

Board of Trustees
of the
Elmhurst Firefighters Pension Fund

Special Meeting Minutes
May 25, 2000

I. Meeting Called to Order

Meeting was called to order by President Robert Gallas at 9:05 a.m. at City Hall, 209 N. York Street, Elmhurst, IL.

II. Roll Call

The following members of the Pension Board were present: President Robert Gallas, City Clerk Janet Edgley, City Treasurer David Dyer, Trustees Michal Kopp, Michael Caccitolo and William Windrich. The following were absent: Mayor Thomas Marcucci and Secretary Scott Wallace.

Also present at the meeting were Attorneys Robert Trevarthen, representing the Pension Board, Harlan Spiroff, representing the City of Elmhurst, Robert Gildo, representing Michael Foytik; Elizabeth Taska, Valerie Johnson of the Human Resources Department, Michael Foytik and his wife, Connie Foytik. Pat Boyd was also present to take notes for the Secretary.

III. Supplemental Application for Disability Pension – Michael Foytik

Robert Trevarthen passed out folders to the Pension Board with information regarding petitioner's request.

- A. He reviewed and recommended approval of the receipt of Michael Foytik's supplemental application for pension benefits. Michael Kopp made a motion to approve the receipt of the application, David Dyer seconded the motion. All members present were in favor.
- B. He then reviewed and recommended the approval of the City's motion to intervene. A letter from the City's Attorney, Harlan Spiroff and a memorandum from Robert Trevarthen recommending approval was given to the Board. David Dyer made a motion to approve the City's request and Michael Kopp seconded the motion. All members present were in favor.
- C. The City's request to have Firefighter Foytik examined by its own Physicians was then reviewed.
- D. The request, by the City, to subpoena and call witnesses under oath and cross-examine witnesses called by another party was reviewed. The motion to approve was made by David Dyer and seconded by Robert Gallas. All members present were in favor.
- E. The City's request to present medical opinion and to cross examine all medical providers was also reviewed.
- F. A Scheduling of Dates was presented; tentatively July 21, completion of physical examinations; August 18, written reports to the Board; August 25, Attorney's report to the Board; September 8, Witness List presented and any additional information or deposition as evidence to be submitted; October 13, all depositions to be completed; October 27, pre-hearing meeting and November 13, the hearing date.

Robert Gildo stated the conflict of interest regarding Robert Trevarthen was not challenged. He did challenge conflict of interest with John Fennell, John Kelly and Robert Gallas. He also wanted it noted that the list of doctors assigned to the Board to examine Mr. Foytik was referred by the City's Human Resources Department.

IV. Adjourn

At 9:50 a.m. William Windrich made a motion to adjourn the meeting. David Dyer seconded the motion and all members present were in favor.

Respectfully submitted,

Scott Wallace
Secretary

