

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting September 26, 2011

President Abboud called the Regular Meeting to order at 6:47 p.m. Roll Call

Present

Robert G. Abboud, President
Fritz H. Gohl, President Pro Tem
Elaine M. Ramesh, Trustee
Joseph S. Messer, Trustee
Karen S. Selman, Trustee
Patty Meroni, Trustee
Harold Gianopulos, Trustee

Guests

Richard Semelsberger, Deputy Chief
Daniel Strahan, Village Engineer
James Kelly, Special Counsel
Gerald Callahan, Special Counsel
George Lynch, Village Attorney
Janet Agnoletti, BACOG

Michael N. Murphy, Police Chief
Robert Kosin, Director of Administration
Doug Wambach, Village Attorney
Marlene Mugavero, Recording Secretary

Trustee Gohl motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:50 p.m. Trustee Meroni seconded. Roll Call.

Ayes: 7 (Gianopulos, Meroni, Selman, Messer, Ramesh, Gohl & Abboud))
Nays: 0

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Meeting to order at 7:55 p.m.

APPROVAL OF MINUTES

Trustee Meroni motioned to approve the Minutes of the August 22nd meeting. Trustee Selman seconded. All present said Aye, with Trustee Gohl abstaining and Trustee Ramesh absent.

Motion Approved

Trustee Gianopulos made the motion to approve the August 22nd Executive Minutes, Trustee Meroni seconded. All present said Aye, with Trustee Gohl abstaining and Trustee Ramesh absent.

Motion Approved

(Note: Trustee Ramesh returned to the meeting.)

Trustee Gohl made the motion to dispose the Executive Minutes Recording of the Meeting of December 21, 2009. Trustee Selman seconded. All present said Aye.

Motion Approved

PUBLIC COMMENTS

Jonathan Knight had issues and concerns about the findings of Attorney Kelly's investigation into his accusations, the independence of the ZBA from the Board, removal of Attorney Von Meyer from the ZBA, and appointment of ZBA members.

Jack Reicht had questions of Attorney Kelly about all the individuals he questioned in his investigation and thought the study was not thorough enough.

David Stieper questioned President Abboud's authority to remove a Village attorney. He also had concerns about the Hardy variance.

Mike Hannigan did not agree with the Board's decision to not impose any fines on the LeCompte case.

Steve d'Amore recollected that President Abboud had previously said fines would be levied against LeCompte and now questioned why that wasn't being done. He also asked when the portions of Executive Minutes regarding LeCompte would be released, and told next month.

Jean Maddrell had several questions and concerns: (1) Does the President have the right to terminate employment of the Village's Inspector without a vote from the Board, (2) Does Board have final approval of any bills incurred, (3) Is there a limit on spending, (4) Hardy variance, and (5) Believes the ZBA is too concerned about equestrian issues, pointing out that only 15% of the Village is involved in equestrian activity.

Paddy McKeivitt asked that the Village get an accurate survey of those residences involved in equestrian activity, as he thought the 15% mentioned by Ms. Maddrell was too low.

FINANCE – Karen S. Selman

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for August 2011. Trustee Gohl seconded. All present said Aye.

Motion Approved

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board's Report of August 2011. Trustee Gohl seconded. All present voted Aye.

Motion Approved

Overtime Reports - Trustee Selman made the motion to accept the Overtime Report from August through September 15, 2011 totaling \$8127.47. Trustee Meroni seconded. Roll call.

Ayes: 7 (Gianopulos, Meroni, Selman, Messer, Ramesh, Gohl, Abboud)
Nays: 0

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of August to September 15, 2011, totaling \$263,748.63. Trustee Gohl seconded. Roll call.

Ayes: 7 (Gianopulos, Meroni, Selman, Messer, Ramesh, Gohl, Abboud)
Nays: 0

Motion Approved

Nicor Gas Use Tax - Trustee Selman asked for the Board's approval at this time to withdraw consideration of the proposed ordinance involving Nicor Gas Use Tax. The Board agreed to table its consideration until after the Budget is approved.

Energy Aggregation - Trustee Selman reported on her attendance at the McHenry County Counsel of Government meeting in which alternative sources of electricity were discussed. President Abboud agreed that there were a number of alternative suppliers that could be considered which could feasibly lower residential bills up to 20%. An ordinance would have to be approved by November 2011 in order for the Village to enter into any such negotiations in 2012.

Property Tax Apportionment - Village Treasurer Rosemary Ryba appeared before the Board to reply to questions of Trustee Gianopulos at the previous meeting regarding Schedules A through L (particularly Schedule F) as well as the policy of cash reserve and property taxes. She explained that property taxes are up even though property values are on the decline, the major impact factors being EAV (equalized assessed valuation), the tax rate, and the awarding of lower valuations from assessment appeals. She further explained the variations in the schedule of collections between the four counties in the Village.

Budget Worksheets 2012 - These are included in the Trustees' packets, which are up to date through August, to be used in the preparation of a proposed Budget to be discussed at a special meeting of the Finance Committee on Wednesday, October 19, at 4 p.m.

ROADS & BRIDGES – Patty Meroni

Monthly Report - Trustee Meroni advised that road construction has been completed for the year. Horse crossing signs have been received and will be installed on Buckley Road.

Chapel Road Easement (R.J. Roberts) - Trustee Meroni made the motion to approve the Chapel Hill Easement Resolution. Trustee Selman seconded. All present voted Aye.

Resolution 11-24 Approved

Chapel Hill Easement (Roger Sheldon) - Trustee Meroni made the motion to approve the Chapel Road Easement Resolution. Trustee Selman seconded. All present voted Aye.

Resolution 11-25 Approved

St. John ROW Dedication - Trustee Meroni made the motion to approve the St. John ROW Dedication. Trustee Selman seconded. All present voted Aye.

Resolution 11-26 Approved

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report - Trustee Gohl presented the monthly report.

Barrington Honor Ride & Run - Mike Tobin appeared before the Board asking for permission hold an Honor Ride and Run through portions of the Village on October 23, 2011. In a discussion of the proposal, it was agreed to add to the first paragraph of the Resolution “in a route agreed to by the Honor Run and Village beginning at 12:10 p.m. to 2:00 p.m.” with Trustee Gohl and the Police Department finalizing the route. Also, a section was added verifying \$5 million liability coverage for that day listing Barrington Hills as insured. Trustee Gianopulos made the motion to approve the Resolution with the agreed upon additions. Trustee Meroni seconded. Roll Call.

Ayes: (Gianopulos, Meroni, Selman, Messer, Gohl & Abboud))

Nays: 1 (Ramesh)

Absent: 0

Resolution 11-22 Approved

BUILDING AND ZONING - Joseph S. Messer

Building Permit Report - Trustee Messer reported that nine building permits had been issued in the past month, bringing the total year to date to 46 permits.

ZBA Report - The ZBA met on September 16th, at which time a variance for the Hardy petition was denied. There was also a discussion about the numerous vacant properties within the Village, with concerns about security and safety. Trustee Messer is investigating potential changes to the Code that would allow the Village to maintain these properties. Some Trustees expressed concerns about increased costs to the Village. Trustee Messer also suggested the Village consider adopting the International Property Maintenance Code and, in addition, create a registry of these properties so owners could be identified and contacted. It was agreed to discuss this again at next month’s meeting.

Kelly/Knight Report - Attorney Kelly reported on his investigation into Jonathan Knight's letter of March 28th. That report will be included in these Minutes. Mr. Knight questioned the legitimacy of Mr. Kelly's "independent investigation" and also expressed his concerns about the independence of the ZBA from the Village Board. There followed a lengthy discussion about specific items and concerns relative to Mr. Kelly's findings, including comments from residents Jack Reich and David Stieper as well as Mr. Knight.

Administration Adjudication Lake County - President Abboud advised that the Appellate Court had published its report on the LeCompte appeal, and that the Board had decided not to impose any fines in this matter.

PLANNING – Elaine M. Ramesh

Monthly Report - Trustee Ramesh represents the Village in Kane and McHenry Counties, attending various meetings and reviewing their websites on a regular basis. She advised that Kane County was in the process of updating its Comprehensive Plan and that McHenry County was conducting a long-range transportation plan for Year 2040. Also the McHenry County Conservation District is in the process of designing a site master plan for the Camp Algonquin area which is adjacent to the Village.

BACOG Groundwater Study - Janet Agnoletti, BACOG, appeared before the Board to discuss their on-going ground water project and brought with her a 4 million year old dolomite rock that was taken 250 feet at the bottom of their study area at the Deer Grove Forest Preserve. President Abboud complimented Ms. Agnoletti on the work being done by BACOG on groundwater and asked her to appear before the Board again with more details on the project.

Brenner Estates Final Plat - After a discussion of this 33 acre/4 lot parcel, Trustee Ramesh made the motion to approve the Resolution for Brenner Estates Final Plat, with the limitation of a 3 bedroom home on Lot 4 included on the plat and Barrington Hills being shown as co-grantee on the conservation easement. Trustee Gianopulos seconded. All present voted Aye.

Resolution 11-23 Approved

McHenry County's Unified Development - Hearings have been held with a consultant on the McHenry County UDO.

USPS Service Review - Trustee Ramesh said that residents will be getting these surveys in the mail.

Lake County WDO - Upon the recommendation of Village Engineer Daniel Strahan and the Plan Commission, Trustee Ramesh made the motion to approve adoption of the Lake County Watershed Ordinance. Trustee Gohl seconded. Roll call.

Ayes: 7 (Gianopulos, Meroni, Selman, Messer, Ramesh, Gohl, Abboud)

Nays: 0

Ordinance 11-09 Approved

INSURANCE – Harold Gianopulos

Monthly Report - Trustee Gianopulos was proceeding with the process of getting information on insurance renewals, which he will have shortly.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report - Trustee Gianopulos reported on his findings with regard to the purchase of video surveillance for Village meetings. The quote from ROSCOR was a little over \$40,000, which includes the cost for equipment, installation, and the first year of service. It was agreed he would bring more detailed information to the Board next month. If such a purchase is recommended, bids would be taken for the project.

Trustee Gianopulos reported that the Beautification Committee will be meeting on October 22nd.

Solid Waste Management Report - Trustee Gianopulos asked that an article be included in the upcoming Newsletter on recycling.

Scavenger License - There has been discussions about limiting to four the number of scavenger companies allowed to pick up in the Village. Attorney Wambach will be looking into the legality of this recommendation.

ATTORNEY - Douglas Wambach

Pending Litigation - Covered in Executing Meeting

Personnel - Covered in Executive Meeting

ADMINISTRATION - Robert G. Abboud

Appointments - Plan Commission appointments will be postponed until next month pending clarification of the terms of office.

Community Recognition - The following were recognized for their achievements and received Certificates of Appreciation:

HARPS for their hosting and staffing of the Equestrian Training for emergency personnel.

John Pappas for volunteer work and use of his property for the Equestrian Training for emergency personnel.

Trustee Gohl made the motion to adjourn the Public Session at 12:35 am September 27, 2011. Trustee Meroni seconded. All present voted aye.

Meeting Adjourned

Approved