

VILLAGE OF BUFFALO GROVE



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VILLAGE OF BUFFALO GROVE Board of Fire and Police Commissioners Minutes of Regular Meeting Village Hall Emergency Operations Center October 3, 2022

CALL TO ORDER and ROLL CALL:

The regular meeting was called to order at 6:01PM by Chairman Berman. Chairman Berman called the roll & noted for the record that a quorum was present for the meeting. Present at Village Hall were Commissioners Fishman, Blumenthal and McKee. Also, in attendance were Deputy Police Chief Szos, Fire Chief Baker, Deputy Fire Chief Kane, HR Director Malinowski and Village Trustee Liaison Weidenfeld. Commissioner Dryman was not present at the meeting

APPROVAL OF MINUTES:

- A. Commissioner Fishman introduced a motion, seconded by Commissioner Blumenthal, to approve the minutes of the BFPC Regular Meeting on September 19, 2022. Commissioners Fishman, Blumenthal, McKee and Chairman Berman voted in FAVOR of the motion. The motion PASSED

CHAIRMAN'S REPORT:

- A. Chairman Berman reported that he spoke with Police Officers and Firefighter/Paramedics at BG Days and said they were absolutely professional, and they looked great as well.
- B. Chairman Berman advised that he would talk about BFPC Rules and Regulations on Old Business

COMMISSIONER'S REPORTS: NONE

CHIEF REPORTS:

POLICE DEPARTMENT:

- A. Deputy Chief Szos reported that Police Officer O'Neill graduated the Academy on September 23rd and is on field training on the day shift
- B. Deputy Chief Szos reported that Police Sergeant Horbus retired effective October 3rd after 23 years with BGPD
- C. Deputy Chief Szos announced that there are currently 3 vacancies within the BGPD
- D. Deputy Chief Szos reported that Police Sergeant Hansen will be sworn in at the Village Meeting after the BFPC Meeting
- E. Deputy Chief Szos reported that they are working on the background on New Hire Candidate # 8
- F. Deputy Chief Szos informed the BFPC that Police Chief Casstevens retirement party will be November 11th

FIRE DEPARTMENT:

- A. Chief Baker reported that the FF/PM eligibility list is currently being worked through. They are currently at Candidate # 18 on the list
- B. Chief Baker reported that as of 9/19/22:
 - a. 2 New hires appointed to BGFD (Candidates 1 & 2)
 - b. Declined Candidate offers:
 - i. Candidate # 9 gave no reason
 - ii. Candidate #'s 3, 10, 11, 14 & 16 were hired by another department
 - iii. Candidates #'s 6, 8 & 9 took one-time pass with no reason given
 - iv. Candidates # 13 & 17 took a 1st time pass
 - v. Candidates 5, 12, 15 & 18 are currently in-process
 - 1. Candidate 5 has completed their integrity interview and is in final recommendation process
 - 2. Candidate 12 has their integrity interview in process
 - 3. Candidate 15 is in process and their background returned
 - 4. Candidate 18 was sent their background packet on 9/29/22
- C. Chief Baker reported that there are still 2 vacancies within the BGFD
 - a. There are 5 more candidates remaining on the FF/PM Register
 - b. Chief Baker informed the BFPC that effective October 17th FF/PM Hauber will be retiring
- D. Chief Baker asked if the BFPC was able to review the background packet for FF/PM Candidate # 5
 - a. The BFPC will discuss during Executive Session
- E. Chief Baker advised that the FF/PM testing dates may need to be moved up if the entire roster is completed and worked on before the end of the year
 - a. Things that the Chief will take into consideration are:
 - i. BFPC Commissioners availability
 - ii. Availability of a large enough venue to conduct orientation/testing
 - b. The Chief does anticipate a small gap between lists but does not feel that the gap will be an issue
 - c. Candidate # 20 will not graduate PM school in time for their background checks to begin
 - d. Candidate # 21 they are having issues obtaining PM status from this candidate
 - e. Candidates # 22 & # 23 are FF/PM but not in the NWCH Group

QUESTIONS FROM THE AUDIENCE: NONE

OLD BUSINESS:

- A. Chairman Berman discussed action related to the BFPC Rules and Regulations
 - a. Time-in-grade was discussed, and Chairman Berman informed that those performing at a high level prior to performing time-in-service
 - b. Chairman Berman also sent a copy to John Broihier (IFPCA Attorney) to review
 - i. Perhaps waiting for the new BGPD Police Chief to be sworn in to allow him/her to review the Rules and Regulations to provide their input as well
 - ii. The POWER test was discussed
 - 1. This cannot be used to determine how good or bad of a police officer will be on the job. Deputy Chief Szos informed that this is a requirement for candidates to attend the Police Academy
 - 2. John Broihier recommended that this not be used as a decision to hire a candidate, nor should we fail a candidate for not having their POWER certification. Chairman Berman will question back to John Broihier about the Academy not allowing candidates to attend if they do not have their POWER certification and how that affects the hiring process. HR Director Malinowski advised that the POWER test or any test for that matter could be used as a biased test. NIPSA conducts the POWER tests and lots of other Police agencies utilize the same rule of POWER certification prior to testing and hiring candidates. HR Director addressed his concerns that if BGPD hires a new candidate, they get their slot in the Academy, and they fail their POWER test twice, they are still a BGPD employee that the Village needs to figure out what to do with

a Police Officer that cannot be a Police Officer without a POWER certification.

- iii. Points awarded (scoring) for the oral interview process is not in compliance with Illinois state law and that this could be considered biased scoring by the Commissioners
 - 1. There are 7 categories that are to be considered when defining the official duties of a Police Officer
 - a. These categories must be considered for the PASS/FAIL portion of the oral interview
 - b. The oral interview questions need to be aligned to the 7 categories
 - c. Chairman Berman advised that there are companies that will conduct the interview questions and PASS/FAIL outcome that will align with the 7 categories of Policing
 - 2. Polygraph exams were discussed
 - a. John Broihier advised that with our polygraph examinations if one of the disqualifying items was discussed and if the candidate was guilty of a disqualifying item, the BFPC has the legal right to have the candidate re-reviewed post-examination
- B. Chairman Berman advised that we table this conversation until after we have had a chance to have John Broihier respond to follow-up questions and that these discussions continue

NEW BUSINESS:

- A. Chairman Berman discussed action related to the 2023 BFPC Calendar
- B. Chairman Berman discussed possible action related to FF/PM & Police Officer action

EXECUTIVE SESSION:

- A. Commissioner Blumenthal introduced a motion, seconded by Commissioner Fishman to recess into Executive Session at 6:46PM pursuant to Section 2(C) (1) of the Illinois Open Meetings Act: The Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body or Legal Counsel for the Public Body, Including Hearing Testimony on a Complaint Lodged Against an Employee of the Public Body or Against Legal Counsel for the Public Body to Determine its Validity.
 - a. Commissioners Fishman, Blumenthal, McKee and Chairman Berman voted in FAVOR of the motion. The motion PASSED & the Regular BFPC Meeting was temporarily adjourned for the Executive Session

RETURN TO REGULAR SESSION:

- A. Chairman Berman recalled the Regular Session back to order at 6:50PM. Present were Commissioners Fishman, Blumenthal and McKee. Also, in attendance were Fire Chief Baker, Deputy Fire Chief Kane, Deputy Police Chief Szos and HR Director Malinowski
- B. Commissioner Blumenthal introduced a motion, seconded by Commissioner Fishman to extend a conditional offer of employment to Firefighter/Paramedic New Hire Candidate # 5. Commissioners Fishman, Blumenthal, McKee and Chairman Berman voted in FAVOR the motion. The motion PASSED & Candidate # 5 will be extended a conditional offer of employment with BGFD
 - a. Chairman Berman will notify the candidate of the conditional offer and next steps
- C. Commissioner Blumenthal introduced a motion, seconded by Commissioner Fishman to extend a conditional offer of employment to Police Officer New Hire Candidate # 7. Commissioners Fishman, Blumenthal, McKee and Chairman Berman voted in OPPOSITION the motion. The motion FAILED & Candidate # 7 will NOT be extended a conditional offer of employment with BGPD
 - a. HR Director Malinowski will inform the candidate via USPS of his removal from the candidate process

ADJOURNMENT:

Commissioner Blumenthal introduced a motion, seconded by Commissioner Fishman to adjourn the meeting at 6:56PM, Commissioners Fishman, Blumenthal, McKee and Chairman Berman voted in FAVOR of the motion. The motion PASSED & the Regular BFPC Meeting was adjourned.

Respectfully submitted,

Kevin B. Dryman

Kevin B. Dryman, Secretary
Board of Fire and Police Commissioners

The Village of Buffalo Grove, in compliance with the Americans With Disabilities Act, requests that persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities contact the ADA Coordinator at 459-2507 to allow the Village accommodations for those persons.