

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF POLICE COMMISSIONERS HELD ON AUGUST 24, 2012 AT THE VILLAGE HALL OF THE VILLAGE OF WILLOWBROOK, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER

The meeting was called to order by Chairman Schuler at the hour of 7:00 a.m.

2. ROLL CALL

Those present at roll call were Chairman William Schuler, Secretary Stephen Landsman, and Commissioner Joe Heery. Also present was Chief of Police Mark Shelton, Deputy Chief Paul Oggerino, Village Attorney William Hennessy, and Executive Secretary Cindy Stuchl.

ABSENT: None.

A QUORUM WAS DECLARED

3. VISITORS' BUSINESS

None presented.

4. REVIEW AND APPROVE SPECIAL MEETING MINUTES OF MAY 21, 2012

The Commission reviewed the minutes from the special meeting held on May 21, 2012.

MOTION: Made by Secretary Landsman, seconded by Commissioner Heery, to approve the special meeting minutes of May 21, 2012.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

5. MAYOR'S MESSAGE

Chairman Schuler stated that he added this section to the agenda to provide the Mayor a vehicle to convey information to the Commission.

Chairman Schuler also added a section for "Village Attorney's Comments" (See Item #7).

6. DISCUSSION

- Secretary Landsman stated that he is aware that there are issues in reference to budgets. He stated that he has always viewed all the Commissions for the Village as making decisions within the scope of their jurisdiction on what is right. Secretary Landsman acknowledged that there are broader issues Village wide.
- Chief Shelton reviewed the possibility of having a different testing service conduct a police test if the Commission elects to hold testing in the future. The purpose of this discussion is for the Commission to review testing procedures.

In the past, all facets of the application process were conducted in house, from advertising, distributing and collecting application packets, and sending correspondence back and forth to the applicants. Chief Shelton spoke with a representative from Selection Works who stated that all facets of the testing process would be handled by their agency.

Chief Shelton also stated that Selection Works conducts their oral interviews in a written format. This would alleviate the repetitive answers given when the questions are given orally to five candidates at the same time.

Chief Shelton stated that one question involved whether or not to charge a fee for picking up an application. Several surrounding towns charge an application fee.

Chairman Schuler related that in the statute, the Village cannot charge an application fee. Chief Shelton stated that this issue should be looked into by the Village Attorney and Labor Attorney to confirm. Chief Shelton stated that he was informed that when this statute was not intended for the Village to not be able to charge some type of fee for an application to recoup some of their costs.

Chief Shelton stated again that the purpose of this meeting was to obtain the Commission's approval that this new procedure is a viable avenue for effective and efficient testing, and to forward the information to the Village

Attorney to review and put the new rules in place for the Commission.

Chief Shelton stated that during the last testing cycle two years ago, the Village spent approximately \$8,000.00 to complete the process using PCI. If the Commission decides to use a service provided by a company like Selection Works, costs would be estimated at \$2,000.00.

Chief Shelton indicated that if the Commission decides that using a company like Selection Works is agreed on, the Rules and Regulations should be updated at this time to indicate such. Then if the Commission decides to run a test in future, this new procedure will already be in place.

Chairman Schuler reviewed that what this new process would accomplish would be that Selection Works, in addition to handling all of the written and oral testing, would also handle the administrative work, which includes the handling of applications, reviewing them, and providing all communication with the applicants.

Chief Shelton stated that some of the verbiage in the Rules and Regulations would need to be changed. Currently, it indicates that applications may be picked up at the police department. If the Commission decides to go with the new procedures, applications would have to be obtained on-line.

Secretary Landsman stated that everyone agreed that the old process worked, however, felt that it was not the best process.

Chief Shelton stated that the Rules and Regulations should also be updated to indicate that all applicants must have the Illinois State Standard Training Board's certification that they have passed the physical agility test, which they would need to take on their own time. Currently, Willowbrook does not run a physical agility test.

Commissioner Heery questioned if the turnout of applicants is less due to a municipality charging an application fee. Chief Shelton stated no.

Chief Shelton also stated that he would like to add verbiage relating to tattoos, piercings, and implants. Commissioner Heery questioned if this would violate a person's right to expression. Chief Shelton stated that he has the right to tell an employee/application that any markings must be covered.

Chief Shelton stated that he had reviewed these changes with Village Administrator Tim Halik, who related that he agreed with the changes and to bring them to the Board of Police Commissioners for their review and approval.

Chairman Schuler stated that there are three different issues to consider:

- Abandoning the existing procedures with PCI and considering the new services from Selection Works.
- Does the Commission feel the need to make some changes to the BOPC rules to include the Chief's recommendations.
- Does the Commission want to recommend charging a fee to obtain an application, does the Commission need to receive Village Board approval to institute a fee, what should the amount be, and can the Commission charge a fee.

Chief Shelton reviewed that the new procedures would involve a written oral interview. After all testing has been completed, the Commission can interview candidates on a one-on-one basis.

The consensus of the Commission was to accept Chief Shelton's recommendation of using the Selection Works process and abandoning PCI.

Chairman Schuler confirmed that there will be no police test conducted at this time.

Chairman Schuler requested that Chief Shelton list out all the questions that have been brought up during this meeting, as far as charging fees and tattoos, etc.; submit the list to the Commissioners; and have the Board of Police Commissioner's Attorney review the changes.

Secretary Landsman questioned if there is a need to start the testing process now. Chief Shelton stated that at this time, the list expires in January of 2013 and has not received any direction from the Village Board on whether they will run an eligibility test and if they are required to run a test. In the current BOPC rules, it states that the Board shall call examinations to fill vacancies in the class of service in which vacancies are likely to occur within the police department. Under ILCS statutes, the Board of Police Commissioners shall keep a register of persons who are eligible.

Chairman Schuler stated that if there is no current eligibility list, it may take six months to a year to test and hire a qualified candidate. Secretary Landsman stated that the Chairman should communicate to the Village Board that the Commission would like to recommend that the process of testing should begin.

7. VILLAGE ATTORNEY'S COMMENTS

Attorney Hennessy stated that the Mayor has directed him to attend BOPC meetings and stated that in the future, the Board may also see the Village Administrator.

The Mayor asked Attorney Hennessy to share with the BOPC a legal opinion with respect to whether they are required by law to update its eligibility list. Attorney Hennessy stated that there is no state mandate in the law that a test needs to be conducted.

Secretary Landsman questioned if the BOPC is the ultimate governing body that determines if there should be a test or not. Attorney Hennessy stated that the BOPC has the discretion on whether to update the current list; however, the BOPC is not mandated to.

Attorney Hennessy indicated that the BOPC may be provided with information in the near future from the Board of Trustees not to test.

Chairman Schuler stated that the BOPC has an obligation and a responsibility to maintain the eligibility list and testing is a vehicle for the Board to obtain the list.

Chairman Schuler suggested that the next meeting of the Board of Police Commissioners be scheduled for Friday, September 21, 2012 at 7:00 a.m. to continue discussion on this matter.

8. ADJOURNMENT

MOTION: Made by Commissioner Heery, seconded by Secretary Landsman, to adjourn the special meeting at the hour of 8:04 a.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

September 21 , 20 12

Chairman

Minutes transcribed by Cindy Stuchl.