

# Fire GUARD

[www.niafpd.org](http://www.niafpd.org)



A Publication of the Northern Illinois Alliance of Fire Protection Districts

Fall 2020

## Call To Action – Vote for Representation on the IFPIF



*By: Brent Frank, Lisle-Woodridge FPD Board President and NIAFPD Board Member*

Fire Protection Districts need to be represented on the new Illinois Firefighters Pension Investment Fund (IFPIF). The NIAFPD asks that you cast your ballot for the only two fire protection district candidates: John Perry and Dave Geary. The IFPIF board was created by the Legislature to consolidate all 'suburban and downstate' firefighter pension funds. Of the 296 pension funds, only 109 represent fire districts and 187 are from municipalities. Only mayors of municipalities and presidents of fire protection districts that have Participating Pension Funds are eligible to vote for these Executive Trustees. Due to the sheer number of municipalities represented, we will not get a seat if your ballot is not cast. On October 26th, election ballots will be mailed to board presidents. For your vote to count, you must return your ballot by US mail as soon as possible so it is received by December 1, 2020. The Northern Illinois Alliance of Fire Protection Districts and the Illinois Alliance of Fire Protection Districts ask that you support Fire Protection Districts by casting your vote for John Perry (Lisle-Woodridge FPD) and Dave Geary (Wauconda FPD).

John Perry and Dave Geary are nominated under the two Executive Trustee positions on the ballot. Their experience and knowledge compares favorably with any candidate. John and Dave will work to eliminate unnecessary administrative costs and increase investment returns to fund future pension benefits within our limited tax resources.

### Reasons to vote for Fire District representatives:

- Candidates are highly qualified with broad experience in managing Fire Districts and local government.
- Both have extensive experience with Fire and Police Pension Funds.
- Fire Districts have unique considerations (particularly tax limitations and property tax reliance). This perspective needs to be represented on the Board to build a management plan that is effective.
- This diversity of experience and viewpoint needs to be blended with the needs of organizations represented by other Board members to assure effective collaboration.
- These candidates will work to reduce unnecessary administrative costs and maximize investment earnings to preserve funds for paying pensions.
- Local boards must be supported to reduce costs for fiduciary insurance, actuarial analyses, audit and accounting, and legal.
- Local boards need to be regularly informed of the requirements and effectiveness of the IFPIF.

For more information on the process and the board please visit [www.ifpif.org](http://www.ifpif.org). The funds hold more than \$6 billion in pension assets for suburban and downstate firefighter pension funds. Funds will transition before June 30, 2022.

**Fire Protection Districts need a voice on their investments!  
Vote for Perry and Geary to bring a well-rounded voice to this  
new pension fund. Please mark your calendars  
to mail in your ballot in November!**



John Perry



Dave Geary

## Letter from President Nick Kosiara



Can you believe it's October already? Even though it often seems like time is standing still in our lives due to the modifications such as social distancing imposed from COVID19, we have adapted and are getting comfortable with Zoom, Microsoft Teams and Webinars. We are appreciating these alternatives to in-person meetings. Keeping that in mind, the NIAFPD Education Committee will be bringing the Fall Seminar to our members on Saturday, October 24th via Zoom link. If you have not yet registered, please visit [www.niafpd.org](http://www.niafpd.org) as soon as possible to secure one of the limited slots.

Although we will not all be together, rest assured this will be a stimulating and informative session satisfying three hours of trustee and pension continuing education brought to you in a pandemic restriction-compliant version. Thank you Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. for bringing us the Fall Seminar.

I look forward to "seeing" all of you in a couple of weeks.

## Letter from Executive Director Denise Kauffman



Hindsight is 20/20 as they say, but even those with perfect vision are looking back on this year with blurred comprehension of the many events of the year 2020. And as we grasp for understanding the craziness of the past eight months, it would be hard to find anyone not anxiously looking to the rear-view mirror to happily watch this year fade away into the distance.

Even though we will have "bid adieu" to 2020 before our annual educational conference in January, there will be a few lingering side effects from COVID-19 that have necessitated changes to our highly attended and much anticipated NIAFPD Annual Conference. Please watch for registration information coming soon. Mark your calendar for Saturday, January 30, 2021 for this mini-conference reduced to a one-day learning opportunity. Four hours of continuing education for both pension and trustee credits will be offered with option to attend in-person at satellite locations throughout northern Illinois with social distancing in place or also from your home online via Zoom conference.

Additionally, there are sponsorship opportunities available and we are working creatively to incorporate socially distanced networking into this event. Stay tuned, information coming soon!

**Save the date!  
Saturday, January 30, 2021  
NIAFPD Annual Conference 1 Day Session  
4 hours of Trustee and Pension Continuing Education  
Registration and Sponsorship Information Coming Soon!**

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## The Commission's Independent Role

by Michael Castaldo III, Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.

Whether a firefighter works in a municipal fire department or a fire protection district, Division 2.1 of Article 10 of the Illinois Municipal Code likely applies. The sections of the Fire Protection District Act creating Boards of Fire Commissioners incorporate the provisions of the Municipal Code for Boards of Fire and Police Commissioners regarding the hiring, promotion and disciplinary processes that affect a full-time sworn firefighter's career. This means regardless of organizational structure, the protections provided through the statutory processes guiding the responsibilities and duties of a board of commissioners helps ensure that there will be no unfair treatment of anyone seeking to work in the public safety sector in Illinois.

From the inception of the creation of boards of fire and police commissioners over 70 years ago, the Illinois General Assembly intended to establish an independent agency free from political and other influences in order for it to perform its duties in a fair and impartial manner. *Kosoglad v. Porcelli*, 132 Ill. App. 3d 1081, 1088 (1st Dist. 1985). In establishing commissions as neutral, bipartisan, and independent boards from their underlying municipal entities, the Illinois General Assembly sought to ensure commissioners would be able to perform their responsibilities free from "unbridled whim" of elected or appointed officials which would destroy their purpose and efficiency. Boards of Fire Commissioners were added to the Fire Protection District Act thirty years ago.

Our Supreme Court set forth the intention of the Illinois General Assembly in establishing commissions in *Stryker v. Village of Oak Park*, 62 Ill. 2d 523, 530 (1976):

The basic purpose of division 2.1 of article 10 [the Board of Fire and Police Commission section of the Illinois Municipal Code] is to afford reasonably satisfactory protection to employees in municipalities subject to this division and to provide a method by which the personnel of the fire and police departments of such municipalities can be taken out of the realm of political patronage and given tenure which depends on merit in order to encourage applications by and retention of qualified personnel.

Using the foregoing legal principles as the foundation, it becomes evident how important the independence of the commission is in conducting its core statutory responsibilities for its respective municipality or district. But to better understand its importance, we must first understand the source of its power specifically within the context of the fire protection district.

To begin, the board of trustees for the district acts as the corporate authority and is responsible for exercising all of the powers and control all the affairs and property of such district. In contrast, a typical board of fire commissioners consists of a panel of three appointed commissioners; and although acting as an independent commission from the board of trustees, the trustees will annually appoint a single commissioner for a staggered term of 3 years using a rigorous set of criteria.

The commissioners are then responsible for creating a set of rules and procedures to review and follow in carrying out their statutory responsibilities. Briefly summarized, the substantive duties of boards of fire commissioners are the appointment, promotion, and discipline of members of the fire department. The board of fire commissioners is responsible for the appointment of all officers and members of the fire departments of the district, except the fire chief of the fire department. Instead, the board of trustees appoints the fire chief, who shall then serve at the pleasure of the board.

The board of fire commissioners is also responsible for promotions in the fire department on the basis of ascertained merit and seniority in service and examination. Promotions are also governed by the terms of the Fire Department Promotion Act. Promotional examinations must be competitive among such members of the next lower rank as desire to seek promotion. Last but not least, the board of fire commissioners is responsible for acting as the independent fact finder to determine whether just cause exists for all discipline in the fire department, except in those situations where the disciplinary duties have been removed from the commission through collective bargaining.

As such, the hierarchy of power can be thought of to look something like this: the board of trustees appoints and authorizes an independent board of commissioners; the board of trustees appoints a fire chief to serve at the board's pleasure; the fire chief makes recommendations to the board of commissioners; the board of commissioners independently determines who to appoint, promote, and discipline as members of the fire department, pursuant to their specific set of adopted rules, which are then reviewed annually.

It should be noted that while a board of commissioners is bound by the rules it adopts, its failure to follow its own rules – if challenged in court--is reversible error only upon a showing of

*Continued on Page 5*



# Springfield Legislative Update



By: Liz Brown-Reeves, NIAFPD Lobbyist

The Veto Session is scheduled for November 17th - 19th and December 1st - 3rd. There is an outside chance that the Veto Session could be cancelled because Governor Pritzker did not veto any bills. COVID 19 numbers will also be taken into account as well.

Veto session priorities include policing reforms brought forward by the Illinois Legislative Black Caucus, ethics reforms for legislators, staff and lobbyists and the potential of energy legislation. The core pillars of the black caucus proposal include criminal justice reform, violence reduction and police accountability, education and workforce development, economic access, equity and opportunity and health care and human services.

Senate Republicans unveiled a new ethics package for consideration. The package focuses on enhancing investigative authority within existing laws and ensuring legislators are serving the public's interest. The legislation is not yet available on the General Assembly website.

## Investigative Enhancements

- SB 4012 – Allows the Attorney General to impanel a statewide grand jury to investigate, indict and prosecute bribery and misconduct by members of the General Assembly.
- SB 4013 – Provides states attorneys with wiretap authority.
- SB 4014 – Grants the Legislative Inspector General the ability to investigate members of the General Assembly without first receiving approval from the Legislative Ethics Commission, and changes the composition of the Legislative Ethics Commission to all public members rather than legislators.

## Anti-Corruption Measures

- SB 4015 – Bans legislators from lobbying other branches of state government or units of local government for compensation.
- SB 4016 – Creates a revolving door legislator-to-lobbyist prohibition for one year after leaving office, or until the end of the current term, whichever is longer.
- SB 4017 – Prohibits a legislator from leaving office and continuing to use their campaign fund to support lobbying activities. Also prevents an appointee to a board or commission that is confirmed by the Senate from fundraising for or donating from their campaign committee while serving as an appointed public official.

- SB 4018 – Updates the Statement of Economic Interests to enhance the disclosure of potential conflicts of interest.

## ELECTION UPDATE

The Republicans are defending 8 seats and the Democrats 6 seats. The House Democrats have a sizeable money advantage which is allowing them to play offense in more districts than defense.

Below are the heavily contested races currently taking place across the state.

District 20- Incumbent freshman Rep. Bradley Stephens (R) is being challenged by Michelle Darbro (D). Bradley is the mayor of Rosemont and was appointed to fill the remainder of Rep. Michael McAuliffe's term.

District 41- Incumbent Rep. Grant Wherli (R) is being challenged by Janet Yang-Rohr (D). Wherli is a member of House Republican leadership and won his 2018 re-election by 4% points.

District 42 - Incumbent freshman Rep. Amy Grant (R) is being challenged by Ken Mejia-Beal (D). This is certainly a toss-up seat and should provide a bellwether for how the suburbs are trending politically.

District 45 - Incumbent freshman Rep. Dianne Pappas (D) is being challenged by Seth Lewis (R). Lewis is a familiar face in the area having narrowly lost his race to unseat State Senator Tom Cullerton in 2018.

District 49 – Open Seat- Maura Hirschauer (D) is squaring off against Laura Curtis (R) for this open seat. The incumbent, Rep. Karina Villa (D), is running for the State Senate seat being vacated by State Senator Jim Oberweis (R) as he runs against Congresswoman Lauren Underwood (D).

District 51 - Incumbent freshman Rep. Mary Edly-Allen (D) is being challenged by Chris Bos (R). The seat is another toss-up as Pritzker lost the district by 12% points in 2018 but Clinton won by 7% points in 2016.

District 52- Open Seat- This is a three-way race between Marci Suelzer (D), Martin McLaughlin (R) and green party candidate Alia Sarfraz for this open seat. The incumbent, Rep. David McSweeney (R) is not running again as he's announced his intentions to run for statewide office but has not announced which office.

District 54- Incumbent Rep. Tom Morrison (R) is being challenged by Maggie Trevor (D). Rep. Morrison narrowly held the seat in 2018, winning by less than 1% point.

District 61 - Incumbent freshman Rep. Joyce Mason (D) is being challenged by Dan Yost (R). The Democrats are spending heavily to hold this Lake County seat that Mason won by only 3% points in 2018.

District 65- Incumbent freshman Rep. Dan Ugaste (R) is being challenged by Martha Paschke (D). The House Democrats are heavily targeting this seat as Paschke is outspending the incumbent Ugaste nearly 10-1.

District 66- Incumbent Rep. Allen Skillicorn (R) is being challenged by Suzanne Ness (D). The House Democrats are heavily targeting this seat as Ness is outspending the incumbent Skillicorn nearly 10-1.

District 97 - Incumbent Rep. Mark Batinick (R) is being challenged by Harry Benton (D). Batinick won his re-election in 2018 by 1% point.

District 111 - Incumbent Rep. Monica Bristow (D) is being challenged by Amy Elik (R) in this Metro East region in Southern Illinois. Bristow won by a few hundred votes in 2018 and Trump carried the district in 2016 by 16% points, so the House Republicans believe it to be a potential pick-up seat.

District 116- Incumbent freshman Rep. Nathan Reitz (D) is being challenged by David Friess (R) in a district that hugs the Missouri border in Southern Illinois. Reitz was appointed to the seat when longtime Representative Jerry Costello, II stepped down to join Governor Pritzker's administration. The seat is the most likely to flip as the area has been trending solidly Republican over the past decade. Trump won the district by 32% points in 2016 and Rauner carried the district by 15 points in 2018.

Only 1/3 of Senate districts are up for election every cycle (Senators serve 4-year terms as opposed to 2-years in the House). Most incumbents up for election this cycle are in areas that are either considered solidly Democrat or solidly Republican, there are only a handful of competitive races that are drawing money and attention.

District 25 - Incumbent Sen. Jim Oberweiss (R) opted not to run for re-election and is instead running against Congresswoman Lauren Underwood (D). The open seat has current House Rep. Karina Villa (D) facing off with Jeanette Ward (R) in a toss-up seat.

District 46- Incumbent Sen. Dave Koehler (D) is being challenged by Mary Burress (R). This is a hotly contested race as Trump narrowly lost this Central Illinois district by 1% point in 2016. Both parties are spending heavily in the race.

**Thank you to Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. for presenting the Fall Seminar!**

**(Continued from page 3)**

prejudice to the affected party. Consequently, these rules are essentially procedural in nature and merely govern the operation of the board in conducting its duties. The rules provide the specific criteria, restrictions, limitations, requirements, etc., to consider in making a determination, but the final decision is ultimately up to the board of commissioners as the neutral, bipartisan, and independent party it was intended to be.

As mentioned above, once the board makes a final decision on a matter, the only way to challenge this action is a showing of prejudice, i.e., the unfair treatment of an individual. This system effectively acts as a set of checks and balances within the district to ensure the fair treatment of all those employed within. Hence, the importance of the commission's independence in conducting its core statutory responsibilities lies in that the absence of such independent fact finding and objective decision making could, and likely would, lead to a violation of one's constitutional right to due process.

*Michael Castaldo III is an associate with the law firm of Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. in Naperville. Michael graduated from Chicago-Kent College of Law in May 2018, holds an undergraduate degree in finance and business management from DePaul University, and received his master's degree in business administration in May 2019. Michael works with both public sector and private sector clients while focusing on the areas of municipal, corporate, and business law.*

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If you are not receiving regular email updates from NIAFPD, please send your updated email contact information to [niafpd1@gmail.com](mailto:niafpd1@gmail.com).

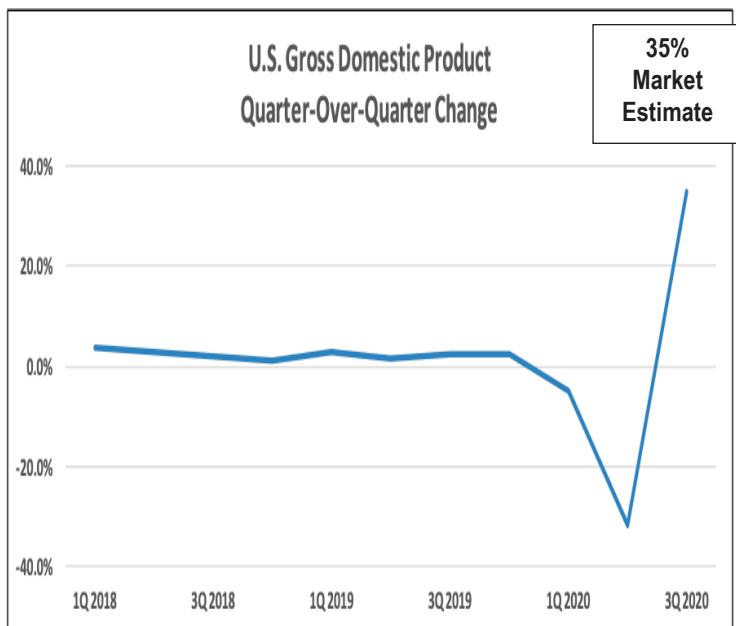


# Economic Activity Shows Signs of Life

By: Thomas S. Sawyer, Managing Partner, Sawyer Falduto Asset Management, LLC

## Key Economic Observations

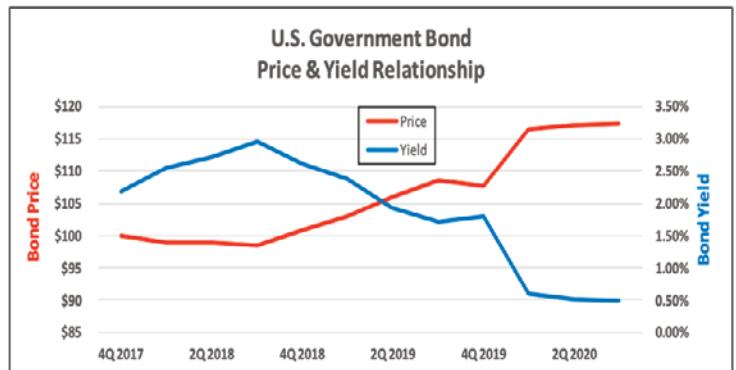
- Signs of Recovery:** U.S. economic activity shows signs of recovery based on future optimism.
- The Federal Reserve:** The Federal Reserve has extended their forecast for low interest rates through 2023.
- More Stimulus:** Additional stimulus measures continue to be debated by both political parties.
- Wild Cards:** Covid-19, the presidential election and trade relations with China all represent sources of headline risk and investor uncertainty.



Gross Domestic Product is the value of the goods and services produced in the United States. The growth rate of GDP is the most popular indicator of the nation's overall economic health. The U.S. economy experienced the largest drop ever in GDP activity during the second quarter of 2020. The rebound during the third quarter is expected to be the largest increase on record. Consumer confidence measures continue to improve. The unemployment rate has declined from a peak of above 14% to 7.9%.

## Fixed Income Overview

Federal Reserve monetary policy and low inflation expectations will serve to limit yield increases for the foreseeable future. Near-term, fixed income returns will likely be driven more by coupon payments and less by changes in yield.



Foreign investors continue to seek the safe haven of U.S. government securities pushing bond prices higher and yields lower. An overall increase in economic activity will eventually provide a catalyst for higher interest rates.

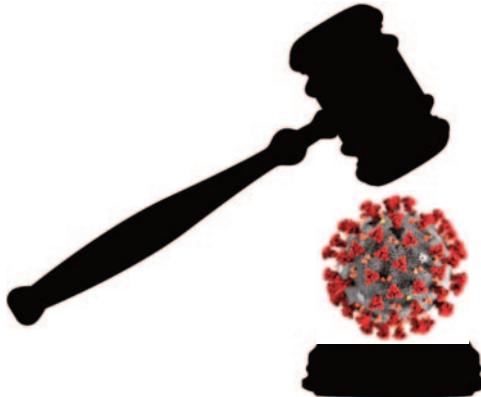
## Portfolio Considerations

At the risk of repeating ourselves, current low interest rate environment creates a challenge for fixed income investors trying to replace yields from maturing fixed income securities. We continue to find good value in marketable certificates of deposit and municipal securities. Yields on high quality corporate debt remain compressed. At the overall portfolio level, we are holding average maturities at or slightly above policy benchmarks to capture yield out the curve.

In summary, most readers of the Fire Guard invest cash reserves in conservative portfolios with limited interest rate, credit and market risk within parameters defined by statute and investment policy. While statutory guidelines allow investment in corporate and municipal securities (within certain parameters), investment policy guidelines are the primary risk management tool for managing risk during such uncertain times. We have recently observed increasing interest in expanding asset allocation guidelines and adding additional asset classes such as municipal and corporate bonds to the mix. We welcome the opportunity to review your current portfolio structure with you. As always, portfolio diversification and sound policy guidelines provide the foundation for long-term returns and risk management.

*"The allocation to all available asset classes should be determined with careful consideration given to factors such as statutory guidelines, investment time horizon, liquidity requirements, diversification and risk tolerance. The resulting asset allocation should be well documented in your investment policy and guidelines. Information contained in this commentary is solely the opinion of the author and obtained from sources believed to be reliable. Accuracy can not be guaranteed. Past performance is not predictive of future returns."*

# LEGAL ASPECTS OF COVID-19



## THE IMPACT ON FIRE PROTECTION DISTRICTS

- Revenue and Tax Distributions
- Open Meetings Act Requirements
- Workers Compensation
- Update on Pension Issues

**WHEN:** SATURDAY, OCT. 24, 2020  
Registration/Zoom Log In at 8 a.m.  
Membership Meeting at 8:15 a.m.  
Seminar 8:30 - 11:30 a.m.

**WHERE:** LISLE-WOODRIDGE FPD  
1005 SCHOOL STREET  
LISLE, IL 60532  
OR VIA ZOOM LIVE CONFERENCE

**PRESENTED BY:**



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# COVID-19 Strikes Again

By: Ronald Kubicki, Co-Chair Conference Committee

For the first time in over 25 years, the NIAFPD Annual Conference – the highly attended and much anticipated January gathering to exchange ideas, meet new members and network – will have a new adjusted look this year to accommodate social distancing and attendance limits due to COVID-19. With the continued uncertainty of the spread of the illness, the restrictions imposed upon us by the State of Illinois, and much consideration by your NIAFPD Board of Trustees and the Conference Committee, we have decided to host a hybrid virtual conference on Saturday, January 30, 2021.

Registration will be available in November and at that time you will be given a choice to attend an in-person session with fellow trustees at one of 13 satellite locations spread out over the northern Illinois area. There will be social distancing in place and the educational session will be streamed to that location for viewing on a big screen in a fire district training room. Alternatively you can choose to have a single Zoom link sent to you to take the training from your home. As always, the speakers will be some of the best from throughout Illinois.

Please know that your Annual Conference Committee has chosen topics for the four-hour training that will satisfy both the trustee and pension continuing education requirements for annual certification while also providing important updates to what is happening in the fire service today. It is important to note that attendance at the NIAFPD Fall Seminar on October 24 and the Annual Conference can be combined to satisfy the annual pension training hours needed.

The registration fee has been drastically reduced to \$35 for NIAFPD members. This fee will apply for both in-person or online learning. Additionally, be assured that each of the 13 satellite locations will be following the CDC and the State of Illinois guidelines and requirements for safe social distancing.

During this very strange and unique time, we all know how strong the fire service is and with our combined efforts we will get through these tough months. We also offer a special thanks to the host sites and the Chiefs and Trustees at those Districts for stepping forward to assist with the logistics for the Annual Conference. And again, as every year, a big thanks to Shawn Flaherty and Karl Ottosen at Ottosen DiNolfo Hasenbalg & Castaldo, LTD for their thoughtful input putting together the program topics.

The planned satellite locations include: Barrington Fire Protection District, Bourbonnais Fire Protection District, Frankfort Fire Protection District, Glenside Fire Protection District, Grayslake Fire Protection District, Harlem-Roscoe Fire Protection District, Huntley Fire Protection District, Lisle-Woodridge Fire Protection District, McHenry Township Fire Protection District, North Palos Fire Protection District, Orland Fire Protection District, Plainfield Fire Protection District and Pleasantview Fire Protection District.

If you have questions, please reach out to any of the committee members:

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# Spotlight on a Sponsor

The NIAFPD appreciates the support and friendship of our sponsors.  
This issue we highlight the NIFSAB.

Northern Illinois Fire Sprinkler Advisory Board is a non-profit organization dedicated to promoting progressive legislation, raising public awareness and educating code officials and government policy makers by demonstrating the proven performance of fire sprinklers in saving both lives and property. The NIAFPD is appreciative for the support over many years from the NIFSAB.

Erik Hoffer, NIFSAB Executive Director, answered these questions for us:

Why did you get involved with the NIAFPD?

**"Our partnership with NIAFPD helps us foster important and beneficial relationships with fire officials and trustees. Those relationships allow us to better spread the word about the life- and property-saving benefits of fire sprinklers and act as a resource to fire districts."**

What would you want our membership to know about NIFSAB?

**"We've really been putting a focus on fire sprinkler valve trailer training these past few months, going out to fire districts and showing them fire sprinkler systems in action. But in addition to those training opportunities, NIFSAB is a resource for code assistance, public education information and demonstrations, and anything else related to fire sprinklers."**

What is the last book you read?

**"I Can't Save You But I'll Die Trying: The American Fire Culture by Dr. Burton Clark. It's an excellent book for anyone in the fire service or who works with fire officials."**

What was the first concert you attended?

**"Dave Matthews Band"**

Do you have one favorite memory of an NIAFPD conference or event?

**"I enjoy the chance to gather, converse, and see everyone at the annual conference in January – something that I certainly won't ever take for granted after we get through this current pandemic."**



If you had one meal to eat for the rest of your life, what would it be?

**"Pizza"**



**Northern Illinois Fire Sprinkler Advisory Board**  
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<https://firesprinklerassoc.org/>



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**Northern Illinois Fire  
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**Erik Hoffer**

Executive Director  
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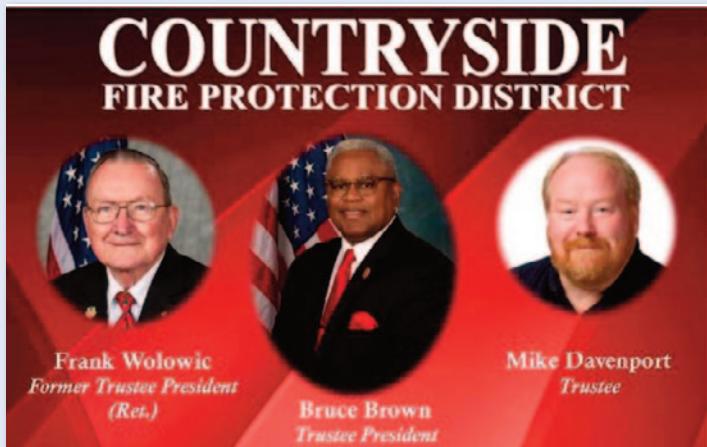
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# Member News

Please send news from your district to [niafpd1@gmail.com](mailto:niafpd1@gmail.com) for sharing on social media or in the Fire Guard.



Countryside Fire Protection District Board of Trustee President Frank Wolowic retired after 39 years of service in April. Thank you for all your years of service and best wishes in retirement.

In May, Countryside FPD Trustee Bruce Brown was named the new District President and Mike Davenport as sworn in as the newest District Trustee.

Long Grove Fire Protection District named Marc Small Fire Chief in July! Congratulations Chief Small.

## NEW TRUSTEES

Welcome to three new trustees at the Long Grove Fire Protection District – Kristen Linnenburger, Valerie Vogt Pape and James Spearman. We look forward to your participation as members of the NIAFPD.



Kristen Linnenburger



Valerie Vogt Pape



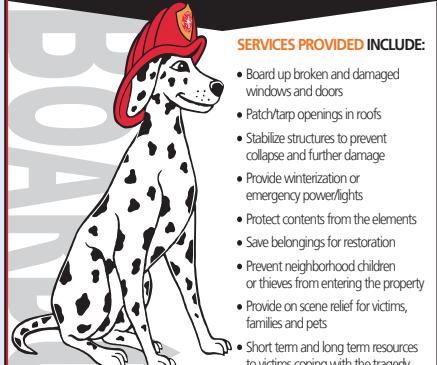
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**Annual Membership Investments Due November 1, 2020.  
Membership Renewal Notices were emailed!**

**Annual Conference Registration Coming Soon!**  
[www.niafpd.org](http://www.niafpd.org)



## NIAFPD OFFICERS

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### Past President

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