

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Monday, March 25, 2013

President Abboud called the Regular Meeting to order at 6:41 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, President Pro Tem
Elaine M. Ramesh, Trustee (arrived 7:24 p.m.)
Joseph S. Messer, Trustee (absent)
Karen S. Selman, Trustee
Patty Meroni, Trustee
Harold Gianopulos, Trustee (absent)

Michael Murphy, Police Chief
Doug Wambach, Village Attorney
Robert Kosin, Village Administrator
Dolores Trandel, Village Clerk

Guests

P. Denise Israel, resident
David Stieper, resident
Kelly Mazeski, resident
Colleen Hannigan, resident
Jack Reich, Resident
Lt. Joe Colditz, BHPD
Joanne Gumprecht, BHPD
Angela Sheriff, unknown
Jon Knight, resident
Dan Strahan, Village Engineer

Trustee Selman motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:42 p.m. Trustee Meroni seconded. Roll Call.

Ayes: 4 (Selman, Meroni, Gohl & Abboud)

Nays: 0

Absent: 3 (Ramesh, Messer, Gianopulos)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Meeting to order at 8:03 p.m.

Trustee Meroni motioned to open Public Hearing on the Appropriation Ordinance. Trustee Selman seconded. All present said Aye.

Motion Approved

No comments were received.

Gohl motioned to close Public Hearing on the Appropriation Ordinance. Trustee Selman seconded. All present said Aye. Trustee Ramesh said Nay.

Motion Approved

APPROVAL OF MINUTES

Trustee Selman motioned to approve the Minutes of the February 25, 2013 meeting. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Gohl made the motion to approve the February 25, 2013 Executive Minutes, Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Selman made the motion to dispose the Executive Session Meeting Recordings of June 27, 2011. Trustee Gohl seconded. All present said Aye.

Motion Approved

FINANCE – Karen S. Selman

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for February, 2013. Trustee Gohl seconded. All present said Aye.

Motion Approved

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board Report for February, 2013. Trustee Meroni seconded. All present said Aye.

Motion Approved

Overtime Reports - Trustee Selman made the motion to approve the Overtime Report from February 16, 2013 through March 15, 2013 totaling \$3,176.49. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 2 (Messer, Gianopulos)

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of February 16, 2013 to March 15, 2013, totaling \$241,854.52. Trustee Gohl seconded. Roll Call.

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

Nays: 0

Absent: 2 (Messer, Gianopulos)

Motion Approved

Annual Appropriation Ordinance – Trustee Selman motioned to approve the Appropriation Ordinance for the fiscal year of January 1, 2013 to December 31, 2013 for a total of \$11,432,000. Trustee Gohl seconded. Trustee Ramesh felt we could do better on cutting costs. Roll Call.

Ayes: 4 (Selman, Meroni, Gohl & Abboud)

Nays: 1 (Ramesh)

Absent: 2 (Messer, Gianopulos) Trustee

Ordinance 13-03 Approved

ROADS & BRIDGES – Patty Meroni

Monthly Report

2013 Road Program – Project Closeout - The Village has received an invoice from the 2012 road contractor, Geske and Sons, Inc. The Dundee Lane level binder issue has not been satisfactorily addressed and a meeting with the Village will be scheduled to review these issues.

Other items require revision and will likely be presented at the April board meeting.

Cuba Road Bridge - A meeting was held at the home of the residents on whose property Cuba Road Bridge stands regarding the location, right of way, engineering, and the processes as the engineering and right of way work begins.

The residents were very cooperative and appreciative of the village's outreach to them and assistance in the process.

The next steps will include having our attorneys and the ZBA refine an amendment to the zoning ordinance addressing the several properties currently being adversely impacted by eminent domain through no fault of their own which will result in less than 5 acres.

County Line Road Crosswalk - Barrington has received grant funding approval for the Hart Road project in 2015 which will include the enhancements to the crosswalk at the intersection of County Line Road and Hart Road.

Homeowners Association Meeting - The meeting will be scheduled in early April.

Seasonal Road Posting Resolution – The seasonal road weight limits were posted March 14, 2013 as a result of the freeze/thaw cycles and the rapid melt down and heavy rains. Trustee Meroni motioned to accept the Seasonal Road Posting resolution. Trustee Gohl seconded. All present said Aye.

Resolution 13-05 Approved

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report – Trustee Gohl presented the monthly report which was included in the Board of Trustees meeting packet.

Awards - A plaque was presented to Alice Runvik by Chief Murphy for her twenty years of service and to Master Officer Gary Hammelmann in appreciation of thirty years of service.

Surplus Property Ordinance – Trustee Gohl motioned to approve the Surplus Property Ordinance. Trustee Meroni seconded. Roll Call

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

Nays: 0

Absent: 2 (Messer, Gianopulos)

Ordinance 13-04 Approved

Torch Run Resolution – Trustee Gohl motioned to approve the Torch Run Resolution for 2013. Trustee Meroni seconded. All present said Aye.

Resolution 13-06 Approved

Tri-Panel Arbitration Award Supplemental – On February 19th, the Village submitted its response to the Arbitration Panel. On March 11th, the Arbitration Panel met here at the Village Hall. President Abboud stated Arbitrator McAlpin, the neutral arbitrator, did not follow the statute or rule relative to the hearing procedure and dates for different stages of the process. When Attorney McGuire asked Mr. McAlpin why he was not following statute or rule, Mr. McAlpin replied that he had received instruction on the process from a “phone call”. When asked to identify who he spoke with, Mr. McAlpin refused to identify who he spoke with and the nature of the instructions he received. President Abboud had Mr. McAlpin review the statute and rule and he admitted that he was not following the rule, but rather, following his instructions he received.

The Panel produced another Supplemental item to the Board. The Board is scheduled to meet on Thursday, April 4th here at the Village Hall to discuss the latest supplemental as this information was received today and the Trustees need time to review.

BUILDING AND ZONING - Joseph S. Messer

Monthly Report – Trustee Messer was absent and his report was included in the Board of Trustees meeting packet. There were five building permits issued in February, 2013.

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. ComEd has disconnected service to this property. In court on February 15th, James Bush received a judgment of \$82,320.00 for mitigation, in addition to the previous \$7,000 judgment for the removal of trees. James Busch has been requested to research discovery of assets for Ms. Stallone.

Update: No change

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. Mailed certified letter on November 20th advising two weeks to comply or matter will be referred to Village Attorney. Citation issued and sent to resident via certified mail on January 24th for 4-2-7 (D) discharge of sewage, 4-3-3 (1) altered drainage and 7-1-2 created cesspool

Update: Resident did not appear in court on March 12th and the Village received a judgment of \$750.00 for each of the three citations issued. Certified letter sent to resident advising of judgment and requesting response to Village Engineer’s comments on plan.

551-553 Cuba Road: Home Occupation violation (mulch pile & landscaping) letter sent July 20th with 45 day response date September 4, 2012. Dave Myers provided a letter to the Building Department August 29th stating he plans to be in compliance within the next 60 days or October 23, 2012.

Update: Citations to be issued for non-compliance with an April 12th court date, service by certified mail and signed for by resident on March 6th

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). Per the mortgage bank’s attorney, home was sold back to bank on October 22nd with confirmation date of January 23rd. Sale confirmation deferred to April. Site to be considered for a dry hydrant.

Update: Dry hydrant is still under consideration in the 2013 Road Program..

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. Property to be checked periodically for any further construction.

Update: Advised owner representative on March 19th that permit is required and plans to be submitted.

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. Certified letter sent November 27th advising the Village will close expired permit and any further work will require property owner to obtain new building permit to complete work. Building Department to request status inspection before closing expired permit. Mr. Colby will be returning to the area early April and will schedule a status inspection at that time as no one is available to allow access to property.

Update: Awaiting Mr. Colby’s return.

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.

Update: Application submitted March 4th, awaiting plan revisions.

ZBA Monthly Report – The ZBA met on March 18th and has approved the 2013 Zoning Map. Trustee Messer requested putting the ZBA's request for public hearing to the April meeting as he would like to be explain to the Board the status of the matter and the purpose of the requested hearing.

2013 Official Zoning Map Resolution – Trustee Meroni motioned to approve the 2013 Zoning Map Resolution. Trustee Gohl seconded. All present said Aye.

Resolution 13-07 Approved

PLANNING – Elaine M. Ramesh

Monthly Report – The Plan Commission meeting of March 11th had been cancelled. A CMAP representative will be at the next Plan Commission meeting on April 8th.

East Dundee IAA Land Use Report – IEPA continues to struggle with their jurisdictional issues. It was revealed that another facility in Elgin “Copar” is covered by IEPA. Trustee Ramesh questioned the threat to ground water beyond the Pond Gate Subdivision and President Abboud explained that aquifers are interconnected and would travel beyond the immediate IAA site.

INSURANCE – Harold Gianopulos

Monthly Report – Trustee Gianopulos was absent. Nothing new to report.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report – Trustee Gianopulos was absent. Nothing new to report.

Roadside Clean-up/eWaste April 20th - All on schedule and moving forward.

ATTORNEY – Doug Wambach

Pending Litigation - Addressed in Executive Session.

Personnel – No report.

ADMINISTRATION – President Abboud

Blue Star Memorial Day, May 27th – Memorial Day is Monday, May 27th, and on that day there will take place a dedication of the **Blue Star** Memorial Marker. It will be at 1:00 p.m. The attempt will be to have it conflict with other area events as little as possible.

PUBLIC COMMENTS:

David Stieper, 10304 Braeburn Road – Sears is suing the Village for \$10,000,000. If they are successful, how will the Village handle the cost. Attorney Wambach responded there is only a very remote possibility for Sears to succeed.

Trustee Selman made the motion to adjourn the Public Session at 8:52 p.m. Trustee Meroni seconded. All present voted Aye:

Meeting Adjourned

Approved