

**BATAVIA POLICE PENSION BOARD  
MEETING MINUTES  
AUGUST 24, 2022**

NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Board and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

President Kaluzny called the meeting to order at 8:09 a.m. on 08/24/2022.

**Roll Call:** Jason Kaluzny, President (In person); Tim O'Brien, Vice President (Zoom); Chris Potthoff, Secretary (Zoom); Laura Newman, Trustee (In person); Robert Knanishu, Trustee (Zoom)

**Members Absent:** None

**Others Present:** Jon Willhite, UBS (Zoom); Jeff Goodloe, PGM (Zoom); Derek Flessner, Lauterbach & Amen (Zoom); Greg Kiesewetter, Cook Castle Associates, LLC (Zoom)

**APPROVAL OF MEETING MINUTES**

**Motion:** To approve the minutes of the Regular Meeting of 05/18/2022 and Special Meeting Minutes of 06/28/2022 as presented.

**Maker:** Kaluzny

**Second:** Newman

**Roll Call:** Potthoff – Aye, O'Brien – Aye, Newman – Aye, Knanishu – Aye, Kaluzny – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

**INVESTMENT ACTIVITIES**

Willhite noted that almost all the assets have been transferred out. Approximately \$1.7M is being held for beneficiary payments and expenses for the Fund.

The portfolio's beginning market value was \$37,969,727 with an ending market value of \$34,478,301 down -11.21% for the quarter, down -17.15% YTD and up 4.82% since inception.

It was noted that, eventually, UBS will no longer handle any transactions and the Board should look to move everything to the Harris Bank. Currently, the tax levy monies are directly deposited into the UBS account. Flessner reported, reference employee contributions, the Board needs to notify the City to change the bank the contributions are sent to. The tax levy monies come directly from Kane County and the Board will need to fill paperwork out with the County to redirect those monies. These are usually updated in 30-60 days. Recommended that the Board does not close any accounts until such time that all the contributions are hitting the Harris Bank. The collateralization

agreement has already been signed so the Board can move forward. Discussion continued on cash management policies, cash flow, authorizations to State Street, keeping accounts open at UBS, etc. Table transferring employee contributions and tax levy monies until the next meeting. Goodloe will forward samples of cash flow management policies. Willhite thanked the Board for the 25+ years of collaboration. Stated it has been a real pleasure and will still be available if the Board needs him for anything.

Investment Policy Statement – No action required.

Willhite left the meeting.

### **OLD BUSINESS**

Selection of Board Officers – It was noted that the Board needs to stagger their elections. This will be discussed at the next meeting. By Statute, the Board must select officers.

**Motion:** To keep the slate of Officers the same: Kaluzny – President, Potthoff – Secretary, O’Brien – Vice President  
**Maker:** Newman  
**Second:** Potthoff  
**Roll Call:** Potthoff – Aye, O’Brien – Aye, Newman – Aye, Knanishu – Aye, Kaluzny – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

It was noted that Trustee Robert Knanishu was reappointed by the Mayor for another 2-year term.

Actuarial Valuation – Flessner reported that the report has been finalized, no changes from the May meeting. A recommended contribution of \$2,556,545 was presented.

**Motion:** To approve the recommended actuarial of \$2,556,545.  
**Maker:** Kaluzny  
**Second:** Knanishu  
**Roll Call:** Potthoff – Aye, O’Brien – Aye, Newman – Aye, Knanishu – Aye, Kaluzny – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Wakeley Portability – Flessner reported that all monies have been received and a letter was forwarded to the Board for final approval. Officer Wakeley’s original date of hire was 02/10/2020 and the adjusted date of hire after the service transfer is 01/07/2016.

**Motion:** Motion to approve the Wakeley Portability as presented.  
**Maker:** Kaluzny  
**Second:** Knanishu  
**Roll Call:** Potthoff – Aye, O’Brien – Aye, Newman – Aye, Knanishu – Aye, Kaluzny – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

## **ACCOUNTANT'S REPORT/PRESENTATION OF BILLS FOR DISBURSEMENT**

Flessner gave an overview of the July 2022 Financials.

**Motion:** To Financial Monthly Report for the period ending July 31, 2022; as presented.  
**Maker:** Newman  
**Second:** Knanishu  
**Roll Call:** Kaluzny – Aye, O'Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

**Motion:** To Financial Monthly Reports for the period ending April 30, 2022; May 31, 2022;  
and June 30, 2022; as presented.  
**Maker:** Knanishu  
**Second:** Newman  
**Roll Call:** Kaluzny – Aye, O'Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Newman stepped away from the meeting at 8:33 a.m.

**Motion:** To approve the following invoices for payment as presented: IDOI Invoice  
#H13584 in the amount of \$7504.71; PGM LLC for legal services, Invoice  
#0000251 in the amount of \$5935.86; Vertitex Legal Solutions Invoice #5910509  
dated 07/20/2022 for \$1338.00 for court reporting services ; for Invoice #710058  
from Cheryl Shimp for transcription services in the amount of \$240.00.  
**Maker:** Kaluzny  
**Second:** Knanishu  
**Roll Call:** Kaluzny – Aye, O'Brien – Aye, Newman – Absent, Potthoff – Aye, Knanishu –  
Aye. 4 Ayes, 0 Nays, 1 Absent. All in favor. Motion carried.

Newman returned to the meeting at 8:36 a.m.

## **APPLICATIONS FOR MEMBERSHIP**

Officer Volodymyr Skrupskyy is a lateral transfer. No portability paperwork has been received at this time. Should be forthcoming.

**Motion:** To approve Officer Volodymyr Skrupskyy's application for admission into the  
Batavia Police Pension Fund as a Tier 2 member effective 06/09/2022.  
**Maker:** Kaluzny  
**Second:** Knanishue  
**Roll Call:** Kaluzny – Aye, O'Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

### APPLICATIONS FOR BENEFITS

Retirement - Jensen – Goodloe reported that Officer Emil Jensen was withdrawing his disability application and applying solely for a regular retirement pension.

**Motion:** To acknowledge receipt of Officer Jensen’s request to withdraw his disability pension application.

**Maker:** Kaluzny

**Second:** Knanishu

**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Flessner reported that the pension calculation worksheet and retro calculation worksheets have been submitted to the Board for final signature. After a brief discussion, a special payroll run was requested. Officer Emil Jensen is retiring with 24 years with an applicable salary of \$117,312.59 and is eligible for a 60% pension benefit, which equates to \$5865.63 per month. The retro payment, back to May 22, 2022; is for \$14,001.43.

**Motion:** To approve the retirement benefits for Emil Jensen and approve the retro payment back to May 22, 2022; in the amount of \$14,001.43 as presented

**Maker:** Kaluzny

**Second:** Newman

**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

Retirement – Gramme – George Tony Gramme was hired on 09/11/1997 with a last day worked of 09/10/2022 and an effective retirement date of 09/11/2022; for 25 years of creditable service. This equates to a 62.5% pension with an applicable salary of \$117,313.11 and a monthly pension of \$6110.06.

**Motion:** To approve the calculation and retirement pension for George Tony Gramme in the amount of \$6110.06 monthly pension effective 09/11/2022.

**Maker:** Kaluzny

**Second:** Knanishu

**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye.  
5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

### ATTORNEY REPORT

Goodloe reported that the Consolidation Appeal is pending. A Kane County Judge found the Consolidation Law to be constitutional. An agreement was entered into to have the Appellate Court expedite the appeal. The plaintiff’s brief is due 09/02/2022, the defendant’s brief 10/07/2022 with

the reply brief due 10/21/2022. The Appellate Court should have everything briefed by the end of October and could, potentially, issue a decision by the end of the year. It is believed that whoever loses, will take this appeal to the Supreme Court. If the plaintiff's lose, they would have to petition the Supreme Court to hear the case. If the defendant's lose, this means that the court has found the law unconstitutional and would be an automatic appeal to the Illinois Supreme Court.

There are two (2) new statutes, transfer statutes, the first being Public Act 102-857, which opens a window that closes on 11/13/2022 allowing someone to transfer IMRF time as a county corrections officer to an Article 3 or Article 4 pension fund. This statute also allows CSO's to transfer time as well.

The second statute is 102-1061, which opens a window to extend out the transfer period to transfer time doing administrative functions for police departments. Interest parties must make application to IMRF on or before 06/23/2023 and must pay required monies by 06/30/2023. It also opens a window to transfer full-time law enforcement duties in Article 7. Goodloe requested that all potential employees be notified of these deadlines.

The Third District Appellate Court affirmed the pension board's decision in Bolingbrook that Drew Peterson is not entitled to his pension because his felony conviction related to or rose out of or was connected with his service as a police officer.

### **NEW BUSINESS**

Portability – Kurtz – All paperwork has been submitted. The original date of hire was 04/04/2022, revised date of hire is 04/08/2012. Officer Kurtz has 13 years and 5 months of service but took a pro-rated portion for the true cost of 9 years 11 months 27 days of service. The total amount transferred was \$243,587.52.

**Motion:** To approve Travis Kurtz's portability as presented and reset hire date to 04/08/2012.

**Maker:** Kaluzny

**Second:** Newman

**Roll Call:** Kaluzny – Aye, O'Brien – Aye, Newman – Aye, Potthoff – Aye, Knanishu – Aye. 5 Ayes, 0 Nays, 0 Absent. All in favor. Motion carried.

IPPPFA Conference Expenses – The fall conference is scheduled for October 5-7, 2022, in Oakbrook. O'Brien noted that he would not be available to attend the conference, however, he will conduct his training on-line and present the Board with receipts afterwards.

Newman left meeting at 8:54 a.m.

Municipal Compliance Report – Flessner reported that the MCR is required by statute. All the numbers contained in the MCR are in the annual audit. The MCR is complete and may be forwarded to the City of Batavia.

**Motion:** To approve Municipal Compliance Report as presented.  
**Maker:** Kaluzny  
**Second:** Knanishu  
**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Potthoff – Aye, Knanishu – Aye. 4 Ayes, 0 Nays, 1 Absent. All in favor. Motion carried.

Flessner left the meeting at 8:57 a.m.

Trustee Fiduciary Insurance – Insurance coverage from 09/01/2022 thru 09/01/2023. The current coverage is for \$1M. Kiesewetter reported that the insurance no longer includes Cyber Coverage. Discussion was held about extending coverage to Cheryl Shimp as Recording Secretary. There is no additional premium for this coverage. The current premium is \$7095.00 which is a small increase. Kiesewetter gave a brief overview of the policy and coverage.

**Motion:** To approve insurance coverage in the amount of \$7095.00 effective 09/01/2022 thru 09/01/2023 adding Cheryl Shimp as an additional insured to the policy.  
**Maker:** O’Brien  
**Second:** Kaluzny  
**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Potthoff – Aye, Knanishu – Aye. 4 Ayes, 0 Nays, 1 Absent. All in favor. Motion carried.

Kiesewetter left the meeting at 9:06 a.m.

Trustee Training – Required Trustee training is available at the Spring and Fall IPPFA Conferences as well as on-line training. Trustees need to make sure that all certificates are turned in as these certificates are required as part of the IDOI Report. All certificates should be turned in before the 11/09/2022 meeting. Trustees are required to obtain 8 hours of fiduciary training per year.

Executive Session – None.

## **PUBLIC COMMENTS**

None.

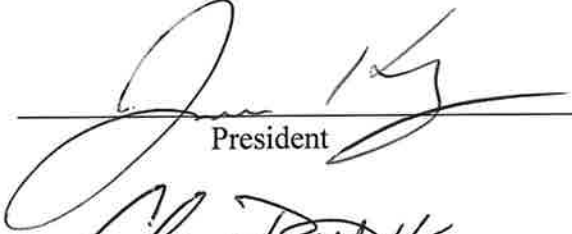
## **ADJOURNMENT**


There being no further business a motion was made by Trustee Knanishu to adjourn the meeting. Seconded by President Kaluzny.

**Motion:** To adjourn the meeting at 9:09 a.m.  
**Maker:** Knanishu  
**Second:** Kaluzny

**Roll Call:** Kaluzny – Aye, O’Brien – Aye, Potthoff – Aye, Knanishu – Aye 4 Ayes, 0 Nays,  
1 Absent. All in favor. Motion carried.

The meeting was adjourned at 9:09 a.m. The next regular meeting will be November 9, 2022.

  
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President

  
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Secretary