

BOARD OR COMMISSION: Glen Ellyn Police Pension
MEETING: Special
QUORUM: Yes
DATE: January 24, 2013
CALLED TO ORDER: 7:30 p.m.
ADJOURNED: 7:58 p.m.
PRESENT: John Adduci, James Mullany, James Monson, Bill Housey
ABSENT: None
OTHERS: Finance Director Kevin Wachtel
AUDIENCE: None

CALL TO ORDER:

The January 24, 2013 special meeting of the Glen Ellyn Police Pension Board was called to order by Pension Board President Adduci at 7:30 p.m. in Room 306 of the Glen Ellyn Civic Center. A quorum was present.

AUDIENCE PARTICIPATION:

None.

PENSION BOARD ATTORNEY / PHYSICIAN REVIEW FOR DISABILITY PENSION APPLICATIONS:

President Adduci reported meeting with Attorney Rick Reimer to discuss the Application for Disability Pension submitted by Officer Raymond Munch at the January 9, 2013, regular meeting of the Glen Ellyn Police Pension Board. Attorney Reimer is familiar with Officer Munch's attorney Thomas Raja.

Attorney Reimer stated the board will need to decide if Officer Munch suffered a stroke or a regular disability; to use Officer Munch's doctor in determining his disability; how many physician recommendations the board wants to require for disability pension cases; and to hire an attorney to represent the board in the matter. The board will also need to obtain medication information from Officer Munch's doctor to accompany the disability form.

Attorney Reimer suggested the board consider using INSPE, an organization operated by doctors, to perform the additional medical evaluations. INSPE randomly selects doctors to perform medical evaluations based on the number of medical evaluations the board approves for disability pension cases. Officer Munch currently has been evaluated by two doctors of his own selection. The board wants to have an adequate number of physical evaluations for this and future claims to determine if this is a disability, and then if the disability was received in the line of duty. Each of the INSPE physicians will give an opinion as to the level of disability, but it will be the responsibility of the board to evaluate the opinions to reach a decision.

Trustee Monson responded that using INSPE would guarantee independent physician are used for the evaluations and would offer a degree of separation and objectivity needed in these types of proceedings. The next step in the process is to have Attorney Reimer coordinate the required physician opinions and to put together the proper exhibits needed for the hearing. The attorney would also obtain a release of records from Officer Munch and a subpoena for Officer Munch's records for his physician and the police department. The associated costs would be attorney fees and the three medical evaluations, which would be approximately \$15,000 for three neurologists. The board discussed using Officer Munch's existing two medical evaluations and only requesting one more, but Trustee Housey was concerned with setting a precedent of using officer physicians and not impartial doctors. Whether the board uses existing medical evaluations or requiring three new evaluations will not influence the amount of attorney costs.

Trustee Monson reported a statute exists that requires villages provide health care benefits for the lifetime of any officer suffering a catastrophic injury in the line of duty. The board does not determine if a village is liable, but if the board says an officer qualifies for a disability pension, it may make the village liable and the village may become involved in the board's proceeding by asking to be included in the proceedings. The Pension Board has the right to either allow or deny the village's involvement, and then the village would have to schedule their own meeting to determine if the injury was valid.

Trustee Mullany stated that any officer who receives a disability in the line of duty pension is required to schedule an annual physical with the board's physician until the age of 50 to monitor and verify the disability.

The timeline going forth would be three to six months for INSPE to obtain records and two to three months for INSPE to make their presentation to the board for a total of four to six months for the board to get packets, review the packets, then meet to make a board discussion. The board can go into executive session to discuss the facts, but would return to regular meeting to make the vote public.

Trustee Mullany motioned, and Trustee Housey seconded, to hire Attorney Rick Reimer of Reimer and Karson LLC to represent the board as legal advisor in the disability hearing related to Officer Munch's disability application. The Motion carried unanimously.

Roll Call Vote – Trustee Adduci, Trustee Mullany, Trustee Monson, Trustee Housey

Trustee Monson motioned, and Trustee Mullany seconded, to hire INSPE to employ three physicians to review Officer Munch.

Trustee Mullany suggested inquiring if the Glen Ellyn Police Department has any permanent light duty positions available and if Officer Munch would be put into that position. Trustee Monson agreed to draft a letter asking the Chief Philip Norton if there are light duty positions in police departments; if Glen Ellyn has any light duty positions available; and if there are not any light duty positions, are they currently accommodating Officer Munch.

Trustee Adduci added that if the board finds that Officer Munch has suffered a disability, Officer Munch would begin receiving a disability pension and the village will no longer pay a salary to Officer Munch.

Trustee Adduci will write a letter to Attorney Reimer stating the board approved hiring him to represent the board in this matter and hiring INSPE to perform the three physicals. Attorney Reimer will send updates to Trustee Monson. Director Wachtel offered to be a facilitator to Attorney Reimer to assist with any help he can provide.

The board discussed the next trustee election to be held on the second Tuesday of April. The elections begin the second week of March when candidates are nominated. Trustee Mullany explained in the past retired officers received letters asking who is interested in serving, followed by another mailing with ballots. The ballots are opened at the April election. Trustee Monson added active duty officers receive ballots in their inbox. Trustee Monson will prepare the ballot mailing, and Trustee Mullany will assist. To fill vacancies left in mid-term, a special election would need to be held. If a special election is held to fill Officer Munch's position on the board, the new trustee could be on the board for only 1½ months before being replaced at the scheduled April election. It was agreed to not hold a special election and wait for the regular election to fill Trustee Munch's vacant position as there is just one meeting remaining before the next regular election.

Trustee Adduci asked Director Wachtel if a village liaison should be at the meeting. Director Wachtel reported he has been informing the Village Manager Mark Franz and Chief Norton so everyone is aware of what is happening and are as up to date as possible.

ADJOURNMENT:

Trustee Mullany moved, and Trustee Monson seconded, to adjourn the meeting. The motion carried unanimously. The January 24, 2013 meeting was adjourned at 7:58 p.m.

Submitted by Jody Conidi, Recording Secretary

President