

RESOLUTION NO. 2022-

A RESOLUTION AUTHORIZING THE VILLAGE LABOR COUNSEL TO PREPARE AND FILE A PETITION WITH THE ILLINOIS SUPREME COURT SEEKING LEAVE TO APPEAL THE RULING OF THE SECOND DISTRICT, APPELLATE COURT IN CASE: #200360: VILLAGE OF ROSELLE v. THE BOARD OF TRUSTEES OF THE ROSELLE FIREFIGHTERS' PENSION FUND AND RYAN CASE

WHEREAS, a hearing regarding Roselle Firefighter Ryan Case's application for line-of-duty disability benefits, which included the Village's participation as an intervenor, was held before the Roselle Firefighters' Pension Fund; and

WHEREAS, the Roselle Firefighters' Pension Fund issued a decision awarding line-of-duty disability pension benefits to Ryan Case; and

WHEREAS, the Corporate Authorities of the Village determined that it was in the best interests of the Village to challenge the award of line-of-duty disability pension benefits to Ryan Case through an administrative review action in the 18th Judicial Circuit Court-DuPage County; and

WHEREAS, the Circuit Court reversed the Roselle Firefighters' Pension Fund decision to award a line-of-duty disability; and

WHEREAS, Roselle Firefighters' Pension Fund and Ryan Case filed an appeal of the Circuit Court decision to the Second District, Appellate Court; and

WHEREAS, the Appellate Court reversed the Circuit Court and affirmed the Roselle Firefighters' Pension Fund decision to award Ryan Case a line-of-duty disability pension benefit.

NOW THEREFORE, be it Resolved by the Mayor and Board of Trustees in the Village of Roselle that the Village's Labor Counsel, in consultation with the Village Administrator, is hereby authorized to undertake all necessary actions in conformance with Illinois Supreme Court Rules to prepare and file a petition for leave to appeal the Appellate Court's ruling and opinion affirming the award of a line-of-duty disability pension benefit to Ryan Case.

AYES:

NAYS:

ABSTAIN:

ABSENT:

ADOPTED this 24th day of January, 2022.

David Pileski, Mayor

ATTEST:

Patricia Burns, Village Clerk