

VILLAGE OF SAN JOSE
CLOSED SESSION SPECIAL BOARD MEETING
DECEMBER 27, 2016

Entered into closed session per 5ILCS 120/2 (c) (5) due to the sensitive nature of the discussion needing to be had at 6:11 pm.

Meeting agenda was posted more than forty-eight hours in advance of the meeting on the outside and inside bulletin boards at Village Hall and is attached to and made part of the minutes.

Interim Clerk Blackstock was allowed to remain in the closed session.

Officer Austin Johnson (AJ) was allowed to remain in closed session to address a matter of being paid for his enrollment and attendance at the police PTI training which is mandated be complete to be a police officer. AJ explained that it was his understanding that anytime training is required for the position in which an officer held that it should be paid for hourly while in the training. There was discussion about the fact that the State of IL pays for the PTI training and that AJ was given a \$600.00 fuel allowance at the beginning of his training to allow for him to return home on the weekends of the training instead of having to stay at the hotel in the town in which the training was held. The board asked for some time in which to research this matter.

AJ left the closed session.

There was a discussion pertaining to Chief Cupi and if anything had been produced towards the required counseling/programs that she was informed she needed to enroll and attend at the November 21, 2016 closed session board meeting. Cupi had acknowledged, at the time of stated meeting, her understanding of the stipulations as set forth. There were various opinions and thoughts stated regarding what discipline, including termination, which should be enforced due to Cupi's non-attendance at this meeting. McCormick stated that Cupi had been informed of the meeting and was made aware of the 6:00 start time for the meeting. After all opinions were heard it became the recommendation of the board to terminate Chief Cupi and to not replace the chief position until further notice and to issue a written write-up to Cupi for her non-attendance of this meeting.. Also, as part of the recommendation, it was decided to send all administrative decisions for the police to the police chairman and/or the police committee who will then have the choice to bring any final decisions to the board.

There was further discussion pertaining to Officer Johnson's performance and lack of logging time in running radar. It was pointed out that Johnson's six month evaluation is due. McCormick is to tend to this matter.

Cupi called village hall and stated that she would be at the meeting shortly and was running late due to being ill. McCormick encouraged the board to briefly hold off on proceeding with the aforementioned recommendation until Cupi could arrive at the meeting and answer questions, explain her actions and be given the opportunity to provide proof of attendance in the stipulated counseling sessions. There was a brief discussion about why the board should proceed with the termination.

Worlow explained his reasons for wishing to hire Attorney McGrath from Mackinaw, IL which included Bosich's lack of confidence in handling the grant paperwork, length of time it has been taking to get answers from her and not wanting the expense of retaining two separate attorneys. A short break was taken to allow for Cupi to arrive at the meeting.

Cupi arrived at 6:48 pm. McCormick asked Cupi why she was so late in arriving at the meeting and if she has enrolled or began attending any of the counseling or classes as stipulated to her. Cupi stated that she had showed McCormick the options for the stipulated classes but had not signed up for any of them yet due to the cost of the class she had found. Cupi then explained the anger management class that she had found was over a \$500.00 class and that she did not enroll due to needing approval from the board to spend that much money Allen pointed out to Cupi that a counselor would be covered under health insurance to which Cupi explained that she no longer had health insurance due to the occurrences in the months of November and December. Cupi was reminded that there was an hourly dollar amount included in her pay to cover the cost of health insurance and that it was not the fault of the board that health insurance coverage is not what Cupi had chosen to use the monies for and that she had been paid during the administrative leave of absence she had been placed on. Cupi started becoming agitated and went on to further explain her reasons for non-compliance with seeking the classes/counseling as stipulated. Cupi expressed her thoughts and concerns with Tibbs allegedly contacting the news

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media about the situations occurring in the village and the leave of absence she had been placed on. Cupi explained the toll on her mental and physical health that this alleged media story and the administrative leave had taken on her. Tibbs denied such contact. Cupi was asked to lower her voice and calm down.

There was a discussion to clarify the reason that Cupi had been placed on administrative leave of absence in November 2016. This reason was solely based on the fact, as it was the understanding of the board, that when Cupi was given the Order of Protection it became necessary for Cupi to surrender her Firearm Owner's Identification Card which would then force her to surrender her weapons hence leaving her unable to carry a weapon while on duty. It was explained to Cupi about the many conversations that members of the police committee and board members had with her pertaining to her anger to which Cupi did not recall these conversations.

Allen explained to Cupi that since she had been placed back on probation at the November 2016 special board meeting that the law allowed for termination at any time. Cupi was asked why she was not present at this meeting at the start time. Cupi explained about her physical health damage due to the stress from all these various matters and stated she had been sick which caused her tardiness but that she had texted McCormick a little before 6:00 pm stating that she would be late. Cupi left closed session at 6:56 pm after agreeing that she had nothing further to address the board about.

The board discussed the recommendation of termination as earlier stated in this meeting. There was one change made to the recommendation to change "non-attendance" to "extreme tardiness".

Recommendation:

1. To terminate Cupi's employment with the Village of San Jose and to issue a written write-up to Cupi for her extreme tardiness to this meeting.
2. To not replace the chief position until further notice.
3. All administrative decisions will fall to the police chairman who will then have the choice to bring the issue to the police committee and/or the board of trustees.

With nothing further to discuss of a private of sensitive nature the board exited closed session at 6:59 pm.