven (7) years, this would make the matter of Guardianship in the State of Florida invalid. He also stated that the Secretary's Office was never notified of her change in residence or her change in status. This letter requested that restoration papers from the State of Florida be submitted. On March 1, 1974, another letter was sent to Mr. Bingham from the Secretary's Office asking that he furnish the Secretary's Office with records accounting for the payment of the monthly Retirement Benefit Checks to him as Guardian of his mother for the past seven (7) years and also to furnish this office with his mother's latest mailing address. The letter stated that because Mr. Bingham's name was the only endorsement on the checks examined for 1973, this indicated that he had received them. Mr. Ashley asked Mr. Hastings if there was anything else that could be done at the moment. Mr. Hastings stated that there was none.

Mr. Ashley brought up the case of Joseph Kaczmarek who has been on disability pension since March 1, 1967 because of acute brain syndrome. On February 28, 1973, the Medical Department approved Mr. Kaczmarek for work such as mail clerk, messenger, or janitor. However, Mr. Ashley stated that the Placement Department had interviewed Mr. Kaczmarek and found him not suitable for any of these jobs. Mr. Ashley recommended that Total and Permanent Disability payments continue.

Mr. Ashley pointed out that due to the increase in postal rates, our postal cost will be increased by 25%.

Mr. Ashley distributed the report cards to be issued to employees for the year 1973 which stated they would be included with employees checks distributed on April 10th, 11th, 12th, and April 18th and 19th.

There being no further business, on a motion by Mr. Tiffy, seconded by Mr. Flynn, the Committee unanimously agreed to adjourn. The meeting adjourned at 10:55 A.M.


SECRETARY PROTEMPORIUS SECRETARY
RETIREMENT ALLOWANCE COMMITTEE


CHAIRMAN
RETIREMENT ALLOWANCE COMMITTEE

APR 15 1974

DATED: _____

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