
NILES PARK DISTRICT
Minutes of Special Meeting
Virtual Meeting
Monday, June 22, 2020
12:00 p.m.

BOARD MEMBERS Julie Genualdi, President
Dennis O'Donovan, Vice President
Joe LoVerde, Treasurer
Jim Hynes, Commissioner
Scott O'Brien, Commissioner

ATTORNEY
PRESENT: Dan Shapiro, Attorney

STAFF MEMBERS
PRESENT: Tom Elenz, Executive Director; Scot Neukirch Finance Director;
Heather Petrie, Executive Administrative Coordinator

1. CALL TO ORDER

President Genualdi called the meeting to order at 12:00 p.m. via video conferencing software.

2. PLEDGE OF ALLEGIANCE

President Genualdi led the pledge of allegiance.

3. ROLL CALL

All Commissioners were present.

4. CHANGES TO THE AGENDA

No changes were made to the agenda.

5. PUBLIC COMMENTS

No public comments were submitted.

6. NEW BUSINESS

A. Consideration and approval of action related to limiting and/or banning a Niles Park District resident from participating, observing, and attending Park District programs and from entering all Park District property.

The actions that the Park District Board may take in this meeting are based upon such things but not limited to four prior incidences involving Mr. Trunco from 2018 up to the most recent incident on June 11, 2020, the police powers that are given by state statute to Illinois Park Districts, including the Niles Park District, the authority given to the Niles Park District to maintain public health, safety and welfare, the Niles Park District zero tolerance policy, and the Niles Park District's determination of mitigating or preventing risk or exposure to residents from future incidents involving Mr. Trunco.

President Genualdi asked attorney Dan Shapiro to read into record the letter that was previously sent to Mr. Trunco on July 1st, 2019:

On July 1, 2019 Tom Elenz, Executive Director of the Niles Park District, sent to Jason Trunco a letter which reads as follows:

On June 29, 2019 you were a spectator watching your daughter play volleyball at the Golf View recreational center. At that time you yelled at a referee telling him to open his eyes. After he responded you then raised you middle finger and said, "F*ck you." You then proceeded to get out of the stands and confront and intimidate the referee. Other parents escorted you out of the gym before the situation escalated even more.

The Niles Park District will not tolerate this behavior. It is disruptive, it exhibits un-sportsman like conduct and can put children at risk. Accordingly, please be advised that any similar conduct in the future may result in you being banned from future Niles Park District games and facilities.

There is a report in reference to this letter which is available to review.

President Genualdi then asked attorney Shapiro to read into record the letter that was sent to Jason Trunco from Shapiro and Associates, dated June 17, 2020.

On June 17, 2020, this office emailed and send to Mr. Trunco by certified registered mail the following:

On July 1, 2019 Niles Park District Executive Director Tom Elenz sent you correspondence referencing an incident on June 29, 2019 which occurred at Golf View recreational center between yourself and a volleyball referee. In his letter, Mr. Elenz stated that similar conduct could result in you being banned from future park district games and/or facilities.

On June 11, 2020 at approximately 8:30 p.m. you were involved in another incident with

certain other individuals. According to the Niles Police report, you yelled at individual #1 and called him a “faggot” and then slapped a phone out of individual #2’s hand as she was filming the incident between you and individual #1. Previously you’ve been involved in other incidences, including one on January 9, 2019 where you needed to be separated from a former park board commissioner immediately after a park board meeting as well as a police report filed against you by a Niles Park District employee for harassment. The board will soon consider taking formal action which may include banning or limiting your access to park district facilities and programs in the future. In the meantime, the Niles Park District requests that you refrain from attending any programs, games, and going to park district facilities to avoid future disruptions.

Attorney Shapiro went on to say that he can confirm that Mr. Trunco received this letter, because he responded to it.

President Genualdi asked attorney Shapiro to read into record the police report from the Niles Police Department dated June 15, 2020 in regard to case # 2020-00016053:

Attorney Shapiro is reading a case narrative by a Niles Police officer.

Niles Police officer A and Park Patrol officer A responded to Jonquil Terrace Park on call of a dispute. Per dispatch, a caller was upset about a subject using the tennis courts. Prior to our arrival, a second caller advised someone had been slapped. Upon my arrival I observed the officer speaking with a subject later identified as Jason Trunco. A park patrol officer was standing by with 3 subjects. I spoke to the male subject. He had been playing tennis with his two nieces. A male subject he identified as Trunco was watching them and had walked around the tennis court to speak with this particular person. Trunco told him he could not use the tennis courts to give private lessons. This individual told Trunco he did not want to talk to him. Trunco walked away and appeared to make a phone call. Trunco entered the tennis courts and walked up to the net. He began yelling at this individual about violating park rules and called him a “faggot”. Trunco walked away, and this individual’s sister approached the net. Trunco exited the tennis court and when observed individual’s girlfriend filming the incident on her cellphone, he slapped the girlfriend’s right hand, causing her to drop the phone. I spoke with an individual who gave a similar account as the first gentleman. He stated he saw Trunco attempt to speak with that gentleman, but he did not want to talk to him. She observed Trunco get into that gentleman’s face at the tennis net and approach to intervene. She called 911 to report the incident. I spoke with another individual who stated she’d been on the outside of the tennis court when she observed Trunco walking towards the first man. After she saw Trunco and the first man arguing she began filming the incident. She continued filming as Trunco walked off the tennis court. The first man told her to record Trunco’s license plate. Trunco reached for her cellphone and slapped her right hand. I did not observe any bruising or signs of injury. I spoke with Trunco who said that he observed the first man on the tennis court playing for over an hour. Trunco said private tennis lessons are not allowed on the Niles Park District tennis courts. Trunco said he attempted to speak with the first man by walking to the back of the tennis court, but the first man would not speak to him. Trunco said he called 911 to report the violation. Trunco stated

he returned to the courts and walked up to the net. Trunco began arguing with the first man. Trunco stated the first man threatened him. He denied calling that first man a faggot. Trunco stated he walked away. He stated that the second individual was on the sidewalk and stuck a phone in his face, "illegally" recording him. Trunco admitted to slapping her phone. I spoke to another individual who advised she did not want to go to court over this matter, but wanted a citation issued to Trunco for his behavior. I advised Trunco if he had an issue with people violating the park rules, he should call the Niles Park District or Park Patrol. I told him he would be receiving a citation for disorderly conduct. He stated he wanted a citation written for the first man threatening him. I advised him that I would not issue that man a citation. Trunco approached me as I was about to enter my squad to complete the citation. He stated he knew me and several other members of the Niles Police Department and receiving a citation would be "embarrassing" as his wife works in the Village finance department. He asked if he could apologize to the other party. I advised him that the officer would speak to the other party with his offer of apology. The officer advised the individual and was not interested in receiving an apology. Trunco again asked not to receive a citation claiming he knew so many members of the Niles Police Department. I advised him he was receiving a citation and could have been arrested for his actions. Trunco was issued a P. O. citation 132440 for disorderly conduct. He left the scene without further incident.

Another individual forwarded an email of the video she recorded at the tennis court. It showed Trunco and the first gentlemen arguing and heard again asking for Trunco's name implying that Trunco had made a statement about being a commissioner. Trunco stops him and the first gentleman approaches him. They stood chest to chest and continue to argue. Trunco walked away and the first gentleman followed him. Trunco walked toward the second individual and grabbed towards her. The phone could be heard falling as Trunco told him not to record him. The video was downloaded to the ET server.

President Genualdi would like it read into record that the Niles Park District board of commissioners has received the Niles Police Department body camera footage from Niles officer 119 that was dated June 11, 2020. In addition, President Genualdi would like it read into record that the Niles Park District board of commissioners has reviewed Niles Police Department body camera footage from Niles Police officer 166 dated June 11, 2020. Furthermore, read into record that the Niles Park District board of commissioners has reviewed the witness/victim's cell phone footage dated June 11, 2020. All of said footage was requested by the Niles Park District through the Freedom of Information Act (FOIA).

President Genualdi asked attorney Shapiro to read into record a statement sent to the board of commissioners by resident Jason Trunco, dated June 19, 2020:

Dear Park Commissioners,

I am writing in regards to the incident at Jonquil Park. I will be copying your attorney Dan Shapiro and Executive Director Tom Elenz on this email as well. I will not be able

to make the meeting on June 22 as my daughter has an orthodontist appointment.

In submitting a public comment, I'd be limited to 200 words and that nearly would not be enough. Before I even address this individual situation in the letter to me was mentioned an incident involving a former commissioner and employee of the park district. Those have no bearing on me in the park district. In the former commissioner's case, I was clearly the victim as he said anti-Semitic remarks heard by many members of the board and staff, yet as an elected official he was able to stay on the board by issuing an apology. Even this action that was done in front of the employees and other elected officials did not get an indefinite suspension from the park.

In regards to the employee, the issue with him was a back and forth outside of work with his personal phone after he showed my wife some inappropriate pictures which were accidentally on his phone. I filed a complaint which was brushed aside basically by Tom Elenz. I have those emails if you would like to see.

The volleyball incident I took full responsibility. I was on the phone to Tom the very next morning. I was 110% out of line with that one. This situation is not a good one and I will take responsibility for my part in this. However, I would like to have my side heard.

I was on my way home from my oldest daughter's soccer practice when I saw a guy who has been running lessons on the court for a long time now. When I left to take her to practice in Northbrook at 6:30p.m. this guy was there already. This was now 2 hours later. I was upset because these guys just don't care about your rules or anything you have in place. This guy has a ball hopper, four people on the court and a kid riding roller skates around on the tennis courts. So, I got out of my car and walked along outside the gates of the tennis court, walked over to the guy and told him he was violating all sorts of rules to which he responded, "Show me where." I told him there were signs up and pointed where they were. After a few minutes of me quoting the signs and him saying what was the big deal, I told him I was going to call the Niles Police. He started to berate me with "f" words then walked away. As I got the phone from the car where my daughter was, he came to the fence and said, "That's it, call the police, faggot, white mother f*cker." I made the call to the cops and then went back to the tennis courts. I shouldn't have and knew I shouldn't have but saying something like that to anyone needs to be addressed. At this point I said, if you're going to say something like that, we need to take this further and called him a piece of sh*t tennis playing mother f*cker. Again, definitely not the right move, but that's what I did at the time. He then said something to the woman sitting in the park area and she began filming what was going on. I was off park property, on the sidewalk, she shoved the phone less than 6 inches in my face. I pushed the phone out of my face, however neither of us backed off or did it get physical. I drove the 8 houses home and then returned when the cops were down there. After discussion with the officers who didn't know the rules of the park district courts either. They told him the ball hopper and the roller-skating kid needed to get off the court. Park patrol who was there had no idea of the rules and said I don't see the big deal, this or the kids on the playground equipment. I about lost it with him not knowing how to do his job or anything. I asked when he was last there. He said around 6:30 when nobody was there,

which was clearly wrong because I passed around 6:25 and they were full with two people waiting. I take full responsibility for my language, getting out of the car and anything from my side. As many of you know, my emails have been at the forefront of Jonquil and issues there. This was a situation where I was trying to help and made a horrible judgement call getting out of the car. I personally have sent emails and texts to Tom and commissioners as well as phone conversations about how things are down at Jonquil including multiple violations like a full team baseball practice that was going on. Do I agree something needs to be done given this is my second incident in the last 12 months? Absolutely. An indefinite ban I feel is extreme. There are many ways to do this. A final warning, a certain amount of time, a ban 30, 60, 90 days. But to take away my ability to attend the ice show for my daughter, games for my kids isn't right. They have done nothing wrong and don't deserve to be punished because of what truly is my second incident in 11 years with being involved with the park district. Let's take the politics out of this. At the end of the day I'm a citizen who really cares about the parks and the community. Do I care too much? Probably. Does that make me a bad guy? No. Does it make me someone who shouldn't be allowed on the field to give batting practice to my kids or practice soccer with my other daughter or help prepare my other daughter for college or not be able to watch my special needs daughter at ice skating? No. What I ask the board to do is not take away this permanently away for me and my children. Let's even come up with a rest of 2020 suspension if anything happens again I will take indefinite suspension no questions asked. You have it in writing and I'm sure your legal counsel will advise that will stand up going forward. Saying I can take my kids to another park district takes them away from their friends and their ability to foster friendships that will last years with their current friends. I'm not sure how, but I would like for my name not to be mentioned in the discussion and prefer to be called 'a resident' or 'the resident'. I am not an elected official and should have some rights in regard to my name being used. In closing, I truly do apologize for my actions that night. Would I do it again, no, I would just call non-emergency like I've done many other times. Stay safe and healthy, thank you. – Jason Trunco

The commissioners discussed this matter at length. The board specified that this is not an attack on Mr. Trunco's family. President Genualdi also wanted to thank the Niles Police Department and noted that they handled the situation quite well. President Genualdi also went on to mention that some pertinent information was left out of Mr. Trunco's statement, namely the fact that he tries to represent himself as a park district commissioner which is corroborated in the video. The male victim in the video requested Mr. Trunco's name several times. President Genualdi highlighted the fact that three crimes were committed in the video: 1) falsely representing himself as a public elected official 2) threatening the first male victim (assault) and 3) battery against the female victim. She stressed addressing this latest incident but also Mr. Trunco's history with the park district. President Genualdi went on to say that this type of behavior should not be tolerated by anyone and that the safety of the residents is the park district's main concern.

A MOTION was made by Commissioner LoVerde and seconded by Commissioner O'Donovan to ban Mr. Trunco from all Niles Park District programs, events, properties and facilities with the sole exception of him dropping off or picking up his minor

children, at which time he will remain in his vehicle. This ban will be in effect for one year starting June 22, 2020 through June 22, 2021. Should Mr. Trunco violate this ban at any time, he will be indefinitely banned from the Niles Park District.

Recording Secretary Petrie called the roll:

President Genualdi	Yes
Vice President O'Donovan	Yes
Treasurer LoVerde	Yes
Commissioner Hynes	Yes
Commissioner O'Brien	Yes

The motion passed 5-0.

7. **MISCELLANEOUS**

There were no miscellaneous comments.

8. **ADJOURNMENT**

A motion was made by Commissioner LoVerde and seconded by Commissioner O'Donovan to adjourn the Special Board Meeting. Recording Secretary Petrie called the roll:

President Genualdi	Yes
Vice President O'Donovan	Yes
Treasurer LoVerde	Yes
Commissioner Hynes	Yes
Commissioner O'Brien	Yes

The motion passed 5-0.

APPROVED:



President
Board of Commissioners



Board Secretary

Date: June 22, 2020

