

# VILLAGE OF BARRINGTON HILLS

## Minutes of the Regular Meeting of the Board of Trustees January 23, 2012

President Abboud called the Regular Meeting to order at 6:44 p.m. Roll Call.

### Present

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

### Guests

Jonathan Knight, resident  
Dennis Gallitano, resident  
Michael Hill, ATC  
Kenneth Michaels, Attorney  
Kathleen Leitner, President, BACOG  
Janet Agnoletti, BACOG  
Nancy Schumm, Consultant  
Bill Walsh, Police Department  
P. Denise Israel, Beautification  
Daniel Strahan, Village Engineer

Michael N. Murphy, Police Chief  
Richard Semelsberger, Deputy Chief  
Robert Kosin, Director of Administration  
George Lynch, Village Attorney  
Dolores G. Trandel, Deputy Clerk

Trustee Gohl motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:45 p.m. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 0

### **Meeting Adjourned**

### **EXECUTIVE SESSION**

### **PUBLIC SESSION**

President Abboud called the Public Meeting to order at 7:30 p.m. and explained that Public Comments will be the end of the Agenda.

### **APPROVAL OF MINUTES**

Trustee Selman motioned to approve the Minutes of the December 19, 2011 meeting. Trustee Meroni seconded. All present said Aye. Trustee Messer abstained.

**Motion Approved**

Trustee Selman made the motion to approve the December 19, 2011 Executive Minutes, Trustee Meroni seconded. All present said Aye. Trustee Messer abstained.

**Motion Approved**

Trustee Gohl made the motion to dispose the Executive Minutes Recording of the Meeting of April 26, 2010. Trustee Selman seconded. All present said Aye.

**Motion Approved**

**FINANCE – Karen S. Selman**

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for December, 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 December, 2011. Trustee Meroni seconded. All present voted Aye.

**Motion Approved**

Overtime Reports - Trustee Selman made the motion to accept the Overtime Report from December through January 15, 2012 totaling \$3,018.66. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 0

**Motion Approved**

Bills for Approval - Trustee Selman motioned to approve the bills for the month of December to January 15, 2012, totaling \$333,428.25. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 0

**Motion Approved**

Newsletter – Newsletter draft should be ready by January 31, 2012.

**ROADS & BRIDGES – Patty Meroni**

Monthly Report – Trustee Meroni reported that the 2012 Road Construction Program is planned to include, as budget allows, 1) Culvert replacements, patching and resurfacing on Caesar, Dana, Braeburn and Dundee Lane; 2) Culvert replacements, patching and seal coating for Steeplechase and Cross Timber; and 3) Storm sewer improvements on Caesar Drive, preliminary cost estimate for this scope of work is \$890,000 (\$710k budgeted, \$180k MFT funds); Bids will be let in April.

2012 Drainage Road Program – Update on Chapel Road, the fold down “Water on Pavement” sign is in place, flashing light expected to be installed by the end of January. Updated plans for a

dry well have been submitted to McHenry County. A March bid letting is scheduled. Estimated Cost: \$38,766.20, budgeted \$40,000.

Snow Plowing - Winter has been mild with record low snow fall, no service problems have been reported.

Haegers Bend Road - There are two culverts which have failed, both near the north end, one with a large (12") hole beside the pavement. Replacement of these will be added to the Chapel Road project due to proximity and reducing costs as a result.

Algonquin Township - Tree trimming will resume in the Spring with more supervision given to the operators to ensure that the result is in keeping with prior service rather than last Fall's trimming on Chapel Road.

Spring Creek Road Culverts - The three culverts on Spring Creek Road located at the Spring Creek crossing, fall solely within the incorporated limits of Barrington Hills. An inspection will be scheduled for 2012, preparatory to the scheduled 2013 resurfacing.

Private Road Meeting - A meeting of private road coordinators has been scheduled for Tuesday, Feb, 21<sup>st</sup> at 7 P.M. at the Barrington Area Library. Email invitations are being sent this week to all private road attendees from the last meeting, plus committee chairs and other interested persons.

Moser Road Easement Resolution – Trustee Meroni motioned to approve an easement on Brinker Road. Trustee Gohl seconded. Roll Call.

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

Nays: 0

Absent: 0

**Resolution 12-02 Approved**

Cuba Road Bridge – Phase One engineering has been begun on the replacement project of Cuba Road Bridge.

The required inspection in 2011 has changed the rating on the bridge from a 52.0 in 2010 to a 36.9 in 2011. This lower rating, among other purposes, is that the replacement of the bridge is now eligible to apply for Highway Bridge funding as administered by IDOT.

Required soil borings for the bridge, which are required to a depth of 75 feet, have been bid with the following quotes:

SMC \$6,895

Rubino \$6,975

A decision was made to use SMC for the lower bid and prior experience. Phase One engineering should be completed by late 2012. Because the bridge will require closure and detour signs, a public meeting will be required which will be scheduled in the early part of Phase 2 planning.

**PUBLIC SAFETY – FRITZ H. GOHL**

Monthly Report - Trustee Gohl presented the monthly report.

Purchase Police Vehicle Resolution – Trustee Gohl motioned to approve the purchase of a new police vehicle not to exceed \$25,000. Trustee Messer seconded. Roll Call.

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

Nays: 0

Absent: 0

**Resolution 12-01 Approved**

### **BUILDING AND ZONING - Joseph S. Messer**

Building Permit Report - Trustee Messer reported that eight building permits had been issued in the past month.

ZBA Report - The Zoning Board of Appeals meeting on January 18<sup>th</sup> addressed the two variances that were on its published agenda. With only five members present, a favorable finding required a unanimous vote of all members present.

The variance of 287 Donlea Road from the requirements of a side yard was continued to another meeting so other members would be able to render a decision.

The variances for 223 Westfield Way, which involved relief from gross lot area and average lot width, was approved as presented. This petition had previously been considered and approved by the ZBA, but the approval had expired.

An informational presentation was also made to the ZBA regarding the certification requirement for training in the provisions of the Open Meetings Act. A similar presentation was made to all other public bodies of the Village that held a meeting in January.

The first use of the digital microphone system in the MacArthur Room was operated during the ZBA meeting, and the OMA presentation can be heard on line at the News & Info page of dotGOV [www.barringtonhills-il.gov](http://www.barringtonhills-il.gov).

Oakwood Farms Fines – Trustee Gianopulos motioned to impose a fine of \$50,000 as a result of failure to comply. Trustee Gohl seconded.

After discussion, Trustee Gianopulos withdrew his motion.

Trustee Gianopulos motioned to take action for a fine to be imposed of \$50,000 plus any cost associated with collecting that fine. Trustee Gohl seconded. Roll Call.

Ayes: 2 (Gianopulos, Gohl)

Nays: 5 (Meroni, Selman, Messer, Ramesh & Abboud)

Absent: 0

**Motion Failed**

### **PLANNING – Elaine M. Ramesh**

Monthly Report - The Commission met on January 9<sup>th</sup>, with new member Mike Harrington in attendance. The Committee reviewed the draft Kane County 2040 plan and provided comments for transmission to Kane County prior to the January 20, 2012 deadline. Additionally, members were advised of the new state law requiring completion of on-line Open Meetings Act training this year.

Friends of Spring Creek Resolution – Trustee Ramesh motioned to approve the Resolution for the Village to become an Affiliate Member of the Friends of Spring Creek. Trustee Meroni seconded. All present said Aye

**Resolution 12-03 Approved**

Subdivision Amendment Ordinance – The Plan Commission recommended amending the fee structure in the subdivision approval process to insure that all of the Village's costs can be recouped prior to the recording of a plat, even in the case of a minor subdivision. They advised that it would be better to tie the last of the series of payments to a step prior to the filing of the plat; as of late, developers have not requested the last step, recording of the final plat by the Village, thus avoiding payment of the last portion of the total fees due. The matter was referred to the Plan Commission.

**INSURANCE – Harold Gianopulos**

Monthly Report – No report.

**HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos**

Monthly Report – No report.

Solid Waste Management Report – Nothing new to report.

Insurance 2012 – Trustee Gianopulos reported on the current employee insurance plan. President Abboud called for further market evaluations and comparisons.

Barrington Center- Beautification Committee researching names of Civil War Soldiers from this area and spoke about their efforts regarding the clean-up of the Civil War commemorative plaque at the Barrington Center as it existed at its dedication.

ATC Lease Amendment - Being that the core business of ATC is communication, consideration was presented to them to undertake the video installation for the Village Hall as well as the ongoing subscription for web hosting.

There is also the components of the electrical service that will require replacement as a failure occurred on December 27th. Also, the assistance of ATC is seen as valuable in facilitating the connection of the VBH fiber strands to the state system.

If the Board of Trustees are favorably disposed to these elements in an amended lease with ATC, it is recommended that the office of the Village Attorney proceed with the preparation of such an amendment.

Trustee Gianopulos motioned to proceed with the preparation of an amendment of the existing lease with ATC for the consideration as described. Trustee Gohl seconded. Discussion followed.

Trustee Gianopulos amended his motion to convert the lease to cash, create a fund in the general portion of the budget and allow ATC to proceed with tentative approval to move forward with their plans until the Village assign the compensation sixty days from today's date. Trustee Gohl seconded. All present said Aye.

**Motion Approved**

AVI Audio/Video – Trustee Gianopulos described the microphones at each position at the board room table. Audio equipment was tested by the ZBA at its January 18, 2012 meeting and were used at the Board of Trustees January 23, 2012 meeting.

**ATTORNEY - Douglas Wambach**

Pending Litigation - Covered in Executive Session.

Personnel – No report.

ILRB S-CA-10-189 – The Illinois Labor Relations Board Administrative Law Judge’s recommended decision and order has been received on January 13, 2012. The Labor Board feels that a 2% raise should have been given police officers in 2009 per a memo written by Chief Murphy. This memo was written prior to the Appropriation Ordinance being passed in March of 2009. Our budget is based on appropriations, not on a budget, and therefore, funds were not available for this pay increase. The Village has thirty days to file an exception. Upon receiving our exception, the Labor Board must decide to accept, reject or amend or modify our decision. The Village Attorneys cost to file this exception would be less that \$5,000.

Trustee Messer motioned to return to Executive Session at 8:31 p.m. solely to discuss Unfair Labor Practices and other arbitration issues. Trustee Ramesh seconded. All present said aye.

**Motion Approved**

**SECOND PUBLIC SESSION AT 9:13 P.M.**

Trustee Messer motioned to authorize the Village Attorney to file an Exception to the January 10, 2012 Administrative Judge’s recommended decision and order in the Illinois Labor Relations Board proceeding brought by the Metropolitan Alliance of Police, Barrington Hills Chapter 576 against the Village of Barrington Hills due by February 10, 2012. Trustee Meroni seconded Roll Call.

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

**Motion Approved**

OMA Certification – All members of all committees need to be certified by March, 2012.

FOIA Reports – Nothing new.

Schumm Consulting reported on the events of the past year in each County.

Cook County:

Crab Tree Nature Center is now officially listed as residing in Barrington Hills by the Cook County Forest Preserve District.

Barrington Hills has successfully resumed a dialogue with the Cook County Forest Preserve District, specifically with Commissioner Goslin on the issue of annexation to seam up our boundaries and we are working on scheduling a more formal discussion with Superintendent Randall in the coming weeks.

The Forest Preserve included the Village in their open dialogues about the Army Corps work in the Forest Preserve and allowed access to the files and information on the work. Spring Creek Valley Forest Preserve is likely being expanded to include an additional 10 acres along Algonquin Rd.

#### McHenry County

The Village has had representation for their interests on the Water Task Force of McHenry County as the county seeks to pass required special service area designations for groundwater protection. This will impact development patterns required in the future.

We have new information from recent NASA studies on tree inventories to share and compare GIS data acquired by McHenry County and be sure that we are included in their tree discussions as Barrington Hills trees have been excluded on the published McHenry county inventory maps.

#### Kane County

We have begun to have discussions with Kane County and Dundee Township on property issues.

#### **ADMINISTRATION - Robert G. Abboud**

Appointment – President Abboud proposed the appointment of Deputy Clerk Dolores Trandel to Village Clerk. Trustee Gohl made the motion to accept President Abboud’s recommendation. Trustee Meroni seconded. A voice vote was taken. All present said Aye.

**Appointment Approved**

BACOG Office Space – President Abboud asked for a motion to have the Village Attorney go forward and draft an agreement for BACOG to occupy space at the Village Hill. Trustee Gohl motion to accept this proposal. Trustee Selman seconded. Roll Call:

Ayes: 5 (Gohl, Messer, Selman, Meroni, Abboud)  
Nays: 2 (Gianopulos, Ramesh)

**Motion Approved**

Trustee Ramesh motioned to make an amendment to this agreement that the BACOG lease is for a period of two years and a \$5,000 reduction in fees. Trustee Gianopulos seconded. Five Trustees voted Nay. Trustees Gianopulos and Ramesh voted Aye.

Ayes :2 (Gianopulos, Ramesh)  
Nays: 5 (Gohl, Messer, Selman, Meroni, Abboud)

**Motion Failed**

Trustee Gohl motioned to propose a two year lease agreement. Trustee Selman seconded. All present voted Aye. Trustee Gianopulos voted Nay.

**Motion Approved**

Legislative Platform 2012 – Trustee Gohl motioned to approve the Legislative Platform 2012 Trustee Meroni seconded. All present said Aye.

**Motion Approved**

US Cellular NWCD - The Village of Barrington Hills continues to have dialogue between US Cellular and Northwest Central Dispatch (NWCD) to share the space within the fenced service compound on Village Hall property.

NWCD has been studying the feasible of using a radio system that would have equipment in the western edge of their service area.

Recent analysis has demonstrated the feasibility of the system and the location of the Village Hall property.

Specifically NWCD would attach antennas to the US Cellular Tower, occupy one of the three (and last) equipment rooms and obtain generator service.

If it is the inclination of the Board of Trustees for the Village to accommodate these uses of its property, the recommendation is to have the office of Village Attorney to prepare an agreement in such form as to contain the interests of the parties, Village, NWCD and US Cellular. Matter taken under advisement.

**PUBLIC COMMENTS:**

P. Denise Israel – requested that the newsletter ask residents to submit their email addresses so the newsletter is emailed rather than mailed to them. Also, the newsletter should mention that BACOG is hosting the water testing in March.

Trustee Gohl made the motion to adjourn the Public Session at 12:35 p.m. Trustee Meroni seconded. All present voted Aye:

**Meeting Adjourned**

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Approved