



Elburn Police Department Pension Fund

301 East North Street, Elburn, Illinois 60119-9006

630-365-5070
630-365-5073 Fax

Richard E Schlachta II
President

ELBURN POLICE PENSION BOARD AGENDA

Thursday, April 11, 2019

4:00 PM

- ~~1)~~ Call to order
- ~~2)~~ Pledge of Allegiance
- ~~3)~~ Roll call
- ~~4)~~ Public comment
- ~~5)~~ Approve minutes from February 07, 2019 Board meeting
- ~~6)~~ Approve bills list
- ~~7)~~ Investment report Sawyer Falduto
- ~~8)~~ Lauterbach & Amen, LLP-Financial Report
- ~~9)~~ Attorney's report –Brian Labardi (Reimer & Karlson LLC)
- ~~10)~~ Discuss in-line of duty disability pension application filed, Ofc. Janito
- ~~11)~~ Authorization for INSPE to conduct three (3) IMES regarding disability pension application filed.
- ~~12)~~ Discuss new opinion received regarding David Wright.
- ~~13)~~ Rebalance portfolio to confirm with statutory asset allocation prior to close of fiscal year.
- ~~14)~~ Election of active/retired/disabled Trustees.
- ~~15)~~ Review and /or modification of Board's investment policy.
- ~~16)~~ Authorization preparation of annual Department of Insurance Report.
- ~~17)~~ Review and/or modification of Board's Administrative Rules and Regulations. →
- ~~18)~~ Trustees appointed or elected take office.
- ~~19)~~ Annual report by Treasurer due-2nd Tuesday in May (5/3-141).
- ~~20)~~ Annual filing statement of economic interest statements for each Trustee.
- ~~21)~~ Adjourn

MINUTES
ELBURN POLICE PENSION BOARD
APRIL 11, 2019

Board Members Present: Assistant Secretary Victoria Gwizdak, Robynn Pawlak, President Erich Schlachta; Chuck Urbasek

Board Members Absent: Steve Furlan

Staff Members Present: Elburn Pension Board Attorney Brian LaBardi, David Harrington (arrived at 4:11pm) from Sawyer Falduto Asset Management, LLC; Lauterbach & Amen rep Michael May; Officer Aldo Scudiero

Others Present:

1. Call to Order – Chairman Schlachta called the meeting to order at 4:00 p.m.
2. Pledge of Allegiance – President Schlachta led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call vote ensued.
4. Public Comment – Officer Scudiero inquired about an email communication with Lauterbach & Amen regarding his pension while with Melrose Park. Lauterbach & Amen rep Michael May will speak with actuaries in his office tomorrow and Attorney LaBardi gave his contact information to Officer Scudiero in order to touch base on this.
5. Approve Minutes from Previous Pension Board Meeting – A motion to approve the February 7, 2019 minutes was made by Urbasek and seconded by Gwizdak. The motion carried by unanimous voice vote.
6. Bills List – A motion was made by Gwizdak and seconded by Pawlak to approve the bills for April 11, 2019 in the amount of \$750. A roll call vote ensued. Ayes: Gwizdak, Pawlak, Schlachta, Urbasek. Nays: None. Motion carried.
7. Investment Report – Sawyer Falduto – Sawyer Falduto rep David Harrington presented the report. Harrington requested an agenda item for a future meeting to discuss the investment policy. Copies will be distributed to the Board in advance for their review. A motion to approve the report as presented was made by Urbasek seconded by Schlachta. The motion carried by unanimous voice vote.
8. Lauterbach & Amen – Financial Report – Michael May presented the report. Pawlak requested last year's information be added to the report for comparison. May will see if this is something that can be provided. A motion to approve the report and vendor check report as presented was made by Schlachta and seconded by Urbasek. A roll call vote ensued. Ayes: Pawlak, Gwizdak, Schlachta, Urbasek. Nays: None. Motion carried.
9. Attorney's Report – Brian LaBardi (Reimer & Karlson LLC) – LaBardi highlighted the report presented by his firm. Schlachta advised Elburn Officer Janito is monitoring an effort being led by several departments regarding Tier 1 and Tier 2 designation.
10. Discuss In-Line of Duty Disability Pension Application Filed, Ofc. Janito – LaBardi said the application for disability has been submitted. He advised the Trustees they may not discuss this matter with anyone. The application is being processed and authorization for medical records has been requested. Once received, Janito will be sent to three medical exams followed by a hearing.
11. Authorization for INSPE to conduct three (3) IMES Regarding Disability Pension Application Filed – LaBardi stated attendance is required by law. A motion to approve INSPE to conduct was made by

Schlachta and seconded by Urbasek. A roll call vote ensued. Ayes: Pawlak, Gwizdak, Schlachta, Urbasek. Nays: None. Motion carried.

12. Discuss New Opinion Received Regarding David Wright – LaBardi said an investigation was performed to see if the felony would negate pension benefit if connected to his service as a police officer. The Kane County States Attorney Office (SAO) originally provided nothing. In November, the Attorney General said this is not exempt from FOIA. LaBardi asked if the Board would like to re-open the investigation or not. It would involve a FOIA request and we are not guaranteed the information provided will be useful. When asked what the cost vs. benefit would be, LaBardi said initial cost would not be much but could proceed to filing lawsuits which could be expensive. The Pension Board previously did their due diligence as far as they could without incurring an enormous amount of legal fees for information that may not exist. There was agreement to submit a FOIA request again based on the Attorney General ruling. LaBardi will create a FOIA which will be from Schlachta. If records are produced, LaBardi will review and come back to the Pension Board with a recommendation if action is warranted or not. There was consensus to direct LaBardi to submit a second FOIA request.
13. Rebalance Portfolio to Confirm with Statutory Asset Allocation Prior to Close of Fiscal Year – Harrington will handle.
14. Election of Active/Retired/Disabled Trustees – LaBardi said statute requires election to be conducted by the third Monday in April. May needs nominations before ballots can be sent out with payroll. Schlachta has received a nomination for the retiree spot. The election should occur soon so results can be announced at the next meeting.
15. Review and/or Modification of Board's Investment Policy – N/A – this will be reviewed at the next meeting.
16. Authorization Preparation of Annual Department of Insurance Report – No action required tonight. Lauterbach & Amen will handle. IDOI is changing this report again, an additional step is required. A formal request for information will be sent. All changes to be final by April 23.
17. Review and/or Modification of Board's Administrative Rules and Regulations – LaBardi will email copies to the Trustees for review and will be on the next agenda for discussion.
18. Trustees Appointed or Elected Take Office – Urbasek and Pawlak terms expire this month. Schlachta will speak with Mayor Walter regarding reappointment.
19. Annual Report by Treasurer Due 2nd Tuesday in May (5/3-141) – Lauterbach & Amen does not normally do this. Treasurer Elder will look through last year's information and will contact May. May obtain a quote to complete. A motion to preauthorize payment for Lauterbach & Amen to complete the report was made by Schlachta and seconded by Gwizdak. A roll call vote ensued. Ayes: Pawlak, Gwizdak, Schlachta, Urbasek. Nays: None. Motion carried. May will create a new engagement letter going forward but will do a separate quote for this instance.
20. Annual Filing Statement of Economic Interest Statements for Each Trustee – Must be completed by May 1.
21. Other Business – LaBardi suggested approving the IDOI compliance fee – this will be due June 1 (prior to next meeting). A motion to pay the invoice on receipt (it is non-negotiable) was made by Schlachta seconded by Urbasek. A roll call vote ensued. Ayes: Pawlak, Gwizdak, Schlachta, Urbasek. Nays: None. Motion carried.
22. Adjourn - Trustee Gwizdak motioned to adjourn the meeting at 5:11 p.m. with Trustee Pawlak seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk