Village of Westchester

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Board of Fire and Police Commissioners

Commission Chair
Ruth I. Gudino

Commissioner
Brian Kuratko

Commissioner
Thomas B. McCarthy III

RESOLUTION NO. 2015-02

A RESOLUTION APPROVING THE CONTENT OF AND/OR RELEASE OF CERTAIN EXECUTIVE SESSION MEETING MINUTES OF THE WESTCHESTER BOARD OF FIRE AND POLICE COMMISSIONERS (2013, 2014 AND 2015 EXECUTIVE SESSION MINUTE REVIEW)

WHEREAS, the Westchester Board of Fire and Police Commissioners (the "Board") has, on occasion, believed it to be necessary to meet in "Executive Session" (also referred to as "Closed Session"), and have entered and conducted such meetings in accordance with the requirements of the Open Meetings Act (5 ILCS 120/1, *et seq.*) ("OMA"); and

WHEREAS, the minutes of the Executive Session meetings have been duly recorded by the Board Secretary pursuant to the requirements of the OMA. In addition, since 2004, as required by the OMA, the Board Secretary has prepared a verbatim record of all Executive Session meetings in the form of audio recordings, which recordings are subject to destruction or release for public inspection, as directed by the Board, once the written minutes of the Executive Session meetings are prepared and approved by the Board. The recordings are to be destroyed only after the written minutes are approved and the mandatory 18 month waiting period has expired; and

WHEREAS, the OMA also requires the Board to meet, at least semi-annually, to review the minutes of Executive Session meetings in order to approve their content and to determine whether such minutes, or any portions thereof, can be released for public review or remain closed to public review; and

WHEREAS, the Board has reviewed the minutes of all duly recorded Executive Session meetings, as identified below, and have made the following determinations about: (1) the approval of the content and the advisability of the release of the Executive Session meeting minutes or the retention of such minutes; (2) the destruction of certain verbatim audio recordings of the Executive Session meetings as permitted by the OMA; and (3) the need to maintain the confidentiality of certain verbatim audio recordings of the Executive Session meetings until such future time as the Board decides to either release or destroy the audio recordings in accordance with the OMA.

NOW, THEREFORE, BE IT RESOLVED BY THE WESTCHESTER BOARD OF FIRE AND POLICE COMMISSIONERS AS FOLLOWS:

SECTION 1: Each of the recitals in the Whereas paragraphs set forth above are incorporated into Section 1 of this Resolution.

SECTION 2: The content of the following Executive Session meeting minutes are approved and may be released for public inspection, except for those parts of the minutes that still need to remain confidential as noted below in Section 3:

Year 2013: September 13.

Year 2014: March 3, April 7, August 4 and October 9.

Year 2015: January 22 and February 5.

SECTION 3: The content of the following Executive Session meeting minutes are approved but the need for confidentiality still exists as to all or part of these minutes as noted below.

Year 2013: None.

Year 2014: None.

Year 2015: None.

SECTION 4: All other Executive Session meeting minutes, which have been duly recorded by the Board Secretary and are not listed in Section 2 or Section 3 of this Resolution, and their related audio recordings shall remain confidential and closed from public inspection until, at least, the next periodic review by the Board, or as directed by the Board in accordance with an approved Resolution that supersedes the determinations of the Board set forth in this Resolution.

SECTION 5: Beginning January 1, 2004, the Act requires that a verbatim record of all Executive Session meetings be kept in the form of an audio or video recording and that such recordings can be destroyed but only after the Board (a) approves the written meeting minutes for each completed Executive Session meeting and (b) authorizes the destruction of such recordings, provided at least 18 months has passed since the date of the last such approval or authorization. The Village has elected to maintain a verbatim record of all Executive Session meetings in the form of audio recordings. The Board makes the following determinations as follows:

A. In regard to the Executive Session meetings where the written minutes have not been prepared at this time, there is still a need for confidential treatment of the audio recordings of those Executive Session meetings until such time as the written minutes are prepared and approved by the Board and a final decision is made by the Board as to the destruction of the audio recordings or the release of such audio recordings for public inspection.

B. Each of the audio recordings of Executive Session meetings, which were completed more than 18 months ago and for which written minutes have been prepared and approved by the Board more than 18 months ago, shall be destroyed by the Board Secretary on the next business day following the approval date of this Resolution.

SECTION 6: The Board Chair is authorized and directed to sign and the Board Secretary is authorized and directed to attest to this Resolution.

ADOPTED this 7th day of July, 2015, pursuant to a roll call vote as follows:

AYES: 2

NAYS: 0

ABSENT: RUTH GUDINO

APPROVED by the Westchester Board of Fire and Police Commissioners, and attested by the Secretary, on this 7th day of July, 2015.

ACTING CHAIR

Ruth Gudino, Board Chair

THOMAS B. McCARTHY III.

ATTEST:

Mary Detente

Mary Detente, Board Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

SECRETARY'S CERTIFICATE

I, Mary Detente, Secretary of the Westchester Board of Fire and Police Commissioners, in the County of Cook and State of Illinois, do hereby certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. 2015-02

A RESOLUTION APPROVING THE CONTENT OF AND/OR
RELEASE OF CERTAIN EXECUTIVE SESSION MEETING MINUTES
OF THE WESTCHESTER BOARD OF FIRE AND POLICE COMMISSIONERS
(2013, 2014 AND 2015 EXECUTIVE SESSION MINUTE REVIEW)

which Resolution was passed by the Westchester Board of Fire and Police Commissioners at a Regular Meeting on the 7th day of July, 2015, at which Meeting a quorum was present.

I further certify that the vote on the question of the passage of said Resolution by the Westchester Board of Fire and Police Commissioners was taken by Ayes and Nays and recorded in the minutes of the Board, and that the result of said vote was as follows, to-wit:

AYES: 2

NAYS: 0

ABSENT: Ruth Gudino

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Westchester, this 7th day of July, 2015.

Mary Detente

Mary Detente, Board Secretary