

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Wednesday, December 19, 2012

President Abboud called the Regular Meeting to order at 6:50 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, President Pro Tem
Elaine M. Ramesh, Trustee (arrived 7:35 p.m.)
Joseph S. Messer, Trustee (absent)
Karen S. Selman, Trustee
Patty Meroni, Trustee
Harold Gianopulos, Trustee

Guests

Pauline Boyle, resident
Kelly Mazeski, resident
Dan Strahan, Village Engineer

Michael Murphy, Police Chief
Rich Semelsberger, Deputy Chief
Doug Wambach, Village Attorney
Robert Kosin, Village Administrator
Dolores G. Trandel, Village Clerk

Trustee Meroni motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:52 p.m. Trustee Selman seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Gohl & Abboud)

Nays: 0

Absent: 2 (Messer, Ramesh)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Meeting to order at 7:38 p.m.

APPROVAL OF MINUTES

Trustee Gohl motioned to approve the Minutes of the November 26, 2012 meeting. Trustee Gianopulos seconded. All present said Aye.

Motion Approved

Trustee Gohl made the motion to approve the November 26, 2012 Executive Minutes, Trustee Meroni seconded. All present said Aye. Trustee Ramesh abstained.

Motion Approved

Trustee Gohl made the motion to dispose the Executive Session Meeting Recordings of March 28, 2011. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Gohl made the motion to ascend the Executive Minutes identified address as:

Moksymonko
261 Steeplechase/Koulouris
2 Tricia Lane
416 County Line Rd.
347 Sutton
908 Rub-of-the-Green
104 Brinker
363 Bateman Circle
1313 Plum Tree
324 Sutton
551 Cuba

Trustee Meroni seconded. Roll Call:

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 1 (Messer)

Motion Approved

FINANCE – Karen S. Selman

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for November, 2012. Trustee Gohl seconded. All present said Aye.

Motion Approved

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board Report for November, 2012. Trustee Meroni seconded. All present said Aye.

Motion Approved

Overtime Reports - Trustee Selman made the motion to approve the Overtime Report from November 16, 2012 through December 15, 2012 totaling \$7,664.01. Trustee Meroni seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)
Nays: 0
Absent: 1 (Messer)

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of November 16, 2012 to December 15, 2012, totaling \$628,449.02. Trustee Gohl seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)
Nays: 0
Absent: 1 (Messer)

Motion Approved

Annual Levy Ordinance - Trustee Selman made the motion to accept the Annual Levy for the Year 2013. Trustee Meroni seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Gohl & Abboud)
Nays: 1 (Ramesh)
Absent: 1 (Messer)

Ordinance 10-10 Approved

Street & Bridge Fund Transfer Resolution - Trustee Meroni made the motion to approve the Street and Bridge Fund Transfer resolution. Trustee Selman seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)
Nays: 0
Absent: 1 (Messer)

Resolution 12-29 Approved

ROADS & BRIDGES – Patty Meroni

Monthly Report

Cuba Road Bridge - Dan Strahan met with IDOT on December 4 to discuss the Phase I Engineering for the project. Project Development report for Phase II was authorized by IDOT.

2013 Road and Drainage Program - The topographic surveys have been completed for the 2013 program. A limited drain tile survey of Spring Creek Road has also been completed. A storm sewer easement on the Klein Subdivision at Spring Creek Road and Braeburn Lane will be revised to reflect changes made by the current owner and to give the Village the ability to make repairs as they become necessary. Meetings with property owners affected by some drainage issues in this area will be scheduled in 2013.

Barrington Area Conservation Trust - As a result of a meeting with BACT earlier this year, the Village will meet with BACT in January to discuss their goals and plans for 2013. This endeavor should prove beneficial to both parties and the continued preservation of our unique rural character.

2012 Traffic Counts - As expected the traffic counts on Village roads showed a decrease in traffic since the 2007 count, but by more than expected – 20%. The highest traffic counts remain Plum Tree Road east of Ridge, Algonquin/River Road, Dundee Lane, Haeger’s Bend, Helm Road and Ridge Road.

3 Braeburn Lane Easement Resolution – Trustee Meroni motioned to accept the 3 Braeburn Lane Easement Resolution. Trustee Selman seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)
Nays: 0
Absent: 1 (Messer)

Resolution 12-30 Approved

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report – Trustee Gohl presented the monthly report which was included in the packet.

Union Negotiations – Arbitrator has not yet submitted a response.

IAA - President Abboud advised he is concerned about chemical problems. The proposed facility design was sent to IEPA ten days ago. He asked IEPA for the document and they will not release it. He will be asking Attorney General, Lisa Madigan, to supervise the situation.

BUILDING AND ZONING - Joseph S. Messer

Monthly Report – Thirteen building permits were issued from November 16th to December 15th.

Trustee Messer was absent. The following report was distributed by the Building Department.

2 Tricia Lane: Property with two barn structures, the existence of which caused the property to violate F.A.R. requirements. During the June 6th court hearing Mr. Patel told the Court that he had a contract to remove the smaller of the two barns and would seek a F.A.R. variance from the ZBA to allow the larger barn to remain. He has since removed the smaller barn. Mr. Patel appeared before the ZBA on September 17th and his request for a variance was denied.

Update: As of December 19, 2012, no demolition permit application has been received.

363 Bateman Cir S: Police Department served Ms. Marie Stallone (daughter who signed contract to have trees removed) for August 24th court date re: mitigation. Ms. Stallone failed to appear in Court. Next status hearing September 27th. Village provided an affidavit of service on Ms. Stallone. Attorney Busch will ask the Court to enter an Order requiring Ms. Stallone to mitigate the damage by re-planting and a fine of \$750 per day for each day that she fails to comply with the Order. ComEd has cut service to this property. The Village Arborist provided the replacement cost of the removed trees (\$82,320.00 includes 3 year guarantee as required by code), per the Court’s request.

Update: Village filed an amended complaint requesting \$750.00 per day for the non-conforming structure (barn without residence) and provided the Court with the Village Arborist’s affidavit of the replacement cost of trees. Mr. Atkiels was unable to appear and the judge demanded the Village provide proof of service showing Ms. Stallone was notified to appear in court. Next status date January 11, 1013.

8 Jennifer Court: Landscape contractor submitted plans to correct septic problem July 25th. GHA reviewed plans and responded via letter on August 6th. GHA had five issues with the plan. No response to date (no deadline for response given). Owner needs to disconnect downspouts from extending over the property to prevent flooding to neighbor's property. Village Engineer or Building Department as of October 19th.

Update: Revised drawings forwarded to Village Engineer on December 17th.

551-553 Cuba Road: Home Occupation violation (mulch pile & landscaping) letter sent July 20th with 45 day response date (09/04/12). Dave Myers provided a letter to the Building Department August 29th stating he is currently working on cleaning up the property. He plans to be in compliance within the next 60 days (10/23/12).

Update: Property checked December 19th and equipment still visible and mulch pile appears to be unchanged from last month.

385 Spring Creek Road: Expired pond permit (issued 08/07/06). Final notice letter requiring work to be completed and an "as built" drawing filed with the Village sent to property owner (Roman Udzielak) on July 20th with 45 day response date (09/04/12).

Update: Certified letters mailed December 6th to both property owners and their daughter, who is handling their affairs, along with their attorney.

594 Plum Tree Road: Roads were created and property has become a dumping ground, although no further complaints since stop work order was posted. Realtor advised the Village the property is occupied by the owner. All attempts to contact property owner have failed to result in any response from owner.

Update: Complainant was provided information about installing the Village recommended gate to prevent access from his easement to this property.

1313 Plum Tree Road: Building permit issued August 31, 2006 for an addition and alteration. Rough inspections were made, last ones being completed in 2008, but the permit remains uncompleted. Property owner is in litigation with contractors, see attached March 22nd extension request. Certified letter sent November 27th advising the Village to close expired permit and any further work will require property owner to obtain new building permit to complete work.

Update: Return receipt request card received back December 18th. No response to date.

74 Brinker Road: On October 18th the Building Department was made aware the resident has constructed a canopy/shelter over an outdoor hockey rink without a permit. Property owner was notified by certified letter on November 6th and has submitted plans for review.

189 Old Sutton Road: Received complaints from neighbors regarding burning violations and construction of a barn lean-to without a permit. Stop work order was posted October 31st and certified letter sent to property owner. Residence and barn are leased to separate tenants. Property owner and barn tenant are working with Building Department to resolve.

Update: Resident and contractor are still working on plans and material appears to have been removed from right-of-way.

358 Bateman Circle South: Resident was re-grading property without a site development permit and a stop work order was posted November 1st. Resident is working with an engineer and Dan Strahan to provide necessary documents for site development permit. Dan Strahan advised the contractor could remove soil from right-of-way while awaiting building permit. Awaiting revised plans.

3117 Spring Creek Road: Wage garnishment was approved by court, accepted by employer and the Village should receive first garnishment in approximately four weeks.

ZBA Report – Trustee Messer was absent and no report submitted.

PLANNING – Elaine M. Ramesh

Monthly Report – Patsy Mortimer of Flint Creek Watershed partnership was the guest speaker at this month's meeting, providing an overview of the Watershed Plan to the Commission. She reported that the Paganica Subdivision, as assisted by the Flint Creek Watershed Partnership, had received a grant from the Lake County Stormwater Management Commission to make some stormwater related improvements.

The Commission preliminarily discussed the new project to do some long-range planning for Focus Area 3. Publically available information on the property including topography, surrounding development, hydrology and ownership will be gathered and presented at a future meeting. It was decided that a sub-committee of Pat Hennelly and Lou Anne Majewski would be formed to initiate the project, beginning in the month of May.

The Commission also discussed the need to monitor planning activities in the four counties which can affect Barrington Hills, as required by their Village Board liaison. One member of the Commission will be responsible for each of the counties and update the group when they find relevant information such as public meetings or Open Houses on the county website.

McHenry County Planning-Related Information - The McHenry County Unified Development Ordinance is still under review at the Commission level. It is anticipated that a second draft document will be made available for public comment sometime in 2013.

The McHenry County Conservation District's survey of the attitudes and interests of residents on recreation has closed. Approximately 700 residents participated in the survey. Results will be made available in the first quarter of 2013. The McHenry County Conservation District continues to work on ADA compliance in their facilities.

The Fox Bluff Master Plan project is ongoing. Six buildings on the property had been identified as most important to retain. However, initial review indicated that the cost of repairs and bringing the buildings into ADA compliance would be approximately the same as replacing the structures with equivalent new buildings. The Preliminary Plan is in the process of completion. It will be available on the website for public comment from February 22nd – March 18th, and an Open House for viewing and commenting on the Plan will be held March 7th.

BACOG – Janet Agnoletti distributed a Report on the BACOG 2013 Legislative Platform and their recommendations as of November 27, 2012 and spoke in detail regarding this report. President Abboud recommended that the Board review this Legislative Platform and vote to accept it at the January Board of Trustees meeting.

INSURANCE – Harold Gianopulos

Monthly Report – Trustee Gianopulos advised that our insurance plan will remain the same for the year 2013 with Blue Cross/Blue Shield.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report – Trustee Gianopulos has received complaints regarding littering on Chapel Road. Chief Murphy will work on stepping up patrol. Countryside School meeting regarding a burning ban has been postponed.

ATTORNEY – Doug Wambach

Pending Litigation - Covered in Executive Session.

Personnel – No report.

ADMINISTRATION – President Abboud

AT&T E911 Telephone Purchase Resolution – Trustee Gianopulos motioned to approve this resolution. Trustee Meroni seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 1 (Messer)

Resolution 12-31 Approved

2013 Meeting Calendar – Trustee Selman motion to accept the 2013 Meeting Calendar. Trustee Gohl seconded. All present said Aye.

Motion Approved

PUBLIC COMMENTS: None

Trustee Gohl made the motion to adjourn the Public Session at 9:05 p.m. Trustee Selman seconded. All present voted Aye:

Meeting Adjourned

Approved