



VIA CERTIFIED MAIL—RETURN RECEIPT

January 26, 2018

Laura Morask, Supervisor
Peter Gialamas, Clerk
Susan Moylan Krey, Assessor
Walter Kazmierczak, Highway Commissioner
Kimberly Jones, Trustee
David Carrabotta, Trustee
Claire McKenzie, Trustee
Susan Kelly Sweeney, Trustee
Maine Township
1700 Ballard Rd.
Park Ridge, IL 60068-1006

Re: Maine Township Assessor, Qualification for IMRF Participation

Dear Maine Township Governing Body:

Pursuant to an IMRF Board of Trustees rule, Maine Township governing board was required to certify which of its elected positions were expected to require performance of duty for enough hours to qualify for IMRF participation. For Maine Township, this is a 1000 hour standard.

It appears that Maine Township took this question up at its August 22, 2017 board meeting. At that meeting, the resolution to recertify the IMRF eligibility failed by a 2-yes to 3-no vote. Therefore, none of the Maine Township elected positions was deemed to require performance of duty for the 1000 hours necessary for IMRF participation.

On October 30, 2017, Township Assessor Krey contacted IMRF General Counsel Kathy O'Brien, who has since retired, reiterating her personal certification that the Assessor's position normally requires at least 1000 hours annually. Based on this representation, General Counsel O'Brien sent a letter dated November 14, 2017 to Supervisor Morask explaining the situation and asking for the basis that Maine Township Board determined that the Maine Township Assessor did not require 1000 hours annually. To that inquiry, General Counsel O'Brien received an email response from Supervisor Morask on November 20, 2017 stating that the three "no" votes refused to give any reason for their vote and further stated that "[n]one of these trustees voiced any belief that Assessor Krey did not work 1,000 hours as was certified."

Based on these representations by Supervisor Morask, General Counsel O'Brien made an administrative determination that Township Assessor Krey continued to qualify for IMRF participation notwithstanding the Township Board's decision not to recertify the elected positions.



IMRF has since been contacted by one of the Township Trustees explaining that they were not aware of General Counsel O'Brien's request for more information on the August 22, 2017 vote; and, therefore, were not given an opportunity to provide the information requested by General Counsel O'Brien. It is apparent that all members of the Maine Township Governing Body have not been adequately informed of the IMRF administrative inquiries and decisions. Therefore, this correspondence and all future correspondence regarding this matter will be sent to each member of the governing body individually.

As it currently stands, there was an staff administrative decision made by General Counsel O'Brien to reinstate Township Assessor Krey's IMRF participation based on a lack of information on the "no" vote regarding the certification of elected official positions on August 22, 2017. Both the individual member, Assessor Krey, and the employer, Maine Township, have standing to appeal this administrative decision. Either party may petition for a hearing to appeal his decision before the IMRF Administrative Hearing Officer. The petition must be in writing but may be in any format and need merely to inform the Board of Trustees of your desire to appeal.

A notice of appeal must be directed to Vladimir Shuliga, Jr., the IMRF Associate General Counsel, at this address, no later than sixty-three (63) days from the date of this letter. Failure to timely file an appeal petition shall result in the administrative staff determination becoming a final administrative decision, for purposes of the Administrative Review Law, on the sixty-fourth (64th) day after the date of this letter.

Sincerely,

Beth Janicki Clark
General Counsel