



## RIVER FOREST FIREFIGHTERS' PENSION FUND

400 Park Avenue ■ River Forest, Illinois 60305

*Stephen Fischer*  
President

*John Carter*  
Secretary

*Lester Telkamp*  
Trustee

*Sean Condon*  
Trustee

*Rosey McAdams*  
Trustee

### NOTICE OF A REGULAR MEETING OF THE RIVER FOREST FIREFIGHTERS' PENSION FUND BOARD OF TRUSTEES

The River Forest Firefighters' Pension Fund Board of Trustees will conduct a regular meeting on **Thursday, July 25, 2019 at 2:00 p.m.** at the Village Hall located at 400 Park Avenue, River Forest, Illinois 60305, for the purposes set forth in the following agenda:

### AGENDA

1. Call to Order
2. Roll Call
3. Public Comment
4. Approval of Meeting Minutes
  - a. April 25, 2019 Regular Meeting
  - b. Semi-Annual Review of Closed Session Meeting Minutes
5. Communications and Reports
  - a. Affidavits of Continued Eligibility
  - b. Active Member File Maintenance
6. Investment Report – AndCo Consulting
  - a. Investment Performance Review
  - b. Potential Sales or Purchases of Securities
  - c. Review/Update Investment Policy, if needed
7. Accountant's Report – Lauterbach & Amen, LLP
  - a. Monthly Financial Report
  - b. Presentation and Approval of Bills
  - c. Additional Bills, if any
8. Applications for Retirement/Disability Benefits
  - a. Disability Application – Brian Nolan
  - b. Review/Approve Regular Retirement Benefit – John Rose
9. Applications for Membership/Withdrawals from Pension Fund
  - a. Application for Membership – Joshua McNabb
10. Old Business
  - a. Hearing Regarding Application to Determine Disability Status for Dependent Child – Mark Finnegan
  - b. Appointed Member Term Expiration – Sean Condon
11. New Business
  - a. Review Preliminary Actuarial Valuation
  - b. IDOI Annual Statement
  - c. Discussion/Possible Action – Lauterbach & Amen, LLP Engagement Letter
  - d. Review/Approve – Fiduciary Liability Insurance Renewal
  - e. Board Officer Elections – President & Secretary
    - i. FOIA Officer & OMA Designee
12. Trustee Training Updates
  - a. Approval of Trustee Training Registration Fees and Reimbursable Expenses
13. Attorney's Report – Karlson Garza LLC
  - a. Legal Updates
14. Closed Session, if needed
15. Adjournment



## RIVER FOREST FIREFIGHTERS' PENSION FUND

400 Park Avenue ■ River Forest, Illinois 60305

*Stephen Fischer*    *John Carter*    *Lester Telkamp*    *Sean Condon*    *Rosemary McAdams*  
*President*            *Secretary*            *Trustee*            *Trustee*            *Trustee*

### MINUTES OF A REGULAR MEETING OF THE RIVER FOREST FIREFIGHTERS' PENSION FUND BOARD OF TRUSTEES APRIL 25, 2019

A regular meeting of the River Forest Firefighters' Pension Fund Board of Trustees was held on Thursday, April 25, 2019 at 2:00 p.m. at the River Forest Village Hall located at 400 Park Avenue, River Forest, Illinois 60305, pursuant to notice.

**CALL TO ORDER:** Trustee Fischer called the meeting to order at 2:01 p.m.

#### **ROLL CALL:**

**PRESENT:** Trustees Stephen Fischer, Lester Telkamp, John Carter, Rosemary McAdams and Sean Condon (*arrived at 2:16 p.m.*)

**ABSENT:** None

**ALSO PRESENT:** Attorney Keith Karlson, Karlson Garza LLC; Marlane Marshall, County Court Reporters, Inc; Mary Nye, AndCo Consulting; Alex Michael, Jennifer Flores and Eric Endriukaitis, Lauterbach & Amen, LLP (L&A)

**PUBLIC COMMENT:** There was no public comment.

**APPROVAL OF MEETING MINUTES:** *January 24, 2019 Regular Meeting:* The Board reviewed the January 24, 2019 regular meeting minutes. A motion was made by Trustee Carter and seconded by Trustee McAdams to approve the January 24, 2019 regular meeting minutes as written. Motion carried unanimously by voice vote.

**COMMUNICATIONS & REPORTS:** *Statements of Economic Interest:* The Board was reminded that the Statements of Economic Interest are due by May 1, 2019.

*Affidavits of Continued Eligibility:* The Board noted that Affidavits of Continued Eligibility will be mailed to all pensioners with the June payroll cycle. A status update will be provided at the next regular meeting.

*Trustee Condon arrived at 2:16 p.m.*

**INVESTMENT REPORT – ANDCO CONSULTING:** *Investment Performance Report:* Ms. Nye presented the Investment Performance Report and discussed the long-term market value of the fund, along with the risk-reward analysis and current and projected market conditions. Ms. Nye presented the Investment Report for the period ending March 31, 2019. As of March 31, 2019, the market value of the portfolio is \$15,131,744 and the return on investment is \$1,045,023 for the quarter. The portfolio composition is 40.3% in domestic equities, 8.9% in international equities, 34.1% in domestic fixed income, 5.1% in real estate, 5% in emerging markets and 6.6% in cash and equivalent. Current asset allocations within the equity and fixed income funds were reviewed, as well as individual fund performance and investment fees. All questions were answered by Ms. Nye. A motion was made by Trustee Carter and seconded by Trustee

McAdams to accept the Investment Performance Report as presented. Motion carried unanimously by voice vote.

*Potential Sales or Purchases of Securities:* There were no recommendations at this time.

*Review/Update Investment Policy, if needed:* The Board discussed the Investment Policy and no changes are needed at the time.

**ACCOUNTANT'S REPORT – LAUTERBACH & AMEN, LLP:** *Monthly Financial Report:* The Board reviewed the Monthly Financial Report for the eleven-month period ending March 31, 2019 prepared by L&A. As of March 31, 2019, the net position held in trust for pension benefits is \$15,178,753.31 for a change in position of \$135,709.38. The Board also reviewed the Cash Analysis Report, Revenue Report, Expense Report, Member Contribution Report and Payroll Journal. A motion was made by Trustee Telkamp and seconded by Trustee Carter to accept the Monthly Financial Report as presented. Motion carried unanimously by voice vote.

*Presentation and Approval of Bills:* The Board reviewed the Vendor Check Report for the period January 1, 2019 through March 31, 2019 for total disbursements of \$88,181.25. A motion was made by Trustee Carter and seconded by Trustee McAdams to approve the disbursements shown on the Vendor Check Report in the amount of \$88,181.25. Motion carried by roll call vote.

AYES: Trustees Fischer, McAdams, Carter, Condon and Telkamp

NAYS: None

ABSENT: None

*Additional Bills, if any – Illinois Department of Insurance Compliance Fee:* The Board noted that the Illinois Department of Insurance Compliance Fee invoice will be issued. A motion was made by Trustee Carter and seconded by Trustee Fischer to approve payment of the IDOI Compliance Fee, in an amount not to exceed \$8,000. Motion carried by roll call vote.

AYES: Trustees Fischer, McAdams, Carter, Condon and Telkamp

NAYS: None

ABSENT: None

**APPLICATIONS FOR RETIREMENT/DISABILITY BENEFITS:** Disability Application – Brian Nolan: The Board noted that Brian Nolan submitted a disability application and the Village has filed a motion to intervene. A motion was made by Trustee Carter and seconded by Trustee Fischer to appoint Karlson Garza LLC to serve as the hearing officer for the Fund to process the disability application prior to the hearing. Motion carried by roll call vote.

AYES: Trustees Fischer, McAdams, Carter, Condon and Telkamp

NAYS: None

ABSENT: None

**APPLICATIONS FOR MEMBERSHIP/WITHDRAWALS FROM FUND:** There were no applications for membership or withdrawals from the Fund.

**OLD BUSINESS:** *Review/Approve – Rules & Regulations:* The Board tabled this item until further notice.

**NEW BUSINESS:** *Certify Board Election Results – Active Member Position:* L&A conducted an election for one of the active member positions on the River Forest Firefighters' Pension Fund

Board of Trustees. Stephen Fischer ran unopposed as was reelected for a three-year term expiring April 30, 2022. A motion was made by Trustee McAdams and seconded by Trustee Carter to certify the active member election results. Motion carried by roll call vote.

AYES: Trustees McAdams, Carter, Condon and Telkamp

NAYS: None

ABSENT: None

ABSATIN: Trustee Fischer

*Appointed Member Term Expiration – Sean Condon:* The Board noted that Trustee Condon's appointed term expires April 30, 2019 and reappointment has been requested. Further discussion will be held at the next regular meeting.

**TRUSTEE TRAINING UPDATE:** The Board reviewed the Trustee Training Summary and discussed upcoming training opportunities. Trustees were reminded to submit any certificates of completion to L&A for recordkeeping.

*Approval of Trustee Training Registration Fees and Reimbursable Expenses:* There were no trustee training registrations or reimbursable expenses presented for approval.

**ATTORNEY'S REPORT – KARLSON GARZA LLC:** *Legal Updates:* The Board reviewed the *Response Time* quarterly newsletter. Attorney Karlson discussed recent court cases and decisions, as well as general pension matters with the Board.

*Mr. Endriukaitis left the meeting at 2:40 p.m.*

*A Court Reporter was present and a verbatim transcript was taken of the following agenda item:*

**NEW BUSINESS (CONTINUED):** *Hearing Regarding Application to Determine Disability Status for Dependent Child – Mark Finnegan:* Attorney Karlson distributed copies of Board hearing exhibits 1-10 contained in a binder to each of the trustees for their review. A hearing date will be set for July 2019.

**CLOSED SESSION, IF NEEDED:** There was no need for closed session.

**ADJOURNMENT:** A motion was made by Trustee Carter and seconded by Trustee Condon to adjourn the meeting at 2:43 p.m. Motion carried unanimously by voice vote.

The next regular meeting is scheduled for July 25, 2019 at 2:00 p.m.

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Board President or Secretary

Minutes approved by the Board of Trustees on\_\_\_\_\_.

*Minutes prepared by Alex Michael, Pension Services Administrator, Lauterbach & Amen, LLP*

# River Forest Fire

## Closed Session Meeting Minute Log

Date of Closed Meeting	Subject of Closed Meeting	Date of Board Approval of Written Minutes	Date the Recording is Eligible for Destruction	Date of Board Approval of Recording Destruction	Most Current Disposition of Written Minutes
10/15/2015	Investment Consultants	01/24/19	04/15/2017		Closed

# River Forest Firefighters' Pension Fund

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Monthly Financial Report

For the Month Ended

May 31, 2019

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Prepared By



Lauterbach & Amen, LLP

CERTIFIED PUBLIC ACCOUNTANTS

# River Forest Firefighters' Pension Fund

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## Accountants' Compilation Report

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June 24, 2019

River Forest Firefighters' Pension Fund  
400 Park Avenue  
River Forest, IL 60305

To Members of the Pension Board:

Management is responsible for the accompanying interim financial statements of the River Forest Firefighters' Pension Fund which comprise the statement of net position - modified cash basis as of May 31, 2019 and the related statement of changes in net position - modified cash basis for the one month then ended in accordance with the modified cash basis of accounting and for determining that the modified cash basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the interim financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these interim financial statements.

The interim financial statements are prepared in accordance with the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

Management has elected to omit substantially all of the disclosures ordinarily included in interim financial statements prepared in accordance with the modified cash basis of accounting. If the omitted disclosures were included in the interim financial statements and other supplementary information, they might influence the user's conclusions about the Pension Fund's assets, liabilities, net position, additions and deductions. Accordingly, the interim financial statements and other supplementary information are not designed for those who are not informed about such matters.

Other Matter

The other supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management. The other supplementary information was subject to our compilation engagement. We have not audited or reviewed the other supplementary information nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the other supplementary information.

Cordially,

*Lauterbach & Amen, LLP*

Lauterbach & Amen, LLP



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## Financial Statements

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**River Forest Firefighters' Pension Fund**  
**Statement of Net Position - Modified Cash Basis**  
**As of May 31, 2019**

**Assets**

Cash and Cash Equivalents	\$	8,258.21
Investments at Fair Market Value		
Money Market Mutual Funds		235,849.32
Illinois Funds		537,556.20
Fixed Income		5,212,350.71
Insurance Contracts - Separate		775,516.63
Mutual Funds		8,027,575.70
Total Cash and Investments		14,797,106.77
Accrued and Past Due Interest		30,615.63
Prepays		2,463.33
<b>Total Assets</b>		<b>14,830,185.73</b>

**Liabilities**

Expenses Due/Unpaid		6,600.67
<b>Total Liabilities</b>		<b>6,600.67</b>

<b>Net Position Held in Trust for Pension Benefits</b>		<b>14,823,585.06</b>
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**River Forest Firefighters' Pension Fund**  
**Statement of Changes in Net Position - Modified Cash Basis**  
**For the One Month Ended May 31, 2019**

**Additions**

Contributions - Municipal	\$	8,148.85
Contributions - Members		14,617.83
Total Contributions		22,766.68
Investment Income		
Interest and Dividends Earned		14,629.46
Net Change in Fair Value		(452,371.27)
Total Investment Income		(437,741.81)
Less Investment Expense		(583.86)
Net Investment Income		(438,325.67)
<b>Total Additions</b>		<b>(415,558.99)</b>

**Deductions**

Administration		3,790.99
Pension Benefits and Refunds		
Pension Benefits		148,169.29
Refunds		0.00
Total Deductions		<b>151,960.28</b>

**Change in Position** **(567,519.27)**

**Net Position Held in Trust for Pension Benefits**

Beginning of Year		15,391,104.33
<b>End of Period</b>		<b>14,823,585.06</b>



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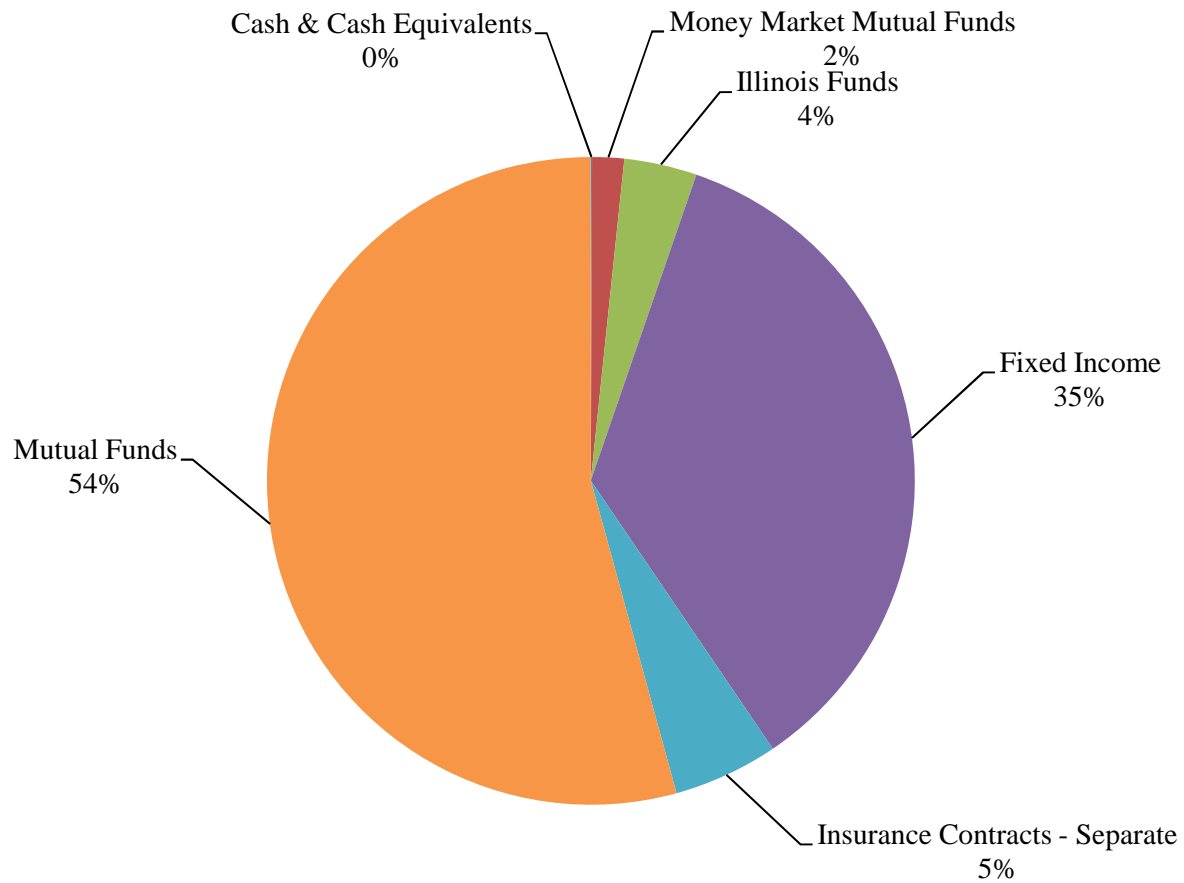
## Other Supplementary Information

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# River Forest Firefighters' Pension Fund

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## Cash and Investments

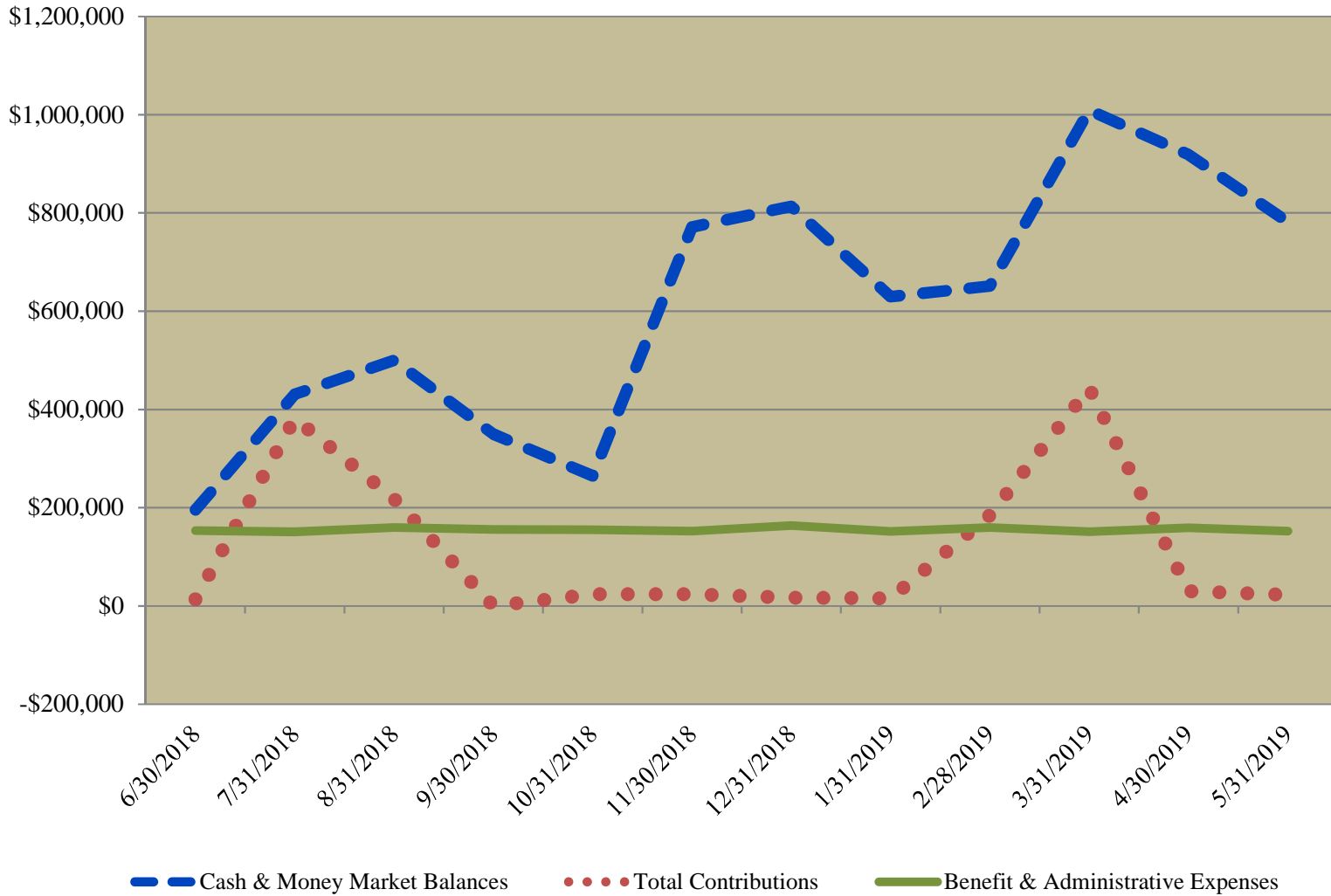


**River Forest Firefighters' Pension Fund**  
**Cash Analysis Report**  
**For the Twelve Periods Ending May 31, 2019**

		<u>06/30/18</u>	<u>07/31/18</u>	<u>08/31/18</u>	<u>09/30/18</u>	<u>10/31/18</u>	<u>11/30/18</u>	<u>12/31/18</u>	<u>01/31/19</u>	<u>02/28/19</u>	<u>03/31/19</u>	<u>04/30/19</u>	<u>05/31/19</u>
<b><u>Financial Institutions</u></b>													
Harris Bank - CK	#3175551	\$ 8,265	8,265	5,298	6,440	5,838	6,846	11,961	360,824	201,800	51,146	11,735	8,258
		<u>8,265</u>	<u>8,265</u>	<u>5,298</u>	<u>6,440</u>	<u>5,838</u>	<u>6,846</u>	<u>11,961</u>	<u>360,824</u>	<u>201,800</u>	<u>51,146</u>	<u>11,735</u>	<u>8,258</u>
IMET - Convenience Fund	#20413-401	50,582	267,451	315,829	143,655	9,027	9,043	9,060	9,078	9,093	9,111	9,129	9,147
First Midwest - MM	#93-1000-02-0	16,224	20,205	29,331	22,801	54,997	116,258	90,788	42,208	36,973	89,318	125,093	116,486
IMET - Liquidating Trust	#20413-401	2,348	2,348	2,348	2,348	2,348	2,348	2,348	2,348	2,348	2,348	2,348	2,348
IMET- Allowance for Unrealized Loss		(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)	(2,348)
First Midwest - MM	#93-1000-03-8	102,849	102,622	102,433	113,668	113,458	533,543	597,284	97,970	98,790	110,118	110,365	110,216
Illinois Funds - MM	#1600013412	17,646	32,254	46,945	63,133	81,609	105,515	104,184	119,491	304,614	749,510	662,004	537,556
		<u>187,301</u>	<u>422,532</u>	<u>494,538</u>	<u>343,257</u>	<u>259,091</u>	<u>764,359</u>	<u>801,316</u>	<u>268,747</u>	<u>449,470</u>	<u>958,057</u>	<u>906,591</u>	<u>773,405</u>
<b>Total</b>		<b><u>195,566</u></b>	<b><u>430,797</u></b>	<b><u>499,836</u></b>	<b><u>349,697</u></b>	<b><u>264,929</u></b>	<b><u>771,205</u></b>	<b><u>813,277</u></b>	<b><u>629,571</u></b>	<b><u>651,270</u></b>	<b><u>1,009,203</u></b>	<b><u>918,326</u></b>	<b><u>781,663</u></b>
<b><u>Contributions</u></b>													
Current Tax		-	367,053	203,680	(16,164)	9,066	5,585	2,375	981	170,733	429,510	12,525	8,149
Contributions - Current Year		<u>13,639</u>	<u>14,570</u>	<u>14,629</u>	<u>16,098</u>	<u>14,648</u>	<u>18,155</u>	<u>14,747</u>	<u>14,101</u>	<u>14,116</u>	<u>14,116</u>	<u>17,548</u>	<u>14,618</u>
		<u>13,639</u>	<u>381,623</u>	<u>218,309</u>	<u>(66)</u>	<u>23,714</u>	<u>23,740</u>	<u>17,122</u>	<u>15,082</u>	<u>184,849</u>	<u>443,626</u>	<u>30,073</u>	<u>22,767</u>
<b><u>Expenses</u></b>													
Pension Benefits		148,137	148,572	148,572	148,572	148,572	148,572	145,861	147,830	147,830	148,169	148,169	148,169
Administration		5,464	2,323	10,928	7,311	6,502	3,759	17,636	3,853	11,746	3,048	10,865	4,375
		<u>153,601</u>	<u>150,895</u>	<u>159,500</u>	<u>155,883</u>	<u>155,074</u>	<u>152,331</u>	<u>163,497</u>	<u>151,683</u>	<u>159,576</u>	<u>151,217</u>	<u>159,034</u>	<u>152,544</u>
<b>Total Contributions less Expenses</b>		<b><u>(139,962)</u></b>	<b><u>230,728</u></b>	<b><u>58,809</u></b>	<b><u>(155,949)</u></b>	<b><u>(131,360)</u></b>	<b><u>(128,591)</u></b>	<b><u>(146,375)</u></b>	<b><u>(136,601)</u></b>	<b><u>25,273</u></b>	<b><u>292,409</u></b>	<b><u>(128,961)</u></b>	<b><u>(129,777)</u></b>

# River Forest Firefighters' Pension Fund

## Cash Analysis Summary





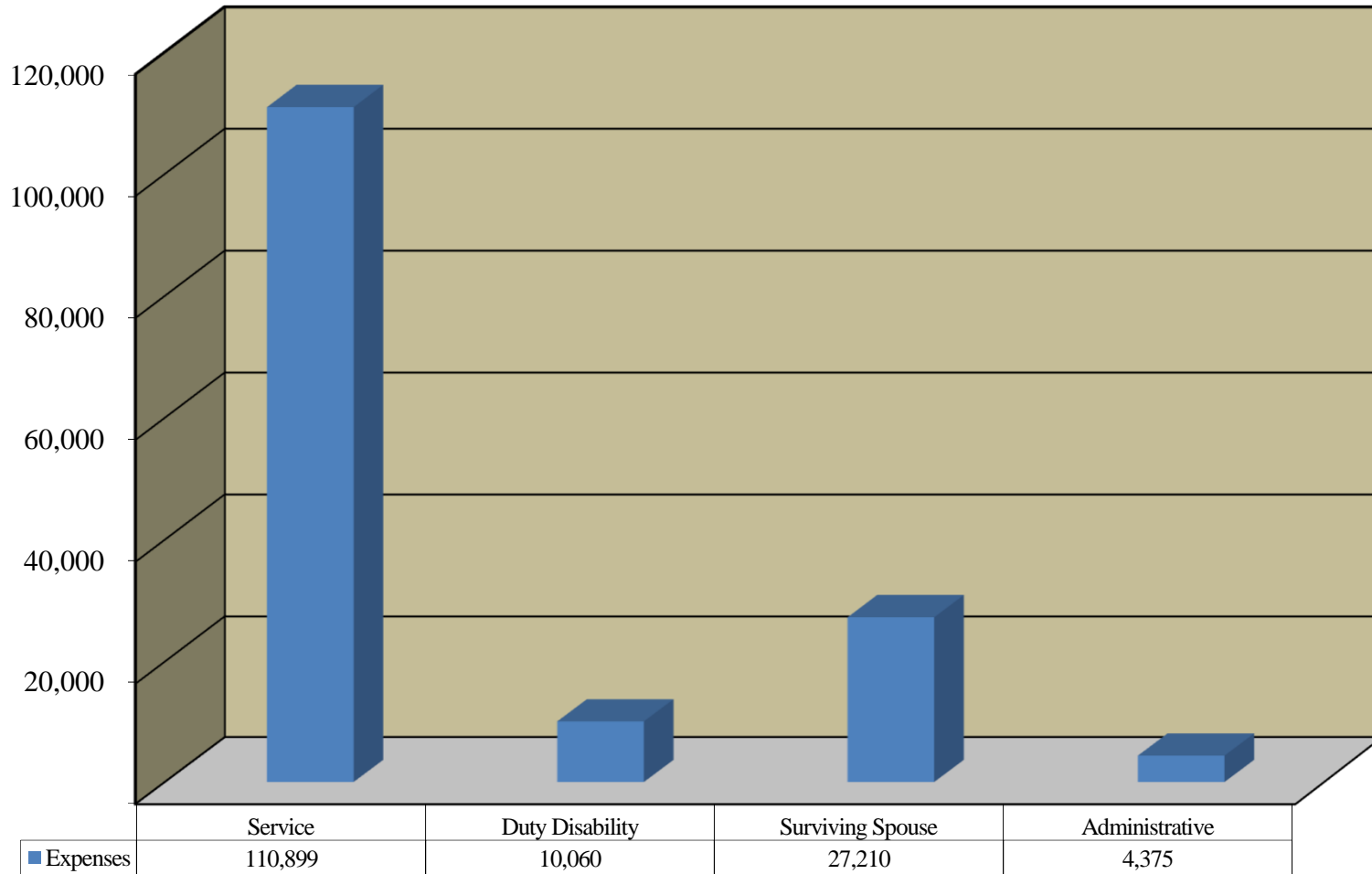
# River Forest Firefighters' Pension Fund

## Revenue Report as of May 31, 2019

	<u>Received this Month</u>	<u>Received this Year</u>
<b><u>Contributions</u></b>		
Contributions - Municipal		
41-210-00 - Current Tax	\$ 8,148.85	8,148.85
	<u>8,148.85</u>	<u>8,148.85</u>
Contributions - Members		
41-410-00 - Contributions - Current Year	14,617.83	14,617.83
	<u>14,617.83</u>	<u>14,617.83</u>
<b>Total Contributions</b>	<b><u>22,766.68</u></b>	<b><u>22,766.68</u></b>
<b><u>Investment Income</u></b>		
Interest and Dividends		
43-105-05 - IMET - Convenience Fund #20413-401	17.95	17.95
43-106-01 - Illinois Funds - Money Market #1600013412	1,269.11	1,269.11
43-252-08 - First Midwest - Fixed Income #93-1000-02-0	20,394.17	20,394.17
43-550-12 - First Midwest - Mutual Funds #93-1000-03-8	213.82	213.82
	<u>21,895.05</u>	<u>21,895.05</u>
Gains and Losses		
44-252-08 - First Midwest - Fixed Income #93-1000-02-0	51,464.51	51,464.51
44-400-01 - Principal - Insurance #530704	2,351.81	2,351.81
44-550-12 - First Midwest - Mutual Funds #93-1000-03-8	(506,187.59)	(506,187.59)
	<u>(452,371.27)</u>	<u>(452,371.27)</u>
Other Income		
45-200-00 - Reverse/Record Accrued and Past Due Interest	(7,265.59)	(7,265.59)
	<u>(7,265.59)</u>	<u>(7,265.59)</u>
<b>Total Investment Income</b>	<b><u>(437,741.81)</u></b>	<b><u>(437,741.81)</u></b>
<b>Total Revenue</b>	<b><u>(414,975.13)</u></b>	<b><u>(414,975.13)</u></b>

# River Forest Firefighters' Pension Fund

## Pension Benefits and Expenses



# River Forest Firefighters' Pension Fund

## Expense Report as of May 31, 2019

	<b>Expended <u>this Month</u></b>	<b>Expended <u>this Year</u></b>
<b><u>Pensions and Benefits</u></b>		
51-020-00 - Service Pensions	\$ 110,899.42	110,899.42
51-040-00 - Duty Disability Pensions	10,059.52	10,059.52
51-060-00 - Surviving Spouse Pensions	27,210.35	27,210.35
<b>Total Pensions and Benefits</b>	<b>148,169.29</b>	<b>148,169.29</b>
<b><u>Administrative</u></b>		
Professional Services		
52-170-03 - Accounting & Bookkeeping Services	1,860.00	1,860.00
52-170-06 - PSA/Court Reporter	1,924.20	1,924.20
	3,784.20	3,784.20
Investment		
52-190-02 - Custodial Fees	583.86	583.86
	583.86	583.86
Other Expense		
52-290-28 - Postage Expense	6.79	6.79
	6.79	6.79
<b>Total Administrative</b>	<b>4,374.85</b>	<b>4,374.85</b>
<b>Total Expenses</b>	<b>152,544.14</b>	<b>152,544.14</b>

**River Forest Firefighters' Pension Fund**  
**Member Contribution Report**  
**As of Month Ended May 31, 2019**

Name	Thru Prior Fiscal Year	Current Fiscal Year	Service Purchase	Refunds	Total Contributions
Basa, Matthew D.	\$ 9,029.37	515.71	0.00	0.00	9,545.08
Bencik, Jason E.	30,655.73	608.92	0.00	0.00	31,264.65
Bochenek, David M.	91,516.25	924.34	0.00	0.00	92,440.59
Bohlmann, Kurt B.	202,815.65	1,254.02	0.00	0.00	204,069.67
Boyd, Quentin A.	61,862.46	745.81	0.00	0.00	62,608.27
Buchholz, Jonathan P.	10,603.02	509.80	0.00	0.00	11,112.82
Carter, John E.	150,704.23	940.89	0.00	0.00	151,645.12
Doran, Christopher C.	87,673.91	745.04	0.00	0.00	88,418.95
Finfrock, Lucas J.	58,846.04	745.04	0.00	0.00	59,591.08
Fischer, Stephen G.	127,534.64	753.70	0.00	0.00	128,288.34
Howe, Adam J.	28,734.99	608.92	0.00	0.00	29,343.91
Howe, Edward F.	130,907.15	922.45	0.00	0.00	131,829.60
Krall, Matthew K.	30,597.71	610.10	0.00	0.00	31,207.81
McKenna, Brian T.	14,409.62	542.84	0.00	0.00	14,952.46
McNabb, Joshua	0.00	476.76	0.00	0.00	476.76
Nolan, Brian M.	131,604.34	0.00	0.00	0.00	131,604.34
Rose, John M.	183,496.88	920.56	0.00	0.00	184,417.44
Seablom, Adam R.	17,702.73	542.84	0.00	0.00	18,245.57
Smith, Michael P.	130,893.65	745.83	0.00	0.00	131,639.48
Viera, Adan	78,077.74	745.83	0.00	0.00	78,823.57
Zipperich, Paul B.	126,823.05	758.43	0.00	0.00	127,581.48
<b>Totals</b>	<b>1,704,489.16</b>	<b>14,617.83</b>	<b>0.00</b>	<b>0.00</b>	<b>1,719,106.99</b>

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH?	Retro? Check #	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
<u>Duty Disability</u>										
***-**2182										
	109397	Fahy, Patrick J.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$1,915.39	\$1,915.39	\$0.00	\$0.00	\$0.00	\$0.00
		***-**2182 Subtotal:			\$1,915.39	\$1,915.39	\$0.00	\$0.00	\$0.00	\$0.00
***-**2299										
	109396	Rausch, Richard R.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$4,622.87	\$4,692.96	\$0.00	\$64.88	\$5.21	\$0.00
		***-**2299 Subtotal:			\$4,622.87	\$4,692.96	\$0.00	\$64.88	\$5.21	\$0.00
***-**2110										
	109398	Schejbal, James F.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$3,381.08	\$3,451.17	\$0.00	\$64.88	\$5.21	\$0.00
		***-**2110 Subtotal:			\$3,381.08	\$3,451.17	\$0.00	\$64.88	\$5.21	\$0.00
		Duty Disability Subtotal:			\$9,919.34	\$10,059.52	\$0.00	\$129.76	\$10.42	\$0.00
<u>Service</u>										
***-**7938										
	110935	Daugherty, William J.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$4,333.13	\$7,061.00	\$424.38	\$0.00	\$0.00	\$1,103.49
	110935	Payment to Access Credit Union, Daugherty -	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$1,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		***-**7938 Subtotal:			\$5,533.13	\$7,061.00	\$424.38	\$0.00	\$0.00	\$1,103.49

See Accountants' Compilation Report

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH? Retro? Check #	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
***-**-2389	111043	Finnegan, Mark T.	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$5,983.63	\$7,924.23	\$1,198.89	\$125.35	\$0.00	\$616.36
		***-**-2389 Subtotal:		\$5,983.63	\$7,924.23	\$1,198.89	\$125.35	\$0.00	\$616.36
***-**-8188	106826	Gerard III, Bernard F.	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$4,282.80	\$4,288.01	\$0.00	\$0.00	\$5.21	\$0.00
		***-**-8188 Subtotal:		\$4,282.80	\$4,288.01	\$0.00	\$0.00	\$5.21	\$0.00
***-**-8444	106833	Law, Dennis J.	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$3,619.37	\$3,624.58	\$0.00	\$0.00	\$5.21	\$0.00
		***-**-8444 Subtotal:		\$3,619.37	\$3,624.58	\$0.00	\$0.00	\$5.21	\$0.00
***-**-8043	112495	Law, Michael D.	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$4,122.49	\$4,462.11	\$0.00	\$0.00	\$0.00	\$339.62
		***-**-8043 Subtotal:		\$4,122.49	\$4,462.11	\$0.00	\$0.00	\$0.00	\$339.62
***-**-6763	106828	Lidinsky, Richard T.	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$7,200.74	\$8,050.98	\$0.00	\$0.00	\$0.00	\$800.24
	106828	Payment to Access Credit Union, Lidinsky -	<input checked="" type="checkbox"/> <input type="checkbox"/> 0	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		***-**-6763 Subtotal:		\$7,250.74	\$8,050.98	\$0.00	\$0.00	\$0.00	\$800.24

See Accountants' Compilation Report

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH? Retro?	Check #	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
***-**-0172	106827	Marrocco, Timothy	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$98.99	\$98.99	\$0.00	\$0.00	\$0.00	\$0.00
		***-**-0172 Subtotal:			\$98.99	\$98.99	\$0.00	\$0.00	\$0.00	\$0.00
***-**-4999	111666	Newberry, John J.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$3,873.19	\$5,553.82	\$1,111.59	\$85.64	\$3.16	\$480.24
		***-**-4999 Subtotal:			\$3,873.19	\$5,553.82	\$1,111.59	\$85.64	\$3.16	\$480.24
***-**-1107	110549	Nortier, Robert A.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$6,081.03	\$8,402.00	\$1,288.98	\$125.35	\$3.16	\$903.48
		***-**-1107 Subtotal:			\$6,081.03	\$8,402.00	\$1,288.98	\$125.35	\$3.16	\$903.48
***-**-1730	106819	Nummer, Russell W.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$5,597.01	\$9,279.84	\$794.45	\$0.00	\$5.21	\$1,183.17
	106819	Payment to Access Credit Union, Nummer -	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$1,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		***-**-1730 Subtotal:			\$7,297.01	\$9,279.84	\$794.45	\$0.00	\$5.21	\$1,183.17
***-**-1514	106829	Powell Sr, Richard H.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$5,046.76	\$7,700.49	\$0.00	\$0.00	\$5.21	\$932.52
	106829	Payment to Access Credit Union, Powell -	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$1,478.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

See Accountants' Compilation Report

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH? Retro?	Net Amount Check #	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax	
				0						
	106829	Blue Cross Blue Shield of Illinois	<input type="checkbox"/>	<input type="checkbox"/>	\$238.00	\$0.00	\$0.00	\$0.00	\$0.00	
				133						
			***-**1514 Subtotal:		\$6,762.76	\$7,700.49	\$0.00	\$0.00	\$5.21	\$932.52
***-**4376										
	106834	Riley, Thomas B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$5,237.76	\$5,968.20	\$0.00	\$25.23	\$5.21	\$700.00
				0						
			***-**4376 Subtotal:		\$5,237.76	\$5,968.20	\$0.00	\$25.23	\$5.21	\$700.00
***-**5659										
	106821	Schoff, Robert H.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$7,196.55	\$8,454.27	\$0.00	\$25.23	\$0.00	\$1,232.49
				0						
			***-**5659 Subtotal:		\$7,196.55	\$8,454.27	\$0.00	\$25.23	\$0.00	\$1,232.49
***-**5896										
	106823	Stamm, Paul J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$7,291.85	\$8,023.93	\$0.00	\$0.00	\$0.00	\$732.08
				0						
			***-**5896 Subtotal:		\$7,291.85	\$8,023.93	\$0.00	\$0.00	\$0.00	\$732.08
***-**7868										
	106824	Telkamp, Lester H.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$5,355.33	\$7,040.51	\$636.57	\$37.85	\$0.00	\$1,010.76
				0						
			***-**7868 Subtotal:		\$5,355.33	\$7,040.51	\$636.57	\$37.85	\$0.00	\$1,010.76



Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH? Retro?	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
***-**-4199	106830	Vondracek, Arthur W.	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$5,309.23	\$7,005.02	\$541.09	\$25.23	\$3.16	\$1,126.31
			0						
		***-**-4199 Subtotal:		\$5,309.23	\$7,005.02	\$541.09	\$25.23	\$3.16	\$1,126.31
***-**-6387	106825	Witken, David B.	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$6,614.38	\$7,961.44	\$424.38	\$112.73	\$0.00	\$809.95
			0						
		***-**-6387 Subtotal:		\$6,614.38	\$7,961.44	\$424.38	\$112.73	\$0.00	\$809.95
		Service Subtotal:		\$91,910.24	\$110,899.42	\$6,420.33	\$562.61	\$35.53	\$11,970.71
<u>Surviving Spouse</u>									
***-**-9623	108225	Barth, Charlotte B.	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$1,989.73	\$2,494.96	\$0.00	\$0.00	\$0.00	\$255.23
			0						
	108225	Payment to Access Credit Union, Barth -	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			0						
		***-**-9623 Subtotal:		\$2,239.73	\$2,494.96	\$0.00	\$0.00	\$0.00	\$255.23
***-**-8921	108223	Bentel, Loretta H.	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$4,564.44	\$7,364.35	\$636.57	\$0.00	\$0.00	\$1,163.34
			0						
	108223	Payment to Fifth Third Bank, Bentel -	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$1,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			0						
		***-**-8921 Subtotal:		\$5,564.44	\$7,364.35	\$636.57	\$0.00	\$0.00	\$1,163.34

See Accountants' Compilation Report

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name Alt Payee Name	ACH?	Retro? Check #	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
***-**-6579	106832	Bentel, Ruth M.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$5,439.65	\$6,490.65	\$0.00	\$37.85	\$0.00	\$1,013.15
		***-**-6579 Subtotal:			\$5,439.65	\$6,490.65	\$0.00	\$37.85	\$0.00	\$1,013.15
***-**-9173	109394	Daudelin, Evelyn M.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$1,727.02	\$1,732.23	\$0.00	\$0.00	\$5.21	\$0.00
		***-**-9173 Subtotal:			\$1,727.02	\$1,732.23	\$0.00	\$0.00	\$5.21	\$0.00
***-**-2973	106831	Diebold, Linda L.	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$4,425.79	\$4,992.69	\$0.00	\$0.00	\$0.00	\$566.90
		***-**-2973 Subtotal:			\$4,425.79	\$4,992.69	\$0.00	\$0.00	\$0.00	\$566.90
***-**-0510	106822	Hlavaty, Evelyn	<input checked="" type="checkbox"/>	<input type="checkbox"/> 0	\$3,635.47	\$4,135.47	\$0.00	\$0.00	\$0.00	\$500.00
		***-**-0510 Subtotal:			\$3,635.47	\$4,135.47	\$0.00	\$0.00	\$0.00	\$500.00
		Surviving Spouse Subtotal:			\$23,032.10	\$27,210.35	\$636.57	\$37.85	\$5.21	\$3,498.62

Batches 35689

River Forest Firefighters' Pension Fund

Multiple Batch Report

Check Date 5/31/2019

SSN	Family ID	Employee Name	ACH?	Retro?	Net Amount	Member Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
		Alt Payee Name			Check #					

Totals

ACH Flag	Payments	Net Payment Total	Gross	Medical Insurance	Dental Insurance	Life Insurance	Federal Tax
Yes	32	\$124,623.68	\$148,169.29	\$7,056.90	\$730.22	\$51.16	\$15,469.33
No	1	\$238.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Grand Total	33	\$124,861.68	\$148,169.29	\$7,056.90	\$730.22	\$51.16	\$15,469.33

# River Forest Firefighters' Pension Fund

## Quarterly Vendor Check Report

All Bank Accounts  
March 1, 2019 - May 31, 2019

Check Date	Check Number	Vendor Name	Invoice Amount	Check Amount
03/11/19	30300	<b>Karlson Garza, LLC</b> 52-170-05 #285 01/19 - 03/19 Quarterly Fee	750.00	<b>Check Amount</b> <u>750.00</u>
03/15/19	50193	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 02/19	217.54	<b>Check Amount</b> <u>217.54</u>
03/15/19	50194	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 02/19	345.44	<b>Check Amount</b> <u>345.44</u>
03/25/19	30303	<b>Lauterbach &amp; Amen, LLP</b> 52-170-03 #34619 02/19 Accounting & Benefits 52-170-06 #34619 02/19 PSA	930.00 805.00	<b>ACH Amount (Direct Deposit)</b> <u>1,735.00</u>
03/29/19	30301	<b>Village of River Forest - Insurance</b> 20-220-00 Medical Insurance - 03/19 20-220-00 Dental Insurance 20-220-00 Life Insurance	7,056.90 730.22 51.16	<b>ACH Amount (Direct Deposit)</b> <u>7,838.28</u>
03/29/19	30302	<b>Internal Revenue Service</b> 20-230-00 Internal Revenue Service	15,369.33	<b>ACH Amount (Direct Deposit)</b> <u>15,369.33</u>
04/11/19	30305	<b>Karlson Garza, LLC</b> 52-170-05 #301 Legal Services	187.50	<b>Check Amount</b> <u>187.50</u>
04/15/19	30304	<b>Lauterbach &amp; Amen, LLP</b> 52-170-01 #31293 FYE18 Actuarial 52-170-01 Remaining Balance	0.00 1,030.00	<b>ACH Amount (Direct Deposit)</b> <u>1,030.00</u>
04/15/19	50195	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 03/19	220.68	<b>Check Amount</b> <u>220.68</u>
04/15/19	50196	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 03/19	349.22	<b>Check Amount</b> <u>349.22</u>

# River Forest Firefighters' Pension Fund

## Quarterly Vendor Check Report

All Bank Accounts  
March 1, 2019 - May 31, 2019

Date	Check Number	Vendor Name	Invoice Amount	Check Amount
04/24/19	30308	<b>AndCo Consulting, LLC</b> 52-190-01 2Q19 Investment Manager/Advisor Fee	5,793.75	<b>Check Amount</b> <u>5,793.75</u>
04/26/19	30309	<b>Segall Bryant &amp; Hamill, LLC</b> 52-190-01 2Q19 Investment Manager/Advisor Fee	3,283.35	<b>Check Amount</b> <u>3,283.35</u>
04/30/19	30306	<b>Village of River Forest - Insurance</b> 20-220-00 Medical Insurance - 04/19 20-220-00 Dental Insurance 20-220-00 Life Insurance	7,056.90 730.22 51.16	<b>ACH Amount (Direct Deposit)</b> <u>7,838.28</u>
04/30/19	30307	<b>Internal Revenue Service</b> 20-230-00 Internal Revenue Service	15,469.33	<b>ACH Amount (Direct Deposit)</b> <u>15,469.33</u>
05/02/19	30311	<b>County Court Reporters, Inc</b> 52-170-06 #125297 04/25/19 Finnegan,M	314.20	<b>Check Amount</b> <u>314.20</u>
05/06/19	30310	<b>Lauterbach &amp; Amen, LLP</b> 52-170-03 #35309 03/19 Accounting & Benefits 52-170-06 #35309 03/19 PSA	930.00 805.00	<b>ACH Amount (Direct Deposit)</b> <u>1,735.00</u>
05/15/19	50197	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 04/19	220.80	<b>Check Amount</b> <u>220.80</u>
05/15/19	50198	<b>First Midwest Bank Wealth Management</b> 52-190-02 Custodial/Trust Fee - 04/19	363.06	<b>Check Amount</b> <u>363.06</u>
05/21/19	30314	<b>Village of River Forest*</b> 52-290-28 Reimburse FY19 Postage #0002780	6.79	<b>Check Amount</b> <u>6.79</u>
05/30/19	30315	<b>Lauterbach &amp; Amen, LLP</b> 52-170-03 #36473 04/19 Accounting & Benefits 52-170-06 #36473 04/19 PSA	930.00 805.00	<b>ACH Amount (Direct Deposit)</b> <u>1,735.00</u>

# River Forest Firefighters' Pension Fund

## Quarterly Vendor Check Report

All Bank Accounts  
March 1, 2019 - May 31, 2019

Date	Check Number	Vendor Name	Invoice Amount	Check Amount
05/31/19	30312	<b>Village of River Forest - Insurance</b>		
		20-220-00 Medical Insurance - 05/19	7,056.90	
		20-220-00 Dental Insurance	730.22	
		20-220-00 Life Insurance	51.16	
		<b>ACH Amount (Direct Deposit)</b>		<u>7,838.28</u>
05/31/19	30313	<b>Internal Revenue Service</b>		
		20-230-00 Internal Revenue Service	15,469.33	
		<b>ACH Amount (Direct Deposit)</b>		<u>15,469.33</u>
		<b>Total Payments</b>		<u><u>88,110.16</u></u>

**RIVER FOREST  
FIREFIGHTERS' PENSION FUND**

**Rose, John M.**

Pension Calculation Worksheet

Retirement 20-50

**REVIEWED AND APPROVED BY PENSION FUND:**

**Trustee:** Date: 07-16-19 Name: Rosemary McAdams Signature: Rosemary McAdams

**Personal Data**

Member Name	<u>Rose, John M.</u>	
Member Social Security Number	<u>xxx-xx-0064</u>	
Member Birth Date	<u>10/06/60</u>	
Member Entry Date	<u>08/12/91</u>	
Member Retirement Date	<u>07/01/19</u>	
Member Effective Date of Pension	<u>07/02/19</u>	
Member Age at Effective Date of Pension	<u>58</u>	
Years (Y) & Months (M) of Creditable Service Earned	Y <u>27</u>	M <u>10</u>
Applicable Salary	<u>\$131,868.27</u>	
Applicable Pension Percentage (APP)	<u>69.58%</u>	
Amount of the Original Monthly Pension Granted to Member	<u>\$7,646.52</u>	

**Pension Calculation History**

Date	Description	Amount of Change	Amount of Monthly Pension	Amount of Annual Pension
07/02/19	Original Benefit (prorated)	7,399.86	7,399.86	
08/01/19	Original Benefit (full month)	246.66	7,646.52	91,758.24
08/01/20	Initial Increase	229.40	7,875.92	94,511.04
01/01/21	Annual 3% COLA	236.28	8,112.20	97,346.40
01/01/22	Annual 3% COLA	243.37	8,355.57	100,266.84
01/01/23	Annual 3% COLA	250.67	8,606.24	103,274.88
01/01/24	Annual 3% COLA	258.19	8,864.43	106,373.16
01/01/25	Annual 3% COLA	265.93	9,130.36	109,564.32
01/01/26	Annual 3% COLA	273.91	9,404.27	112,851.24
01/01/27	Annual 3% COLA	282.13	9,686.40	116,236.80
01/01/28	Annual 3% COLA	290.59	9,976.99	119,723.88
01/01/29	Annual 3% COLA	299.31	10,276.30	123,315.60
01/01/30	Annual 3% COLA	308.29	10,584.59	127,015.08

**APPLICATION FOR MEMBERSHIP  
RIVER FOREST FIREFIGHTERS' PENSION FUND**

I hereby make application to come under the terms and conditions of the River Forest Firefighters' Pension fund of River Forest, Illinois. **PLEASE PRINT ALL INFORMATION.**

Name: Joshua McNabb

Date of Hire: 5/1/2019

Have you previously been a member of an Article 4 Pension Fund(s)?  Yes  No

If yes, provide Name of Pension Fund(s):

Name of Pension Fund: River Forest Fire Pension

Dates of employment: From: 5/1/2019 To: N/A

Tier Classification (check one):

Tier 1 (Must have creditable service with another Article 4 Pension Fund prior to January 1, 2011)

Tier 2 (Hired on or after January 1, 2011 with no prior creditable service)

Address: [REDACTED] City [REDACTED] State [REDACTED] Zip Code [REDACTED]

Date of Birth: 9/4/1985 Place of Birth: Chicago, IL USA

Phone: [REDACTED] Social Security Number: [REDACTED]

Spouse's Name: \_\_\_\_\_  
Spouse's Maiden Name (if applicable)

Spouse's Social Security Number: \_\_\_\_\_

Spouse's Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date Married: \_\_\_\_\_

If divorced, please give date: \_\_\_\_\_ Is there a QILDRO? \_\_\_\_\_ (if yes, attach a copy)

LIST NAMES ALL MINOR CHILDREN WITH THEIR DATES OF BIRTH:

<u>[REDACTED]</u>	DOB: <u>[REDACTED]</u>
<u>[REDACTED]</u>	DOB: <u>[REDACTED]</u>
_____	DOB: _____
_____	DOB: _____
_____	DOB: _____
_____	DOB: _____



**RIVER FOREST  
FIREFIGHTERS' PENSION FUND**

**Rose, John M.**

Pension Calculation Worksheet

Retirement 20-50

**REVIEWED AND APPROVED BY PENSION FUND:**

**Trustee:** Date: 07-16-19 Name: Rosemary McAdams Signature: Rosemary McAdams

**Personal Data**

Member Name	<u>Rose, John M.</u>	
Member Social Security Number	<u>xxx-xx-0064</u>	
Member Birth Date	<u>10/06/60</u>	
Member Entry Date	<u>08/12/91</u>	
Member Retirement Date	<u>07/01/19</u>	
Member Effective Date of Pension	<u>07/02/19</u>	
Member Age at Effective Date of Pension	<u>58</u>	
Years (Y) & Months (M) of Creditable Service Earned	Y <u>27</u>	M <u>10</u>
Applicable Salary	<u>\$131,868.27</u>	
Applicable Pension Percentage (APP)	<u>69.58%</u>	
Amount of the Original Monthly Pension Granted to Member	<u>\$7,646.52</u>	

**Pension Calculation History**

Date	Description	Amount of Change	Amount of Monthly Pension	Amount of Annual Pension
07/02/19	Original Benefit (prorated)	7,399.86	7,399.86	
08/01/19	Original Benefit (full month)	246.66	7,646.52	91,758.24
08/01/20	Initial Increase	229.40	7,875.92	94,511.04
01/01/21	Annual 3% COLA	236.28	8,112.20	97,346.40
01/01/22	Annual 3% COLA	243.37	8,355.57	100,266.84
01/01/23	Annual 3% COLA	250.67	8,606.24	103,274.88
01/01/24	Annual 3% COLA	258.19	8,864.43	106,373.16
01/01/25	Annual 3% COLA	265.93	9,130.36	109,564.32
01/01/26	Annual 3% COLA	273.91	9,404.27	112,851.24
01/01/27	Annual 3% COLA	282.13	9,686.40	116,236.80
01/01/28	Annual 3% COLA	290.59	9,976.99	119,723.88
01/01/29	Annual 3% COLA	299.31	10,276.30	123,315.60
01/01/30	Annual 3% COLA	308.29	10,584.59	127,015.08



Justin P. Bove  
Euclid Specialty Managers  
380 Maple Avenue West, Suite 305  
Vienna, VA 22180  
[www.euclidspecialty.com](http://www.euclidspecialty.com)

July 19, 2019

Greg Kiesewetter  
Cook Castle Associates, LLC  
P.O. Box 806285  
Chicago, IL 60680

RE: River Forest Firefighters Pension Fund  
The Vanguard Fiduciary Liability Insurance Policy Quotation provided by Euclid Specialty Managers

Dear Greg:

Thank you for the opportunity to offer a coverage proposal to your client.

The Vanguard Fiduciary Liability Insurance Policy is issued on an admitted basis with limit capacity up to \$25 million and is written with Hudson Insurance Company – rated “A” (Excellent), financial size category XV (\$2 billion or greater) by A.M. Best. Hudson is a wholly owned subsidiary of Odyssey Re Holdings Corp., with assets of \$11.2 billion and \$3.8 billion in shareholders' equity.

Euclid Specialty Managers specializes in fiduciary and other management liability insurance for multiemployer, governmental and other non-profit employee benefit plans, with over 10,000 policies issued in this niche. We are known for our expertise and thought leadership in protecting Insureds from complex liability. In addition to Fiduciary Liability Insurance Coverage, we also offer Directors & Officers Liability, Employment Practices Liability, Cyber Liability and Crime Insurance Coverages to employee benefit plans and plan officials.

Please let us know if we can offer any of these other coverages to your client.

Very truly yours,

A handwritten signature in black ink, appearing to read "Justin P. Bove", with a long horizontal flourish extending to the right.

Justin P. Bove  
Euclid Specialty Managers  
[jbove@euclidspecialty.com](mailto:jbove@euclidspecialty.com)  
646.927.1190



# The Vanguard Fiduciary Liability Insurance Quotation

**Date Issued:** July 19, 2019

**Renewal of Policy Number:** SFD31210411-04

**Policy Form:** The Euclid Specialty Vanguard Fiduciary Liability Insurance Policy Form  
Admitted in all states\* (placed through the Free Trade Zone in New York)

**Insurance Carrier:** Hudson Insurance Company, a subsidiary of Odyssey Re Holdings Corp.  
Rated "A" Excellent Financial Size Category XV by A.M. Best

**Insurance Representative:** Cook Castle Associates, LLC  
**Address:** P.O. Box 806285  
Chicago, IL 60680

**Plan (or Plans):** River Forest Firefighters Pension Fund  
**Address:** 400 Park Avenue  
River Forest, IL 60305

**Policy Period:**  
**Effective Date:** 10/08/2019 (12:01 a.m. local time)  
**Expiration Date:** 10/08/2020 (12:01 a.m. local time)

**Pending or Prior Proceeding**  
**Date:** 10/08/2013

**Limits of Liability:**

<b>(a) Aggregate Limit of Liability:</b> the maximum aggregate limit of liability for all <b>Loss</b> under this policy, including <b>Claim Expenses</b>	\$1,000,000
<b>(b) Trustee Claim Expenses (Non-Fiduciary Defense) Sublimit:</b> the aggregate limit of liability for all <b>Claim Expenses</b> in connection with <b>Claims</b> solely alleging <b>Wrongful Acts</b> as defined in Section II. Definitions R.(3.) of the policy (included within and not in addition to the maximum aggregate limit of liability)	\$250,000
<b>(c) Voluntary Compliance Program Expenditures Sublimit:</b> the aggregate limit of liability for all <b>Voluntary Compliance Program Expenditures</b> (included within and not in addition to the maximum aggregate limit of liability)	\$100,000
<b>(d) ERISA 502(c) Civil Penalties Sublimit:</b> the aggregate limit of liability for all <b>Loss</b> in the form of civil fines or any excise tax imposed pursuant to Section 502(c) of ERISA or the Pension Protection Act of 2006 (included within and not in addition to the maximum aggregate limit of liability)	\$50,000
<b>(e) HIPAA and HITECH Fines and Penalties Sublimit:</b> the aggregate limit of liability for all <b>Loss</b> in the form of civil fines and penalties imposed pursuant to HIPAA and HITECH (included within and not in addition to the maximum aggregate limit of liability)	\$1,000,000
<b>(f) PPACA Fines and Penalties Sublimit:</b> the aggregate limit of liability for all <b>Loss</b> in the form of civil fines and penalties imposed pursuant to PPACA (included within and not in addition to the maximum aggregate limit of liability)	\$1,000,000

(g) <b>Section 4975 Penalties Sublimit:</b> the aggregate limit of liability for all <b>Loss</b> in the form of excise taxes imposed pursuant to Section 4975 of the Internal Revenue Code (included within and not in addition to the maximum aggregate limit of liability)	\$100,000
(h) <b>ERISA Section 502(a)(3) Relief Sublimit:</b> the aggregate limit of liability for all <b>Loss</b> in the form of equitable relief imposed pursuant to Section 502(a)(3) of ERISA (included within and not in addition to the maximum aggregate limit of liability)	\$50,000
(i) <b>Benefit Overpayment Sublimit:</b> the aggregate limit of liability for all benefit overpayments as defined in Section II. Definitions H.(5.) of the policy (included within and not in addition to the maximum aggregate limit of liability)	\$50,000
(j) <b>Cyber Essentials Sublimit:</b> the aggregate limit of liability <b>Content Restoration Expenditures</b> and <b>Crisis Notification Expenditures</b> as defined in Section II. Definitions E. and G. of the policy (included within and not in addition to the maximum aggregate limit of liability)	\$100,000

**Retention:** \$0 each **Claim**  
\$10,000 applicable only to the **Benefit Overpayment Sublimit**

**Premium:**

Basic Premium:	\$3,560.00
Waiver of Recourse Premium:	\$0.00
Tax/Surcharge:	\$0.00
Total Premium:	\$3,560.00

**Commission:** 17.0%

**Extended Reporting Period:** Twelve (12) month extended reporting period is available for 100% of the total annual premium, subject to Section IV.(B.) Extended Reporting Period of the Policy

**Endorsement Schedule:**

The following endorsements, plus any applicable State Amendatory Endorsement(s), will attach to and form part of the Policy – [Policy Form No. ESF-31210001 \(09/2012\)](#):

1. [ESF-31230013](#) Illinois Amendatory Endorsement
2. [ESF-31220060B](#) Public Entity Fiduciary Liability Endorsement

**Coverage is subject to receipt and satisfactory review of the following item(s) prior to binding:**

Nothing additional is required.

**Importance Notice - Please Read Carefully**

This quotation is valid for a period of sixty (60) days from the date issued unless amended or withdrawn by the Insurer, and is subject to the terms and conditions of the policy. If between the date of this quotation and the effective date of the policy or date of binding coverage, whichever is later, there is any material change in underwriting information, then the applicant must notify Euclid Specialty Managers as a condition prior to binding coverage. We reserve the right to amend the premium, revise coverage terms and conditions, or withdraw our quotation entirely. Please further note that the terms and conditions offered in this quotation may not match the expiring terms of any current policy.

# Certified Trustee Training

Organization: River Forest Fire Pension Fund

Year: 2019

## Stephen Fischer

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	16	2018-IPFA - REGISTERED			
2					
3					
4					
5					
6					

## John Carter

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	16	2019 AFFI - Registered			
2					
3					
4					
5					
6					

## Lester Telkamp

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	16	2018 - IPPFA	8	11/1/2018	Yes
2					
3					
4					
5					
6					

## Sean Condon

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	16				
2					
3					
4					
5					
6					

## Rosemary McAdams

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1	32	Certified Trustee Training - Registered			
2		2019 - OMA		2/1/2019	X
3		2019 - FOIA		2/1/2019	X
4					
5					
6					

	Hours Required	Type of Training	Hours Completed	Date Completed	Cert on File
1					
2					
3					
4					
5					
6					

## **2019 IPPFA Trustee Training Opportunities**

### **REGIONAL SEMINAR**

**WHEN:** Wednesday, November 13, 2019

**WHERE:** **John A. Logan College – Carterville, IL**  
700 Logan College Drive  
Carterville, IL 62918  
618-985-2828

**TIME:** 7:00 am – 4:00 pm

**COST:** IPPFA MEMBER: \$185.00/seminar  
IPPFA NON-MEMBER: \$370.00/seminar

*This regional seminar satisfies 8 hours of the required continuing pension trustee training*

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### **4 DAY SEMINAR**

#### **MIDAMERICAN PENSION CONFERENCE**

**WHEN:** Tuesday, October 1, 2019 – Friday, October 4, 2019

**WHERE:** **Grand Geneva Resort**  
7036 Grand Geneva Way  
Lake Geneva, WI 53147

**ACCOMMODATIONS: Onsite – Grand Geneva Resort, Lake Geneva**  
IPPFA Rate: \$138.00/night

**Off Site – Holiday Inn Club Vacations at Lake Geneva Resort**  
Group Name: IPPFA  
Group Code: IPP

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## IPPFA ONLINE SEMINAR COURSES

**WHEN:** Ongoing  
• Online 8 hr seminar (Recorded Spring, 2018)

**WHERE:** IPPFA Website:  
[www.ippfa.org/education/online-classes/](http://www.ippfa.org/education/online-classes/)

**COST:** IPPFA MEMBER: \$250.00/seminar  
IPPFA NON-MEMBER: \$450.00/seminar

*-each online seminar satisfies 8 hours of the required continuing pension trustee training*

---

**WHEN:** Ongoing  
• Online 8 hr seminar (Recorded Spring, 2016)

**WHERE:** IPPFA Website:  
[www.ippfa.org/education/online-classes/](http://www.ippfa.org/education/online-classes/)

**COST:** IPPFA MEMBER: \$250.00/seminar  
IPPFA NON-MEMBER: \$450.00/seminar

*-each online seminar satisfies 8 hours of the required continuing pension trustee training*



**2019 IPFA FALL PENSION SEMINAR**  
**Friday November 1, 2019 Gold Shift**  
 Empress Banquets 200 East Lake Street Addison, IL 60101 630-279-5900



**SEMINAR REGISTRATION FORM**

Municipality, District, or Firm: \_\_\_\_\_ Address: \_\_\_\_\_  
 City: \_\_\_\_\_, IL Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

*(please print or type)*

**SEMINAR FEES: IPFA Members: \$ 145.00 Non - Members: \$ 185.00 Walk-In Registration: \$ 195.00**

*Avoid the walk-in surcharge – register on or before Monday, October 28, 2019*

First Name:	Last Name:	e-mail Address:	Member	Non-Member
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.
_____	_____	_____	\$ _____.	\$ _____.

**TOTAL CHECK ENCLOSED \$ \_\_\_\_\_.**

Payment must accompany this Registration Form and be received in our office **on or before** Monday, October 28th to qualify for lower rates. Reservations received after the above date will be charged walk-in registration fee. Requests for refunds also must be received on or before Monday, October 28th for full fee refunds. **No refunds** of seminar fees after this date. Please mail the completed form to IPFA, 188 Industrial Drive, Suite 134, Elmhurst, IL 60126-1608, fax it to 630-833-2412, or scan & e-mail to [ipfa@aol.com](mailto:ipfa@aol.com). Any questions, call 630-833-2405. For Tax Reporting Purposes our Federal I.D. Number is: 36-2650496.

***The Illinois Pension Statute requires continuing education for all pension board members. This seminar provides up to 8 hours of credits.***

For IPFA Office Use: Date: \_\_\_\_\_ Check #: \_\_\_\_\_ Amount: \_\_\_\_\_ Payer: \_\_\_\_\_





# 2019 AFFI

**October 7-8, 2019**

Bloomington-Normal Marriott  
Hotel & Conference Center  
201 Broadway Ave  
Normal, IL 61761

# Pension Seminar

## SEMINAR TOPICS:

*Downstate Pension Fund Consolidation  
Tier 2 Benefit Improvements  
Pension Issues Regarding Secondary Employment*

## SEMINAR DESCRIPTION:

This two day seminar will highlight current legislation before the 101st Illinois General Assembly along with key issues affecting pension trustees and plan participants.

## WHO WILL BENEFIT:

This seminar is designed for AFFI Local leadership and pension fund trustees. Local officers will gather vital information necessary to help guide their membership. Trustees are able to fulfill their annual requirement by earning all 16 hours of continuing education in just two days.

## REGISTRATION FEE INCLUDES:

Lunch and a break on Monday. Reception on Monday evening. Breakfast, lunch & a break on Tuesday. A certificate of completion for the 16 hours of trustee continuing education. The latest AFFI Article 4 reference booklet. Pen and paper.

## EQUIPMENT NEEDED:

We are utilizing an electronic format for the seminar course materials. The confirmation email will contain the link. Content will be continuously added as speakers provide it.

# COST:

AFFI Members \$175.  
Non Members \$200.

## WHEN TO ARRIVE:

Registered attendees will sign in between 8:00 and 9:00 a.m. on Monday, October 7th.  
**Pre-registration is required.**

## HOTEL ACCOMODATIONS:

A block of rooms has been reserved at the Bloomington-Normal Marriott for \$128.00/night plus tax. Please call: 866-704-2533 or click on the link located at [www.affi-iaff.org](http://www.affi-iaff.org). Please use Group Code: ASSOCIATED FIRE FIGHTERS OF ILLINOIS.  
**Deadline to register is September 16, 2019.**

## HOW TO REGISTER:

Register by emailing [office@affi-iaff.org](mailto:office@affi-iaff.org). Please be sure to include the name you would like on your name badge, an email address to receive updates, and an address for the invoice.  
**Please register by September 27, 2019.**

## QUESTIONS OR SPONSORSHIP OPPORTUNITIES:

Please call 217 522-8180.

# RESPONSE TIME

QUARTERLY NEWS FOR FIRST RESPONDERS



- Contention Over Disciplinary Record Keeping Practices
- Anti-Union Municipalities Are Not Permitted to Ignore Federal and State Labor Laws
- Police Officer Can Run for Office In Markham
- First Federal Studies on Police Mental Health Published
- Cook County Deputies Can Continue to Challenge Validity of Merit Board's Authority
- FOIA Lawsuit Over Task Force Documents Continues
- State Ordered to Pay Public Employees Back Wages
- Pension Fund Accountants Potentially On The Hook for Miscalculating Pension Benefit
- College Students Have Constitutional Right to Defend Themselves Against Allegations
- Appellate Court Clarifies Causation Standard for PSEBA Cases
- The Saga Between Oak Lawn's Elected Officials and The Union Representing Its Firefighters Continues

July 2019 Vol. 2 Iss. 3

## Gov. Pritzker and SEIU Respond to Class Action Refund Appeal

*Riffey et al, v Gov. JB Pritzker, et al.*

A petition was filed in April of this year with the U.S. Supreme Court to requesting a labor union (SEIU) to refund money collected for fair share dues from Illinois non-union healthcare workers.

The Court previously determined fair share fees were unconstitutional. Now, the non-members argue they must be paid back for their fair share fees, plus interest. Illinois courts have rejected arguments for refunds on grounds the non-union plaintiffs have failed to prove all 80,000 caregivers did not want to pay the union for its services (e.g. bargaining, grievance protection, discipline representation, and/or contract maintenance).

Anti-union organizations filed a friend-of-the-court briefs claiming similar cases where refunds were awarded allowed non-free-riders to opt out of the pot of money.

In May, Illinois Attorney General Kwame Raoul and lawyers for SEIU filed briefs asking the court to reject the appeal. The briefs argue that those seeking a refund should do so individually, not as a collective whole triggering a mass refund. Response time will be following this case.

## FIRST RESPONDER MENTAL HEALTH RESOURCES

MAP: (630) 759-4925

IAFF: 202-824- 8626

FOP: (866) 535-1078

PBPA:

<http://www.pbpa.org/Resources/Links.aspx>

Text BLUE to 741741: Crisis Text Line free, 24/7, and confidential crisis text service.

The National Suicide Prevention Hotline  
1-800-273-TALK

Cop 2 Cop 1-866-COP-2COP

Safe Call Now 1-206-459-3020

Serve & Protect 1-615-373-8000

Share the Load 1-888-731-3473

Copline 1-800-267-5463

Frontline Helpline 1-800-676-7500 (First Responder Call-Takers)

CIST (Critical Incident Support Team):  
866-535-1078

## Contention Over Disciplinary Record Keeping Practices

*The City of Chicago v. Fraternal Order of Police, Chicago Lodge No. 7*

In 2011 and 2012, the FOP filed grievances with the Chicago Police Department regarding the retention of disciplinary records older than five years. The FOP argued keeping these records

violated the terms of the collective bargaining agreement.

The disciplinary records at the center of the grievances were complaint register files (CR files) coming from the Civilian Office of Police Accountability and the Department's Bureau of Internal Affairs regarding investigated alleged police misconduct.

A form of the record retention clause was included in every CBA since 1981 (the first CBA). In 1991 CR files were no longer being destroyed because of a federal court order. The City attempted changes to the CBA to eliminate the record retention clause.

In 2014, the Chicago Tribune and Chicago Sun-Times made FOIA requests for CR files dating back to 1967. The City planned to adhere to the request, however, as the grievances from 2011 and 2012 were still in arbitration, the FOP filed an injunction with the circuit court arguing disclosure would interfere with arbitration. The circuit court granted the FOP's request, enjoining disclosure of the confidential and dated records until arbitration was completed. The City and the Chicago Tribune separately appealed the injunction.

In December 2015, the U.S. Department of Justice (DOJ) opened an investigation on the Department's use of force policies. DOJ requested misconduct and disciplinary records. Given the grievances, City sought clarity from the arbitrator on how to proceed.

In January of 2016, the arbitrator released an opinion and interim award, finding the City would violate the CBA if it released the requested CR files. The arbitrator directed the parties to meet to determine how to comply. In February, the DOJ directed the City to

“preserve all existing documents related to all complaints of misconduct,” including the documents involved in the arbitration.

Following the letter, the arbitrator issued an opinion finding orders seeking the destruction of records were against public policy. A follow up award in June 2016 clarified that the end of the DOJ investigation meant the January 2016 award was now enforceable.

In July 2016, the circuit court found, while there was provision in the bargaining agreement mandating destruction of files, arbitration awards enforcing this provision violated FOIA and public policy. The City filed to vacate the arbitration award. The FOP filed a counter-motion to confirm and enforce the arbitrator’s award.

In January 2017, the DOJ released its report and found section 8.4 of the CBA hindered investigations into misconduct. Separately, a task force formed to investigate CPD’s practices and found section 8.4 to be violative and recommended it be removed.

In October 2017, the circuit court found in favor of the City and vacated the arbitration award. The court also denied the FOP’s counter-motion. The FOP appealed.

The appellate court held there is well-defined public policy mandating record retention. It found section 8.4 violates public policy, by violating local and state records retention laws, and also violates FOIA. All of which, the appellate court concluded, establish a well-defined and dominant public policy. Specifically, the Local Records Retention Act mandates record keeping practices and only allows destruction at the approval of a Local Records Commission. It found the arbitration award allowing the destruction of records

violated Illinois public policy, affirming the circuit court’s decision.

According to the Court’s decision, the City can no longer destroy the records as previously negotiated in the terms of the CBA.

## **Anti-Union Municipalities Are Not Permitted to Ignore Federal and State Labor Laws**

In February, Gov. Pritzker signed the “Collective Bargaining Freedom Act,” which barred municipalities from enacting “right-to-work” legislation. Prior to the law’s enactment, the Village of Lincolnshire declared itself a “right-to-work” zone in 2015. In October 2018, Illinois appellate courts found, under the National Labor Relations Act, Lincolnshire was not allowed to pass the ordinance. Undaunted, Lincolnshire then sought review by the U.S. Supreme Court.

The Collective Bargaining Freedom Act sought to clarify only the Illinois General Assembly has the authority to enact legislation on union security agreements, not municipalities. As municipalities are inherently creations of the State, they have no power to supersede State law. Some believe this dooms Lincolnshire’s chances of being heard before the Supreme Court.

In 2017, then Governor Bruce Rauner vetoed a similar bill. He claimed he believed it hurt “freedom of choice” for employers and employees.

## Governor Increases Line of Duty Death Benefit for First Responders

In June, Gov. Pritzker signed House Bill 2028, which doubled death benefits for families of fallen law enforcement officers and firefighters. The legislation now allows reimbursements up to \$20,000.00 for burial costs up from \$10,000.00.

## Police Officer Can Run for Office in Markham

*Kenneth “Mojo” Muldrow, Jr. v. Municipal Officers Electoral Board for the City of Markham, et al.*

In December 2018, Kenneth “Mojo” Muldrow, Jr., filed nominating papers for his name to be on the ballot as alderman of the first ward of Markham for the April 2, 2019 election. Included with the papers was a sworn statement of candidacy, stating he was legally qualified for the position, and signed nominating petitions circulated by Muldrow and three others.

Brenna Hampton-Houser filed an objector’s petition challenging Muldrow’s nominating papers. She contended that Muldrow’s current employment as a police officer did not qualify him for alderman because the two positions were incompatible. She also claimed that Muldrow’s nominating petitions were circulated by individuals who had circulated for other nominees, outside of Muldrow’s political party, rendering them invalid. Finally, She challenged the validity of certain signatures on the petitions.

The challenge was heard before the Municipal Officers Electoral Board for the City of Markham. At the hearing, Muldrow stated he had worked as police officer for the City of Markham for 30 years and, if elected, he intended to retire from his position.

In January 2019, the Board determined “a City of Markham police officer is not qualified to hold the office of Alderman in the City of Markham.” Therefore, his name was not to be included on the ballot. The Board also found Hampton-Houser’s allegations of the circulations for other candidates to be true, invalidating any signatures on petitions circulated by them.

Muldrow filed a petition in the Circuit Court for review of the Board’s decision. Muldrow argued there was no provision in the Election Code, or Illinois Municipal Code, disallowing municipal employees to run for the office of Alderman within the municipality they were employed. Muldrow also argued Hampton-Houser failed to meet the burden of proof on the circulation restriction and the provision itself did not apply in this situation.

On February 13, 2019, the circuit court reversed the Board’s incompatibility decision. The matter was remanded back to the Board and it was ordered to conduct examination of the challenged signatures.

The records examination concluded Muldrow had more valid signatures than the minimum required, and his nomination papers were valid. The Board requested the court add language to its final order stating it was appealable. The circuit court granted the Board’s motion. The same day, Hampton-Houser filed an appeal on the incompatibility issue. Muldrow, in turn, filed a

motion to reconsider the Board’s motion on a final and appealable order. On February 27, 2019, the circuit court granted Muldrow’s motion and vacated the order on the 25<sup>th</sup>. Hampton-Houser then filed a second notice of appeal for the incompatibility issue from the 13<sup>th</sup>.

The appellate court found the Board decided in error on the incompatibility issue. The court found that incompatibility doctrine does not disqualify a candidate from being on the ballot but has more effect if an elected position is won. So, the police officer can run for office.

In the end Muldrow lost the election to Hampton-Houser.

### **FOP Request Officer Involved Cases Be Moved**

FOP is requesting the Cook County State’s Attorney’s office to give all cases involving police officers be given to a special prosecutor. Their request cited two cases, one being the high profile Smollet decision. Kim Foxx responded in a statement calling the actions an “effort...to incite conflict.”

## **First of Federal Studies on Police Mental Health Published**

In April the DOJ released two reports focusing on the mental health and safety of federal, state, local, and tribal police officers.

As mandated by law, “The Law Enforcement Mental Health and Wellness Act: Report to Congress and Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies” were published by the Office of Community Oriented Policing Services (COPS Office).

The LEMHWA was passed through Congress unanimously, improving our nation’s police officers have better access to mental health and wellness opportunities. This required the COPS Office to submit reports to Congress on: (1) the effectiveness of crisis lines and annual mental health checks for first responders, expansion of mentoring programs, and safeguarding privacy concerns; (2) mental health services at the Department of Defense and VA that could translate to federal, state, local, and tribal agencies; and (3) case studies on officer specific mental health and wellness programs.

The first report submitted, “Wellness Programs: Eleven Case Studies”, gave an overview of working, successful programs on mental health and wellness for officers. This report is intended to aid Congress, state and local government officials, and the law enforcement field on issues officers are facing today and successful strategies on navigating those issues. Again, for any first responders in crisis, a series of resources have been made available in this issue.

## **Cook County Deputies Can Continue to Challenge Validity of Merit Board’s Authority**

An appellate court ruled allowing seven Cook County Sheriff’s deputies to continue a lawsuit over wrongful disciplinary action taken against them.

Cook County Sheriff Tom Dart recommended termination for the deputies to the Merit Board for alleged misconduct, including false overtime, detainee abuse, FBI investigation interference, and domestic abuse investigation

interference. However, the deputies argue Dart improperly appointed the board, invalidating any authority it had to make decisions.

In July, the circuit court granted Dart's request to dismiss the case on grounds that all administrative remedies had not yet been exhausted as the plaintiffs each had pending administrative hearings. However, on appeal it was found because the Board's authority is in question, the case could be heard before the circuit court.

The plaintiffs argue the Merit Board is biased because it was appointed by Dart. However, the appellate court did not find that argument persuasive as one of the deputies had done well before the Board. The appellate court found the plaintiffs could pursue their case and rejected Dart's attempt to dismiss on the "de facto officer doctrine."

## FOIA Lawsuit Over Task Force Documents Continues

### *Kelly v. Village of Kenilworth*

In Kenilworth, Illinois in 1966, Valerie Percy was murdered. The case remains unsolved today. When the murder occurred, a Major Crimes Task Force did not exist so the Illinois State Police assisted and was eventually placed in charge of the investigation. In 2002, ISP returned the case to Kenilworth. In 2014, a new task force was created that included members of Kenilworth PD, Northbrook PD, Wilmette PD, Evanston PD, and an FBI special agent.

Nearing the 50<sup>th</sup> anniversary of the murder in 2016, John Q. Kelly filed FOIA requests for records related to the investigation with Kenilworth, the Illinois State Police, the Cook

County State's Attorney's Office, the Cook County Medical Examiner, and the Chicago Police Department. Kenilworth denied the request because "disclosure would obstruct or interfere with an active or ongoing criminal investigation by the Village," citing exemptions under FOIA. For similar reasons, the Attorney's Office denied the request. The ISP found the case still active and could interfere with proceedings, denying the request. The Medical Examiners never responded.

Kelly filed a complaint arguing Kenilworth, ISP, and Attorney's Office had the burden of proving the records were exempt. Further, Kelly argued the ISP and Attorney's Office were not involved in an active investigation and could not be exempt just because Kenilworth's investigation was still active.

Kenilworth requested an *in camera* review for the court to determine releasing the documents would interfere with active and ongoing investigations into the murder. In a declaration, Chief of Police, David Miller, stated that as recently as 2015 evidence was being analyzed by the Medical Examiners and he expected confessions to come forth as the result of the upcoming anniversary. Miller stated that releasing the information could compromise the investigation. Kenilworth argued the other agencies involved in the FOIA request should be able to deny the request as they were assisting in the investigation. Further, Kenilworth argued going through the file would involve an extensive amount of time, however it did not assert any undue burden. The undue burden exemption likewise never brought forth by any of the other defendants.

Kelly responded by arguing Kenilworth could not assert a blanket exemption, exemption

over the other defendants, and it had not proved disclosure would interfere with the investigation.

In September 2016, the circuit court ordered Kenilworth to disclose a redacted version of Chief Miller's declaration to Kelly. Later in the month, the ISP argued it could not release records because of the ongoing investigation by Kenilworth. The State's Attorney's Office also responded to Kelly arguing they denied the request because the records were part of joint efforts from multiple agencies in an ongoing and active investigation. Assistant State's Attorney Thomas Biesty, the cold case supervisor, made a declaration stating Kenilworth had requested the Attorney's Office for assistance in 2002 and publishing the documents would be burdensome and compromise the investigation. Biesty agreed to an *in camera* review of the documents referenced in the declaration. After this response, the Medical Examiners responded by arguing if all the other requests were subsequently denied, the request to their office should be as well. The court determined the Medical Examiners needed an index of records for an *in camera* review.

In December 2016, the circuit court determined the case was ongoing and active, thus making the requested records exempt. Further, because of joint efforts between investigating bodies, the exemptions afforded to Kenilworth applied to each of the co-defendants. The ISP's records were also found by the court to be part of an active and ongoing investigation, the exempt. Kenilworth was allowed to assert a claim of exemption for the Medical Examiner's records based on substantial interest. Kelly's motion for the Medical Examiner's records was denied in part

and granted in part. Documents that came from outside the coroner's office, the Medical Examiner's predecessor, were not subject to exemption and were released to Kelly with redactions. Kelly appealed.

On appeal, Kelly argued Kenilworth could not claim an exemption for other public bodies because an exemption assertion only lies with the recipient of the request. The appellate court determined the circuit court properly determined Kenilworth could assert exemption to the other public bodies because of how law enforcement agencies were intended to work together. Allowing otherwise would discourage bodies from unison efforts for fear of harmful disclosures.

Kelly also argued the defendants did not prove an ongoing and active investigation. However, after reviewing the sealed record, the appellate court determined the case was still active.

Kelly argued the defendants should prove on a document-by-document basis that exemptions existed. In response, the defendants referenced the burdensome nature of going through the documents, but never raised the argument of exemption for an undue burden and never let Kelly modify his request to adjust to that burden. The appellate court found the defendants wanted the benefits of exemption for undue burden, but they did not prove they deserve those benefits. It granted the defendants reserved the right to prove the burdensome nature.

Ultimately, the appellate court reversed the circuit court's decision and remanded the matter. It found that while the investigation was ongoing, the defendants did not prove releasing all documents, including redacted



records, would interfere with the investigation. Further, the appellate court granted the defendants the chance to raise an exemption for undue burden to produce the documents.

### Court Publishes Miller Opinion

Previously covered in last month's issue, Miller v. Oak Lawn Police Pension Board decision is now published. In this case, Miller, a former marine, applied for a line-of-duty disability benefit resulting from PTSD. The Board denied his application instead awarding him a non-duty benefit. Miller filed for administrative review. Upon review the trial court affirmed the Board's decision. Miller appealed. The appellate court found that while Miller's PTSD was related to his work as a police officer, there was no specific event that caused or exacerbated his PTSD. The appellate court ultimately affirmed the Board's decision, now published and binding.

## State Ordered to Pay Public Employees Back Wages

*Virginia Grant, et al v. James T. Dimas Secretary of State of IL DHS, et al*

In 2017, the General Assembly passed a rate increase of \$0.48 for DHS home services program home care workers to be instituted 30 days after passing the rate, but the defendants named in this case failed to implement the wage increase. Plaintiffs Virginia Grant and Alantris Muhammad are personal assistants in the DHS home services program, plaintiff Cynthia Sylvia is an LPN in the program. SEIU is the union for personal assistants and individual maintenance home health workers within the program. Plaintiffs initially filed action seeking a *mandamus* against a State

official. *Mandamus* compels a government official to properly carry their non discretionary duties. In other words, plaintiffs sought action to implement the raise. In court, defendants' motion for dismissal was denied. Plaintiffs' motion for summary judgement was granted. Defendants appealed.

Defendants' appeal centered on four aspects: (1) the CBA takes precedence over the Public Act wage increase; (2) this was a matter that should have come before the ILRB (as a problem arising from the CBA and the Labor Act), not a trial court; (3) the trial court should have deferred to the ILRB; and (4) a writ of mandamus is not applicable to public act meant to be directory in nature.

The appellate court found because the complaint rose from a source outside of the CBA, namely the Public Act, the ILRB did not have exclusive jurisdiction over the matter. Further, the appellate found the defendant's argument of deferral to the ILRB due to "specialized expertise" in labor matters to be unsupported. Thus, the case was heard in the proper venue/forum.

The appellate court paralleled the Public Act to a minimum wage law. It found the wages were then still bargainable between the employer and union, but now there was a new minimum that must be met. Considering it this way afforded no conflict between the Labor Act and the Public Act, therefore the CBA did not need to take precedence over the Public Act.

In its appeal, defendants argued *mandamus* was not appropriate relief. This relief is appropriate when three conditions are met: (1) a clear and affirmative right to relief exists, (2) the official has a clear duty to act, and (3) the official has the authority to comply. The

appellate court found the General Assembly amended a different act to include the wage increase and appropriated funds to supplement the increase, satisfying the first requirement establishing a right to relief. The appellate court found a “directory” reading of the Public Act rate increase would lose its meaning, triggering the second condition establishing a duty to act. The defendants waived their rights to argue the third condition when it failed to raise the point in their opening brief. However, the appellate court found due to the nature of their positions at the DHS and CMS, the defendants have the authority to comply. All conditions being satisfied, the appellate court found a writ of *mandamus* is appropriate. The appellate court affirmed all decisions of the circuit court in favor of the plaintiffs.

## Pension Fund Accountants Potentially On the Hook for Miscalculating Pension Benefit

In June 2013, Kerry Ray was appointed *interim* Chief of Police for the City of Anna, Illinois which he held until he retired in March 2014. Prior to his retirement, Ray consulted with accountant Scott Hickman, of Beussink & Hickman, PC. Hickman was not only Ray’s personal accountant, but also the accountant for the pension board. Based on his conversation with Hickman, Ray was led to believe that retiring in March meant his pension benefit would be based on his most recent and highest wage rate. Based on the accountant’s advice, Ray retired and the benefit was calculated at the *interim* chief wage, a \$4,000.00 a year increase from his previous wage. As an aside, there is a specific administrative code provision dealing with *interim pay*. Any pay connected to an *interim* position for less than one year is **not** pensionable salary.

In April 2016, the Pension Board informed Ray his benefit was miscalculated based on the extra \$4,000.00 for *interim* chief pay not being pensionable.

In January 2017, Ray filed a complaint against Hickman for negligence in giving advice concerning his retirement benefit. Hickman filed a motion arguing the pension board could not change Ray’s pension benefit calculation because the 35-day window to change the award was closed. Hickman also argued Ray’s case should be dismissed because the Pension Fund was not named. The circuit court did not dismiss the case and granted Hickman leave to file an appeal.

The appellate court determined the fund did not make an error that could be appealed outside of the 35 day window. As such, the pension fund had no jurisdiction to change Ray’s pension benefit amount. Now that the Pension Fund is stuck with the higher amount, the question is will the fund sue its accountants?

## College Students Have Constitutional Right To Defend Themselves Against Allegations

### *John Doe v. Purdue University*

John Doe was a student at Purdue involved in the Navy ROTC program on campus. In the program he met Jane Doe. The two dated in the Fall of 2015, during which time the two engaged in consensual sex. As the semester progressed, Jane became erratic. In December, she attempted suicide in front of John. They continued dating into January, but stopped having sex after the suicide attempt. In January, John reported Jane’s suicide attempt

to resident assistants and an advisor and their relationship ended.

The following April, during Sexual Assault Awareness Month, Jane claimed John sexually assaulted her several months earlier. Further, she alleged John had gone through her underwear drawer, chased her down a hallway joking about tasing her, showed up at her room unannounced, and lost his temper in front of her.

John was made aware of the accusations when the Dean of Student's opened an investigation into John, despite Jane never filing a formal complaint. John was notified in a letter from the Dean. Following the letter, John was suspended from the University's Navy ROTC program. He was also banned from buildings where Jane had classes and banned from the University's dining hall.

John denied the accusations and provided evidence of Jane's erratic behavior. He explained once in December, after Jane's suicide attempt, he touched her knee. John met with investigators and disclosed text messages between the two that showed a friendly relationship.

Upon completion of the investigation, the report was sent to a three-person Advisory Committee. John appeared before the committee. Purdue's guidelines did not allow John to have a copy of the investigation report. However, just before the meeting, a Navy ROTC representative allowed him to view a redacted version of the report. Here, he learned the report included a falsified confession (by John) to Jane's allegations. At the meeting, John was never given the chance

to refute evidence or present witnesses, and his guilt was assumed.

The following week, the Dean of Students notified John he was found guilty and suspended from Purdue for one year. He was permitted reentry only after "bystander intervention training" and meeting with the Assistant Director of CARE, a university center which supports victims of sexual assault.

John appealed to the Vice President for Ethics and Compliance. The Dean of Students was instructed to provide a factual basis for her decision. The Dean sent John a letter stating on one occasion John put his hand on her knee and moved it up to her crotch and, on another occasion, he digitally penetrated her while she slept. The letter also stated John was not a credible witness (despite John never being able to testify or present evidence). John appealed again. However, the Vice President upheld the decision. As a result, John was terminated from the Navy ROTC program.

John sued the University and various officials. The Federal Magistrate Judge dismissed his case. John appealed.

John argued Purdue's suspension procedure failed to meet the minimum standards of due process. The appellate court found John was deprived of liberty when Purdue suspended him because it took away his future chance to join the Navy. The appellate court also found when Purdue withheld the evidence from John and did not investigate witnesses, it violated his due process rights.

Many individual defendants claimed qualified immunity in response to John's claims. The appellate court found these claims had been

properly dismissed as they as individuals would not have known their actions violated John's fourteenth amendment rights (violation of liberty). The court held it was not a clearly established right at the time.

John also pursued a claim for injunctive relief from defendants in their official capacities. The appellate court found John did not have standing to claim relief. The appellate court also denied John's request for conditions of re-entry to Purdue be removed because at this time John has not demonstrated that he will be returning. The appellate court did find John was entitled to have his disciplinary record expunged so he may pursue a career in the Navy.

On appeal John also argued Purdue violated Title IX by discrimination based on sex. The appellate court found that because Jane was viewed as credible witness over John, despite never being interviewed or submitting her own statement, John did raise a cognizable case of gender discrimination. The appellate court concluded it may be harder to prove at a later stage, but the magistrate dismissed the case prematurely.

The case was reversed and remanded back to district courts for John to pursue claims under Title IX and the Fourteenth Amendment.

## Appellate Court Clarifies Causation Standard for PSEBA Cases

### *Cronin v. Village of Skokie*

On May 28, 2019, the First District Appellate Court published its opinion in *Cronin v. Village of Skokie*, 2019 IL App (1st) 18116. Patrick Cronin, a career Skokie firefighter, continued to win his legal battle against the

Village of Skokie. Cronin is challenging the Village's denial of health insurance benefits pursuant to the Public Safety Employee Benefits Act ("PSEBA"). IPPFA and the Metropolitan Alliance of Police filed a joint *amicus curiae* brief in this case. Both organizations supported Cronin's arguments by explaining the real-world impact the decision would have on disabled first responders and their families.

Sometime in 2012, Cronin was diagnosed with an ascending aortic aneurysm, but experienced no symptoms and continued to work full-time. In February 2013, while moving a heavy patient onto a stretcher, Cronin described feeling a pulled muscle in his chest. His discomfort and pain grew until he was transported to the emergency room. Cronin ultimately had surgery to replace his aortic valve in May 2013.

Post-surgery, Cronin was still experiencing difficulties and applied for an occupational disease disability pension in September 2013. Cronin's disability hearing occurred in March 2014, which he did not attend. Several times throughout the hearing, the pension board's attorney wrongly stated Cronin was applying for a line-of-duty benefit, not an occupational disease benefit. Later, the Village would seize upon this error as a basis for contesting the applicability of the pension board's decision. The pension board granted Cronin the line-of-duty disability benefit, not an occupational disease disability.

In late March 2014, Cronin filed his application for health insurance benefits

pursuant to the Public Safety Employee Benefits Act (“PSEBA”). In August, the Village of Skokie denied the application. Skokie held the evidence did not sufficiently demonstrate Cronin was eligible for PSEBA benefits.

In December 2014, Cronin filed a complaint over the denial. First, the Circuit Court of Cook County found, because Cronin was granted line-of-duty benefit, he met the criteria for Section 10(a) of PSEBA. Second, the Circuit Court determined Cronin met criteria for Section 10(b) because he, Cronin, was catastrophically injured “as the result of” and in “response to what is reasonably believed to be an emergency,” one of four specific situations which must be met under Section 10(b) of PSEBA.

In August 2017, Skokie moved for the Circuit Court to reconsider its decision. The Circuit Court, again, found in favor of Cronin, specifically finding his symptoms occurred because of the February 2013 incident and were the result of his response to an emergency.

In June 2018, Skokie appealed Cronin’s trial court victory. MAP and IPPFA then filed a brief in support of Cronin. Skokie argued Cronin was not “catastrophically injured” under Section 10(a) of PSEBA. The Village also claimed Cronin failed to prove he met the appropriate causation standard under PSEBA.

The Appellate Court found Cronin met Section 10(a) when he was granted a line-of-duty benefit by the Board. The Court

cited *Krohe v. Bloomington*, a previous Supreme Court decision, which established granting a line-of-duty benefit as meeting the criteria of Section 10(a) as law. Largely, the Village’s argument boiled down to arguing about the appropriate causation standard to be applied to PSEBA claims.

With regard to Section 10(b), the Appellate Court plowed some new legal ground. It found the injury sustained while moving the patient on the stretcher was in response to what Cronin found to be an emergency situation. However, the means by which the Appellate Court got there is more interesting. For the first time, the *Cronin* decision articulated the causation standard by which PSEBA cases would be decided. The court held, “The causal connection between [the stretcher lift injury] and Mr. Cronin’s catastrophic injury was established as a matter of law by his being awarded a line-of-duty disability pension.” Explaining further, the Court wrote, “we are required to accept a pension board’s finding that an employee suffered a catastrophic injury in the line of duty. If we are required to accept that finding, we are required to accept the causal connection between the employee’s catastrophic injury and the employee’s work.”

The Village further claimed aggravation of a preexisting condition cannot be the basis for PSEBA benefits. IPPFA and MAP took particular aim at this argument. Citing several cases, the Appellate Court batted down Skokie’s argument. The Village’s position would yield an absurd result. In the Village’s view of the world only an immaculate first responder who had never

been injured would be eligible for PSEBA benefits. Citing *Nowak v. Country Club Hills*, the Appellate Court reminded us, there are cases where “the condition that renders the officer permanently disabled will result not from a discreet, one-time injury but rather from the accumulation of several prior injuries or the aggravation preexisting injury or condition.”

The Appellate Court affirmed the Circuit Court and granted Cronin benefits under PSEBA. The Village is expected to file a petition for leave to appeal with the Supreme Court of Illinois. On appeal, the law firm of Karlson Garza LLC represented *amici* IPPFA and MAP.

### Chicago Pension Funds Use Comptroller Intercept to Collect From City

Chicago is suing the Illinois Comptroller’s office for diverting state grant funds the City expected to receive. The office is withholding funds because three pension funds made claims for revenues owed under the pension intercept law.

Illinois law mandates the comptroller withhold funds owed to municipalities by the State if a municipal pension fund reports the municipality failed to minimally fund its pensions. Chicago claims the reports are false and were not afforded a sufficient hearing. The comptroller’s office plans to respond to the City in court, staying quiet on how much had been withheld from the City so far.

## The Saga Between Oak Lawn’s Elected Officials and The Union Representing Its Firefighters Continues.

### *Village of Oak Lawn v. Oak Lawn Professional Firefighters Association, Local 3405, IAFF*

IAFF Local 3405 began contract negotiations for a successor agreement on December 5, 2017. The Union’s prior contract with Oak Lawn expired December 31, 2017. After a second bargaining session, mediation proved fruitless. The Village declared an impasse and sought compulsory interest arbitration.

The Union wanted to keep *status quo* language regarding recognition and representation (union members being the sole providers of fire protection services and the Village cannot subcontract). The Union also sought to maintain the *status quo* regarding staffing minimums, medical care, and other employee benefits. At issue are whether these items are non-mandatory subjects of bargaining (retired members).

The ILRB found the Union’s *status quo* proposals regarding recognition and representation were mandatory subjects of bargaining because of the State Firefighter Substitutes Act. The ILRB determined the staffing minimum *status quo* was also a mandatory subject of bargaining, citing a previous decision established by the ILRB for the Village regarding staffing minimums. The ILRB further determined retired employee benefits are mandatory bargaining subjects, citing *Matthews v. Chicago Transit Authority* which states that retiree benefits are vested and cannot be removed by future collective bargaining. We are sure this is not the end of the story.

## October-December (4th Quarter) Agenda Items

- Trustee Training Reimbursements (*if necessary for Fall Conference expenses*)
- IDOI Annual Statement (April Year Ends)
- Review/Approve - Actuarial Valuation and Tax Levy
- Review/Adopt - Municipal Compliance Report
- Establish 2019 Board Meeting Dates
- Annual Independent Medical Examinations

## KG LLC News

- Partner Keith A. Karlson was invited to write the Illinois Pension Trustee Handbook by IPPFA.
- Partner Keith A. Karlson will be teaching at MAP's Union Steward Seminar September 19, 2019 at Benedictine University.
- Partner Raymond G. Garza recently won a judgement of \$1 Million in a defamation case.
- Partner Keith A. Karlson is teaching at the PFFUI on September 5, 2019. He will be covering union rights and representation.
- From April 10-13, 2019, KGLLC Partner Keith A. Karlson participated in the Securities Litigation and Shareholders' Rights Conference in New Orleans, Louisiana.
- Partner Keith Karlson spoke at the IPPFA Illinois Conference in East Peoria on May 2-3, 2019. He covered pension legal updates and the interplay between collective bargaining and pensions.
- Partner Keith Karlson participated in the IAFF Attorney's Conference June 6-8, 2019 in National Harbor, MD.
- Please check out our recently updated website: [www.KarlsonGarza.com](http://www.KarlsonGarza.com)

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