

## VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting January 25, 2010

President Abboud called the Regular Meeting to order at 6:38 p.m. Roll Call

### Present

Robert G. Abboud, President  
Fritz H. Gohl, Pro-Tem  
Walter E. Smithe, Trustee  
Steven E. Knoop, Trustee (absent\*)  
Beth Mallen, Trustee  
Elaine Ramesh, Trustee (arrived 8:45p.m.)  
Joseph Messer, Trustee

### Guests

Ralph Sesso, resident  
Pat Taylor, resident  
Mary Taylor, resident  
Jonathan Knight, resident  
Dennis Gallitano, resident  
R. Weber, resident  
Nancy Schumm-Burgess, BACT

Doug Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael N. Murphy, Police Chief  
Dan Strahan, Village Engineer

\*Trustee Knoop was absent due to a death in his family.

Trustee Gohl motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:38 p.m. Trustee Smithe seconded. Roll Call.

Ayes: 5 (Messer, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Ramesh, Knoop)

**Meeting Adjourned**

### **EXECUTIVE SESSION**

President Abboud called the Public Meeting to order at 8:09 p.m.

**MINUTES**

Trustee Gohl motioned to approve the minutes of the Regular Meeting of December 21, 2009. Trustee Smithe seconded. All present said Aye.

**Motion Approved**

Trustee Gohl motioned to approve the minutes of the Executive Session of December 21, 2009. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Trustee Smithe motioned to dispose of the audio recording of the Executive Session of April 28, 2008. Per state law, these records have been kept for eighteen months. Trustee Mallen seconded. All present said aye.

**Motion Approved**

**PUBLIC COMMENT**

President Abboud opened a Public Comment session at 8:10 p.m.

As there was no public comment, the period ended at 8:10 p.m.

**FINANCE - Walter E. Smithe**

Village Treasurer's Report -Trustee Smithe motioned to accept the Treasurer's Report for the month of December, 2009. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Police Pension Board Report -Trustee Smithe motioned to accept the Police Pension Board's Report dated December 31, 2009. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Overtime Reports – Trustee Smithe motioned to approve \$8,970.99 in overtime expenses from December 16, through January 15, 2010. Trustee Mallen seconded. Roll call.

Ayes – 5 (Messer, Mallen, Smithe, Gohl, Abboud)

Nays – 0

Absent – 2 (Ramesh, Knoop)

**Motion Approved**

President Abboud inquired about the pilot 12-hour shifts for officers. Trustee Smithe said there had been no overtime for two weeks. The pilot will be reviewed in August.

Presentation of Bills – Trustee Smithe motioned to approve payment of the bills for the month of December to date of \$277,406.90. Trustee Mallen seconded. Roll call.

Ayes – 5 (Messer, Mallen, Smithe, Gohl, Abboud)  
Nays - 0  
Absent -2 (Ramesh, Knoop)

**Motion Approved**

**ROADS AND BRIDGES – Village Engineer – Dan Strahan**

Monthly Report – Dan Strahan

Trustee Ramesh reported that the first meeting of residents living on private roads within the Village will take place this Wednesday at 7p.m. at the Village Hall. Each resident on Barrington Bourne, Ashbury, and Burning Oaks Trail received a letter advising them of the meeting. Every other month the meetings will focus on different areas of the Village.

Village Engineer, Dan Strahan, reported that the clearing of the Equestrian Trail on Ridge Road is progressing and that several heritage trees have been marked along the road. The Oak Knoll shoulder repair was completed in early December. Trustee Gohl noted that a resident on the roadway has reported continued problems. Dan Strahan will review the area east of Buckley and the entire road in the Spring.

26 Ridge Road Scenic Easement Resolution – Trustee Ramesh motioned to approve the resolution for Scenic Easement on 26 Ridge Road in favor of BACT and the Village. Trustee Smithe seconded. Discussion followed with Attorney Wambach advising that the scenic easement described in the resolution will not supersede other easement rights of the Village of Barrington Hills. Roll call:

Ayes – 6 (Messer, Ramesh, Mallen, Smithe, Gohl, Abboud)  
Nays – 0  
Absent – 1 (Knoop)

**Resolution 10-01 Approved**

**PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Recent changes to the Freedom of Information Act (FOIA) provides Illinois residents with increased access to records online.

President Abboud, Trustee Gohl and Chief Murphy will meet to discuss how the changes in FOIA will impact bulletins or updates from the police department.

**EQUESTRIAN COMMISSION – Elaine M. Ramesh**

There was no meeting held this month. President Abboud noted the importance of the Commission's development of standards for commercial boarding operations.

**BUILDING & ZONING – Elaine M. Ramesh**

The ZBA meeting on January 20<sup>th</sup> was held at Countryside School and continued discussion on the Draft Lighting Ordinance. Director Kosin reported that the Plan Commission provided the background for the drafting of the ordinance. Another meeting will be scheduled for February or March. The ZBA is requesting an impact study be completed to assist the Board in decision-making.

Trustee Messer motioned to approve an expenditure not to exceed \$5,000 for Gewalt Hamilton Associates to complete an impact study of the draft lighting ordinance on selected homes within the Village. Trustee Gohl seconded. Roll call:

Ayes – 4 (Messer, Ramesh, Gohl, Abboud)

Nays – 2 (Mallen, Smithe)

Absent – 1 (Knoop)

**PLANNING – Steven E. Knoop**

There was no report.

**INSURANCE – Walter E. Smithe**

There was no report

**HEALTH, ENVIRONMENT, BUILDING & GROUNDS - Beth Mallen**

Trustee Mallen reported that on February 10, 2010 Janet Agnoletti will present information on the BACOG Water Resource Initiative to the Board of Health.

The next Beautification Day will begin at the Village Hall and will focus on Old Sutton Road from State Route 62 to State Route 72.

The Fire Station roof has been repaired from the leaks, interior ceiling tiles replaced, and the receipt of an environmental report determining the building is mold-free. President Abboud, Chief Murphy, the Fire Chief, and Paul Hines will meet next week to discuss a disputed charge to the Village. Trustee Mallen voiced her objection to being excluded from the meeting.

**ATTORNEY – Douglas Wambach**

Attorney Wambach reported that the Village could establish a Police Commission, provided that at least 20% of the number of legal votes in the last election petition for it, and that when placed on the ballot, the majority of voters want such a commission.

Attorney Wambach said he would need to further review whether Home Rule authority permitted as well the creation of the Commission. President Abboud asked for the review to include the Commission's possible oversight of labor concerns.

**ADMINISTRATION – President Abboud**

Appointments – President Abboud announced the following Trustee Committee assignments:

Roads and Bridges – Elaine Ramesh with Fritz Gohl as back up.  
ZBA - Joe Messer with Elaine Ramesh as back up.

Trustee Messer moved to accept the appointment of Kurt Anderson to the ZBA for the remaining unexpired term of Joseph Messer, as recommended by President Abboud. Trustee Smithe seconded. All present said aye.

**Motion Approved**

Communications Committee – Fritz Gohl

Trustee Gohl reported that the newsletter is at the printer.

CN Mitigation Agreement Resolution – Attorney Wambach outlined the three-part Memorandum of Agreement with Canadian National Railroad .

Trustee Messer motioned to approve the resolution. Trustee Gohl seconded.

After review of the document, the Trustees debated the content of the agreement at length.

Roll call.

Ayes – 3 (Messer, Smithe, Abboud)  
Nays – 3 (Mallen, Ramesh, Gohl)  
Absent – 1 (Knoop)

**Motion Failed**

Based upon additional questions from Trustee Gohl and further discussion, Trustee Gohl moved to reconsider the motion to approve the CN Agreement as previously presented. Trustee Messer seconded. Roll call

Ayes – 5 (Messer, Ramesh, Smithe, Gohl Abboud)  
Nays – 1 (Mallen)  
Absent – 1 (Knoop)

**Motion Approved**

CN Mitigation Agreement Resolution

The trustees discussed changing the language in the resolution and to approve the agreement with CN with the following amendment:

The motion is amended changing Section V. Other, (A) from: up to \$35,000. for repairs of the structure, to: up to \$100,000. for repairs of the structure.

Trustee Messer motioned to approve the amended resolution. Trustee Gohl seconded.

Roll call to approve the CN Mitigation Agreement Resolution with amendment.

Ayes – 4 (Messer, Smithe, Gohl, Abboud)

Nays – 2 (Mallen, Ramesh)

Absent – 1 (Knoop)

**Resolution 10-02 Approved**

Trustee Gohl motioned to adjourn the Public Session at 11:40 p.m.

Trustee Smithe seconded. All present said aye.

**Meeting Adjourned**

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**Approved**