

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF POLICE COMMISSIONERS HELD ON SEPTEMBER 21, 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 (via teleconference), and Commissioner Joe Heery. Also present was Chief of Police Mark Shelton, Mayor Robert Napoli, Village Administrator Tim Halik, and Executive Secretary Cindy Stuchl.

ABSENT: None.

A QUORUM WAS DECLARED

3. VISITORS' BUSINESS

None presented.

4. REVIEW AND APPROVE SPECIAL MEETING MINUTES OF AUGUST 24, 2012

The Commission reviewed the minutes from the special meeting held on August 24, 2012.

MOTION: Made by Commissioner Heery, seconded by Secretary Landsman, to approve the special meeting minutes of August 24, 2012.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

5. MAYOR'S MESSAGE

Mayor Napoli wanted to extend good communication between the Corporate Authorities and this Commission. Mayor Napoli stated that the budget process will begin soon and the Village Board is looking into ways to economize with respect to the costs to the citizens of the Village. The Administration side of the Village

has already been streamlined with combining and eliminating positions. The Village Board is now looking at the police side and alternate ways to provide for proper police protection.

When the BOPC was looking to begin new police testing, Mayor Napoli requested that the testing process be delayed until decisions were made by the Corporate Authorities on how best to proceed. Mayor Napoli stated that the BOPC has the authority to hire a new replacement police officer without any Village Board consideration if a vacancy were to become available. The Village labor attorney suggested by allowing the eligibility list to expire this would give the Village Board the opportunity to look into alternative measures for replacing an officer.

Chairman Schuler stated that in the memo from the Mayor, it was stated that if the BOPC establishes a list, it may preclude or eliminate options that might be available to the Village Board. Chairman Schuler stated that the ability for the BOPC to automatically hire someone if a vacancy does occur this issue can be worked out. The BOPC does not wish to blindly hire somebody if it is not in the best interest of the Village. Chairman Schuler stated that the Village code can be amended to include that the BOPC would go to the Village Board before hiring.

Chairman Schuler stated that if there is not a current list, this eliminates the option that the Village Board has to hire a full time police officer from the list. To establish a new list, the lead time could take at least 3-4 months minimum to get a new list. It is an extended process to get a new hire into the police academy to replace someone who leaves the department. Having a current eligibility list would cut several months off of the hiring process. Chairman Schuler stated that if there is a current list, he does not see any reason why the BOPC would be in conflict with what the Village Board is trying to do.

Secretary Landsman stated that the BOPC principle role is to make sure that there is a current eligibility list of good candidates that meet the criteria that the Village requires. The Village Board should then decide whether or not to hire off the list.

Mayor Napoli stated that the Village Board was not aware of the duties and responsibilities of the BOPC. Mayor Napoli stated that the Village Board has agreed to allow the BOPC to run a new

test, but would like to amend the Village Code to require the Village Board to have a discussion regarding hiring then direct the BOPC to proceed.

Secretary Landsman questioned if the amendment would change the BOPC's role to create and conduct testing. Administrator Halik stated that it would not. Administrator Halik stated that there would be no change to the BOPC's duties; the only change would be for the ability to automatically hire a new officer when a vacancy occurs.

Chairman Schuler stated that he had a concern that if Administrator Halik has been assigned as the Village's liaison, that Chief Shelton should not be pulled away from the commission. The Chief keeps the BOPC attuned to the needs of the police department and is helpful in researching options to the interview process that is currently in place. Mayor Napoli stated that the change was to have total communication to the Village Board. Mayor Napoli stated that Administrator Halik will not have involvement in running or preparing an exam.

Chairman Schuler had concerns over the Village Attorney attending the BOPC meetings. Chairman Schuler stated that he feels that they are being watched and why is there a need for it. Chairman Schuler felt that it is an expense to the Village that is not necessary. Mayor Napoli stated that he has learned from the previous Village attorney that the police testing must be conducted every two years. As he spoke with other mayors, Mayor Napoli stated that these other mayors stated it was not the case. Mayor Napoli stated that he had the current Village attorney look into the state statute in reference to testing and that the Village would follow the law. Mayor Napoli stated that he has asked the Village attorney get involved because there have been occasions in the past where the Village Board did not have full knowledge of what the law states. Mayor Napoli stated that he does not intend on having the Village attorney attend all of the BOPC meetings.

Chairman Schuler stated that there is a need and to maintain a current list and to also look into the possible charging for applications.

Chairman Schuler stated that there had been a discrepancy on whether or not a municipality could charge a fee for applicants. The statute states that a "fully qualified" candidate cannot be

charged. This means that the candidate has gone through independent means to take the test, have background checks completed, and has become fully qualified on their own. The candidates that Willowbrook will be testing are not "fully qualified". Mayor Napoli stated that he has instructed the Village attorney to check into this information.

Chairman Schuler stated that the question of why the testing is being outsourced was raised. Chairman Schuler stated that for as long as he has been on the commission, the testing process has always been handled by PCI. The difference with Selection Works is that they will also handle the entire application process.

Chairman Schuler requested a consensus on the following items:

- The BOPC should go ahead and maintain the patrol officer eligibility list. The BOPC acknowledges that there should be a change in the ordinance that the BOPC will get Village Board approval before filling any police officer vacancies.
- If the list expires, the BOPC removes the opportunity to hire a full-time police officer.
- The BOPC will make a recommendation to the Village Board to charge an application fee not to exceed \$50.00.

The BOPC had a consensus on the above listed items.

Chairman Schuler questioned what kind of time frame is needed in order to have an updated list. Chief Shelton stated that if Selection Works were to begin the process on October 1st, including advertising and processing applications, possibly the test can be run in the middle of November. After preference points have been submitted, the final eligibility list could be completed by the middle of December.

Administrator Halik stated that the revision to the Village ordinance pertaining to the fees will be placed on the Village Board agenda for the October 8th Board meeting.

MOTION: Made by Secretary Landsman, seconded by Commissioner Heery, that the Board of Police Commissioners will authorize the Village Administrator and Chief of Police to contact Selection Works and begin the process to release applications and run the testing process immediately.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

6. MAYORAL DIRECTIVE

See discussion in Item #5.

7. VILLAGE BOARD INPUT REGARDING POLICE OFFICER CANDIDATE ROSTER OF ELIGIBLE CANDIDATES

See discussion in Item #5.

8. ISSUES

- a) Roster of Eligibles;
- b) Options if need to hire if roster is not maintained, and
- c) Cost of testing and application fees.

See discussion in Item #5.

9. VILLAGE ATTORNEY'S COMMENTS

Village attorney was not present at today's meeting.

10. ADJOURNMENT

MOTION: Made by Commissioner Heery, seconded by Secretary Landsman, to adjourn the special meeting at the hour of 8:07 a.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

October 19 , 20 12

Chairman

Minutes transcribed by Executive Secretary Cindy Stuchl.