

Elburn & Countryside Fire Protection District
Board of Fire Commissioner's Special Meeting
12/10/19

Date: Tuesday, December 10, 2019 4:00 pm

Commissioner S. Herra called the meeting to order at 4:00 pm with the following people in attendance.

S. Herra	P. Panagakis	C. Thomas	J. Cluchey	M. Hanson	P. Hall	J. Montolyski
S. Flaherty	J. Knippen	T. Haley	B. Weiller	T. Reynolds	L. Herra	G. Algrim
K. Suriano	S. Ferris	A. Poynor	S. Darlak			

Commissioner S. Herra led the Board of Fire Commissioners in the Pledge of Allegiance.

Public Comment:

- None

Old Business:

Executive session for purposes to discuss disciplinary action and procedures related to the same
Commence hearing in the matter of: Fire Chief Joseph Cluchey vs Asst. Fire Chief Tate Haley

- Preliminary Motions, stipulations and other procedural matters
- Opening statements of the parties' attorneys
- Commence presentation of Chief Cluchey's case in chief (witnesses and evidence) including cross examination by Asst. Chief Haley's attorney and questions of the Commissioners
- Recesses as needed.

Executive Session:

At 4:01 pm, Chairman S. Herra called an executive session pursuant to Section (2)(c)(1) of the Open Meetings Act (to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine validity) and/or Section (2)(c)(11) of the Act (pending probable or imminent litigation).

At 4:01 pm, a motion to go into executive session was made by P. Panagakis. S. Herra seconded the motion.

Roll Call Vote

3 Ayes
0 Nays
0 Absent

In attendance:

S. Herra P. Panagakis C. Thomas J. Knippen

At 4:13 pm, the executive session ended with a motion by S. Herra. P. Panagakis seconded the motion.

Roll Call Vote

3 Ayes
0 Nays
0 Absent

- No action was taken after the executive session.

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At 4:14 pm, C. Thomas made a motion to go into recess until they reconvene. S. Herra seconded the motion. It was voted on and approved.

At 4:39 pm, P. Panagakis made a motion to reconvene. S. Herra seconded the motion. It was voted on and approved.

- S. Flaherty addressed the Board of Fire Commissioners stating that all parties involved have made an agreement to settle the matter before the commission. He noted that Asst. Chief Tate Haley has rendered his resignation with the department. He has signed a resignation agreement. However, the agreement needs to be presented to the ECFPD Board of Trustees for approval.
- S. Flaherty stated that he'd like the Board of Fire Commissioners to make a motion to hold the January 8th, 2020 date for a continuance of the hearing if need be. He noted that if all goes well with the Board of Trustees, the continuance of the hearing will not be needed. Attorney B. Weiller, representing Asst. Chief Tate Haley, stated that they join in that motion.

P. Panagakis made a motion to continue the hearing to January 8th, 2020 at 5:00 pm. S. Herra seconded the motion.

Roll Call Vote

3 Ayes
0 Nays
0 Absent

- It was noted that the hearing date of December 11th, 2019 will not be needed.

P. Panagakis made a motion to vacate the December 11th, 2019 meeting. C. Thomas seconded the motion. It was voted on and approved.

Roll Call Vote

3 Ayes
0 Nays
0 Absent

Respectfully Submitted,
Pamela C. Hall
Administrative Assistant
Elburn & Countryside Fire Protection District