



DES PLAINES BOARD OF FIRE AND Police Commissioners Agenda
Special Meeting
December 12, 2022
2nd Floor Conference Room – 9:00 a.m.

Call to Order: 9:00 am

Roll Call:

Albrecht: Present

Green: Present

Garceau: Present

D. Michael Albrecht	Commissioner	David Anderson	Police Chief
Thomas Green	Commissioner	Sean Flanagan	Deputy Chief – Support Services
Kristy Garceau	Commissioner	Dan Shanahan	Deputy Chief - Patrol
		Daniel Anderson	Fire Chief
Sarah Gianni	Management Analyst	Matt Matzl	Deputy Chief of Operations
John Rice	Commander - Investigations	Sam Foster	Deputy Fire Chief
Tom Boniak	Detective	Becky Madison	Recording Secretary/ Director of Human Resources
Rich Niznik	Detective	Dorothy Wisniewski	Assistant City Manager/ Finance Director

Public Comment: None.

Motion to go into Executive Session for the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the City under section 2(c)(1) of the Open Meetings Act and discussion and approval of closed session minutes under section 2(c)(21) of the Open Meetings Act at 9:02 a.m.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried.

Back in Regular session at 10:38 a.m.



New Business:

1. Consideration of motions to pertaining to the retention or removal of Probationary Firefighter/Paramedic Candidates from continued consideration in the selection process.
 - i. Motion to proceed with fire candidate #14 Brendan McCarthy.

Commissioner Green made a motion to extend an offer of employment to Candidate McCarthy, conditioned on the successful completion of a psychological examination, a medical examination, and a drug/alcohol test, all conducted by one or more professionals that the BFPC currently uses. If for some reason one or more of those professionals are unable to promptly complete the examinations and/or tests, my motion gives the City of Des Plaines the ability to secure an alternative professional or clinic to promptly complete the exams and/or tests. My motion also directs Human Resources to circulate the aforementioned test/exam results to the individual BFPC members prior to their next meeting.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried. Candidate passed.

2. Consideration of motions to pertaining to the retention or removal of Probationary Police Officer Candidates from continued consideration in the selection process.
 - i. Motion to disqualify police candidate #157 David Bethel.

Commissioner Green made a motion to reject Candidate David Bethel from further consideration as a police officer.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried. Candidate disqualified.

- ii. Motion to proceed with police candidate #158 Saad Saeed.

Commissioner Green made a motion to extend an offer of employment to Candidate Saeed, conditioned on the successful completion of a psychological examination, a medical examination, and a drug/alcohol test, all conducted by one or more professionals that the BFPC currently uses. If for some reason one or more of those professionals are unable to promptly complete the examinations and/or tests, my motion gives the City of Des Plaines the ability to secure an alternative professional or clinic to promptly complete the exams and/or tests. My motion also directs Human Resources to circulate the aforementioned test/exam results to the individual BFPC members prior to their next meeting.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye



Motion carried. Candidate passed.

iii. Motion to proceed with short form for police candidate #155 Charles Regalado.

Commissioner Green made a motion to reject Candidate Charles Regalado from further consideration as a police officer.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion Carried. Candidate disqualified.

iv. Motion to proceed with short form for police candidate #148 Jasline Leanos.

Commissioner Green made a motion to reject Candidate Jasline Leanos from further consideration as a police officer.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion Carried. Candidate disqualified.

3. Approval of the October 19, 2022, Special Meeting minutes.

Commissioner Albrecht asked about the three options related to psychological examinations as discussed in the minutes, namely pass, fail or provide accommodations. Director of Human Resources Becky Madison stated the accommodation is related to the ADA’s reasonable accommodation requirements. The rules and regulations of the BFPC do not have to explicitly state this as it is Federal Law. Commissioner Albrecht asked an additional question regarding the previous meeting’s discussion on “red flags” for candidates and what actions are to be taken. Director of Human Resources Becky Madison stated the language of the motions read during this meeting were what was created to comply with what the BFPC wishes to clarify moving a candidate forward after they successfully completed their examinations.

Motion to approve Special Meeting Minutes of October 19, 2022, as presented.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Albrecht	Aye	Aye	Abstain*

*Commissioner Garceau did not attend the October 19, 2022, meeting and is therefore abstaining from voting on the minutes.

Motion carried.

4. Review and approval of the 2023 regular schedule of the board of Fire and Police Commissioners.



Director of Human Resources Becky Madison noted that a time was not listed. Traditionally, Regular Meetings have been held at 6:00 p.m. to accommodate those who are unable to attend during work hours, however only one of the four Regular Meetings was held at that time last year. Commissioner Albrecht found no issue with this, however he pointed out that any meetings that also have interviews would need to be held during the day. When asked by Commissioner Albrecht for their thoughts, Commissioner Garceau agreed with holding the meetings at 6:00 p.m. for public accessibility, with Commissioner Green concurring.

The 2023 schedule is as follows: Monday, March 13th at 6:00 p.m.; Monday June 12th at 6:00 p.m.; Monday, September 11th at 6:00 p.m.; Monday, December 11th at 6:00 p.m.

Motion to approve 2023 BFPC Regular Schedule, as presented.

Motion Made by	2 nd	Albrecht	Green	Garceau
Garceau	Green	Aye	Aye	Aye

Motion carried.

5. Discussion and approval of a recommendation regarding the proposed changes regarding the Fire Promotional Process to the Board of Fire and Police Commissioners Rules and Regulations.

The conversation began with the selection of dates to hold Special Meetings of the BFPC as part of the Fire Lieutenant process. The BFPC will need to post initial eligibility lists for each testing requirement and a final eligibility list. To comply with the posting requirements, a series of special meetings must be held. It was decided that a special meeting would be held on Friday, January 13th at 9:00 a.m. for posting Administrative points and Seniority points. A second special meeting would be held on Monday, January 23rd at 9:00 a.m. for posting Assessment Center points. Finally, a third special meeting would be held on Monday, February 13th at 9:00 a.m. for posting the results of the Written Examination. As Fire Chief Dan Anderson noted, they may open up the period for military points at that time as well. This may be waived if there are no candidates for whom military points would apply. If this is the case, the final eligibility list may be able to be posted that day.

Commissioner Albrecht opened a discussion regarding the side letter to the IAFF Collective Bargaining Agreement with the Fire Department. This side letter impacts the promotional process for the rank of Lieutenant. Commissioner Albrecht asked whether this side letter needed to become an addendum to the BFPC rules and regulations. In particular, he noted that there was a Commission Oral Interview listed as part of the process, but that would not be happening in this Lieutenant process. Fire Chief Dan Anderson noted that the Union can either choose a Commission Oral Interview or an Assessment Center examination. That decision is made for each and every testing process. The points that would have been attributed to an Oral Interview would instead be distributed to the Assessment Center. Commissioner Albrecht noted that the Assessment Center seems to go deeper in its examination of the candidates than could be accomplished by a Commission Oral Interview. Fire Chief Dan Anderson noted that if the Union decides if it wants to do a Commission Oral Interview, it is up to the BFPC to try to figure out how to do an oral interview that gets what is needed out of it.



Commissioner Albrecht noted concern that a large percentage of the overall points were given to the Commission Oral Interview. Fire Chief Dan Anderson stated the Commission Oral Interview must, by law, be an option in the process. In Section Five of the side letter agreement, there is a portion that discusses the Commission Oral Interview.

Fire Chief Dan Anderson noted that the title of the section is Commission Oral Interview, so it must be the same title for the points. But it does clearly state that an assessment center process may be used in lieu of an interview by the Board. Commissioner Albrecht added that such wording makes it seem as though the Commission has a lot of input when in actuality they do not when it comes to utilizing the Assessment Center. Fire Chief Dan Anderson noted this was due to the need to keep certain language as required by statute. When it comes to scores, Fire Chief Dan Anderson stated that the BFPC will still approve the final scores, and that each list will have every component for all the candidates. No number is assigned, and there’s no anonymity to the testing process. This is because anonymity was not achieved when a number was assigned to each candidate as they talked among themselves, so it was removed from the process.

It was noted that the rule change needed to be voted on and accepted into the BFPC’s rules and regulations. If accepted, it would need to be taken to City Council for approval as well. As noted by Commissioner Green, the only change was on page 37, Chapter VII, Section 1 of the BFPC Rules and Regulations. Commissioner Albrecht read the change aloud: Promotions to the rank of Lieutenant shall be in accordance with the provisions of this Article, “unless an alternative process has been agreed to by the City and the bargaining unit. In case of a conflict between this Article and any agreement between the City and the bargaining unit, the agreement with the bargaining unit shall control.”

Motion to approve the rule change updating the promotional process for the Fire Department based on the side letter agreement, as presented.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried.

Report of Commissioners

Commissioner Albrecht asked whether there were any Lieutenant openings. Currently there are none, but Fire Chief Dan Anderson noted there will likely be an opening mid-spring.

Commissioner Albrecht noted that the Board no longer has an acting secretary and asked that this be put on the agenda for the next meeting.

Director of Human Resources Becky Madison stated that, due to the way of doing motions and approvals. Reconvene to set start date and accept exams of Saad Saeed who just passed. To get him in to the January Academy, the Commission would need to reconvene on December 27th, 28th or 29th. However, the Commissioners could revise the motion so that the City, subject to Saeed’s passing, could give a start date. Commissioner Green agreed there was no need to reconvene just to say yes or no to the exam results.



Assistant City Manager/Finance Director Wisniewski noted that this situation is an example where using the alternative motion works best for the Commission.

- i. Motion to reconsider motion regarding candidate Saad Saeed was made by Commissioner Green.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried.

- ii. Reconsidered motion to extend an offer of employment to Candidate #158 Saad Saeed.

Commissioner Green made a motion to extend an offer of employment to Candidate Saeed, conditioned on the successful completion of a psychological examination, a medical examination, and a drug/alcohol test, all conducted by one or more professionals that the BFPC currently uses. If for some reason one or more of those professionals are unable to promptly complete the examinations and/or tests, my motion gives the City of Des Plaines the ability to secure an alternative professional or clinic to promptly complete the exams and/or tests. My motion also directs Human Resources to promptly circulate the aforementioned test/exam results to the individual BFPC members. My motion also allows for the formal appointment of Candidate Saeed by the BFPC Chairperson without the need for the BFPC to reconvene if Candidate Saeed successfully passes the psychological, medical and drug/alcohol exams and/or tests. My motion however, precludes Candidate Saeed's appointment if by chance he fails one or more of the aforementioned exams/tests and/or if one or more BFPC Members call for further discussion about Candidate Saad Saeed appointment, with that call occurring within 3 calendar days of having received the exam/test results from Human Resources.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried.

Motion to adjourn.

Motion Made by	2 nd	Albrecht	Green	Garceau
Green	Garceau	Aye	Aye	Aye

Motion carried.

Adjourned at 11:20 a.m.

Next Special Meeting: January 13, 2023, 9:00 a.m.

Next Regular Meeting: March 13, 2023, 6:00 p.m.

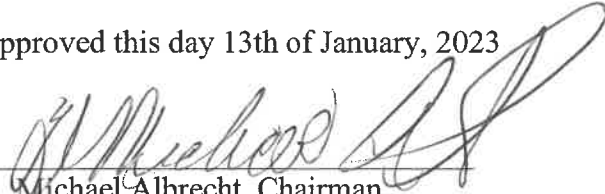


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Respectfully submitted,

Sarah Gianni
Human Resources Management Analyst

Approved this day 13th of January, 2023


D. Michael Albrecht, Chairman


Secretary