

Board of Trustees
ELMHURST FIREFIGHTERS' PENSION FUND
SPECIAL HEARING MINUTES

December 17, 2018

I. Meeting Called to Order

Dick Dufort, President, called the hearing to order at 8:31 a.m. at Elmhurst City Hall, 209 N. York Street, Elmhurst, IL.

II. Roll Call

The following members were present at the meeting: President Dick Dufort, Trustees Craig Burda, Mike Caccitolo, Paul Nolte and Rob Hallberg. Also present at the meeting was Richard Reimer, Thomas Duda and Michelle Marvin.

III. Public Comments

There were no public comments.

Attorney Rick Reimer stated this is a continuation of the hearing held before the Elmhurst Firefighters' Pension Fund in the matter of the disability application of Eric J. Hedman, the Applicant in this case. Attorney Reimer stated the Applicant Eric J. Hedman was awarded a non-duty disability pension without prejudice and without waiver to his line-of-duty disability claim; and on an interim basis, was awarded non-duty disability benefit. The reason for this hearing is Attorney Duda brought a hearsay objection to Board Exhibit 10 and 11.

Attorney Reimer gave a recap of the Applicant's disability status hearings.

Attorney Duda gave closing arguments in which he stated that the Applicant has met his burden of proof in this case, and would ask that the Board award him a line-of-duty disability benefit.

Attorney Reimer explained the deliberation options for the Pension Board. Attorney Reimer asked for a motion to adjourn into Executive Session under Section 2©4 of the Open Meetings Act for the purpose of deliberations following the conclusion of the evidentiary hearing in the disability application of Firefighter Hedman. Trustee Hallberg motioned at 8:40 a.m., seconded by Trustee Burda. A roll call vote followed. Motion passed.

Attorney Reimer asked for a motion to return to open session. Trustee Nolte made a motion at 9:50 a.m., seconded by Trustee Hallberg. A roll call vote followed. Motion passed.

Attorney Reimer stated the Board is back in open session. The Board met in executive session and no final action was taken by the Board. The Board simply considered all the evidence, the arguments of the parties.

Trustee Nolte made a motion to deny Firefighter Hedman's claim for line-of-duty disability benefits based upon a finding that he didn't meet his burden. The motion was seconded by Trustee Hallberg. A roll call vote followed. Motion passed.

Attorney Reimer stated he will prepare a written decision and order that will articulate the reasons why the Board voted the way they did. This decision and order will have to be voted on at a pension board meeting and published. This will trigger a 35-day time period which Firefighter Hedman has to exercise his right to judicial or administrative review.

Trustee Nolte made a motion to authorize the court reporter to prepare the transcript of the Special Hearing. The motion was seconded by Trustee Hallberg. A roll call vote followed. Motion passed.

President Dufort made a motion to adjourn the hearing at 9:54 a.m. The motion was seconded by Trustee Nolte. A voice vote followed. Motion passed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "M Caccitolo".

Mike Caccitolo
Secretary