

**GLENVIEW FIREFIGHTERS' PENSION FUND  
BOARD OF TRUSTEES SPECIAL MEETING  
NOTICE OF HEARING  
SEPTEMBER 13, 2011**

**Call to Order:** The meeting was called to order at 9:00 a.m. in the conference room at Glenview Fire Station 6. On roll call the following were:

**Present:** Board President/Trustee Nick Rusher, Secretary/Trustee Tom Dvorak, Trustee Mike McPeck, Trustee Mike Caplis, Trustee Bob Rounsfull, and Carol Bjankini, Recording Secretary

**Absent:** Village Manager Todd Hileman

**Attendees:** Richard Reimer of Richard J. Reimer and Associates, Thomas Duda of Thomas W. Duda, Esq., Brian Gaughan & Mary Koopman, C.S.R.

This hearing is being conducted to determine the disability application of FFPM Brian Gaughan. Brian's date of injury occurred August 4, 2009. Attorney Reimer suggested the Board motion to appoint him as hearing officer. He explained he would preside over the hearing. Trustee Dvorak motioned to appoint Attorney Reimer as hearing officer. Trustee Caplis seconded and a roll call was taken and the vote was all ayes, no nays and the motion carried.

Attorney Reimer read a list of procedures to be utilized in this case. Attorney Duda had no questions or objections regarding the hearing procedures. Prior to the hearing Attorney Reimer distributed Exhibit 1 through 14 to Attorney Duda as well as the five trustees. Attorney Duda objected to one page which was removed from the exhibit. Attorney Duda provided two exhibits, one Exhibit 16 which was a medical report of an examination by an orthopedic surgeon and Exhibit 16 which he will elicit testimony.

Attorney Duda waived the opening statement. Attorney Duda then called FFPM Brian Gaughan as witness. FFPM Gaughan was sworn in and began answering numerous questions from the attorney. FFPM Gaughan went through his employment past to present. He described the duties as firefighter paramedic, hours, schedule, training, operations and policy and procedures of the Fire Department, EMS calls vs. fire calls etc. He then answered questions regarding the call he was on when his knee injury occurred. He outlined all the medical appointments, procedures, physical therapy and medications: as well as the numerous doctors he saw regarding his injury. He explained his light/limited duty assignments at the Department while it was available.

Attorney Reimer then had some questions for FFPM Gaughan. Brian answered and clarified any questions Attorney Reimer had as well as any questions the Trustees had. Attorney Duda finished with a few additional questions for Brian.

Now that Brian put in all his evidence he rested his case. Attorney Duda made closing arguments which included Mr. Gaughan has met the burden of proof". And as a result of Brian's injury he has significant limitations and still requires treatment. Attorney Reimer explained the options in this matter to the Board. The Board was confident they read and heard enough evidence today to make a decision. Trustee Dvorak motioned to grant FFPM Brian Gaughan a duty disability effective on the date to be determined. Trustee Rounsfull seconded and a roll call was taken and the vote was all

**APPROVED**  
**10-18-2011**

ayes, no nays and the motion carried. The Board unanimously awarded FFPM Gaughan a line of duty disability pension that will be effective upon the date following his removal from the Village's payroll. Attorney Duda will submit an "Applicant Exhibit 1" once he's able to determine what the effective date or the termination date of the PEDAs benefits.

Trustee Caplis motioned to order the transcript, and have Attorney Reimer prepare a written decision order. Trustee McPeck seconded and a roll call was taken and the vote was all ayes, no nays and the motion carried.

**Adjournment:** Trustee Rounsfull motioned to adjourn, Trustee McPeck seconded and the vote was all ayes, no nays and the meeting adjourned at 10:20 a.m.

Carol Bjankini  
Recording Secretary